

**MINUTES**  
**Special Meeting of the Committee of the Whole**  
**October 20, 2020 – 5:30 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 October 20, 2020, to order at 5:36 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 (Arrived at 6:25 p.m.)  
                                  K. Thirion, Village Clerk  
                                  C. Berg, Village Trustee  
                                  W. Brady, Village Trustee  
                                  W. Brennan, Village Trustee (Arrived at 5:48 p.m.)  
                                  D. Galante, Village Trustee (Participated electronically until arrival at 6:07 p.m.)  
                                  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 (Participated electronically)  
                                  M. Walsh, Police Chief  
                                  F. Reeder, Fire Chief  
                                  D. Framke, Marketing Director  
                                  H. Lipman, Management Analyst  
                                  B. Bettenhausen, Village Treasurer  
                                  A. Brown, Assistant Village Treasurer

Others Present:            Len McEnery, Owner, Lenny’s Gas N’ Wash  
                                  Lyman Tieman, Attorney, Lenny’s Gas N’ Wash  
                                  Brian Hertz, Engineer, Lenny’s Gas N’ Wash

**Item #2 - CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING HELD ON SEPTEMBER 29, 2020** – Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to approve the minutes of the Special Committee of the Whole meeting held on September 29, 2020. Vote by roll call. Ayes: Berg, Brady, Galante, Glotz, Mueller. Nays: None. Absent: Brennan. President Pro Tem Glotz declared the motion carried.

**Item #3 - DISCUSS COOK COUNTY CLASS 8 RECERTIFICATION FOR DUVAN**

**INDUSTRIAL PARK** - Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to table the Cook County Class 8 recertification for Duvan Industrial Park indefinitely. Vote by roll call. Ayes: Berg, Brady, Galante, Glotz, Mueller. Nays: None. Absent: Brennan. President Pro Tem Glotz declared the motion carried.

**Item #4 - DISCUSS COOK COUNTY CLASS 8 FOR 7305 DUVAN DRIVE - JOHN**

**KACZMARSKI** – Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to table the Cook County Class 8 for 7305 Duvan Drive – John Kaczmariski indefinitely. Vote by roll call. Ayes: Berg, Brady, Galante, Glotz, Mueller. Nays: None. Absent: Brennan. President Pro Tem Glotz declared the motion carried.

**Item #5 - DISCUSS FOUNDATION ONLY PERMIT REQUEST FOR PROPERTY LOCATED AT 17100 HARLEM AVENUE**

– Kimberly Clarke, Community Development Director, presented the foundation only permit (FOP) request for property located at 17100 Harlem Avenue. Vequity Construction received zoning approval for its gas station project on February 4, 2020. Building plans were submitted in April to construct a vanilla box for a future gas station/convenience store. The property borders two Right of Ways of which are controlled by IDOT and Cook County. Due to COVID, the review process with these entities has been severely delayed and therefore is holding up Vequity’s ability to get a full building permit from the Village. The developer has agreed to all terms of the new FOP policy and is ready to break ground immediately.

Trustee Mueller is pleased the Village can assist the builder before winter. Trustee Brady concurred.

Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to recommend the foundation only permit request for property located at 17100 Harlem Avenue, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Berg, Brady, Galante, Glotz, Mueller. Nays: None. Absent: Brennan. President Pro Tem Glotz declared the motion carried.

**Item #6 - DISCUSS GENERAL LIABILITY INSURANCE RENEWAL**

– Hannah Lipman, Management Analyst, presented the general liability insurance renewal. The Village’s current insurance coverage through the Illinois Counties Risk Management Trust (ICRMT) will expire on December 1, 2020. The Village’s insurance broker, Alliant Mesirow, submitted an updated application to ICRMT for renewal pricing.

The Village’s annualized premium for the 2019-2020 policy year was \$755,434. This figure covers the following: General Liability, Automobile Liability, Law Enforcement Liability, Public Officials Liability, Property, Workers Compensation, Cyber (separate policy), and Crime (separate policy).

Maintaining the current deductibles, the renewal premium for the 2020-2021 policy year was quoted at \$810,209, representing a 7% increase. The Workers Compensation premium decreased by 20%, however, General Liability increased 18%. The other largest increase falls under Sales Tax Interruption. Upon review of this coverage, Village Staff asked the broker to increase the Sales Tax Interruption coverage to ensure a community of Tinley’s size has proper coverage, in the event of any natural disaster.

