

NOTICE OF THE COMMITTEE OF THE WHOLE MEETING

The special meeting of the Committee of the Whole is scheduled for
Tuesday, December 15, 2020 beginning at 7:00 p.m.

A copy of the agenda for this meeting is attached hereto and
can be found at www.tinleypark.org.

NOTICE - MEETING MODIFICATION DUE TO COVID-19

Pursuant to Governor Pritzker's Executive Order 2020-07, Executive Order 2020-10, Executive Order 2020-18, Executive Order 2020-32, Executive Order 2020-33, Executive Order 2020-39, and Executive Order 2020-44, which collectively suspends the Illinois Open Meetings Act requirements regarding in-person attendance by members of a public body during the duration of the Gubernatorial Disaster Proclamation, issued on June 26, 2020, the members of the Committee of the Whole may be participating in the meeting through teleconference.

A livestream of the electronic meeting will be broadcasted at Village Hall. Pursuant to Governor's Executive Order No. 2020-43 and CDC guidelines, no more than 25 people or 25% of the maximum capacity will be allowed in the Council Chambers at any one time, so long as attendees comply with social distancing guidelines. Anyone in excess of maximum limit will be asked to wait in another room with live feed to the meeting until the agenda item for which the person or persons would like to speak on is being discussed or until the open floor for public comments.

Meetings are open to the public, but members of the public may continue to submit their public comments or requests to speak telephonically in advance of the meeting to clerksoffice@tinleypark.org or place requests in the Drop Box at the Village Hall by noon on December 15, 2020. Please note, written comments will not be read aloud during the meeting. A copy of the Village's Temporary Public Participation Rules & Procedures is attached to this Notice.

Kristin A. Thirion
Clerk
Village of Tinley Park

**VILLAGE OF TINLEY PARK
TEMPORARY PUBLIC PARTICIPATION RULES & PROCEDURES**

As stated in Gubernatorial Executive Order 2020-07 issued on March 16, 2020 and Gubernatorial Executive Order 2020-10 issued on March 20, 2020, both extended by Gubernatorial Executive Order 2020-18 issued on April 1, 2020, all public gatherings of more than ten people are prohibited. In-person public participation is not defined as an essential activity.

The Mayor of Tinley Park is issuing the following rules for all Village Board and other public meetings in order to promote social distancing as required by the aforementioned Executive Orders and the requirements of the Open Meetings Act:

Written Comments

After publication of the agenda, email comments to clerksoffice@tinleypark.org. When providing written comments to be included as public participation at a public meeting, clearly identify the following in the subject line:

- The date of the meeting;
- The type of meeting for the written comments (e.g. Village Board meeting, Zoning Board of Appeals meeting, Plan Commission meeting, etc.);
- Name and any other identifying information the participant wishes to convey to the public body;
- The category of public participation (e.g., Receive Comments from the Public, Agenda Items, etc.);
- For specific Agenda Items, identify and include the specific agenda item number;
- The entire content of the comments will be subject to public release. The Village of Tinley Park is under no obligation to redact any information.

The contents of all comments will be provided to the relevant public body for their review. **Written comments will not be read aloud during the meeting. If you wish to publicly address the public body, you may request to participate via teleconference as described below.**

Comments must be submitted by 12:00 pm on the day of the meeting. However, it is strongly recommended that comments be emailed not less than twenty-four (24) hours prior to the meeting so the appropriate Board members, Commissioners, Board members, and Committee members have sufficient time to review the comments prior to the meeting.

Live Public Participation During Meeting

After publication of the agenda, those wishing to participate in a live telephone call option at a public meeting must register by 12:00 pm on the day of the meeting. A Village representative will call the participant at the relevant portion of the meeting and the participant will be allowed to participate telephonically at the meeting. To participate in a live telephone call during the meeting, a request shall be submitted by email to clerksoffice@tinleypark.org. The following information must be included the subject line:

- The date of the meeting;
- The type of meeting for the written comments (e.g. Village Board meeting, Zoning Board of Appeals meeting, Plan Commission meeting, etc.);
- Name and any other identifying information the participant wishes to convey to the public body;
- The category of public participation (e.g., Receive Comments from the Public, Agenda Items, etc.); and
- For specific Agenda Items, identify and include the specific agenda item number.

If the participant provides an email address, they will receive a confirmation email that their request has been logged. If the participant provides an email address and does not receive a confirmation email, they may call (708) 444-5000 during regular business hours to confirm the application was received.

Upon successful registration, the participant's name will be placed on an internal Village list. On the date and during relevant portion of the meeting, the participant will be called by a Village representative. The Village representative will call the provided telephone number and allow the phone to ring not more than four (4) times. If the call is not answered within those four (4) rings, the call will be terminated and the Village representative will call the next participant on the list.

The public comment should be presented in a manner as if the participant is in attendance at the meeting. At the start of the call, the participant should provide their name and any other information the participant wishes to convey. For comments regarding Agenda Items, identify and include the specific agenda item number. The participant should try to address all comments to the public body as a whole and not to any member thereof. Repetitive comments are discouraged. The total comment time for any single participant is three (3) minutes. Further time up to an additional three (3) minutes may be granted by motion. A participant may not give his or her allotted minutes to another participant to increase that person's allotted time.

MEETING NOTICE - VILLAGE OF TINLEY PARK
MEETING OF THE COMMITTEE OF THE WHOLE

NOTICE IS HEREBY GIVEN that a special Committee of the Whole Meeting of the Village of Tinley Park, Cook and Will Counties, Illinois will be held on Tuesday, December 15, 2020, beginning at 7:00 p.m. in Council Chambers, located in the Tinley Park Village Hall, 16250 South Oak Park Avenue, Tinley Park, Illinois 60477.

The agenda is as follows:

1. CALL MEETING TO ORDER.
2. CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING HELD ON DECEMBER 1, 2020.
3. DISCUSS RESOLUTION SEEKING CLASS 8 CERTIFICATION FOR DUVAN INDUSTRIAL PARK BY COOK COUNTY ASSESSOR.
4. DISCUSS 17532 DUVAN DRIVE – 6B SER RECLASSIFICATION.
5. DISCUSS 191ST & 80TH AVE (SWC) – CRANA HOMES – CONCEPT SITE PLAN.
6. DISCUSS ANNUAL CISCO MAINTENANCE RENEWAL WITH MERIDIAN IT.
7. DISCUSS AMENDMENT TO MUNICIPAL CODE SECTION 110.28 – BUSINESS LICENSING.
8. RECEIVE COMMENTS FROM THE PUBLIC.

ADJOURNMENT

KRISTIN A. THIRION, VILLAGE CLERK

MINUTES
Special Meeting of the Committee of the Whole
December 1, 2020 – 6:30 p.m.
Village Hall of Tinley Park – Council Chambers
16250 S. Oak Park Avenue
Tinley Park, IL 60477

President Pro Tem Glotz called the special meeting of the Committee of the Whole on December 1, 2020, to order at 6:34 p.m.

At this time, President Pro Tem Glotz stated this meeting was conducted remotely via electronic participation consistent with Governor Pritzker’s Executive Orders suspending certain requirements of the Open Meetings Act provisions relating to in-person attendance by members of a public body due to the COVID-19 pandemic. President Pro-Tem Glotz introduced ground rules for effective and clear conduct of Village business. Elected officials confirmed they were able to hear one another.

Clerk Thirion called the roll. Present and responding to roll call were the following:

Members Present: J. Vandenberg, Village President (Participated electronically)
 M. Glotz, Village President Pro Tem
 K. Thirion, Village Clerk
 C. Berg, Village Trustee
 W. Brady, Village Trustee
 W. Brennan, Village Trustee
 D. Galante, Village Trustee
 M. Mueller, Village Trustee

Members Absent:

Staff Present: D. Niemeyer, Village Manager
 P. Carr, Assistant Village Manager
 L. Godette, Deputy Clerk
 J. Urbanski, Public Works Director
 K. Clarke, Community Development Director
 M. Walsh, Police Chief
 H. Lipman, Management Analyst
 A. Brown, Assistant Village Treasurer
 P. Connelly, Village Attorney

Others Present: V. Calombaris, Robinson Engineering
 Ed Nemeec, Dancing Marlin Restaurant Group

Item #2 - CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING HELD ON NOVEMBER 17, 2020 – Motion was made by Trustee Berg, seconded by Trustee Brady, to approve the minutes of the Special Committee of the Whole meeting held on November 17, 2020. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

Item #3 - DISCUSS CLASS K-1 LIQUOR LICENSE REQUEST FOR THE WHISTLE EVENTS

AND CATERING – Hannah Lipman, Management Analyst, presented the liquor license request from The Whistle Events and Catering (WEC) located next door to The Whistle at 7537 159th St., Unit A. With limited banquet/event space in the Village, WEC will combine catering, atmosphere, ambiance, and high-quality service to local businesses and residents for a variety of event needs. The goal is to be a premier catering and event space on the Southside of Chicago.

The WEC will need to work with the Community Development Department to ensure proper zoning and parking requirements are met.

The Liquor Commissioner recommended an amendment be made to Class K-1. This amendment would allow for food to be catered from outside vendors.

President Vandenberg stated a parking study has been done and the Liquor Commissioner's office has no concerns with parking or with the applicant.

President Pro Tem Glotz stated employees would be parking off-site during events. Trustee Brady asked where they would be parking. Bobby Sanfilippo, from WEC, stated he has spoken with Marquette Bank and they have agreed to allow for employee parking during events.

Motion was made by Trustee Brennan, seconded by Trustee Brady, to recommend the liquor license request from The Whistle Events and Catering and the Class K-1 Code amendment, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. Abstain: Berg. President Pro Tem Glotz declared the motion carried.

Item #4 - DISCUSS BOULEVARD AT CENTRAL STATION – RESTAURANT INCENTIVE -

Kimberly Clarke, Community Development Director, presented the incentive agreement. Dancing Marlin Restaurant Group is planning to build out approximately 6,900 sq. ft. of space on the lower level of the Boulevard at Central Station for an upscale casual restaurant (name unknown). Bringing the businesses to Tinley, would require an investment of approximately \$1.9 million, to build-out the space and they have approached the Village for financial assistance.

The proposed restaurant concept is an Italian inspired tapas-style menu, along with a full bar, outdoor dining, and banquet space. The first phase will include a 35-seat restaurant with an outdoor dining area and a carryout area. The second phase includes a 140-seat banquet area.

Dancing Marlin Restaurant Group has requested \$300,000 in assistance; \$230,000 of the request is upfront to support the build-out with the remaining \$70,000 being paid through sales tax sharing, over three (3) years. The Village would share part of the 1% State of Illinois Sales Tax collected. The Village's home rule tax is not part of the incentive. The breakdown of the incentive is described as follows:

Incentive (part 1): The initial incentive will be distributed from the capital project fund with the intention of reimbursement from the New Bremen Tax Increment Financing (TIF) district for all TIF eligible costs. The Village will receive all paid invoices related to the restaurant project so that all eligible TIF expenditures can be identified and reimbursed in accordance with the TIF act. Any portion of the distribution that is not reimbursed by the TIF district will be reimbursed to the capital projects fund through the sales tax generated from the restaurant.

Incentive (part 2): The sales tax assistance will be paid from the new sales tax generated from the restaurant. After the Village receives the sales tax, the Village would keep the sales tax generated from the first million dollars in taxable sales (\$10,000). The Village would then share the next \$20,000 in sales tax collected with the restaurant group. All sales tax generated over three million dollars in taxable sales is split evenly between the Village and the restaurant group. This sharing agreement will expire when the

restaurant group receives \$70,000, or five years whichever occurs first. Based on the restaurant group's projections, the agreement should be satisfied early in the third year.

The project provides several benefits to the Village:

- Houses a business that has the potential to create the desired synergy to attract Millennials, a vital demographic, to the Downtown.
- Serves as an anchor to attract related visitor and tourism businesses, creating an estimated 70 jobs.
- Additional sales tax to the Village.

Ed Nemec, Dancing Marlin Restaurant Group, introduced himself and provided an overview of the proposed restaurant.

Trustee Berg has a concern with giving money to non-Tinley Park businesses, noting there is no development agreement.

Trustee Galante asked how much outdoor seating will be available and if they will be open during the day, raising parking concerns. Ms. Clarke explained the corner unit has a non-public sidewalk available for outdoor seating but did not have the site-plan with her. The development is providing more on-street parking than was previously allocated. There is also a lot behind the building and the commuter lot which is available to the public after 10 a.m. Trustee Galante is also concerned with the developer not filling the space using their incentives adding the current Board had not previously provided up-front funding.

David Niemeyer, Village Manager, explained the history of the South Street agreement stating the development agreement allows for the developer to seek additional incentives and the ability for the Village to negotiate agreements with fine dining/upscale restaurants. He added that restaurants in other south suburban towns have received up-front money that was significantly larger than what is currently being sought. Trustee Brennan agrees, adding that while there is risk associated with providing up-front money, it needs to be done to ensure an upscale restaurant is in the space.

President Pro Tem Glotz asked Mr. Nemec to explain the Tapas style menu.

Trustee Mueller asked Mr. Nemec about his carry-out experience and if the tap wine concept will be at the new restaurant. Mr. Nemec stated that he does have prior experience and coupled with the changes dine-in restaurants faced with the COVID pandemic, they have learned how to be successful with the carry-out option. He added, providing a dedicated carry-out area to the new restaurant will be helpful in the future, making it "pandemic-proof". Tap wine will be available in addition to other tap beverages.

Trustee Brennan asked for clarification on the length of the agreement. Ms. Clarke and Andrew Brown, Assistant Village Treasurer, explained the agreement will expire when the restaurant group receives \$70,000 or five years, whichever occurs first.

Trustee Brady asked if there are any provisions in place to protect other tenants from noise associated with the banquet space, i.e. band or D. J. Mr. Nemec stated no entertainment is planned. It will be a smaller room with no stage area.

Motion was made by Trustee Brennan, seconded by Trustee Mueller, to draft an incentive agreement. Vote by roll call. Ayes: Brady, Brennan, Glotz, Mueller. Nays: Berg, Galante. Absent: None. President Pro Tem Glotz declared the motion carried.

