

**MINUTES**  
**Special Meeting of the Committee of the Whole**  
**May 4, 2021 – 6:30 p.m.**  
**Village Hall of Tinley Park – Council Chambers**  
**16250 S. Oak Park Avenue**  
**Tinley Park, IL 60477**

President Glotz called the special meeting of the Committee of the Whole on May 4, 2021, to order at 6:32 p.m.

At this time, President 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 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:        M. Glotz, Village President  
                                  K. Thirion, Village Clerk  
                                  W. Brady, Village Trustee  
                                  W. Brennan, Village Trustee  
                                  D. Galante, Village Trustee  
                                  D. Mahoney, Village Trustee  
                                  M. Mueller, Village Trustee  
                                  C. Sullivan, Village Trustee

Members Absent:

Staff Present:            D. Niemeyer, Village Manager  
                                  P. Carr, Assistant Village Manager  
                                  L. Godette, Deputy Clerk  
                                  B. Bettenhausen, Village Treasurer  
                                  H. Lipman, Assistant to the Village Manager

Others Present:

**Item #2 - ADJOURN TO EXECUTIVE SESSION** - Motion was made by Trustee Mueller, seconded by Trustee Brennan, at 6:34 p.m. to adjourn to Executive Session to discuss the following:

- a. THE PURCHASE OR LEASE OF REAL PROPERTY FOR THE USE OF THE PUBLIC BODY, INCLUDING MEETINGS HELD FOR THE PURPOSE OF DISCUSSING WHETHER A PARTICULAR PARCEL SHOULD BE ACQUIRED.

Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #3 - CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING HELD ON APRIL 13, 2021** – Motion was made by Trustee Brennan, seconded by Trustee Mueller, to approve the minutes of the Special Committee of the Whole meeting held

on April 13, 2021. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #4 – DISCUSS CLASS DV LIQUOR & VIDEO GAMING LICENSE REQUEST FOR DURBIN’S EXPRESS, 18250 OAK PARK AVENUE** – Hannah Lipman, Assistant to the Village Manager, presented the liquor license request. The petitioner, Tom McAuliffe, has approached the Mayor’s Office seeking a Class DV Liquor and Video Gaming License for a new Durbin’s location at 18250 Oak Park Avenue.

This additional location will be similar to that of the current location in regards to the menu but will operate at a smaller scale, with about 6-8 dine-in tables, a pick-up window, and an enclosed video gaming area. There will not be a sit-down bar at this location.

A Class DV license allows for the retail sale of alcoholic liquor on the premises and must be made in conjunction with the operation of a restaurant on the premise. Service is restricted to tables or booths; no bar stools are allowed. Video Gaming is allowed.

Trustee Galante asked if there will be liquor sales at the drive-thru window and if this location will be classified as a gaming parlor. Mr. McAuliffe stated that the window will only be used for the pick-up of food. Ms. Lipman added per State and local Ordinances, drive-thru window liquor sales are not permitted. The DV liquor license follows the same requirements as a café but is not classified as a gaming café.

Trustee Mueller asked if there will be servers in the dining area. Mr. McAuliffe replied not at this time.

Motion was made by Trustee Brennan, seconded by Trustee Brady, to recommend a Class DV Liquor & Video Gaming License for Durbin’s Express, 18250 Oak Park Avenue, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #5 – DISCUSS PURCHASE AND SALE AGREEMENT (PSA) FOR THE PROPERTY AT 17368 68TH COURT (BECHSTEIN CONSTRUCTION COMPANY)** – David Niemeyer, Village Manager, presented the PSA. The Village is seeking to purchase the property owned by Bechstein Construction Company at 17368 68th Court for \$550,000 using funds from the New Bremen TIF. The property consists of five (5) tax parcels. The seller will work cooperatively with the Village to remediate the property and seek reimbursement from the State’s LUST (leaking underground storage tank) fund and obtain an NFR (no further remediation) letter. The seller will be allowed to continue to occupy the site for up to two (2) years after the sale and would be responsible for paying all property taxes assessed during that time and demolishing the existing structures. After the seller vacates the site, the Village can determine whether to utilize this property for needed downtown parking (current intentions) or seek proposals for redevelopment. The two parties will have ninety (90) days to close from the execution of the PSA, which is expected to allow sufficient time to complete due diligence activities, including environmental sampling to determine the extent of clean-up that may be required.