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

**Item #7 - DISCUSS UPDATE ON OAK LAWN WATER PROJECT**

– David Niemeyer, Village Manager, presented the Oak Lawn Water Project update. The last update of the Regional Water System (RWS) was in April of 2017. Topics covered included program history and purpose; RWS working

relationship and project controls; completed and in-progress work; construction work remaining; benefits of cooperation; capital cost changes since April 2017; contingencies and risks; the impact to municipal water customers.

**Item #8 - DISCUSS AMENDMENT TO OAK LAWN WATER AGREEMENT**– D. Niemeyer presented the amendment to the Oak Lawn Water Agreement. This forty (40) year agreement was initially approved in 2013. Oak Lawn’s north and southwest customers are approving this agreement this month. Highlights include the following:

- Authorizes the issuance of revenue bonds by Oak Lawn (up to a par amount of \$297 million) to finance \$275 million of project costs.
- Requires executive consent to award all remaining bid packages.
- Creates a customer review committee to review and approve change orders.
- Allows the realignment of the Bid Package 7A and 7B transmission main and allocates additional costs to Orland Park.
- Allows the Palos Hills Connection and the new pump station building to be financed as part of the RWS improvements with any costs above \$2,666,670 to be paid by Palos Hills.
- Provides for the payment of system leakage and an equitable return of \$.10 per 1000 gallons of water effective January 1, 2021.

Trustee Galante asked if funds not used for a land purchase, can be utilized before residents incur a rate increase. Mr. Niemeyer replied no, as they are different funds.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brady, to recommend the Oak Lawn Water Agreement, 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 #9 -DISCUSS INTERGOVERNMENTAL AGREEMENT BETWEEN THE VILLAGE OF TINLEY PARK AND COOK COUNTY DEPARTMENT OF TRANSPORTATION FOR 94TH AVENUE IMPROVEMENTS**

– President Pro Tem Glotz presented the Intergovernmental Agreement (IGA) between the Village of Tinley Park and Cook County Department of Transportation for 94th Avenue improvements.

Estimated Project Cost:	\$449,000 (Project Construction: 94th Ave. from 183rd-171st)
	\$13,000 (Design, 3.5%)
	\$22,000 (Engineering Services, 6%)
	\$5,000 (Testing Services)
Contingency (10%):	<u>\$41,000</u>
Estimated Project Cost:	\$449,000
Remaining Funds:	<u>\$51,000</u>
Total:	\$500,000 (IGA TOTAL)

Remaining funds not utilized as not part of the 94th Ave. improvements will be used for repairs on Cook County roads within Tinley Park.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, to recommend the Intergovernmental Agreement between the Village of Tinley Park and Cook County Department of Transportation for 94th Avenue improvements, 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 #10 - DISCUSS SALT PURCHASE CONTRACT** – President Pro Tem Glotz presented the salt contract. This purchase agreement locks in the price for bulk salt from Morton Salt, Inc.

Funding for this purpose is available in the Road & Bridge and Commuter Parking Lot Operating & Maintenance Funds.

O&M Budget Road & Bridge amount available	\$485,000
O&M Commuter Parking Lot amount available	\$15,000
O&M Odyssey Street Fund amount available	\$10,000
Amount required for salt purchase	<u>(\$325,050)</u>
Amount UNDER budget	\$184,950

Motion was made by President Pro Tem Glotz, seconded by Trustee Berg, to recommend the salt 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 #11- DISCUSS SNOW REMOVAL CONTRACT FOR CUL-DE-SACS** – President Pro Tem Glotz presented the snow removal contract for cul-de-sacs contract. This service contract is for snow removal by Roy Zenere Trucking & Excavating for the 252 cul-de-sacs and eyebrows throughout the Village of Tinley Park. The contract has the option of 2 (two) - 1 (one) year renewals.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, to recommend the snow removal contract for cul-de-sacs 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 RENEWAL OF SNOW REMOVAL CONTRACT FOR PARKING LOTS** – President Pro Tem Glotz presented the service contract for parking lot snow removal with Beverly Snow and Ice. Funding is available in the approved FY21 budget, operations and maintenance funds.

Total Budget Available	\$342,720
Lowest responsible bidder for 10 events	<u>\$100,350</u>
	\$242,370

Trustee Brady asked why the snow removal contracts are not combined. John Urbanski, Public Works Director, replied that different equipment is needed which may not be available with a single contractor.

Motion was made by President Pro Tem Glotz, seconded by Trustee Berg, to recommend the service contract for parking lot snow removal, 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 - DISCUSS RENEWAL OF CONTRACT FOR HOLIDAY DECORATING** – President Pro Tem Glotz presented the holiday decoration service contract renewal. Funding is budgeted in the FY21 Budget.