Item #5 - DISCUSS 17201 AND 17401 RIDGELAND AVENUE - ELFI COOK COUNTY CLASS 8

– President Pro Tem Glotz asked the Trustees if there were any questions after reading the packet. Trustee Berg inquired about the status of the Panduit property. Ms. Clarke stated Panduit is still in negotiations with a home builder.

Motion was made by President Pro Tem Glotz, seconded by Trustee Berg, to recommend the Class 8 Incentive for 17201 and 17401 Ridgeland Avenue, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

Item #6 - DISCUSS 80TH AVENUE INTERGOVERNMENTAL AGREEMENT (IGA) - Van Calombaris, Robinson Engineering, presented the IGA. Costs relating to improvements on 80th Avenue from 191st St. to 183rd St. were outlined. They included roadway, street lighting, traffic signals, landscaping, sidewalk and multi-use path, fiber optic, aesthetics, and a new water main. Some of the associated costs will be shared by Will County and the Village. The current estimated costs for the shared improvements are \$7.284 million, with the Village responsible for all costs over \$5.6 million. After the improvements are completed, Will County will transfer the jurisdiction of 80th Avenue to the village. Annual maintenance and capital reserve costs in addition to the life-cycle costs for the roadway, I-80 bridge, and the Union drainage ditch bridge were also covered.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to recommend the 80th Avenue IGA, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

Item #7 - 2021 TAX LEVY – Mr. Brown, presented the levy request. At the November 17, 2020, Committee of the Whole, it was voted to keep the 2020 tax levy at the same amount as the 2019 tax levy, \$27,570,532. This includes the Library levy amount of \$6,003,680. He also explained the abatement ordinances.

Trustee Mueller would like to have \$573,000 for the Police Pension Fund be added to the levy. Trustees Berg, Brady, Brennan, Galante, and Glotz concur.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to recommend the 2020 Tax Levy with a 2.07% increase, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

Item #8 - STRATEGIC PLAN UPDATE – Mr. Niemeyer presented the update. The plan was developed by the Village Board at a Strategic Plan session over 2 days in November 2019. COVID and the subsequent changes to the Village budget have affected the ability to address some of the priorities. The update provided reflected the goals and strategies developed last year. Highlights include:

Public Safety

- Promoting technology, research, training, and development to support enhanced safety services.
- Implementation plan for the 2018 Police Staffing Study and determined attainable deployment models for all public safety operations. Police staffing is currently at 67/69 Authorized Patrol Officers. The Deputy Chief position is currently vacant. Since the staffing study, the Village has authorized the addition of the following positions: 3 Commanders (2 filled, 1 on hold), re-filled the 10th Sergeant position, and 8 Patrol Officers (3 on hold)

- Fire Department is working on maintaining applicable Insurance Services Office (ISO) measurements. Fire Prevention has attained reaccreditation of bureau operations.
- License plate recognition (LPR) camera installation finalized, implementation is in progress. Grant money for reimbursement is being applied for.
- Fire Department has fully implemented a cardiac arrest/high-performance resuscitation protocol in 2020. Work continues to move toward basic life support (BLS) first-responder/non-transport status.

Many workforce investments have been put on hold due to revised budgets and the change of the Human Resources Director.

Despite COVID-19, there has been a lot of economic development activity.

- Meetings with Chicago Southland Interstate Alliance (CSIA-80) have begun and the website is nearly final and should be made public soon.
- With the 159th & Harlem TIF approved in August of 2020, the Tinley Park Plaza is now under demolition and has two key tenants. Staff is now in discussions with the owner of the Hobby Lobby/Burlington Shopping center regarding redevelopment opportunities. Pete's Fresh Market has submitted its redevelopment plans.
- Continued efforts are being made to promote the OPA Grants and work with those property owners that are looking to attract tenants.
- Continued efforts are being made to reduce permit processing time. Mainstar went live in May/June.
- The Village is working on a utility plan for 183rd & LaGrange Road, to attract new development.
- New businesses continue to come downtown, including Avocado Theory and What's the Scoop.

Increase neighborhood, and business district stability

- Code enforcement continues to utilize Prochamps to register all foreclosed properties and uses that database to monitor those homes.
- Chronic Nuisance Ordinance passed.
- A redevelopment grant was created to attract developers to vacant properties outside TIF's. This money is now being allocated to Tinley Park restaurants to offset COVID costs for outdoor dining.
- COVID has impacted job markets severely. However, through business retention activities, the Village is trying to communicate with and aid our existing business community, to help keep their doors open and people employed. Providing a small grant to offer restaurants for costs spent on outdoor dining tents, heaters, equipment, etc.
- A monthly economic newsletter was created. Although physical contact with businesses has been limited, due to COVID, the Village has hosted 3 "round table" webinars to educate the business community about certain topics such as "Digital Marketing in COVID Environment; Surviving COVID; PPP Forgiveness Loan; Best Practices for Restaurants.

Improve community engagement and tourism

- The "Pop Up" Village Hall concept (at events and other community gatherings), will be resurrected post-pandemic. Video engagement efforts increased and are continuing. Numerous community engagement efforts related to COVID. Evaluating all touchpoints with residents to ensure we are capturing engagement opportunities.
- The Community Development Department has made all of their applications in a fillable PDF format, for ease of use online. Residents are being strongly encouraged to submit permits via email. Focus has shifted to creating an online building permit customer portal, for submitting and reviewing the status of permits.

- Sidewalk gaps as presented and adjusted for COVID reductions were addressed. There are plenty more sections to complete as a phased approach.
- The Harmony Square programming and marketing plan are in draft form and have been vetted through the Marketing and Branding Commission.
- With the addition of several new staff members in key positions (Business Development Manager, Building Official, Assistant Treasurer, Human Resources Director), we will be able to continue to move forward to pursue goals.

Reassessment of certain areas of the Strategic Plan will continue, to address any impacts of COVID-19.

Trustee Galante asked if the LPR cameras have been utilized. Matt Walsh, Police Chief, replied they are up and running and have had some success.

Item #9 - REVIEW MID-YEAR BUDGET – Mr. Brown, presented the update. He noted that the information in the packet has changed. The Board has been provided the new information. The adopted FY 2021 Budget had revenues of \$117,514,902 and expenditures of \$150,282,614. The revised spending plan projected revenue losses at \$14 million and expenditures reduced to \$20.6 million. \$6.5 million was cut from operating expenses while \$14.1 million was cut from capital. The total Village budget to actual as of 10/31/20, which included the Library and Police Pension, saw expenditures of \$46.9 million or 31.2% (Library \$3.1 million and Police Pension \$2.3 mil) and revenue at \$60.8 million or 51.7% (Library \$4.2 million and Police Pension \$10.5 mil).

Total budget revenues do not include Library or Police Pension. Current year revenue is trailing the previous fiscal year by \$3.2 million, and FY19 by \$6 million. This is not stifled demand that can be recouped in the remaining half of the year. He noted there is an increase in the Motor Fuel Tax, as the Village received \$1.3 million from Rebuild Illinois.

Fiscal Year	Budget	October 31	% Collected
2021	\$ 99,169,652	\$ 46,188,549	46.58%
2020	\$ 99,504,921	\$ 49,428,441	49.67%
2019	\$103,045,979	\$ 52,177,211	50.63%

Total budget expenditures are trailing the prior year spend at the mid-year by \$7.2 million and FY19 by \$2.6 million. The current years expenditures are down due to deferring and eliminating capital spending. Operating costs are trending at normal levels compared to prior fiscal years.

Fiscal Year	Budget	October 31	% Expended
2021	\$116,168,479	\$41,537,065	35.76%
2020	\$143,848,282	\$48,701,025	33.86%
2019	\$148,630,661	\$44,199,122	29.74%

Trustee Berg asked how long the reserves in the General Fund will last. Mr. Brown explained the General Fund is the main operating fund and there are reserves within the fund. With a conservative and fiscally responsible approach, \$5 million of those reserves may need to be used. Should FY22 see the same revenues and expenditures, \$6 million may need to be used in the future. This equates to approximately 32% of the reserves.

It is recommended that the Police Department move forward with E-Ticketing, and field response shields, which are included in the new spending plan. Also upgrading the iRecord cameras is recommended.

Deferred to January for discussion is the hiring of a Deputy Police Chief, Assistant Records Clerk, Assistant Public Works Director, Assistant Engineer, and Associate Planner.

Item #10 - DISCUSS STATUS OF PROPOSED PUSH TAX ORDINANCE – Mr. Niemeyer stated, in discussions with Trustee Galante a few months ago, it was decided to place this item on the agenda with the mid-year review. There has been ongoing litigation and potential State legislation, that may be introduced next year regarding this issue. Also, in light of the COVID pandemic affecting businesses, he recommends not moving forward with an Ordinance and revisiting it at a later time. Trustee’s Brady, Brennan, Mueller, and Galante concur. Trustee Berg does not feel this item should be revisited in the future.

Item #11 - DISCUSS POST 4 IMPROVEMENTS CONTRACT – John Urbanski, Director of Public Works, presented the Post 4 improvements. This project includes the replacement of the control panel, replacement of the building, and upgrading the outdated electrical components currently in use at Post 4 sanitary sewer lift station at 8399 Brookside Glen Drive.

Public Works contracted Christopher Burke Engineering to engineer the plan and specifications to improve the functionality of the lift station. The outdated control panel currently being used has caused numerous issues running the station. Although failing parts have been replaced to allow the station to run, replacing the entire control panel will eliminate the possibility of the lift station not being able to be repaired under an emergency. A lift station that is not functioning, would lead to sewer overflows and basement back-ups among other issues. The new control panel and electrical components will also increase the life expectancy of the pumps while improving the overall efficiency of the lift station. When the control panel is replaced, any unnecessary wiring will be removed and various other electrical issues will be resolved. The fiberglass building currently at Post 4 is deteriorating to the point of replacement. The building has been repaired multiple times over the last 5 years. The new structure will be similar to buildings used for other lift station projects to keep them uniform throughout the Village.

Contractor	Location	Bid
Swallow Construction Corp.	West Chicago, IL	\$592,291.00
Airy’s Inc.*	Tinley Park, IL	\$598,042.00
Tracy & Ed Construction Inc.	Bartlett, IL	\$600,573.00
AMS Mechanical Services	Woodridge, IL	\$603,552.68
Performance Construction & Eng	Plano, IL	\$688,930.00

* Airy’s Inc. bid amount is within the parameters set in the Village of Tinley Park Purchasing Policy for Local Vendors.

Funding in the amount of \$598,042 is available in the approved FY2021 budget. The funding is from the budgeted project amount, plus the money from two other sanitary sewer lining projects which came in under budget.

Motion was made by Trustee Brennan, seconded by Trustee Brady, to recommend the Post 4 improvements contract, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

Item #12 - DISCUSS 2021 MEETING BOARD SCHEDULES – Mayor Pro Tem Glotz, presented the monthly meeting schedules. Village Board meetings were proposed to remain on the same schedule, first and third Tuesdays at 7:30 p.m. Committee of the Whole was proposed to start at 7:00 p.m. on those same dates.

Committees were proposed to start at 6:30 p.m. Public Safety, Public Works, and Administration and Legal on the first Tuesday; Finance, Marketing, and Community Development on the third Tuesday.

Trustee Mueller suggested cancelling the April 6 meetings as it is an election day.

Motion was made by Trustee Mueller, seconded by Trustee Brady, to recommend the 2021 meeting schedule, with the removal of the April 6, 2021 meetings, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

Item #13 - RECEIVE COMMENTS FROM THE PUBLIC –

A citizen commented about who pays the push tax.

Laura Godette, Deputy Village Clerk, stated a written comment was forwarded to the Board.

A citizen commented telephonically with opposition to the push tax.

Motion was made by President Pro Tem Glotz, seconded by Trustee Berg, to adjourn the Committee of the Whole. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the meeting adjourned at 8:24 p.m.



Interoffice Memo

Date: December 15, 2020

To: Trustee Glotz, Chair
Committee of the Whole
Dave Niemeyer, Village Manager

From: Priscilla Cordero, Business Development Manager

Subject: Cook County Class 8 Certification – Duvan Industrial Park

BACKGROUND

Cook County has authorized several special assessment based incentives for property tax purposes that are designed to encourage commercial and industrial development in areas of Cook County which are experiencing severe economic stagnation or require assistance to develop new facilities or renovate existing facilities. The County has previously designated certain Townships as eligible (Bloom, Bremen, Calumet, Rich and Thornton) for the Class 8 incentives. There is a provision that allows the Assessor, upon application of the local governing body, to certify that an area is in need of substantial revitalization under the Class 8 incentive category.

The Village had previously qualified the Duvan Industrial Park, the Orland Township commercial area in the vicinity of 159th and Harlem, and the Orland Township area of LaGrange Road and 183rd Street as “blighted” areas for eligibility under the County Class incentives.

The Duvan Industrial Park consists of commercial and industrial properties encompassed in an area bounded by Harlem Avenue on the East, Metra Rock Island Railroad on the South, on the West, and 175th Street on the North. The Village previously passed Resolution 2007-R-032 requesting Class 8 Certification for the Duvan Industrial Park from the Cook County Assessor’s Office. The certification was approved in March 2008. The Village is required to re-certify a designated area every five years. The Village previously requested recertification of the Duvan Industrial Park area under Resolution 2012-R-055. Recertification may only be requested once. Under the circumstances, the Village needs to submit a new Class 8 Certification application to the Cook County Assessor’s Office for consideration.

Under the Cook County special incentive Classes (6, 7, 8, 9), the normal assessment rate of 25% applicable to commercial and industrial use properties is reduced to 10% (same as residential property) for a period of ten (10) years, and are generally renewable. If the incentive request for a property is not renewed, the program provides for a two year transition period that gradually returns the assessment rate to 25% (15% year 11; 20% year 12).

The conditions still exist to warrant continuing the eligibility of this area for the County tax incentive program. By design, the Cook County Classification System places two and one half times the tax burden on commercial and industrial property which results in higher property taxes. Provided they meet the qualifications of the incentive program, businesses and property owners often need this incentive to remain competitive, considering the proximity of the Duvan Industrial Park to Will County as well as Indiana locations with lower property taxes.



