

**MINUTES**  
**Meeting of the Committee of the Whole**  
**February 4, 2020 – 7:15 p.m.**  
**Village Hall - Council Chambers**  
**16250 S Oak Park Ave.**  
**Tinley Park, IL 60477**

Members Present: J. Vandenberg, Village President (arrived at 7:35 p.m.)  
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: M. Glotz, Trustee

Staff Present: D. Niemeyer, Village Manager  
P. Carr, Assistant Village Manager  
F. Reeder, Fire Chief  
M. Walsh, Police Chief  
B. Bettenhausen, Finance Director  
K. Clarke, Community Development Director  
J. Urbanski, Assistant Public Works Director  
C. Zemaitis, Village Engineer  
D. Framke, Marketing Director  
D. Maiolo, Human Resources Director  
P. O'Grady, Village Attorney

Others Present:

**Item #1A** - The meeting of the Committee of the Whole was called to order at 7:22 p.m. on February 4, 2020.

**Item #1B – CONSIDER APPOINTING TRUSTEE BRENNAN AS INTERIM PRESIDENT PRO-TEM FOR THE COMMITTEE OF THE WHOLE MEETING DATED FEBRUARY 4, 2020.**

Motion was made by Trustee Mueller, seconded by Trustee Brady, to appoint Trustee Brennan as interim President Pro-Tem for the committee of the whole meeting dated February 4, 2020. Vote by voice call.

**Item #2 - CONSIDER APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON JANUARY 14, 2020.**

– Motion was made by Trustee Brady, seconded by Trustee Mueller, to approve the minutes of the Committee of the Whole meeting held on January 14, 2020. Vote by voice call. President Pro-Tem Brennan declared the motion carried.

**Item #3 –REVIEW CANNABIS SURVEY RESULTS.** – Donna Framke, Marketing Director, presented the results of the community-wide cannabis survey conducted by the Village. The survey opened on January 3, 2020. Postcards directing residents to an online survey link on the website were delivered via USPS to Tinley Park mailing addresses during the week of January 6. In addition, notice

was given that hard copies of the survey were available to anyone who came in to the village hall to complete one. The survey closed on January 25th.

The aggregate results of both the electronic survey and the hard-copy surveys are: Responses: 4,869; Yes: 2,509 - 51.53%; No: 2,360 - 48.47%.

Trustee Muller asked if non-resident response were included in the total results. Ms. Framke replied that non-resident responses, which amounted to about 1%, are included.

Trustee Brady asked if the survey was closed. Ms. Framke confirmed it is.

Trustee Mueller inquired to the next steps. Paul O'Grady, Village Attorney, will draft a memo.

Discussion will continue at the first Committee of the Whole meeting in March.

**Item #4 – DISCUSS FISCAL YEAR 2021 PAVEMENT MANAGEMENT PROGRAM (PMP).**

Colby Zemaitis, Village Engineer, presented the FY 2021 Street Resurfacing Pavement Management Program (PMP). The project entails 9.2 miles of local streets to be resurfaced by means of Mill and Overlaying or Heater Scarification. Robinson Engineering has prepared a map and list of streets to be included in this year's project.

The Village has always found success in bidding this project as early as possible to get lower asphalt prices. Early bids tend to be more competitive since it is often the first program put out for bid and there is still uncertainty in the market as to the availability of projects. The Village intends to get this project out to bid in the coming weeks.

The agreement between the Village and Robinson Engineering would include preliminary design engineering and field services for the FY 2021 PMP. Final costs of this agreement are in accordance with State requirements and will be based on a percentage basis of the PMP awarded contract amount (3.5% for design and 6% for construction observation).

Trustee Mueller asked what percentage of Village streets the 9.2 miles represented. Mr. Zemaitis calculated that it is about 3%.

President Pro-Tem Brennan asked the Committee if there were any questions. Three were none.

Motion was made by President Pro-Tem Brennan, seconded by Trustee Brady, to recommend a Professional Services Agreement between the Village and Robinson Engineering be forwarded to the Village Board for approval. Vote by voice. President Pro-Tem Brennan declared the motion carried.

**Item #5 – DISCUSS AGREEMENT BETWEEN THE VILLAGE OF TINLEY PARK AND PROVIDENCE BANK & TRUST CONSENTING TO THE COLLATERAL ASSIGNMENT OF THE SOUTH STREET REDEVELOPMENT PROJECT.**

Mr. O'Grady presented the Agreement between the Village of Tinley Park and Providence Bank and Trust consenting to the collateral assignment of the South Street Redevelopment Project.

The agreement is a "Consent to the Collateral Assignment of the Development Agreement from Developer to Providence Bank." Such agreements are common as construction loans are often secured by a development agreement and underlying property. The Redevelopment Agreement (RDA) between

the Village and South Street, contemplated a collateral assignment and indicated the Village would consent to an assignment of rights as well as the obligations. The initial drafts of this agreement had provisions that would allow the lender to claim assignment of the benefits without the obligations. The updated Agreement requires the lender or subsequent purchaser to assume the obligations of the Agreement if they want the benefits.

The Lender has created a Mortgage lien by way of the loan. Typically, a bank would lien an all of the property, on a given property, to secure a construction loan. This is not an option in this case, as both the Village's, and Developer's property is somewhat intermingled throughout the Development, and certain parcels are set to change hands on certain dates. The Village sought to insure that property it owned would not be encumbered at the time the Village took ownership. In addition, if any foreclosure action on a parcel to be controlled by the Village in the future was taken, the RDA could not be assigned without an assumption of the obligations, thus ensuring the Village will have unencumbered ownership or ability to enforce completion of the development of that parcel on subsequent purchasers.

