

MINUTES
Meeting of the Community Development Committee
July 10, 2018 - 6:30 p.m.
Village Hall of Tinley Park – Council Chambers
16250 S. Oak Park Avenue
Tinley Park, IL 60477

Members Present: M. Glotz, Chairman
W. Brady, Village Trustee
B. Younker, Village Trustee

Members Absent: None

Other Board Members Present: None

Staff Present: D. Niemeyer, Village Manager
P. Carr, Assistant Village Manager
K. Workowski, Public Works Director
J. Urbanski, Assistant Public Works Director
P. Wallrich, Interim Community Development Director
D. Ritter, Senior Planner
C. Zemaitis, Village Engineer
P. Connelly, Village Attorney
L. Valley, Executive Assistant to the Manager and Trustees
L. Godette, Deputy Village Clerk
L. Carollo, Commission/Committee Secretary

Acting Chairman Brady stated Chairman Glotz is participating in this meeting electronically by telephone conference call. Chairman Glotz is prevented from physically attending this meeting due to employment purposes. Chairman Glotz acknowledged his participation via telephone conference call.

Item #1 - The Community Development Committee Meeting was called to order at 6:40 p.m.

Item #2 – CONSIDER APPROVAL OF THE MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE MEETING HELD ON MAY 8, 2018 – Motion was made by Acting Chairman Brady, seconded by Trustee Younker, to approve the minutes of the Community Development Committee Meeting held on May 8, 2018. Vote by voice call. Acting Chairman Brady declared the motion carried.

Item #3 – DISCUSS SMALL CELL ORDINANCE - S.B. 1451, known as Small Wireless Facilities Deployment Act (the Act) was approved by the Illinois General Assembly and signed by Governor Rauner into law in April 2018. The law establishes state-wide regulations for collocation of small cell antennas located within the public right-of-way and on private commercial and industrial properties. The goal of the Act was to streamline the approval process for wireless providers providing cellular access to the public. This was specifically geared towards the improvement of 5G networks, which typically require greater use of small cell antennas in urbanized areas. The Act preempts local authority to regulate the siting of small cell antennas and requires that any small cell antenna collocated in accordance with the Act shall be considered a permitted use within a public right-of-way or on certain commercial or industrial properties. Additionally, the Act sets specific requirements in regards to height limitation, location, permitting process, review process, permit fees and allowable rent.

Illinois municipalities and government organizations, including the Illinois Municipal League have been concerned about the effects of the Small Wireless Facilities Deployment Act since it was initially introduced. Concerns continue since its adoption regarding the restrictions the Act places on local communities in regards to regulating location, aesthetics, rent limits and having control over property paid for and maintained by the Village. A "trailer bill" has been proposed to reestablish more local control over small cell antenna locations and many municipalities have been looking at other legal options going forward.

The effective date of the Act was on June 1, 2018, with a two (2) month window from that date for municipalities to introduce their regulations and permitting requirements. Without approval of an ordinance by August 1, 2018, there is the chance wireless companies would be able to have "free reign" on new small cell antenna installations in the Village's right-of-way with no enforceable fees or regulations in effect. The Illinois Municipal League drafted a "model ordinance" that regulates small cell antenna collocation to the greatest extent allowed by the Act. Staff drafted an ordinance using the Illinois Municipal League's model ordinance as a template with minor changes. The Village's ordinance will supersede any Zoning Ordinance requirements for collocated small cell antennas in the right-of-way, but the Zoning Code restrictions will remain intact for any wireless facilities not covered by the Act.

The Community Development Committee received a copy of the draft ordinance for review and consideration. Staff requested the Committee recommend the ordinance be adopted by the Village Board at the July 17, 2018 meeting to ensure the Village meets the August 1 deadline, which will ensure the Village retains as much control possible over small cell antenna siting in the public rights-of-way within the Village.

P. Connelly, Village Attorney discussed additional background information regarding the Act and its effect on municipalities. Mr. Connelly concurred the draft ordinance would provide the Village with as much control possible over small cell antenna siting within the Village.

Following adoption of the ordinance, staff is planning to draft design guidelines which can be adopted to help disguise the small cell antenna equipment in the right-of-way and formally amend the Zoning Code once it is clear the law will have no further changes.

Acting Chairman Brady asked the Community Development Committee if there was any further discussion. No one came forward.

Motion was made by Trustee Younker, seconded by Acting Chairman Brady, to recommend Small Cell Antenna/Tower siting regulation ordinance be placed on the next Village Board agenda and waive the first reading. Vote by voice. Acting Chairman Brady declared the motion carried.

Item #4 – DISCUSS GOVTEMP COMMUNITY DEVELOPMENT DIRECTOR - Staff recommended the Village renew the annual Professional Services Agreement with GovTemps, which expires July 31, 2018, to fill the position of Interim Community Development Director, providing for management and staff coverage. Contract renewal will allow the Community Development Department to continue providing excellent service while the Village hires a new permanent director. The current agreement expires July 31, 2018. The Village has previously utilized the services of GovTemps USA, LLC and has been pleased with their services and staffing candidates offered. GovTemps will be compensated \$95.62 hourly. Paula Wallrich, Interim Community Development Director will be compensated \$68.30 hourly by GovTemps, which is a 2.5% increase from last year.

Kimberly Clarke, Planning Manager was recently hired with the intention of her eventually taking on the role of Community Development Director, at which time Ms. Wallrich would revert back to a 32-hour

week role at a different hourly rate than previously as acting director. Therefore, the current contract is written as only a 6-month contract, however, with the ability of an extension for six (6) months, if so desired.

The Community Development Committee received a copy of the Professional Services Agreement with GovTemps for review and consideration.

Trustee Younker asked if the Village Board could discuss the contract renewal with GovTemps in closed Executive session as it is a temporary position. P. Connelly, Village Attorney stated he would review discussing the contract renewal and followup.

Mr. Connelly recommended the Professional Services Agreement with GovTemps be placed on the Village Board agenda, pending an Executive Session with the Village Board due to the August deadline.

Motion was made by Trustee Younker, seconded by Acting Chairman Brady, to recommend the Professional Services Agreement with GovTemps be placed on the Village Board agenda, pending an Executive Session with the Village Board. Vote by voice. Trustee Glotz voted nay. Acting Chairman Brady declared the motion carried.

Item #5 – RECEIVE COMMENTS FROM THE PUBLIC - No comments from the public.

ADJOURNMENT

Motion was made by Acting Chairman Brady, seconded by Trustee Younker, to adjourn this meeting of the Community Development Committee. Vote by voice call. Acting Chairman Brady declared the motion carried and adjourned the meeting at 6:51 p.m.

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