REQUEST

The Economic and Commercial Commission (ECC) reviewed this at their December 14, 2020 meeting. The results of their recommendation will be presented the night of the COW meeting. Assuming this will be recommended by the ECC, staff is requesting the Village Board consider approval of a resolution authorizing the Village of Tinley Park to seek Class 8 Certification by the Office of the Cook County Assessor for the Duvan Industrial Park. If recommended to move forward, this resolution would be eligible for approval at the December 15, 2020 Village Board meeting.

Attachments:

1. Draft Resoluton Seeking the Village to request a Class 8 Certification for the Duvan Drive Industrial Park.

THE VILLAGE OF TINLEY PARK

Cook County, Illinois

Will County, Illinois

RESOLUTION

NO. _____

**A RESOLUTION AUTHORIZING THE VILLAGE OF TINLEY PARK TO
SEEK CLASS 8 CERTIFICATION BY THE OFFICE OF THE COOK
COUNTY ASSESSOR FOR CERTAIN PROPERTY IN THE VILLAGE OF
TINLEY PARK, COOK AND WILL COUNTY, ILLINOIS REFERRED TO
AS DUVAN INDUSTRIAL PARK**

**JACOB C. VANDENBERG, PRESIDENT
KRISTIN A. THIRION, VILLAGE CLERK**

**CYNTHIA A. BERG
WILLIAM P. BRADY
WILLIAM A. BRENNAN
DIANE M. GALANTE
MICHAEL W. GLOTZ
MICHAEL G. MUELLER
Board of Trustees**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Tinley Park
Peterson, Johnson, & Murray Chicago, LLC, Village Attorneys
200 W. Adams, Suite 2125 Chicago, IL 60606

VILLAGE OF TINLEY PARK

Cook County, Illinois

Will County, Illinois

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE VILLAGE OF TINLEY PARK TO
SEEK CLASS 8 CERTIFICATION BY THE OFFICE OF THE COOK
COUNTY ASSESSOR FOR CERTAIN PROPERTY IN THE VILLAGE OF
TINLEY PARK, COOK AND WILL COUNTY, ILLINOIS REFERRED TO
AS DUVAN INDUSTRIAL PARK**

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Tinley Park, Cook and Will Counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Village of Tinley Park desires to promote commercial and industrial development in the Village of Tinley Park; and

WHEREAS, commercial and industrial properties encompassed in an area bounded by Harlem Avenue on the east, Metra Rock Island Railroad on the south, Bristol Park residential subdivision on the west, and 175th Street on the north, identified by the Property Identification Numbers in exhibit A, and commonly referred to as Duvan Industrial Park, have underperformed the other areas of the Village in relation to development; and

WHEREAS, the Village of Tinley Park finds that the subject properties are “in need of substantial revitalization” as defined in the Cook County Real Property Assessment Classification Ordinance; and

WHEREAS, if existing industrial and commercial structures were improved and utilized fully, and if new industrial and commercial structures were developed, Cook County’s economic well-being would be improved by an increase in the level of economic activity, by increased employment opportunities, and by a growth in the real property tax base; and

WHEREAS, the Village of Tinley Park finds that it is not economically feasible for private enterprise to accomplish the needed redevelopment of the area without public assistance because of the blighted or depressed conditions of the area where such development is needed, and also finds that the ordinary unaided operation of private enterprise cannot accomplish the necessary modernization, rehabilitation and development needed, and therefore provision must be made for public assistance and encouragement of such private enterprises; and

WHEREAS, the creation of new property tax classification for (a) new development of industrial structures, or the substantial rehabilitation and reutilization of existing industrial structures for specific areas of special need, and (b) new development of commercial structures, or the substantial rehabilitation and reutilization of existing commercial structures in areas that are

depressed, blighted or threatened with blight is an appropriate and necessary method of providing such assistance and encouragement, and will result in increasing the tax base in such areas for the County;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS, THAT THE VILLAGE PETITIONS THE OFFICE OF THE COOK COUNTY ASSESSOR TO DECLARE THE SUBJECT PROPERTY AREA QUALIFIED UNDER THE TERMS AND CONDITIONS OF A CLASS 8 INCENTIVE:

PASSED THIS 15th day of December, 2020.

AYES:

NAYS:

ABSENT:

APPROVED THIS 15th day of December, 2020.

VILLAGE PRESIDENT

ATTEST:

VILLAGE CLERK

STATE OF ILLINOIS)
COUNTY OF COOK) SS
COUNTY OF WILL)

CERTIFICATE

I, KRISTIN A. THIRION, Village Clerk of the Village of Tinley Park, Counties of Cook and Will and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. _____, “A RESOLUTION AUTHORIZING THE VILLAGE OF TINLEY PARK TO SEEK CLASS 8 CERTIFICATION BY THE OFFICE OF THE COOK COUNTY ASSESSOR FOR CERTAIN PROPERTY IN THE VILLAGE OF TINLEY PARK, COOK AND WILL COUNTY, ILLINOIS REFERRED TO AS DUVAN INDUSTRIAL PARK,” which was adopted by the President and Board of Trustees of the Village of Tinley Park on December 15th, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Tinley Park this 15th day of December, 2020.

KRISTIN A. THIRION, VILLAGE CLERK

Exhibit A

27-36-204-002-0000	17205 Duvan
27-36-204-003-0000	17516 Duvan
27-36-204-006-0000	17620 Duvan
27-36-204-012-0000	7447 Duvan
27-36-204-013-0000	7413-7417 Duvan
27-36-204-014-0000	7405-7409 Duvan
27-36-204-015-0000	7351 Duvan
27-36-204-021-0000	17500 Harlem
27-36-204-022-0000	17500 Harlem
27-36-204-023-0000	7319 Duvan
27-36-204-024-0000	7313 Duvan
27-36-204-028-0000	17650 Duvan
27-36-204-029-0000	17700 Duvan
27-36-204-031-0000	17600 Duvan
27-36-204-033-0000	17532 Duvan
27-36-204-034-0000	17548 Duvan
27-36-204-036-0000	7307-7309 Duvan
27-36-204-037-0000	7305 Duvan
27-36-204-038-0000	7301 Duvan
27-36-204-039-0000	7455 Duvan
27-36-204-040-0000	7501 Duvan
27-36-204-041-1001	7571 175th #1
27-36-204-041-1002	7571 175th #2
27-36-204-041-1003	7571 175th #3
27-36-204-044-0000	7219 Duvan
27-36-204-045-0000	7221-7225 Duvan
27-36-204-046-0000	7227 Duvan
27-36-204-047-0000	7249 Duvan
27-36-204-048-0000	7241 Duvan
27-36-204-049-0000	7239 Duvan
27-36-204-050-0000	7233 Duvan
27-36-205-011-0000	17549 Duvan
27-36-205-013-0000	7551 175th
27-36-205-014-0000	17501 Duvan
27-36-205-015-0000	7330 Duvan
27-36-205-016-0000	7350 Duvan
27-36-205-017-0000	17601 Duvan

27-36-205-018-0000	17615 Duvan
27-36-205-020-0000	7350 Duvan
27-36-205-021-0000	7320 Duvan
27-36-205-022-0000	7300 Duvan
27-36-205-024-0000	7400 Duvan
27-36-205-025-0000	7410 Duvan
27-36-205-026-0000	7420 Duvan
27-36-205-027-0000	7300 Duvan
27-36-205-028-0000	7250 Duvan
27-36-205-029-0000	17511 Duvan
27-36-205-030-0000	17515 Duvan
27-36-205-031-0000	7440 Duvan
27-36-205-032-0000	7430 Duvan
27-36-205-033-0000	7460 Duvan
27-36-205-034-0000	7450 Duvan
27-36-205-036-0000	17500 Duvan

DRAFT



Interoffice Memo

Date: December 15, 2020

To: Committee of the Whole

CC: David Niemeyer, Village Manager
Kimberly Clarke, Community Development Director

From: Priscilla Cordero, Business Development Manager

Subject: 17352 Duvan Drive- Class 6b SER- Duvan Acquisition, LLC



BACKGROUND

John Rymsza, owner of Duvan Acquisition, LLC and Cabinet Wholesale Supply, Inc. (Applicant). is requesting a 6b SER for the property located at 17352 Duvan Drive. Cabinet Wholesale Supply has occupied the space for 11 years.

The property is over 41 years old and consists of 16,000 sq. ft. of industrial space. Cabinet Wholesale Supply occupied all 16,000 sq. ft. at one point, but the industry has changed resulting in a contracting of necessary space. 10,100 sq. ft. are now owner-occupied with the remaining space leased to two tenants. The other two tenants own businesses related to the trade show and banquet industries, and have been highly impacted by COVID.

Cabinet Wholesale Supply, Inc. currently employs four individuals. By approving this incentive, the Village Board can expect to retain these four positions as well as the shutdown of three businesses on Duvan Drive.



The Applicant has retained the counsel of Sandrick Law Firm, LLC, a property tax law firm located in South Holland, Illinois, to assist with preparing the Class 6b SER application for Village and Cook County submittal.

DISCUSSION

The Applicant is requesting a Class 6b SER Incentive on this site. (PIN: 27-36-204-033-0000). The SER program is an amendment to the Cook County Class 6b Property Tax Incentive in that SER provides temporary emergency property tax relief to long-term (10 years or more) industrial enterprises in Cook County. The SER Program applies to properties where the qualifying use of the property does not comply with the definition of “abandoned property, substantial rehabilitation, or vacancy” under the current Class 6b program. Qualifying properties under the SER Program will be assessed at 10 percent for the first 10 years, 15 percent for the 11th year and 20 percent for the 12th year. The SER tax incentive is not renewable.

The proposed reclassification resolution also includes an agreement between Duvan Acquisition, LLC and the Village obligating the Applicant to certain conditions of their proposed development. Any failure to meet these conditions will result in the Village’s right to terminate the agreement and the Class 6b SER Assessment Classification on the Property. Some of the conditions for Duvan Acquisition, LLC include the following:

1. Payment of all real estate taxes;
2. Screening of all vehicles and other equipment located on the north side and rear of the building.
3. Removal or screening of equipment stored in the adjacent vacant lot.

The Owner is required to execute the agreement prior to the Village submitting the Resolution for Reclassification to the County.

REQUEST

The Economic and Commercial Commission (ECC) will vote on this request at their December 14, 2020 meeting. The results of their vote will be presented at the Committee of the Whole. This request will be presented for approval at the Village Board meeting following the Committee of the Whole.

**PROPERTY TAX ASSESSMENT CLASSIFICATION AGREEMENT
BETWEEN THE VILLAGE OF TINLEY PARK
AND DUVAN ACQUISITION, LLC
(17532 Duvan Drive, Tinley Park, Illinois 60477)**

THIS PROPERTY TAX ASSESSMENT CLASSIFICATION AGREEMENT (“Agreement”) is made this 15th day of December, 2020 (**“Execution Date”**), by and between the **Village of Tinley Park**, an Illinois municipal corporation (**“Village”**), and **Duvan Acquisition, LLC**, an Illinois Corporation (**“Owner”**).

RECITALS

WHEREAS, the President and Board of Commissioners of the County of Cook have prior hereto enacted an ordinance known as the Cook County Real Property Assessment Classification Ordinance, as amended from time to time (**“Classification Ordinance”**), which provides for a tax assessment incentive classification designed to provide temporary tax relief to long-term (10 years or more) industrial enterprises in Cook County. The SER program applies to properties where the qualifying use of the property does not comply with the definition of “abandoned property, substantial rehabilitation, or vacancy” under the current Class 6b program; and

WHEREAS, the 6b SER tax incentive is not renewable; and

WHEREAS, the Owner is the contract purchaser of property generally located at 17532 Duvan Drive, Tinley Park, Illinois, and as legally described on Exhibit A (**“Property”**); and

WHEREAS, Owner petitioned the Village for a resolution of support and consent for a Cook County Class 6b SER Real Estate Tax Assessment Classifications, as said term is defined in the Classification Ordinance, (**“Class 6b SER Assessment Classification”**) for the Property with said resolution stating that the Village finds the incentive is necessary for the property to remain occupied; and

WHEREAS, the adoption of resolutions by the Village is required and must be filed by Owner with the County of Cook application in order for the Property to secure said Class 6b SER Tax Assessment Classifications; and

WHEREAS, Owner shall correct code violations as outlined in Exhibit B (**“Code Violations”**); and

WHEREAS, without the Class 6b SER Assessment Classifications for the Property, the property would become vacant; and

WHEREAS, in order to induce the Village to adopt the aforesaid resolution, Owner and Village desire to enter into this Agreement and to be bound by terms and conditions as more particularly set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable considerations, the sufficiency of which is hereby acknowledged, Village and Owner agree as follows:

Section 1. Incorporation. The representation and recitations hereinabove set forth in the recitals are hereby incorporated into this Agreement as if fully stated herein.

Section 2. Term of Agreement. The term of this Agreement and the obligations of Village and Owner hereunder shall commence upon the Execution Date and shall expire upon the expiration of the Class 6b SER Assessment Classification for the Property or the termination of this Agreement pursuant to Section 6 hereof, whichever occurs first (“**Term**”).

Section 3. Covenants of the Village. In return for the representations and covenants of the Owner, all as contained herein, the Village covenants with and to the Owner as follows:

- a. Village shall approve resolutions setting forth its consent and support of Owner’s activation of the Class 6b SER Assessment Classifications for the Property, which will take effect upon execution of this Agreement (the “**Resolutions**”). During the Term and except as provided herein, the Village shall not take any action to revoke, rescind or otherwise dispute the Class 6b SER Assessment Classifications for the Property.
- b. Village shall have no obligation to issue the Resolution to Owner until Owner has presented a signed agreement to the Village for recordation contemplated under Section 8(f) herein.