Trustee Brennan asked if the property of the Village was a parking lot. Mr. O'Grady explained that this would be sidewalks and such.

Trustee Berg asked if there were any documents from the bank with the amount of the loans taken. Trustee Mueller stated, those documents would be between the developer and lender, the concern would be that the Village was protected, which Trustee Brady stated, was accomplished. Mr. O'Grady reiterated that if the developer defaults on the loan, the bank cannot encumber or attach Village property.

President Pro-Tem Brennan asked the Committee if there were any questions. Three were none.

Motion was made by President Pro-Tem Brennan, seconded by Trustee Brady, to recommend the Agreement between the Village of Tinley Park and Providence Bank & Trust consenting to the collateral assignment of the South Street Redevelopment Project be forwarded to the Village Board for approval. Vote by voice. President Pro-Tem Brennan declared the motion carried.

**Item #6 - DISCUSS PARKING AGREEMENT FOR AN ENGLISH GARDEN, 16800 OAK PARK AVENUE.** Kimberly Clarke, Community Development Director, presented a request for a Parking Agreement for An English Garden, 16800 Oak Park Avenue. The subject site is located adjacent to 16800 Oak Park Avenue, which is owned and operated by An English Garden Florist and Gifts. There are ten (10) on-street parking spaces on the north side of the building along an area of dedicated right-of-way (R.O.W.) The R.O.W. is aligned with what would be an extension of 168th Street. However, there are no current or future plans for a public street to be constructed at this location. The property has historically utilized this parking to meet its parking requirements. The businesses to the north also utilize the north side of this R.O.W. for parking. A Parking Use and Maintenance Agreement was last entered into in 2014 with the previous owner. This agreement was part of a negotiation with the Village to help the property owner meet parking requirements and best utilize a R.O.W. that only serves two private commercial lots.

The agreement allows the owner of the property and its tenants the non-exclusive use of the parking along with accepting maintenance responsibilities of the parking area (including snow plowing, pavement striping, and landscaping). With the transfer of ownership, a new agreement is required. A similar agreement was recently approved for the Veterinary Clinic at 17745-17749 Oak Park Avenue.

President Pro-Tem Brennan asked the Committee if there were any questions. Three were none.

Motion was made by President Pro-Tem Brennan, seconded by Trustee Brady, to recommend the Parking Agreement for An English Garden, 16800 Oak Park Avenue be forwarded to the Village Board for approval. Vote by voice. President Pro-Tem Brennan declared the motion carried.

**Item #7 – DISCUSS CIVIL SERVICE RULES & REGULATIONS.** Denise Maiolo, Human Resources Director, presented an update to the Civil Service Rules and Regulations. The comprehensive review of the existing Rules and Regulations of the Civil Service Commission was completed in order to determine if the Rules and Regulations from 1997 adequately addressed the current landscape for employee recruitment and hiring. No comprehensive review had been undertaken in over 20 years since their adoption in 1977. Instead, only minor changes had been made to certain portions of the Rules and Regulations, as needed. Also included in this review were the changes in, and use of, technology since adoption of the Rules and Regulations in 1997, in order to determine whether or not the existing Rules and Regulations provided clear guidelines for all Commissioners, members of the public and potential employees.

Changes proposed include modification to: the point system already in place; the eligibility roster and allowing Commissioners to request additional testing.

The new Rules and Regulations propose the following additional “experience preference” points:

- Up to 5 additional “experience preference” points for only new lateral hire applicants;
- Only available to those Civil Service Applicants who have successfully completed the written examination and personal interview portions of testing process;
- These applicants must also be currently certified Illinois police officers who have already completed Academy through another municipality.

The split list is used when there are large numbers of police applicants. The proposed change will allow the interviewing of the top candidates, to move through the list quicker. All eligible applicants will be on one (1) list.

Proposed change allowing the Commissioners, to request additional testing when needed to properly screen the candidates.

Trustee’s Brennan and Berg thanked Ms. Maiolo and Matt Walsh, Police Chief, for their work on these changes.

Trustee Mueller asked if the point changes will be applied to the current eligibility roster. Ms. Maiolo stated they would be in effect with the next roster.

President Pro-Tem Brennan asked the Committee if there were any questions. Three were none.

Motion was made by President Pro-Tem Brennan, seconded by Trustee Mueller, to recommend the Civil Service Rule be forwarded to the Village Board for approval. Vote by voice. President Pro-Tem Brennan declared the motion carried.

**Item #8 – RECEIVE COMMENTS FROM THE PUBLIC.**

Kim McAuliffe, the owner of An English Garden, introduced herself.

A citizen asked about the next steps with regards to cannabis.

A citizen asked for the results of the cannabis survey.

A citizen stated they liked the cannabis postcard asked how much it cost to mail them out. Ms. Framke replied \$5000.

President Pro-Tem Brennan asked if there was any one else wished to address the Board. There were none.

Motion was made by President Pro-Tem Brennan, seconded by Trustee Mueller, to adjourn the Committee of the Whole. Vote by voice call. President Pro-Tem Brennan, declared the motion carried and adjourned the meeting at 7:49 p.m.