

MINUTES
Meeting of the Committee of the Whole
May 17, 2022 – 6:00 p.m.
Village Hall - Council Chambers
6250 S Oak Park Ave.
Tinley Park, IL 60477

Item #1 – At 6:02 p.m. the regular meeting of the Committee of the Whole was called to order.

Item #2 - Clerk O'Connor called the roll. Present and responding to roll call were the following:

Members Present: M. Mueller, President Pro Tem
N. O'Connor, Village Clerk
W. Brennan, Village Trustee
D. Galante, Village Trustee
D. Mahoney, Village Trustee
C. Sullivan, Village Trustee
M. Glotz, Village President

Members Absent: W. Brady, Village Trustee

Staff Present: P. Carr, Village Manager
K. Clarke, Community Development Director
J. Urbanski, Public Works Director
P. O'Grady, Village Attorney

Others Present: Brad Bettenhausen, Finance Consultant

Item #3 - CONSIDER APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD MAY 3, 2022 – Motion was made by Trustee Brennan, seconded by Trustee Mahoney, to approve the minutes of the Committee of the Whole meeting held on May 3, 2022. President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Vote by roll call. Ayes: Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: Brady. President Pro Tem Mueller declared the motion carried.

Item #4 – CONSIDER VIDEO GAMING LICENSE FOR HILLGROVE TAP, 9505 171ST STREET – President Glotz explained the petitioner, Christopher Elsey, has approached the Liquor Commissioner seeking a Class AV Liquor License to add video gaming. The establishment currently has a Class A Liquor License which allows for the sale of alcoholic liquor.

As this request is being made before the 365-day requirement has been met, the petitioner was required to secure a 10-year lease. It was mutually agreed upon that the class AV license would be available nine (9) months from the permit application which was January 18, 2022. Approving the request at the municipal level will assist the petitioner in receiving approval at the State level.

Mr. Elsey and his associate, Joe Christiano, worked with the Francesca Restaurant Group for approximately 20 years prior to independently opening the original Hillgrove Tap location in Western Springs in December of 2015. Given the challenges small businesses have faced within the past two years, Mr. Elsey would like to add video gaming as an additional revenue source. The petitioners will be putting several hundred thousand dollars' worth of improvements into this location.

The petitioner has proposed a five (5)-foot partition wall with a two (2)-foot tempered and frosted glass vertical extension containing a stained-glass panel to align with the required seven (7)-foot barrier/separation wall. Patrons will walk alongside this wall directly into the dining room area.

Additionally, as the entrance to the gaming area is in the line of sight from a section of the dining room, the petitioner is installing double-acting doors to obstruct patrons' view into the separate gaming area. Cameras will be installed inside the gaming area to provide for continuous staff monitoring of activity.

If the request is granted, the total number of Class AV Liquor Licenses in the Village of Tinley Park will be increased from fifteen (15) to sixteen (16), and the number of Class A Liquor Licenses will be decreased from eighteen (18) to seventeen (17).

Trustee Brennan feels this will be a great addition to the Village. Trustee Sullivan concurred. Trustee Brennan asked how long the State will take to approve the application. Paul O'Grady, Village Attorney, stated it may take a few months.

Trustee Galante asked for clarification that this request was allowing the petitioner to advance their request by three (3) months. President Glotz replied that the original request from the petitioner was for application after three (3) to six (6) months and was negotiated to nine (9).

Motion was made by Trustee Brennan, seconded by Trustee Sullivan to recommend a request for a video gaming license for Hillgrove Tap, 9505 171st Street be forwarded to the Village Board. Vote by roll call. Ayes: Brennan, Mahoney, Mueller, Sullivan. Nays: Galante. Absent: Brady. President Pro Tem Mueller declared the motion carried.

Item #5 – CONSIDER PRIMAL CUT ENCROACHMENT AGREEMENT AMENDMENT – Kimberly Clarke, Community Development Director, presented the agreement. The patio area in front of the Primal Cut entrance at 17344 Oak Park Avenue encroaches on the public right-of-way (ROW). This has existed for some time, and Resolution 2020-R-098 was adopted, that formally recognized the encroachment. The owner of Primal Cut, Paul Spass, is proposing to modify the existing encroachment by enclosing this area to provide year-round use of the patio.