Section 4. Covenants of the Owner. In return for the representations and covenants of the Village, all as contained herein, the Owner, and its successors or assigns, covenants with and to the Village as follows:

- a. Owner shall pay or cause to be paid when due all real estate property taxes relating to the Property or the operations on the Property, which are assessed or imposed upon the Property, or which become due and payable. Owner shall have the right to challenge real estate property taxes applicable to the Property; provided, that such real estate property taxes must be paid in full when due.
- b. Owner shall correct all code violations in accordance with this Agreement, and any and all federal, state and local laws, ordinances, rules, regulations, orders, codes and ordinances applicable to the Property, the Project and/or the Owner. Owner shall correct all violations, subject to delays from Force Majeure (defined below), in accordance with the schedule outlined in Exhibit B.
- c. For purposes of this Agreement, “Force Majeure” shall mean an act of God, storm, fire, flood, earthquake, labor disturbance (including strikes, boycotts, lockouts etc.), war, civil commotion, shortages or unavailability of labor, present or future governmental law, ordinance, rule, order or regulation,

inaction or delay on the part of any governmental authority, or other cause beyond the reasonable control of Owner, as applicable. In no event shall a delay resulting from economic hardship, commercial or economic frustration of purpose constitute an event caused by Force Majeure.

- d. Upon completion of the improvements outlined in Exhibit B, the Owner shall submit to the Village for review and approval a completion statement from an engineer or other consultant with respect to the substantial completion of the improvements (a “**Completion Statement**”).
- e. The Project Work may be completed in phases. The Owner may, but is not obligated to, submit and the Village shall review a Completion Statement for a portion or phase of the Project Work (a “**Phase Completion Statement**”). Village approval of such Completion Statement shall not be unreasonably withheld. The date on which the Village has approved such Phase Completion Statement shall be a “**Phase Completion Date.**”
- f. The “**Substantial Completion Date**” shall mean the date on which the Village has approved a Completion Statement for the entirety of the improvements outlined in Exhibit B, such approval shall not be unreasonably withheld.

Section 5. Event of Default.

- a. The following shall constitute an event of default (“**Event of Default**”) by the Owner hereunder:
 - i. The failure of the Owner to perform, keep or observe any of the covenants, conditions, promises, agreements or obligations of the Owner under this Agreement;
 - ii. The making or furnishing by the Owner to the Village of any representation, warranty, certificate, or report within or in connection with this Agreement or any related agreement which is untrue or misleading in any material respect;
 - iii. The filing by Owner of any petitions or proceedings under applicable state or federal bankruptcy or insolvency law or statute which petition or proceeding has not been dismissed or stayed;
 - iv. The initiation against Owner by any creditor of an involuntary petition or proceeding under any state or federal bankruptcy or insolvency law or statute, which petition or proceeding is not dismissed or stayed within forty-five (45) days after the date of filing; and

- v. The violation or breach by Owner of any law, statute, rule or regulation of a governmental or administrative entity relating to the operation of the Property.
- b. The following shall constitute an Event of Default by the Village hereunder:
 - i. The failure of the Village to perform, keep or observe any of the covenants, conditions, promises, agreements or obligations of the Village under this Agreement.

Section 6. Remedies. Except as otherwise set forth herein, upon an Event of Default by either party, or any successor, the defaulting or breaching party (or successor) shall, upon written notice from the other party specifying such default or breach, proceed immediately to cure or remedy such default or breach, and shall, in any event, within thirty (30) days after receipt of notice, cure or remedy such default or breach (“**Cure Period**”). In case the Event of Default shall not be cured or remedied prior to the end of the Cure Period, the remedy to the aggrieved party shall, in addition to any other remedies provided for in this Agreement, be as set forth below:

- a. In the Event of Default by the Owner, and after the expiration of all applicable cure periods, the Village shall have the following rights and remedies:
 - i. Village shall have the following rights and remedies, in addition to any other remedies provided in this Agreement: (A) to terminate this Agreement and the Class 6b SER Assessment Classifications on the Property; and (B) to pursue and secure, in any court of competent jurisdiction by any action or proceeding at law or in equity, any available remedy, including but not limited to injunctive relief or the specific performance of the obligations contained herein. Notwithstanding the foregoing and except as specifically set forth in Section 6(a)(ii) below, the Village shall not have the right to recover any property tax savings the Owner received as a result of the Class 6b SER Assessment Classifications on the Property for property tax years concluded prior to the Event of Default.
 - ii. Within five (5) business days of written demand from Village (the “**Demand Notice**”), Owner covenants that it shall file all requisite documentation with the Cook County Assessor’s Office relinquishing and/or voiding the Class 6b SER Assessment Classifications for the Property and shall concurrently provide the Village with written notice of relinquishment together with all relevant documentation. Owner’s covenants and obligations under this Section 6 shall survive the termination or expiration of the Agreement. If Owner fails to comply with any written demand provided pursuant to this Section 6(a)(ii), Village, in addition to any and all other remedies, shall have the right to secure the specific performance of the obligation hereunder, and the right to recover the aggregate of any property tax savings the Owner received as a result of the

Class 6b SER Assessment Classifications on the Property accruing after the issuance of the Demand Notice.

- b. Upon the occurrence of an Event of Default by the Village, and after the expiration of all applicable cure periods, the Owner shall have the following as its sole and exclusive rights and remedies: (i) to pursue and secure, in any court of competent jurisdiction by any action or proceeding at law or in equity, injunctive relief or the specific performance of the obligations contained herein.
- c. Unless otherwise provided, the rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude or waive the right to use any other remedy.

Section 7. Assignment.

- a. Up to the deadlines identified in Exhibit B, Owner shall not sell, assign, transfer or otherwise dispose of its interest under this Agreement or its interest in the Property under any circumstances, without the written prior approval of the Village, which may be withheld or denied in its sole and absolute discretion, except:
 - i. Sale, assignment, or transfer to an entity directly controlling, controlled by or under common control with Owner (“**Affiliate**”) shall be permitted without prior written approval of the Village (a “**Permitted Transfer**”); and
 - ii. Sale, assignment, or transfer of portions of the Property for which the Village has approved the completion of the improvements shall be a Permitted Transfer and shall not require Village approval.
- b. After the Substantial Completion Date or Phase Completion Date as applicable, and so long as there exists no uncured Event of Default, Owner shall be permitted to sell, assign, transfer or otherwise dispose of its interests under this Agreement and its interests in the Property. Prior to exercising rights hereunder, any such proposed transferee or assignee under this Section 7(b) shall expressly assume all of the obligations of Owner under this Agreement and shall agree to be subject to all the conditions and restrictions to which Owner is subject by executing and recording on the Property an assumption, as approved by the Village, which shall not be unreasonably withheld, delayed or denied (the “**Assumption**”). Upon receipt of the fully executed Assumption by the Village, Owner shall be released from any obligation or responsibility under this Agreement.
- c. Any assignment or transfer in violation of this Section 7 shall not relieve Owner or any other party from any obligations under this Agreement, and any such transferee or assignee shall not be entitled to the rights and benefits provided for herein.

Section 8. Miscellaneous.

- a. Each party shall, at the request of the other, execute and/or deliver any further documents and do all acts as each party may reasonably require to carry-out the intent and meaning of this Agreement.
- b. No waiver of any term or condition of this Agreement shall be binding or effective for any purpose unless expressed in writing and signed by the party making the waiver, and then shall be effective only in the specific instances and for the purpose given.
- c. This Agreement represents the entire Agreement between the Village and the Owner. No amendment, waiver or modification of any term or condition of this Agreement shall be binding or effective for any purpose unless expressed in writing and adopted by each of the parties as required by law.
- d. If any section, sub-section, sentence, clause or phrase of this Agreement is for any reason held to be invalid, such decisions or decisions shall not affect the validity of the remaining portions of the Agreement.
- e. Each party warrants to the other that it is authorized to execute, deliver and perform this Agreement and agrees not to raise lack of such authority in any action brought by any party or any third party to this Agreement.
- f. All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the Applicant and the Village and, hereto, their respective grantees, successors, assigns and legal representatives. A copy of this Agreement shall be recorded against the Property at Owner's sole expense.
- g. This Agreement shall be construed in accordance with and governed by the laws of the State of Illinois.
- h. Each party irrevocably agrees that all judicial actions or proceedings in any way, manner or respect, arising out of or from or related to this Agreement shall be litigated only in courts having sites within the County of Cook, Illinois and appeal courts within the State of Illinois. Each party hereby consents to the jurisdiction of any local or state court located within the County of Cook, Illinois and hereby waives any objections each party may have based on improper venue or forum *non conveniens* to the conduct of any proceeding instituted hereunder.
- i. This Agreement may be executed in any number of counterparts, each of which shall, for all purposes, be deemed to be an original, and all such counterparts shall together constitute one and the same instrument.

- j. In the event any legal proceeding is commenced for the purpose of interpreting, construing, enforcing or claiming under this Agreement, the prevailing party, as determined by the court, shall be entitled to recover reasonable attorney's fees and costs in such proceeding or any appeal therefrom.

Section 9. Notice.

- a. Unless otherwise specified, any notice, demand or request required hereunder shall be given in writing at the addresses set forth below, by any of the following means: (a) personal service; (b) overnight courier; or (c) certified mail, return receipt requested:

If to Village: Village of Tinley Park
16250 S. Oak Park Ave.,
Tinley Park, IL 60477
Attn: David J. Niemeyer
Village Manager
dniemeyer@tinleypark.org

With a copy to: Peterson, Johnson & Murray – Chicago LLC
200 West Adams St. Ste. 2125
Chicago, IL 60606
Attn: Paul O'Grady
pogrady@pjmchicago.com

If to Owner: John Rymsza
Duvan Acquisition, LLC
c/o Cabinet Wholesale Supply, Inc.
17532 Duvan Drive
Tinley Park, Illinois 60477

With a copy to: Sandrick Law Firm, LLC
16475 Van Dam Road
South Holland, Il. 60473

- b. Any notice, demand, request or other communication required or permitted hereunder may be made only upon a party's attorney, which shall be effective for all purposes.

- c. For all purposes of this Agreement, a “business day” shall refer to all Mondays, Tuesdays, Wednesdays, Thursdays and Fridays with the exception of United States and State of Illinois legal holidays.

[EXECUTION PAGES FOLLOW

IN WITNESS WHEREOF, Village and Owner have executed this Agreement the day and year first hereinabove written.

VILLAGE:

VILLAGE OF TINLEY PARK, an Illinois municipal corporation

By: Jacob C. Vandenberg
Its: Mayor

ATTEST:

By: Kristin A. Thirion
Its: Village Clerk

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

On this ____ day of December, 2020, before me, personally appeared Jacob C. Vandenberg, personally known, who being by me duly sworn did say that he is the Village President of the Village of Tinley Park, Illinois, an Illinois municipal corporation, that said instrument was signed on behalf of said corporation by authority of its Board of Trustees, and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cook County, Illinois the day and year last above written.

Notary Public

Printed Name: _____

My commission expires:

IN WITNESS WHEREOF, Village and Owner have executed this Agreement the day and year first hereinabove written.

OWNER:

Duvan Acquisition, LLC

By: _____

Name: _____

Title: Managing Member

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

On this ____ day of December, 2020, before me, personally appeared _____, personally known, who being by me duly sworn did say that he is a member of Duvan Acquisition, LLC, that said instrument was signed on behalf of said company, and acknowledged said instrument to be the free act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Cook County, Illinois the day and year last above written.

Notary Public

Printed Name: _____

My commission expires:

EXHIBIT A

Legal Description

PIN: 27-36-204-033-0000

LOTS 3 AND 4 (EXCEPT THE SOUTH 30 FEET THEREOF) IN TINLEY INDUSTRIAL PARK, A SUBDIVISION OF PART OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 36 TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE C.R.I & F, RY. IN COOK COUNTY, ILLINOIS.

EXHIBIT B

Code Violations and Schedule

#	Improvement	Deadline
1	Screening of the existing outdoor storage behind the west side of the building is required. This requires a solid fence to be placed around the outdoor storage area.	April 30, 2021
2	Trailers located on the adjacent vacant lot must be placed on an approved solid surface (asphalt or concrete) and properly screened. These trailers may be placed behind the building with the other outdoor storage covered in the above comment.	April 30, 2021
3	The dumpster on the north side of the building is required to be screened. The dumpster can be located behind the building with the other outdoor storage or a separate dumpster enclosure can be constructed.	April 30, 2021



Interoffice Memo

Date: December 15, 2020

To: Trustee Glotz, Chair
Committee of the Whole
Dave Niemeyer, Village Manager

From: Paula J. Wallrich, AICP, Planning Manager

Subject: Crana Homes Concept Site Plan for 8001 191st Street

Discussion:

Village staff has been approached by Frank Bradley of Cranna Homes, to propose a change in the Brookside Glen Planned Unit Development (PUD) that would change the 31 ± acres located at the southwest corner of 191st Street and 80th Avenue from a commercial use (B-3) to a mix of 80% residential uses (duplex R-5) and 20% commercial (B-3). Due to the controversy surrounding the entitlement process for the *Residences at Brookside Glen* on Magnusan Lane, Staff recommended the applicant seek Concept Site Plan Approval before investing additional time and money in a final proposal. A public hearing was held on December 3, 2020 before the Plan Commission to ensure neighboring properties were made aware of the proposal. A vote of 8-0 was made in support of the Concept Plan. A staff report is attached for the Board's review

Request:

Direct staff to work with the applicant to provide a final Site Plan and Special Use Permit application for a Substantial Deviation of the Brookside Glen PUD to allow for a change in land use and zoning consistent with the concept site plan.

Concept Plan



PLAN COMMISSION STAFF REPORT

November 19, 2020 - Workshop

Crana Homes -Concept Site Plan Approval

8001 191st Street- Southwest corner of 191st Street and 80th Avenue

Petitioner

Frank Bradley
Crana Homes

Property Location

8001 191st Street
SW Corner of 191st Street
and Magnuson Lane

PINs

19-09-11-200-014-0000

Zoning

B-3

Approvals Sought

Concept site plan review
for a Substantial
Deviation from the
Brookside Glen Planned
Unit Development

Project Planner

Paula J. Wallrich, AICP
Planning Manager



EXECUTIVE SUMMARY

The Petitioner, Frank Bradley of Crana Homes, is a local builder and developer that has been involved with the development of Brookside Glen Planned Unit Development (PUD) since its approval in 1990. He has owned the 31± acre parcel located at the southwest corner of 191st Street and 80th Avenue for over 30 years. The property is zoned B-3 (General Business and Commercial District) and has been actively marketed for commercial development since its PUD approval. As of this date there has been no viable commercial interest in the property nor any commercial proposal presented to the Village.