Budget Available	\$35,000.00
Year 3 of 3, contract	<u>\$32,830.32</u>
Difference (under budget)	\$2,169.68

Trustee Brady suggested using the remaining budgeted funds to decorate Village Hall.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, to recommend the holiday decoration service contract renewal, 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 #14 - DISCUSS HOLIDAY EVENTS** – Donna Framke, Marketing Director, presented an update on holiday events. Ongoing holiday programming to benefit our Downtown businesses will be extended. Ticketing for more popular events may be used. Hosting the community tree lighting ceremony on Wednesday evening will draw visitors to the downtown on a night they may not otherwise have patronized the businesses. This event is proposed as a mask required, self-managed social distancing event. The best options for Santa’s official arrival into Tinley Park are still being discussed. The Parade of Lights may be a parade through the community, similar to the Cruise Night summer event. The parade would traverse through town via a route that includes as many parking lots as possible so viewers can park and view the parade. The parade is anticipated to take approximately two hours.

Trustee Glotz is concerned that residents may feel left out if the parade route is not in their neighborhood, stating residents can make their own decision whether or not to attend the traditional route on Oak Park Avenue.

Trustee Brady likes the idea of the parking lot route versus the traditional Oak Park Avenue route.

Trustee Brennan also feels that residents may feel slighted if their street is not on the route and asked about participation. Ms. Framke stated they have been contacting businesses, adding there would be no walking groups in the parade.

Trustee Mueller is concerned that the traditional float may not be able to move quickly enough, on a neighborhood route, to reach all destinations within the allotted time, adding there is a live stream of the event if residents do not wish to attend the Oak Park Avenue route. He also suggested using parking lots along Oak Park for viewing from vehicles. Trustee Berg concurred with the parking lot idea, adding many people may already be wearing scarves due to the weather.

Trustee Galante is concerned that businesses may not want to drive through the neighborhoods.

**Item #15 - DISCUSS RESOLUTION ESTABLISHING NOWY SĄCZ POLAND AS A SISTER CITY TO THE VILLAGE OF TINLEY PARK** – Trustee Brady presented the resolution establishing Nowy Sącz, Poland, as a Sister City to the Village of Tinley Park.

Approximately 20 years ago, the Polish consulate approached the Village about having a Polish Sister City. Mayor Zabrocki and the Sister Cities Commission Chair visited Nowy Sącz in 2008 and 2009.

This would be the Village’s third formal affiliation program. The other two are Budinggen, Germany, and Mallow, Ireland. The program will emphasize and support historical, cultural, educational, social, and government exchanges.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brady, to recommend the resolution establishing Nowy Sącz, Poland, as a Sister City to the Village of Tinley Park, 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 #16 - DISCUSS EXECUTIVE SESSION RECORDING REVIEW POLICY FOR ELECTED AND APPOINTED OFFICIALS** – D. Niemeyer, presented the executive session recording review policy for Elected and Appointed Officials. The policy spells out the steps taken by Elected and Appointed Officials requesting to review verbatim recordings of Executive Session meetings.

Clerk Thirion stated, from a security standpoint, it is excellent to have the Deputy Clerk in the room. Having an additional elected official in the room is an extra level of security.

Trustee Galante asked if this is only for those recordings which have not been released to the public. Clerk Thirion confirmed this policy is for those recordings which the Village Attorneys have determined still contain sensitive information.

Motion was made by President Pro Tem Glotz, seconded by Trustee Berg, to recommend the executive session recording review policy for Elected and Appointed Officials, 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 #17 - DISCUSS AMENDMENTS TO CHAPTER 30 TITLE 28 "PARTICIPATION IN MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS"** – D. Niemeyer presented the amendments to Chapter 30 Title 28 "Participation in meetings by telephone or other electronic means". The Village Attorney created "AN ORDINANCE AMENDING TITLE III CHAPTER 30 REGARDING PARTICIPATION IN MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS", which makes certain changes to the Village's Municipal Code regarding remote participation in closed session meetings. The Illinois Municipal Code permits municipalities to permit, by ordinance, remote attendance of open and closed meetings under certain circumstances and with certain limitations. One such limitation is that a member participating remotely pursuant to such an ordinance may not count towards a quorum for the purposes of having a meeting.