Motion was made by Trustee Mueller, seconded by Trustee Mahoney, to recommend a Purchase and Sale Agreement (PSA) for the property at 17368 68th Court (Bechstein Construction Company), be forwarded to the Village Board for approval. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #6 – DISCUSS AGREEMENT WITH MIDWEST ENVIRONMENTAL CONSULTING SERVICES, INC. FOR SITE INVESTIGATION AND UNDERGROUND STORAGE TANKS (UST) REMOVAL ACTIVITIES FOR THE BECHSTEIN CONSTRUCTION COMPANY**

**PROPERTY, 17368 68TH COURT** – Mr. Niemeyer presented the agreement. The Village is interested in acquiring this property and requested a proposal from Midwest Environmental Consulting Services, Inc. to conduct a subsurface investigation to assess the subsurface soils and groundwater associated with the removal of UST’s as well as determine whether any additional tanks currently exist or need to be removed to obtain an NFR letter for this site.

The Public Work Department contacted and obtained three (3) proposals from environmental engineering firms with experience conducting site evaluations, site clean-ups, and overseeing the removal of UST’s. Each firm was provided background information on this site, and also did their own site research before submitting their proposal.

Three (3) proposals were initially submitted; however, all proposals didn’t follow the same procedure. Therefore, revised proposals with defined tasks were requested.

<u>Environmental Consulting Firm</u>	<u>Bid Proposals</u>
Midwest Environmental Consulting Services, Inc.	\$84,194
Robinson Engineering Ltd.	\$140,646 - \$233,468
True North Consultants	Did not resubmit
Engineer’s Estimate:	\$100,000

The Village is currently looking to purchase this property so the overall cost for this project will be addressed in escrow as part of the purchase agreement with the property owner.

Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #7 – DISCUSS ESTABLISHMENT OF AN ADVISORY COMMISSION ON LABOR AND DEVELOPMENT** – President Glotz proposed to create a Labor and Development Advisory Commission, created to structure sound labor policies for public works construction and commercial development that protect local workers, contractors, and taxpayers, while supporting fair contracting in the Village of Tinley Park. The Commission will make its findings and recommendations to the President and Board of Trustees, as well as other governmental agencies, upon the direction of the Corporate Authorities.

Motion was made by Trustee Brady, seconded by Trustee Mahoney, to recommend the establishment of an Advisory Commission on Labor and Development, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #8 – DISCUSS ADMINISTRATIVE HEARING OFFICER APPOINTMENT** – Mr. Niemeyer presented a proposal from Klein, Thorpe and Jenkins (KTJ), the former Village Attorney, to be the administrative hearing officer for the Village. KTJ would replace the current hearing officer, Montana and Welch, who has been the hearing officer since 2017. KTJ rates would be \$195 per hour for partners (same as Montana and Welch) and \$85 per hour for paralegals (Montana and Welch charged \$95 per hour). This appointment would be effective June 1, 2021.

Motion was made by Trustee Brennan, seconded by Trustee Mueller, to recommend the appointment of Klein, Thorpe and Jenkins as the Administrative Hearing Officer for the Village, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #9 – DISCUSS SPECIAL COUNSEL APPOINTMENT** – Mr. Niemeyer summarized the appointment of Del Galdo Law Group as Special Counsel for the Village. The scope of work will include, but will not be limited to, planning, zoning, land acquisition, and litigation. The rate of pay will be \$195 per hour for partners, \$175 per hour for Associates, and \$95 per hour for Paralegals.

Trustee Galante requested that the bills be detailed in such a way that they are traceable to the case or project to monitor that the benefits outweigh its costs. She would also like the Board to have the ability to review the bills. Mr. Niemeyer stated the reporting is not detailed by case but can be provided. President Glotz stated currently the bills are reviewed by the Finance staff and approved by the Village Manager. Brad Bettenhausen, Village Treasurer, confirmed.

Motion was made by Trustee Brennan, seconded by Trustee Sullivan, to recommend Del Galdo Law Group as Special Counsel, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the motion carried.

**Item #10 –RECEIVE COMMENTS FROM THE PUBLIC** –

President Glotz asked if there were any comments from the public. There were none.

Laura Godette, Deputy Village Clerk, stated there was no written comment or request to speak telephonically.

Motion was made by Trustee Mueller, seconded by Trustee Brady, to adjourn the Committee of the Whole. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Glotz declared the meeting adjourned at 7:21 p.m.

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