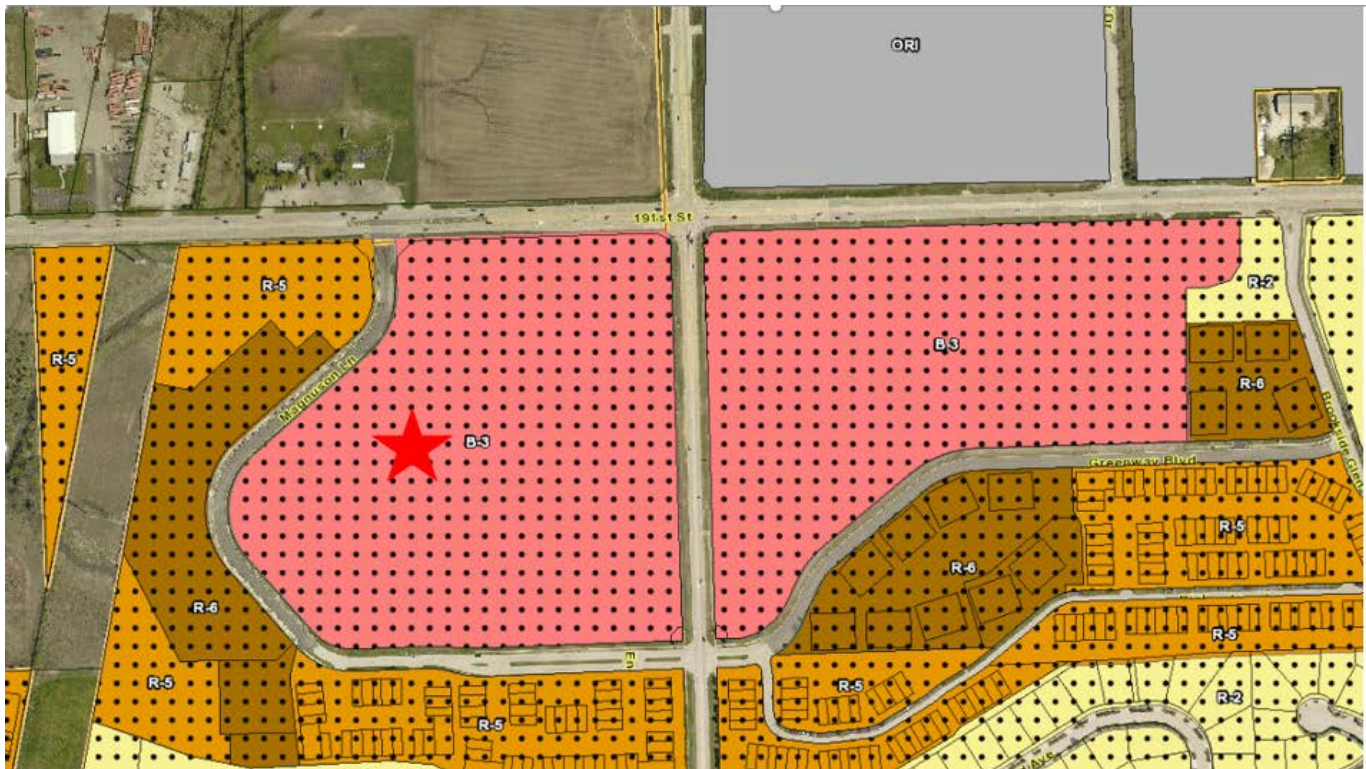
Recently, Mr. Bradley approached the Village about sectioning off a portion of the property for low density two-family (duplex) attached housing (R-5-Low Density Residential District). Mr. Bradley feels there is a strong market for this type of housing that has not been provided in the Village. Due to the controversy surrounding the approval of *the Residences at Magnuson*, staff felt it prudent to have the Plan Commission and Village Board review the proposed conceptual site plan at a public hearing prior to investing more time and money in developing the plans further. The proposed plan provides for 6.6 acres of commercial uses and 24.5 acres of residential uses with the balance of the 31 acres devoted to Right-of-Way and open space.

EXISTING SITE & HISTORY

The subject site is a 31.4 acre parcel within the Brookside Glen Planned Unit Development (PUD). The Brookside Glen PUD was approved as part of an annexation of 828 acres in 1990. Since that time there have been amendments to the Agreement as well as several PUD modifications and rezonings. This is not atypical for a property of this size that has responded to market trends and fluctuating economic conditions over time. The subject property was originally planned and zoned for the Village's most intense commercial district B-3 (General Business and Commercial District) which includes such uses as hotels, indoor recreation, retail membership clubs, theaters and large retail centers. This is the same zoning as the Brookside Marketplace commercial development at Harlem and 191st Street.

In December of 2017, the Village Board approved plans for the *Residences at Magnusan* which includes four multi-family structures with 144 dwelling units as well as a clubhouse and various amenities. The project is currently under construction. The *Residences at Magnusan* is located immediately west of the subject property. A history of amendments to the Brookside Glen PUD is attached as Exhibit A.

ZONING & NEARBY LAND USES



The subject property is zoned B-3 (General Business and Commercial District) and is part of the Brookside Glen PUD. The property to the west is zoned R-6 with a multifamily development under construction. To the south the property is zoned R-5 and is developed with townhomes. To the east, across 80th Avenue, is undeveloped B-3 property with R-6 and R-5 zoning immediately to the south. To the north is an undeveloped parcel in unincorporated Will County zoned C-6, which is intended to accommodate commercial recreation, amusement and entertainment uses. The property to the north east is zoned ORI (Office and Restricted Industrial).

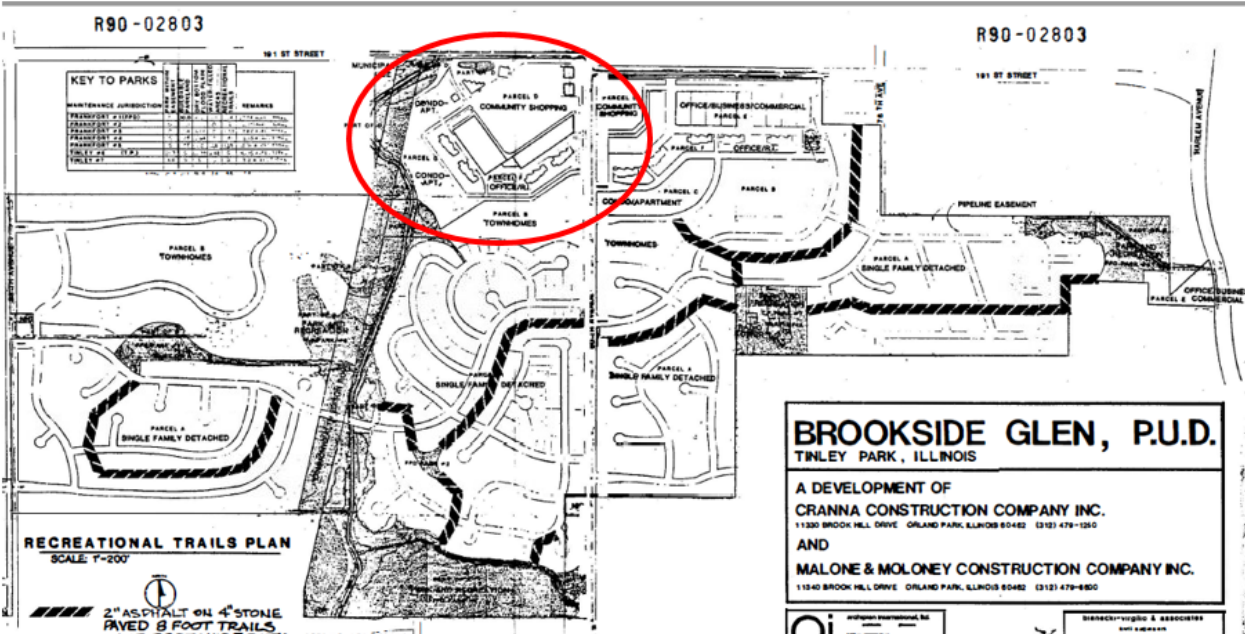
The subject parcel is also located within the Urban Design Overlay District (UD-1) that is intended to regulate non-residential buildings to "accommodate the automobile, but are primarily designed to promote non-motorized and

public transportation movements to, within, and among properties". UD-1 attempts to create a streetscape that is defined by buildings rather than parking lots.

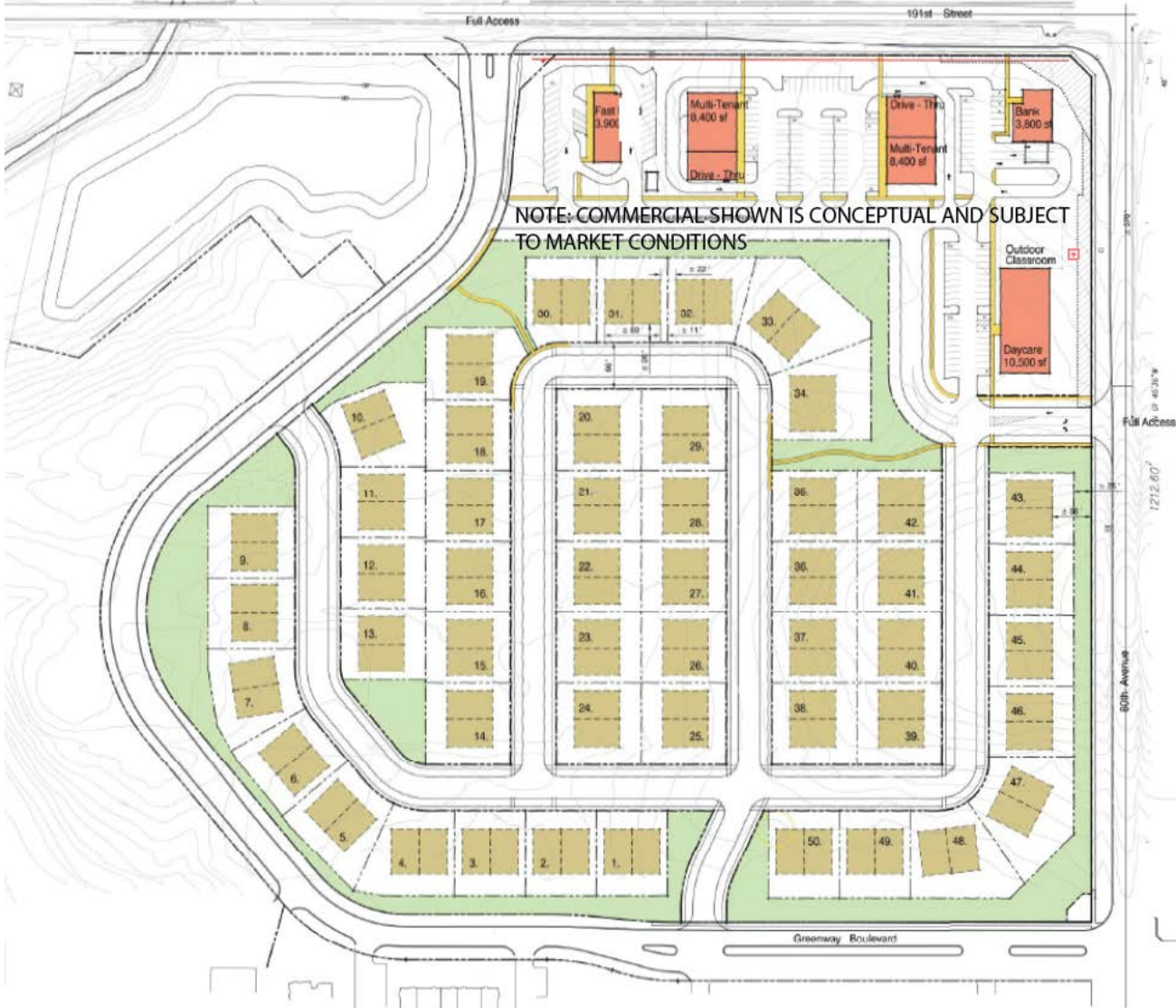
UNDERSTANDING PLANNED UNIT DEVELOPMENTS (PUDs)

In 1990, the annexation of 828 acres for the Brookside Glen PUD was a significant endeavor for the Village of Tinley Park. To plan for a development of this magnitude, the Village utilized a common master planning technique by annexing the parcel as a PUD. It is important to understand that a PUD inherently provides flexibility in its planning and zoning. The PUD approved in 1990 provided a master plan for the 828 acre property as a guide to its future potential. As stated in Section VII of the Zoning Ordinance, the purpose of a PUD is "to facilitate and encourage the construction of imaginative and coordinated developments and to provide relief from the subdivision and zoning requirements which are designed for conventional developments, but which may inhibit innovation of design and **cause undue hardship with regard to developing a parcel of land to its best possible use.**" The Applicant is requesting the change in landuse due to his inability to develop the parcel in accordance with the original intent for commercial development. The retail market has changed significantly since 1990 with internet sales taking the lead over on-site purchases. Brick and mortar commercial development is stagnant and parasitic at best with new construction luring tenants from existing centers. The Village is working toward maintaining the current inventory of commercial property and has recently incentivized several commercial properties along Harlem Avenue, however attracting larger commercial development for parcels of this size has been difficult. The subject parcel remains attractive for retail development however it is more likely to be at a smaller scale. In addition, the original intent to use office development as a buffer for the residential uses to the south is also compromised with the declining commercial office market.

The concept plan approved with the Annexation in 1990 is depicted below. Amendments to the original PUD changed the alignment for Greenway Boulevard and provided for the townhomes that currently exist to the south .



CONCEPT SITE PLAN REVIEW



Process. The issue before the Plan Commission is to approve, in concept, the proposed site plan and land use changes to the PUD approved in 1990. Since the proposed plan will change the original concept or intent of the original development, it is considered a Substantial Deviation. The Plan Commission is required to take action in the same manner as required for concept approval. This includes the holding of a Public Hearing and a recommendation will then be forwarded to the Village Board of Trustees for final action. If approved, the applicant will finalize their site plan, apply for a Special Use for a Substantial Deviation, and return to the Plan Commission for a final recommendation. This will also require a rezoning of the property to reflect the proposed land uses.