Due to the COVID-19 pandemic, the Illinois legislature passed Public Act 101- 0640, which made a number of changes to the Act's quorum rules. Public Act 101-0640, allows a public body to hold "an open or closed meeting by audio or video conference without the physical presence of a quorum of the members" during a public health disaster as long as several enumerated conditions are met." It is important to note that "an open or closed meeting subject to this Act may be conducted by audio or video conference, without the physical presence of a quorum of the members ... " 5 ILCS 120/7(e). This reflects the preexisting remote participation language, which makes such participation discretionary.

The proposed ordinance requires a vote by the Village Board, to permit remote participation in a closed session meeting, regardless of whether the open meeting was conducted pursuant to the relaxed quorum rules. It is important to note that, as a result, a situation may arise where an open meeting was held with under the relaxed quorum rules and, therefore, not enough members may be physically present to conduct a closed meeting should the requests to attend remotely be denied.

Trustee Galante asked if this Ordinance is in line with Governor Pritzker's orders. Mr. Niemeyer replied yes. She also asked if meetings between elected officials, staff, and developers are recorded. Mr. Niemeyer replied no.

Clerk Thirion feels that remote participation in a closed meeting remotely is not safe, from an information security perspective. Trustee Brennan concurred.

Trustee Berg stated having a policy disallowing cell phones on the dais may be a good idea. President Vandenberg concurred.

Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to recommend the amendments to Chapter 30 Title 28 "Participation in meetings by telephone or other electronic means", 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 #18 -DISCUSS UPGRADE TO ONBASE SOFTWARE** – Pat Carr, Assistant Village Manager, presented the CAPSYS/OnBase upgrade. The Village is operating on legacy versions of CAPSYS CAPTURE & Hyland OnBase. These systems are utilized by multiple departments. Both systems are several major versions behind and require highly recommended security updates & fixes only available with the latest versions of the software. This a previously budgeted item.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brady, to recommend the CAPSYS/OnBase upgrade, 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 #19 - DISCUSS LIQUOR AND VIDEO GAMING – SUNDAY HOURS** – President Vandenberg and Ms. Lipman presented Liquor & Video Gaming – Sunday Hours. Throughout the past few years, there have been various licensed establishments in town that petitioned the Mayor’s Office to change the Sunday Liquor Sale hours. A survey of other municipalities was completed to determine how the Village compares on this topic. Currently video gaming hours are tied to liquor sales.

President Vandenberg feels a change to 11:00 a.m., for bar and retail sales would be acceptable in light of COVID, and to be competitive with neighboring towns. He added for events starting earlier, a special permit may be applied for. President Pro Tem Glotz feels a change to 9:00 a.m., for bar and retail sales would be acceptable. Trustees Brady, Brennan, Mueller, Galante concur with President Pro Tem Glotz. Video gaming will continue to operate in conjunction with sales of liquor.

President Vandenberg feels that Truck Stop hours should be the same as bar and retail sales from both administrative and enforcement perspectives. He also strongly cautioned moving to 24/7 video gaming as there has been pushback from the residents on this issue. He asked who monitors the diesel fuel sales to be designated a truck stop. Len McEnery, Owner, Lenny’s Gas N’ Wash replied the State audits their books and sales. There is no set schedule, but seems to be about twice per year. President Vandenberg asked Mr. McEnery to share the report with the Village.

President Pro Tem Glotz, while not in favor of 24/7 video gaming, asked if video gaming can be separated from liquor sales under State law. Ms. Lipman will get clarification. Lyman Tieman, Attorney, Lenny’s Gas N’ Wash stated he would like to see a distinction between truck stops and restaurants/bars.

President Pro Tem Glotz asked Matt Walsh, Police Chief, if more people in the establishment increases safety. Chief Walsh replied that he feels more people reduce the criminal element.

President Pro Tem Glotz is in favor of video gaming commencing at 7:00 a.m. Trustee Brennan concurs but would also be in favor of 24/7 for the safety factor.

Trustee Mueller is in favor of Video gaming commencing at 9:00 a.m. Trustees Brady and Galante concur.

Trustee Berg abstained from this discussion.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, to recommend Sunday liquor sales and video gaming to commence at 9:00 a.m. 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 #20 – DISCUSS CHRONIC PUBLIC NUISANCE ORDINANCE** – Motion was made by Trustee Mueller, seconded by President Pro Tem Glotz, to table the Chronic Public Nuisance Ordinance,

to the next Committee of the Whole meeting. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

**Item #21 - RECEIVE COMMENTS FROM THE PUBLIC** –

A citizen commented on items #3 and #4 being postponed and the remote executive session policy.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brady, 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 7:03 p.m.