A recent survey indicates an encroachment between 3.51' to 4.26' for a brick wall, stairs, and patio area on the Oak Park Avenue ROW. The encroachment agreement provides for a permanent acknowledgment of the existence of the encroachment and eliminates the Village's liability for its use.

A summary of the main points of the encroachment agreement is as follows:

- The agreement provides a right to encroach upon the Oak Park Avenue ROW as long as the improvements do not impair the use of the ROW; and
- The encroachment rights granted by the agreement shall terminate upon the damage or destruction of 50% or more of the replacement value of the building or other improvements which encroach upon the Village's ROW; and
- The agreement does not abrogate or nullify Village's rights or interests in the ROW; and
- The owner retains all risks and liabilities associated with the encroachment; and
- The Village is not responsible for any costs incurred by the Owner to repair or replace the encroachment improvements; and
- Owner holds Village harmless rising out of use of the encroachment.

A joint JULIE was performed and there is nothing found under the patio.

President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Motion was made by Trustee Mueller, seconded by Trustee Galante to recommend the Primal Cut Encroachment Agreement Amendment be forwarded to the Village Board. Vote by roll call. Ayes: Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: Brady. President Pro Tem Mueller declared the motion carried.

Item #6 – CONSIDER CELL TOWER AGREEMENTS AT 18301 RIDGELAND AVENUE – Brad Bettenhausen, Finance Consultant, explained there are two (2) agreements. This first agreement is in response to a request for an additional 250 square feet of ground space. This lease is for two (2) years. The second agreement is a new lease agreement that incorporates the additional 250 square feet.

President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Motion was made by Trustee Mahoney, seconded by Trustee Galante to recommend the cell tower agreements at 18301 Ridgeland Avenue be forwarded to the Village Board. Vote by roll call. Ayes: Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: Brady. President Pro Tem Mueller declared the motion carried.

Item #7 – DISCUSS LAND BANK PROGRAM – Ms. Clarke explained The South Suburban Land Bank & Development Authority (SSLBDA) is an intergovernmental agency that was established in 2012 as the first land bank in Illinois. The organization facilitates the redevelopment of acquired properties both residential and commercial through partnerships with developers, community organizations, lenders, and local governments. The SSLBDA is a subsection of the Southland Development Authority which is dedicated to the equitable redevelopment of the southland while also boosting the tax base for municipalities. Overall, the organization is striving to improve the quality of life for Chicago southland residents.

The SSLBDA receives funding through state and federal grant funds, bank assistance, and money it raises through operations. There are currently 28 members of the SSLBDA that span across both Cook and Will counties. A highlight of utilizing this organization is that it can work across counties to obtain properties; and act as a regional economic development tool for municipalities to legally hold, manage and develop tax or bank foreclosed properties and put them back into productive use.

The Village of Tinley Park was previously a member of the SSLBDA. However, due to staff transition in both organizations, there is a need to re-establish membership to begin working with the land bank again.

The land bank will operate through us identifying properties that we designate as “problem” properties or properties that would be suitable for redevelopment. To re-establish membership, three intergovernmental agreements (IGA) need to be approved and signed by each organization’s corporate authorities.

1. The first declares membership, which needs council approval. It is then reviewed and approved by the SSLDBA board as well.
2. The second appoints a representative to the SSLDBA Board to represent the community, this person can be any full-time member of village staff or elected official. Staff recommended that this individual will be the Community Development Director.
3. The third and final agreement is the abandonment IGA which gives the land bank authority to take the steps necessary to acquire the property.

After the IGA’s have been signed, the village representative will present properties that have been identified as problematic, in adverse condition, and/or abandoned to the land bank. The SSLBDA will determine if the property meets the standards for them to take it over and if so, begin the acquisition process. The process on average takes

nine (9) months to one (1) year once formally in the core process. The typical lifecycle of a property with the South Suburban Land Bank is as follows:

1. Municipality identifies problem property and presents it to the land bank.
2. Land bank evaluates whether the property meets the legal definition of abandoned and if so, files a court case through its attorneys.
3. Property winds its way through the court process (takes approximately nine(9) months).
4. Judicial Deed awarded to land bank.
5. Land bank staff conducts a field assessment of the property to determine stabilization needed and what should be done to get the property market-ready.
6. Land bank staff assigns property to real estate broker for listing.
7. Property is available on the open market.
8. Offers to purchase presented to land bank staff.
9. Land bank staff will review offers and sends summaries to a municipal representative to weigh in.
10. Approved offers are sent to land bank attorneys to initiate the closing process.
11. After closing, land bank retains the sale proceeds that are left after closing costs as operating revenue to continue its work throughout the Southland.