Proposal. Crana Homes is proposing to construct fifty (50) duplexes to function as a buffer between the commercial area fronting 191st Street and 80th Avenue and the townhomes to the south of Greenway Boulevard. The plan will change the land use mix from 100% commercial to approximately 20% commercial and 80% residential. The commercial area identifies five structures with labels of “fast food, multi-tenant, drive thru, bank and daycare”. These uses are for illustrative purposes only. The zoning designation will remain B-3 and therefore any future uses will need to conform with that zoning district. The site plan as proposed respects the intent of the Urban Design Overlay District (UD-1) by limiting the parking fields to the side or rear of the structures. If the concept plan is approved further refinement of the plan will indicate additional landscaping and bicycle parking.

The residential area includes duplex housing that maintains an internal orientation of all units thereby preventing any direct access from a unit to the external road system. This allows for greater screening along the perimeter.

Landscape: A landscape buffer is proposed along the entire perimeter to serve as an additional buffer to adjacent uses (see below). This buffer ranges in depth from 15' at its narrowest to 30' at its widest. This is in addition to the 30 rear yard setback for the duplexes with frontage on Greenway Boulevard. The landscape buffer along the perimeter of the property will be required to meet the Village's landscape ordinance.



Circulation: Access is limited to one point of access on Greenway Boulevard for the residential section and two points of access on Magnusan Lane—one for the residential area and one for the commercial area. Only one point of access is provided for 80th Avenue. Earlier versions of the plan included four points of access on Greenway Blvd. Staff recommended this change to minimize traffic and congestion on Greenway Boulevard.

Full access is provided on 80th Avenue that serves both the commercial and residential areas. Staff encouraged the applicant to increase the commercial area slightly and “wrap” the corner with commercial uses, thereby allowing for full access on 80th Avenue. The landuse designations in the commercial section

are for illustration purposes only. Once a developer is identified for the commercial area, the plans will be finalized with an end user in mind. The plan does however reflect requirements of the Urban Overlay District which attempts to limit parking fields to the side or rear of the building so that the architecture of the buildings will dominate the streetscape rather than parking lots. Approval of the commercial area provides direction to future planning as to the layout and access of this area.

An internal sidewalk system has been provided throughout the commercial and residential areas. Some refinement will be necessary in the commercial area to ensure safe separation between pedestrian and vehicular traffic. Sidewalks along all street frontages (Magnusan, Greenway and 80th Avenue) will be required per the Subdivision Regulations.

Architecture: Per the applicant, the design of this project is focused *"on the active adult market. To that end, all homes will have a bedroom on the first floor, and some may have secondary bedrooms on a partial second floor. The maintenance free focus for this lifestyle will include Association maintained landscape for the homes and yards, in addition to the Association common spaces."*

Conceptual architecture has been provided for review purposes only. Staff will continue to work with the applicant on such things as architecture, landscaping and lighting if the conceptual site plan is approved.



Unit Type 'A'

Unit Type 'B'



Unit Type 'A'

Unit Type 'B' w/ Opt. Upper Floor

CONDITIONS OF SITE PLAN APPROVAL

Section III.U.6. of the Zoning Ordinance provides the following Site Design Standards as a tool to encourage good site design that is cost effective yet contributes in a positive way to the overall quality aesthetic of Tinley Park.

Site Design

- a. Building/parking location: Buildings shall be located in a position of prominence with parking located to the rear or side of the main structure when possible. Parking areas shall be designed so as to provide continuous circulation avoiding dead-end parking aisles. Drive-through facilities shall be located to the rear or side of the structure and not dominate the aesthetics of the building. Architecture for canopies of drive-through areas shall be consistent with the architecture of the main structure.
Parking fields for the commercial area have been designed to the rear or side of the structures
- b. Loading Areas: Loading docks shall be located at the rear or side of buildings whenever possible and screened from view from public rights-of-way.
There are no loading areas the front public rights-of-way.
- c. Outdoor Storage: Outdoor storage areas shall be located at the rear of the site in accordance with Section III.O.1. (Open Storage). No open storage is allowed in front or corner side yards and not permitted to occupy areas designated for parking, driveways, or walkways.
There are no outdoor storage areas identified at this time.
- d. Interior Circulation: Shared parking and cross access easements are encouraged with adjacent properties of similar use. Where possible, visitor and employee traffic shall be separate from truck or equipment traffic.
Cross access and shared parking opportunities have been provided.
- e. Pedestrian Access: Public and interior sidewalks shall be provided to encourage pedestrian traffic. Bicycle use shall be encouraged by providing dedicated bikeways and parking. Where pedestrians or bicycles must cross vehicle pathways, a crosswalk shall be provided that is distinguished by a different pavement material or color.
Internal sidewalk system has been provided.

RECOMMENDATION

Following a successful workshop, proceed to a Public Hearing at the December 3, 2020 meeting.

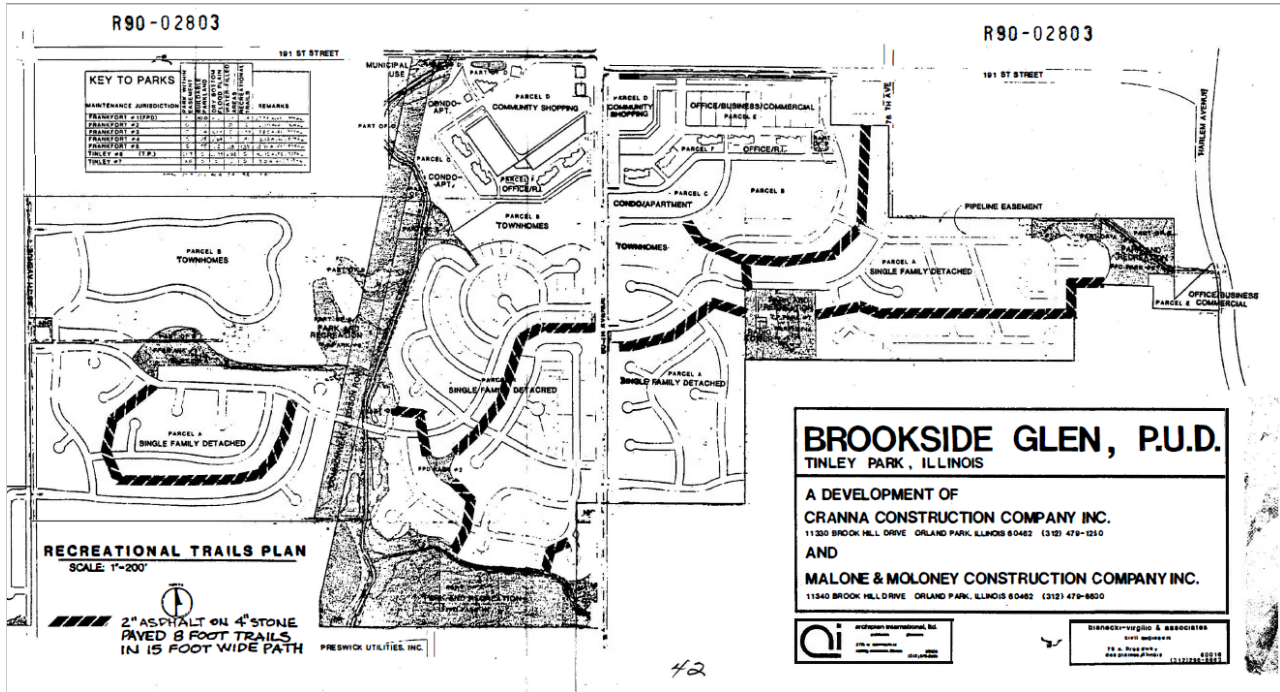
LIST OF REVIEWED PLANS

	Submitted Sheet Name	Prepared By	Date On Sheet
	Plat of Survey	G & B	12.3.2019
	Concept Plan - Site Data	HKM	10.26.20
	Concept Landscape Plan	HKM	10.26.20
	Elevations	HKM	10.28.20

ROB = ROBINSON ENGINEERING
HKM = CRANNA HOMES
G & B = GREMLEY & BIEDERMANN SURVEYORS

EXHIBIT A Brookside Glen PUD Timeline

- **1989:** A Pre-Annexation Agreement was adopted as Ordinance 89-O-052.
- **1990:** The Annexation Agreement (Resolution 90-R-002) was adopted on January 11, 1990. This agreement also accounted for the Special Use Permit for the Brookside Glen Planned Unit Development. Below is Exhibit C from the Annexation Agreement denoted approved landuses.

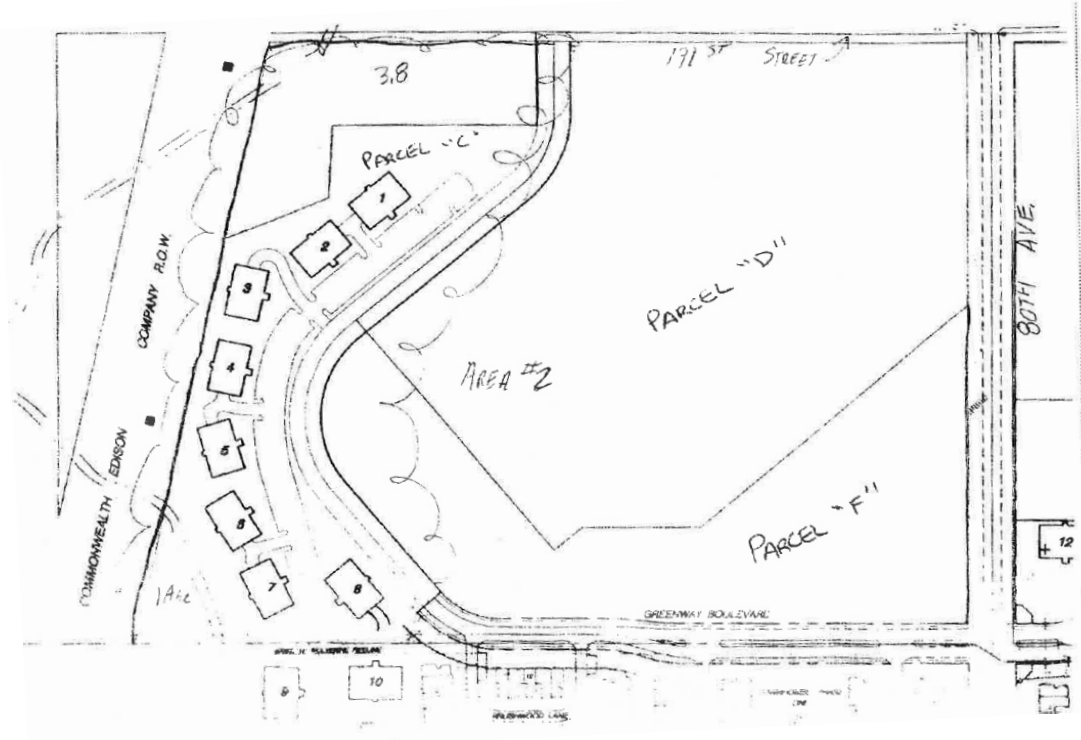


The Brookside Glen property was officially annexed under Ordinance 90-O-004 and Ordinance 90-O-005. The first amendment to the Brookside Glen Annexation Agreement was adopted on February 6, 1990 (90-R-004).

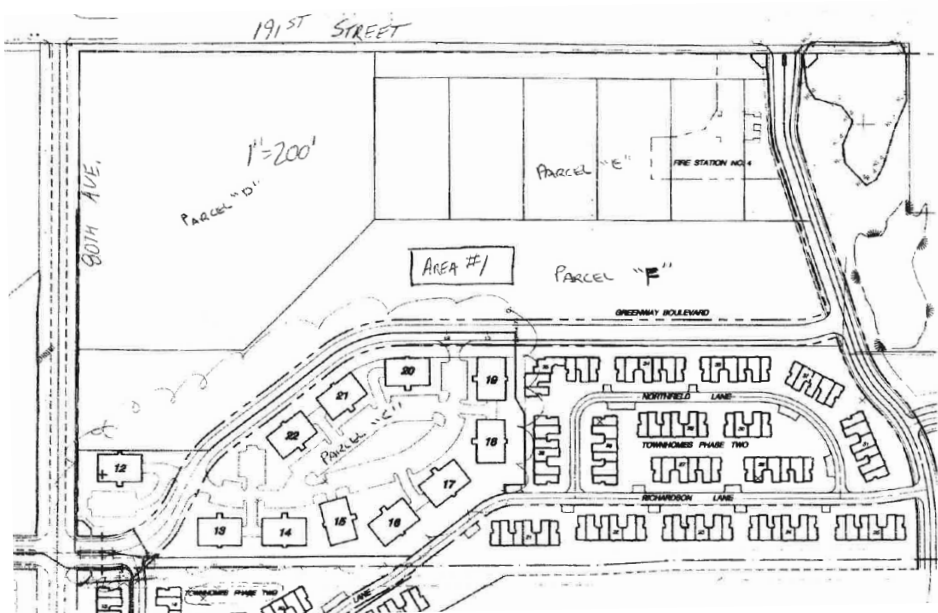
Ordinance 90-O-008 was adopted on February 27, 1990 (although the ordinance itself incorrectly states the adoption year as 1989). This ordinance annexed the Brookside Glen property again due to concerns with proper notice for the annexation. Ordinance 90-O-009 officially rezoned the Brookside Glen property following annexation.

- **1994:** Amendment to the Brookside Glen Annexation Agreement was approved on October 25, 1994 as Resolution 94-R-030 (labeled in error as 94-O-030). This amendment included changes to some of the standards for the single-family residential lots, updated fees, discussed requirements for dedication of public streets and sidewalks, and discussed water mains and sanitary sewers.
- **1998:** A parcel is annexed and added to the Brookside Glen PUD per Ordinance 98-O-018 and Ordinance 98-O-019 on March 17, 1998. A 200' x 209' parcel was annexed and added to the Brookside Glen PUD. The parcel was not available in 1990 when the original PUD was approved. The property that was annexed is located near approximately 19501 88th Avenue (currently this is approximately Brookside Glen Drive and 88th Avenue).
- **1999:** Staff notes that the November 4, 1999 Plan Commission meeting minutes indicate that the New Lenox Pumping Station was considered for a Special Use Permit.

- **2000:** A Substantial Deviation to the original Brookside Glen Planned Unit Development was approved on February 15, 2000 as Ordinance 2000-O-006. This Substantial Deviation amended the acreage and dwelling units for single-family, townhomes, and condominiums. The allowable acreage of condominiums increased from 21.5 acres to 27 acres and the allowable number of dwelling units increased from 258 to 352 dwelling units. The Ordinance also allowed for an increase in the allowable building height for the condominium buildings (from three stories to four stories with underground parking). The Substantial Deviation was considered at the Plan Commission meetings on 4/15/1999, 5/6/1999, 8/5/1999 and 9/16/1999 and the Village Board meetings on 9/7/1999, 9/21/1999, 1/4/2000, 1/18/2000, 2/1/2000, and 2/15/2000. It appears this is when Greenway Boulevard alignment was changed.

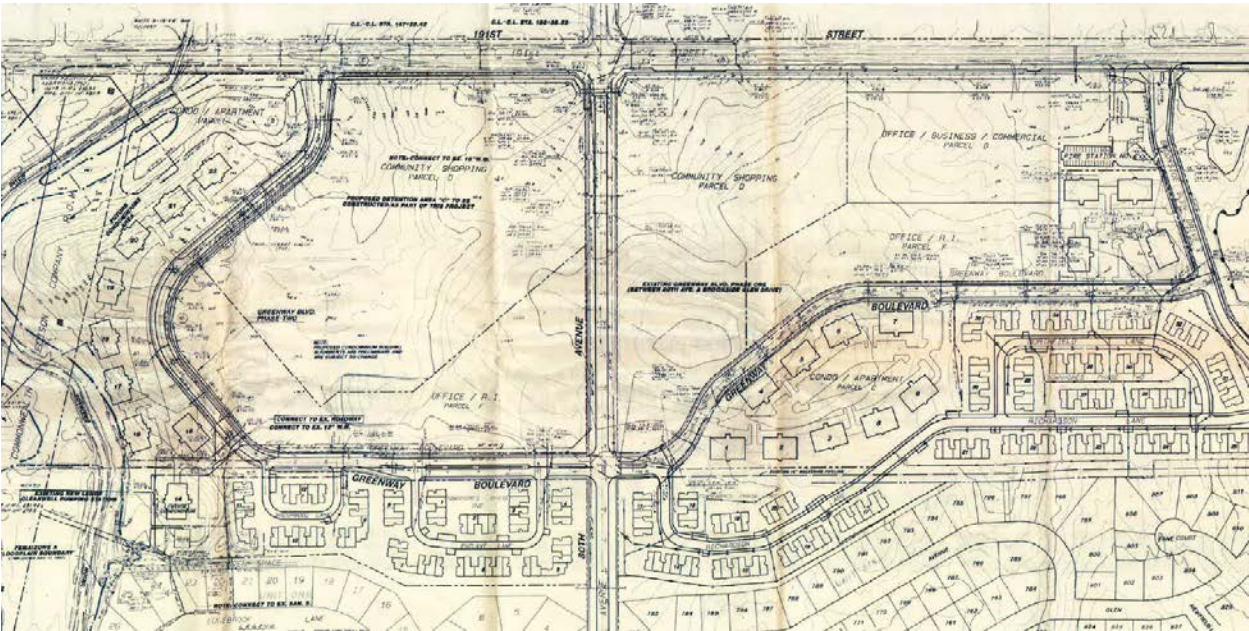


Excerpt from the Site Plan for the Southwest Corner of 191st Street and 80th Avenue
(Staff believes this was included with the Legal Notice for the Substantial Deviation in 1999)



Excerpt from the Site Plan for the Southeast Corner of 191st Street and 80th Avenue
(Staff believes this was included with the Legal Notice for the Substantial Deviation in 1999)

- **2001:** The Plat for Brookside Place Phase I was recorded on January 12, 2001 and included the first seven (7) multi-family buildings (see buildings 1-7 on the image on the following page). The buildings had sixteen (16) units each for a total of one hundred twelve (112) dwelling units. The Plan Commission recommended approval of the Plat on October 5, 2000.
- **2002:** The Plat for Brookside Place Phase II was recorded on June 28, 2002 and included two (2) multi-family buildings (see buildings 8-9 on the image on the following page). The buildings had sixteen (16) units each for a total of thirty-two (32) dwelling units. The Plan Commission recommended approval of the Plat on February 21, 2002.



Excerpt from Engineering Plans for Brookside Place (2002)

- **2004:** The Plat for Brookside Place Phase III was recorded on August 5, 2004 and included four (4) multi-family buildings (see buildings 10-13 on the image below). The buildings had sixteen (16) units each for a total of sixty-four (64) dwelling units. The Plan Commission recommended approval of the Plat on May 20, 2004.



- 2016: Karli Mayher submits an application (“The Residences at Brookside Glen”) on July 5, 2016 for two (2) four-story, one hundred, forty-four (144) unit multi-family apartment buildings, with surface parking and parking in garages at the rear of the site and an accompanying clubhouse building. On July 11, 2017 Village Board concurred with the Plan Commission’s recommendation to deny the project.
- **2017:** Karlie Mayher submits revised plans on October 2, 2017. These plans include four (4) multi-family residential structures with thirty-six (36) dwelling units per building for a total of 144 dwelling units. Village Board approved December 5, 2017.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE DECEMBER 3, 2020 REGULAR MEETING

ITEM #1 Public Hearing – Crana Homes – 19100 80th Avenue - Special Use Permits – Substantial Deviation

Consider recommending that the Village Board grant Frank Bradley of Crana Homes, Concept Site Plan approval for property located at the southwest corner of 80th Avenue and 191st Street (8001 191st St.), in the Brookside Glen Planned Unit Development. The request, if granted, will allow the Petitioner to develop final plans in accordance with the approved Concept Site Plan which includes the construction of fifty duplex homes comprising 24.5 acres and commercial uses comprising 6.6 acres.

Present Plan Commissioners: Chairman Garrett Gray (Participated electronically)
Steven Vick (Participated electronically)
Angela Gatto (Participated electronically)
Kehla West (Participated electronically)
Eduardo Mani (Participated electronically)
Lucas Engel (Participated electronically)
Frank Losciuto (Participated electronically)
James Gaskill

Absent Plan Commissioners: Mary Aitchison

Village Officials and Staff: Kimberly Clarke, Community Development Director
Paula Wallrich, Planning Manager (Participated electronically)
Dan Ritter, Senior Planner
Barbara Bennett, Commission Secretary

Guests: Mark Kurensky – Architect (Participated electronically)

CHAIRMAN GRAY asked for a motion to open the public hearing.

A Motion was made by COMMISSIONER GASKILL, seconded by COMMISSIONER VICK to open the public hearing for Crana Homes.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

CHAIRMAN GRAY noted he had confirmation of the legal notice for this public hearing being published in the local newspaper as required by state law.

Paula Wallrich, Planning Manager, presented the Staff Report. She noted that the Staff Report has been distributed to the Plan Commission, the Applicant and is posted on the website in its entirety. The staff report is attached to these minutes and made a part of the meeting record.

Ms. Wallrich read a letter received from Mr. Michael Stocklose, 19303 Enclave Lane. This letter will be attached and made part of these minutes.

Ms. Wallrich commented on some of the suggestions in the letter.

1. Regarding any of the traffic considerations on 80th Avenue those would have to be reviewed with the county and the Village engineer to see if full access could be accommodated at that location.
2. Regarding stop signs on Greenway she suspects it would not meet the standards for stop signs but it can be presented to the Village traffic engineer to see whether it would be warranted.
3. Construction traffic can be kept off Greenway.
4. Maintenance free would be something the builder would have to consider, as mentioned this is not in our Tinley Park Code.
5. Regarding the entrance monument, this would be something Mr. Bradley would have to take into consideration.
6. Regarding the colors, the design that has been presented is only for illustrative purposes. She agrees that we do not want a monotony of housing.

CHAIRMAN GRAY asked the applicant for comments and swore him in.

Mark Kurenski, Architect noted he wanted to thank staff for their staff report. He is in concurrence with what was just said. He was given a copy of Mr. Stocklose's comments and he feels they can work through them to his satisfaction. He looks forward to any comments.

CHAIRMAN GRAY asked for comments from the Commissioners.

COMMISSIONER WEST noted the concerns about traffic and turning in and out and stated especially because this is going to be an active adult community with garages out front, these concerns need to be taken seriously. We need to make sure the traffic off the busy road is addressed. If they are going to aim at that demographic and encourage a degree of walkability they must be aware of people coming off quickly from the busy street as it undermines the purpose of doing that. We do not want to undercut the design elements that make it more pedestrian-friendly. The commenter wrote about this and the developer said they would take that into consideration. That is a valid point.

COMMISSIONER LOSUITO noted the concept looks good. He likes the fact that it is hybrid for the community with incorporating commercial. He also likes bringing some different types of homes into Tinley Park to make it more diversified.

CHAIRMAN GRAY noted he wanted to echo Commissioner Loscuito as well as some of the commissioners from the workshop. This does seemingly fit the area and it is a good hybrid in terms of having the commercial frontage on 191st. The design that has been presented looks clean including the architectural design. As some of the commissioners said in the workshop that the target audience being active older adults and having the bedrooms on the first floor would be addressing a need. He also echoes what Commissioner West said regarding the left hand turn over the double lanes on 80th Avenue. As Mr. Stocklose mentioned this should be something to consider due to the target audience on these homes especially during rush hour. He also concurs with the construction traffic being kept off Greenway. He also echoes a little bit of variation on the homes. Overall, he thinks this is a good concept plan. He likes the access points on the development being limited to 3 exits/entrances and the 4th one being attached to the business drive aisle. He noted he had received a call from a resident that lives in Brookside Glen asking if there was any consideration for a park area in the design.

Ms. Wallrich replied that when the PUD was approved, the required open space was taken care of at that time. It serves the entire Brookside community. There is a fairly large open space that includes a bike trail in that area. They have already met the open space requirement for the Brookside PUD.

CHAIRMAN GRAY asked for public comment and swore in the residents.

Mr. Michael Stocklose noted he had looked at this plan and asked if they will be using the detention pond to the west in front of the Magnuson apartments?

Kimberly Clarke, Community Development Director replied that yes this was designed to take care of all the detentions on the west side.

Mr. Stocklose inquired about the guest parking areas for the resident's guests and will they be incorporated into this plan?

Ms. Wallrich replied that is an excellent comment and when they get down to the details of that commercial area it will be taken into consideration and the code has those requirements as well.

Mr. Mike Cutrano inquired about whether a tot lot park could be put in in the middle of the development. He also inquired if the streets would be dedicated.

Ms. Wallrich replied they would be dedicated public streets.

A Motion was made by COMMISSIONER MANI, seconded by COMMISSIONER WEST to close the public hearing on Crana Homes.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by voice vote.

A Motion was made by COMMISSIONER GATTO, seconded by COMMISSIONER VICK to grant the Petitioner, Frank Bradley of Crana Homes, Concept Site Plan Approval for the property located at 8001 191st Street in the Brookside Glen PUD in accordance with the plans submitted in the December 3, 2020 staff Report and listed herein.

AYE: COMMISSIONERS GATTO, ENGEL, MANI, VICK, GASKILL, WEST, LOSCIUTO and CHAIRMAN GRAY.

NAY: None.

CHAIRMAN GRAY declared the Motion approved by roll call.

This item will go to the Village Board on Tuesday, December 15, 2020



Interoffice Memo

Date: December 10, 2020

To: Village Board

From: Pat Carr, Asst. Village Manager

CC: Dave Niemeyer, Village Manager

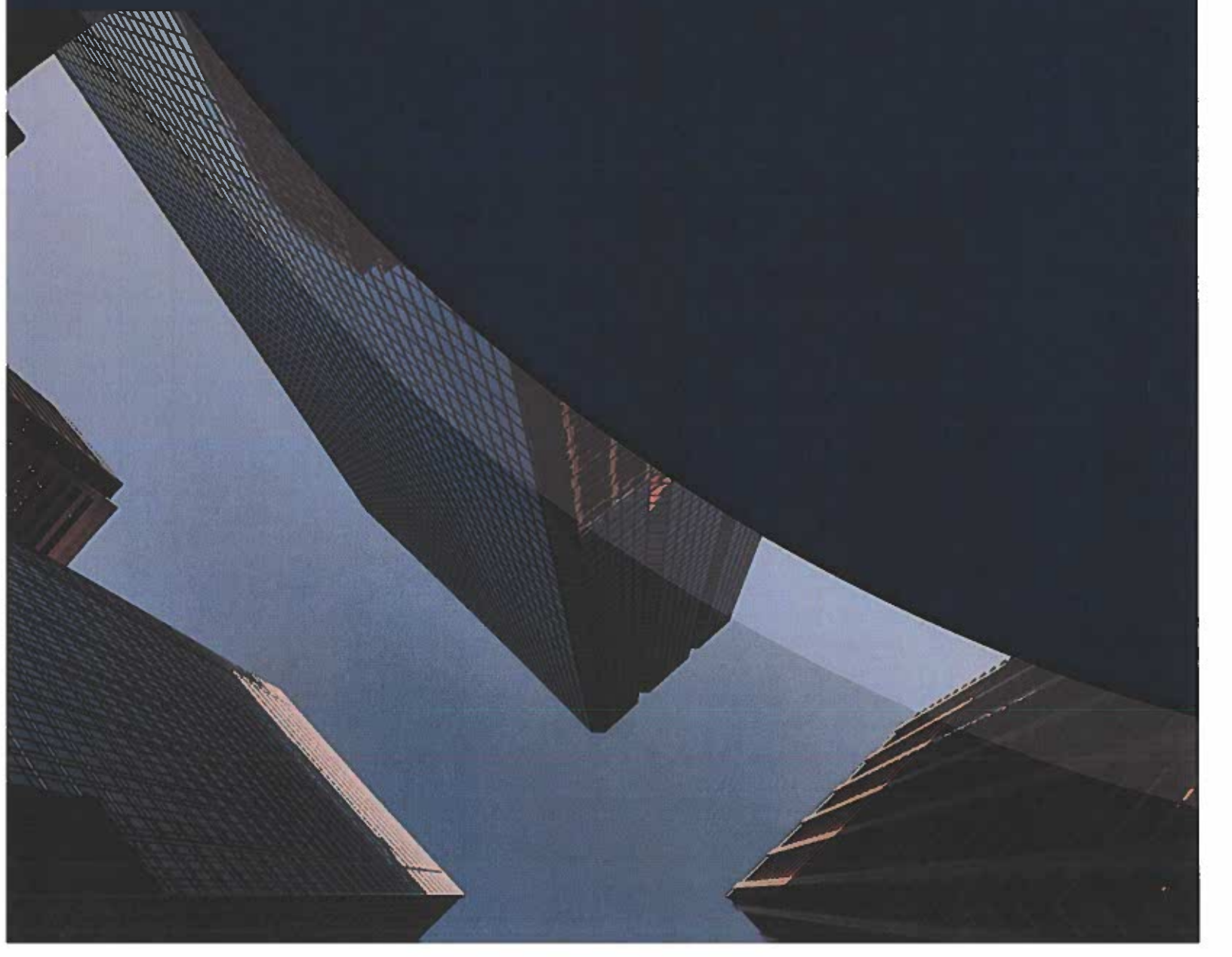
Subject: Annual Cisco Maintenance Renewal

Attached is annual Cisco Maintenance renewal agreement with Meridian. Cisco maintenance/license agreements allow the Village to receive rapid support on software and hardware issues, receive the latest patches, avoid high transactional fees due to failures and feature keys to preserve our network security. The annual cost for this service is \$35,215.28. This is an annual budgeted item and required for system operations.