Any offers received on properties within the community are given to the Village representative for review. If the board member does not agree with the vision for a property, the SSLDBA will, in most cases, defer to the board member. However, the land bank is the owner of the property and will be listed as such on-property records, etc., and ultimately can do what they want within village zoning regulations.

The land bank does not attempt to acquire “competitive” properties. If a property is in a contentious bid/sale process, the land bank will not pursue the property as the focus of the organization is on properties that are in adverse condition without a path to remediation in place.

The Economic Commercial Commission voted 5-0 at the May 09, 2022, meeting to recommend the Village Board support the adoption of the IGA’s necessary to re-establish membership and appoint the Community Development director as the village representative to the organization.

President Glotz asked if the land bank can assist the Village with its long-range plans. Ms. Clarke replied yes and added when the land bank purchases a property it is not on behalf of the Village, they are their own entity.

Brad Bettenhausen stated he supports the Village working with either the Cook County or the South Suburban Land Bank.

Trustee Mueller stated control of properties in the Village is key and this is another tool that can be used. Trustee Brennan concurred.

Motion was made by Trustee Mueller, seconded by Trustee Brennan to recommend the Land Bank Program, with the Community Development Director as the representative to the SSLDBA Board be forwarded to the Village Board. Vote by roll call. Ayes: Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: Brady. President Pro Tem Mueller declared the motion carried.

Item #8 – CONSIDER DOROTHY LANE & IRONWOOD DRIVE WATER MAIN

REPLACEMENT CONTRACT AWARD – John Urbanski, Public Works Director, presented the contract. On Friday, May 6, 2022, at 10:00 a.m. three (3) bids were received and opened for the Dorothy Lane and Ironwood

Drive Water Main Replacement Project. Christopher B. Burke Engineering, Ltd. (CBBEL) has reviewed the bid proposals and all documents complied with Village requirements.

CONTRACTOR	BID PROPOSAL
Engineer’s Estimate	\$1,311,266.00
Austin Tyler Construction	\$1,353,353.40
P.T. Ferro Construction	\$1,475,438.00
Airy’s Inc.	\$1,699,851.00

Austin Tyler Construction is the low bidder with a bid amount of \$1,353,353.40. CBBEL has reviewed Austin Tyler’s bid document and found it to be in order.

President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Motion was made by Trustee Brennan, seconded by Trustee Mahoney to recommend the Dorothy Lane & Ironwood Drive Water Main Replacement contract award be forwarded to the Village Board. Vote by roll call. Ayes: Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: Brady. President Pro Tem Mueller declared the motion carried.

Item #9 – CONSIDER PURCHASE OF A HOMELAND SECURITY MOBILE BOLLARD

SYSTEM – Pat Carr, Village Manager, presented the Bollard purchase. On 4/18/2022, The Village was awarded \$172,710.00 in Urban Areas Security Initiative (UASI) grant funds. This award was made for the purchase of a mobile bollard system used to secure large public event sites from vehicle-borne attacks. Authorization to purchase the bollard system for \$172,710.00 with delivery in time for various events this summer was requested. This is a reimbursable expense from awarded UASI funds.

President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Motion was made by Trustee Brennan, seconded by Trustee Mahoney to recommend a purchase of a Homeland Security Mobile Bollard System be forwarded to the Village Board. Vote by roll call. Ayes: Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: Brady. President Pro Tem Mueller declared the motion carried.

Item #10 – RECEIVE COMMENTS FROM THE PUBLIC –

President Pro Tem Mueller asked if there were any comments from the public. There were none.

Motion was made by Trustee Brennan, seconded by Trustee Sullivan, to adjourn the Committee of the Whole. Vote by roll call. Ayes: Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: Brady. President Pro Tem Mueller declared the meeting adjourned at 6:29 p.m.

dm