1YR Cisco Maintenance Renewal

Proposal #004038 V1

PREPARED FOR
Village of Tinley Park





1YR Cisco Maintenance Renewal

Account Manager:

Mike Arvia
1-847-964-2822
marvia@meridianitinc.com

Proposal Prepared by:

Gail Bellisle
gail.bellisle@meridianitinc.com

Prepared for:

Village of Tinley Park
16250 Oak Park Avenue
Tinley Park, IL 60477
Steve Clemmer
sclemmer@tinleypark.org

Details:

OppQ #:
Proposal #: 004038 v1
Proposal Date: 11/17/2020
Expiration Date: 11/21/2020

Maintenance Renewal

Service Level	Service Address	Part #	Description	S/N	Contract Start Date	Contract End Date	EOS Date	Qty	Price	Ext. Price
SWSS	7980 183RD ST. TINLEY PARK, IL 60477	CON-ECMU- ACPL25	AC-PLS-P-25-S		01/18/2021	01/17/2022		1	\$46.11	\$46.11
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP- AIRAPIKB	AIR-AP28021-B-K9	FJC2412M4WU	03/31/2021	01/17/2022		1	\$71.57	\$71.57
SNTC 24X7X4	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNTP- AIRC702K	AIR-CAP27021-B-K9	FCW2119JRH3	01/18/2021	01/17/2022	4/30/2024	1	\$79.17	\$79.17
SNTC 24X7X4	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNTP- AIRC702K	AIR-CAP27021-B-K9	FCW2119JRG5	01/18/2021	01/17/2022	4/30/2024	1	\$79.17	\$79.17
SNTC 8X5XNBD	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNT- CT0812	AIR-CT5508-12-K9	FCW1738L071	01/18/2021	01/17/2022	7/31/2023	1	\$1,572.96	\$1,572.96
SNTC 8X5XNBD	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNT- CT0812	AIR-CT5508-12-K9	FCW1627L07F	01/18/2021	01/17/2022	7/31/2023	1	\$1,572.96	\$1,572.96

Maintenance Renewal

Service Level	Service Address	Part #	Description	S/N	Contract Start Date	Contract End Date	EOS Date	Qty	Price	Ext. Price
SNTC 8X5XNBD	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNT-AS5B50K9	ASA5505-50-BUN-K9 ✓	JMX16404139	01/18/2021	01/17/2022	8/31/2022	1	\$101.79	\$101.79
SNTC 24X7X4	7980 183RD ST, TINLEY PARK, IL 60477	CON-SNTP-AS5ULBK9	ASA5505-UL-BUN-K9 ✓	JMX2043Y1ZQ	01/18/2021	01/17/2022	8/31/2022	1	\$209.67	\$209.67
SNTC 8X5XNBD	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNT-A15FPK9	ASA5515-FPWR-K9 ✓	FTX190810L5	01/18/2021	01/17/2022	8/31/2022	1	\$671.64	\$671.64
SNTC 8X5XNBD	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNT-A15FPK9	ASA5515-FPWR-K9 ✓	FTX190810L6	01/18/2021	01/17/2022	8/31/2022	1	\$671.64	\$671.64
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-C1062G16	C1000-16P-2G-L ✓	FCW2420A0HZ	05/28/2021	01/17/2022		1	\$89.62	\$89.62
SNTC 8X5XNBD	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNT-C930024A	C9300-24S-A ✓	FOC2401U0SG	01/27/2021	01/17/2022		1	\$1,417.07	\$1,417.07
SNTC 8X5XNBD	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNT-C930024A	C9300-24S-A ✓	FOC2401W0PT	01/27/2021	01/17/2022		1	\$1,417.07	\$1,417.07
SNTC 8X5XNBD	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNT-C930024A	C9300-24S-A ✓	FOC2401W0PJ	01/27/2021	01/17/2022		1	\$1,417.07	\$1,417.07
SNTC 8X5XNBD	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNT-C930024A	C9300-24S-A ✓	FCW2401C0V6	01/27/2021	01/17/2022		1	\$1,417.07	\$1,417.07
SNTC 24X7X4	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNTP-2921	CISCO2921/K9 ✓	FTX1546AH60	01/18/2021	01/17/2022	12/31/2022	1	\$1,094.46	\$1,094.46
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-C190K9	ESA-C190-K9 ✓	FCH2037V4PM	01/18/2021	01/17/2022	6/30/2024	1	\$789.92	\$789.92

Maintenance Renewal

Service Level	Service Address	Part #	Description	S/N	Contract Start Date	Contract End Date	EOS Date	Qty	Price	Ext. Price
ESA INBOUND BUN LIC	16250 OAK PARK AVE, TINLEY PARK, IL 60477	ESA-ESI-1Y-S2	ESA-ESI-LIC=	E9C773291B1041 E31326B4B990D9 BF891E48768580 4F7F4E2CBE9BE 6258E3CF3	01/18/2021	01/17/2022		450	\$9.53	\$4,288.50
ESA OUTBOUND BUN LIC	16250 S OAK PARK AVE, TINLEY PARK, IL 60477	ESA-ESO-1Y-S2	ESA-ESO-LIC=	WOUZTU82BJE	01/18/2021	01/17/2022		100	\$9.73	\$973.00
SWSS	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-ECMU-VMWSW2	FS-VMW-2-SW-K9	7BFA7E16871990 AD90AC444192C 298C10021406F1 8D420EDABDB8A 34625A83BF	01/18/2021	01/17/2022		1	\$87.00	\$87.00
ASA FirePOW ER Svc	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	L-ASA5515-TAMC-1Y	L-ASA5515-TAMC=	6902217529D70D 9EB78E18D15B56 8B26D9843B1AD FA5CC12BC6D81 764C4F06AC	01/18/2021	01/17/2022		2	\$1,640.00	\$3,280.00
ISE Apex License	16250 OAK PARK AVE, TINLEY PARK, IL 60477	L-ISE-APX-1Y-S1	L-ISE-APX-LIC=	B43XV410VN	12/21/2020	01/17/2022		100	\$3.89	\$389.00
ISE Plus License	16250 OAK PARK AVE, TINLEY PARK, IL 60477	L-ISE-PLS-1Y-S1	L-ISE-PLS-LIC=	T1O23LIN79M	12/21/2020	01/17/2022		100	\$5.14	\$514.00
SWSS	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-ECMU-LICCT55A	L-LIC-CT5508-5A		03/26/2021	01/17/2022		1	\$230.14	\$230.14
SNTC 24X7X4	16250 OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNTP-3524P10X	N3K-C3524P-10GX	FOC1947R2VD	01/18/2021	01/17/2022		1	\$667.32	\$667.32
SNTC 24X7X4	16250 OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNTP-3524P10X	N3K-C3524P-10GX	FOC1946R0N4	01/18/2021	01/17/2022		1	\$667.32	\$667.32
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP-3524P10X	N3K-C3524P-10GX	FOC2311R092	01/18/2021	01/17/2022		1	\$667.32	\$667.32
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP-3524P10X	N3K-C3524P-10GX	FOC2311R1XG	01/18/2021	01/17/2022		1	\$667.32	\$667.32



Maintenance Renewal

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SOLN SUPP SWSS	16250 OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-ECMUS -RISEV9SM	R-ISE-VMS-K9= ✓	OB8PM7BVQ9A	12/05/2020	01/17/2022		2	\$1,567.60	\$3,135.20
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-FIM6324	UCS-FI-M-6324 ✓	FCH19447DQW	01/18/2021	01/17/2022		1	\$327.95	\$327.95
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-FIM6324	UCS-FI-M-6324 ✓	FCH19457FZ0	01/18/2021	01/17/2022		1	\$327.95	\$327.95
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP-FIM6324	UCS-FI-M-6324 ✓	FLM230605FE	01/18/2021	01/17/2022		1	\$327.95	\$327.95
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP-FIM6324	UCS-FI-M-6324 ✓	FLM23100D2K	01/18/2021	01/17/2022		1	\$327.95	\$327.95
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-B200BS2	UCS-SP-B200M4-B-S2 ✓	FLM211503V3	01/18/2021	01/17/2022	2/29/2024	1	\$388.89	\$388.89
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-SMB200S1	UCS-SP-B200M4-S1 ✓	FCH19517C7T	01/18/2021	01/17/2022	2/29/2024	1	\$560.28	\$560.28
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-SMB200S1	UCS-SP-B200M4-S1 ✓	FCH19517BV4	01/18/2021	01/17/2022	2/29/2024	1	\$560.28	\$560.28
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP-B200M5S2	UCS-SP-B200M5-S2 ✓	FLM23150JNQ	01/18/2021	01/17/2022		1	\$426.60	\$426.60
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP-B200M5S2	UCS-SP-B200M5-S2 ✓	FLM23150EBH	01/18/2021	01/17/2022		1	\$426.60	\$426.60
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-B200M5S2	UCS-SP-B200M5-S2 ✓	FLM234407UF	11/23/2020	01/17/2022		1	\$492.05	\$492.05
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP-UCSPMINI	UCS-SP-MINI ✓	FOX2308P4YT	01/18/2021	01/17/2022		1	\$249.07	\$249.07
SNTC 24X7X4	16250 OAK PARK AVE, TINLEY PARK, IL 60477	CON-SNTP-SMBMMINI	UCS-SPM-MINI ✓	FOX1943GYFW	01/18/2021	01/17/2022		1	\$305.37	\$305.37

Maintenance Renewal

Service Level	Service Address	Part #	Description	S/N	Contract Start Date	Contract End Date	EOS Date	Qty	Price	Ext. Price
SNTC 24X7X4	7980 183RD ST, TINLEY PARK, IL 60477	CON-SNTP- C2960C8T	WS-C2960C-8TC-S ✓	FOC2043Y0HS	01/18/2021	01/17/2022	10/31/2025	1	\$77.96	\$77.96
SNTC 24X7X4	16250 SOUTH OAK PARK AVENUE, TINLEY PARK, IL 60477	CON-SNTP- WSC3851S	WS-C3850-12S-S ✓	FCW2308C0RB	01/18/2021	01/17/2022		1	\$1,065.65	\$1,065.65
SNTC 24X7X4	7850 183RD ST, TINLEY PARK, IL 60477-3681	CON-SNTP- WSC3851S	WS-C3850-12S-S ✓	FCW2312C0CP	01/18/2021	01/17/2022		1	\$1,065.65	\$1,065.65

Subtotal: **\$35,215.28**

Terms and Conditions

If there is software included herein, Client hereby agrees to the terms of the applicable manufacturer's End User Licensing Agreement. If services are included as part of this purchase, a separate services contract may be provided for review and signature following the execution of this Proposal. Prices are subject to change and may exclude freight charges and applicable taxes, unless listed above. Rush orders may require an additional charge. Purchaser must obtain a valid RMA approval before returning any Equipment. Maintenance cancellations are subject to manufacturer approval. Any amounts paid by credit card will be charged a six percent (6%) convenience fee. Terms are **Net 30** unless otherwise agreed to in writing.

This proposal details Product, Software, and/or Maintenance to be source by Meridian IT Inc., ("Meridian") to Village of Tinley Park ("Client"). The parties hereto acknowledge and agree that the acquisition of Product, Software and/or Maintenance in this proposal is governed by Meridian IT Inc. Terms and Conditions: <http://www.meridianitinc.com/terms-and-conditions.html>

Proposal Summary

Description	Amount
Maintenance Renewal	\$35,215.28
Total: \$35,215.28	

By approving this order, you are affirming that you are a duly authorized representative of the indicated company and agree to be bound by this agreement's terms and conditions. Only proposals that include Service Contracts will be countersigned and returned to the Client Contact.

Meridian IT Inc.

Village of Tinley Park

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____



Interoffice Memo

Date: December 15, 2020

To: Village Board

From: Hannah Lipman, Assistant to the Village Manager
Brad Bettenhausen, Village Treasurer/Finance Director

Subject: Business License Fees – Pro-ration

Currently, Title XI Chapter 110 Section 28 of the Municipal Code allows for the pro-ration of business license fees for new establishments entering the Village at any given time in the calendar year. The proposed code amendment eliminates the pro-ration of business license fees which is inconsistent with other Village licensing policies. The business license fees are typically no more than \$300 and do not warrant pro-ration due to the underlying costs of issuance and other activities associated with business licensing. The average business license fee is in the \$30 - \$60 range.

**PUBLIC
COMMENT**

ADJOURNMENT