

MINUTES
Special Committee of the Whole
February 9, 2016
Fulton Conference Room
6:00 p.m.

Members Present: D Seaman, Village President
P. Rea, Village Clerk
D. Seaman, Village Trustee
B. Maher, Village Trustee
T. J. Grady, Village Trustee
M. Pannitto, Village Trustee
J. Vandenberg, Village Trustee
B. Younker, Village Trustee

Staff Present: D. Niemeyer, Village Manager
M. Mertens, Assistant Village Manager
G. Horan, Human Resource Director
L. Godette, Deputy Village Clerk
B. Balling, Interim Public Works Director

Others Present: H. Voorhees

Item #1: Call Meeting to Order - Motion was made by Trustee Pannitto, seconded by Trustee Grady, to call the February 9, 2016, Special Committee of the Whole meeting to order. Vote by voice call: Mayor Seaman declared the motion carried and called the meeting to order at 6:02 p.m.

Item #2: Consider approval of the minutes of the Special Meeting of Committee of the Whole held on January 19, 2016. Motion was made by Trustee Grady, seconded by Trustee Pannitto to approve the minutes of the Special Committee of the Whole meeting held on January 19, 2016. Vote by voice call: Mayor Seaman declared motion carried.

Item #3 – Adjourn to Executive Session - Motion was made by Trustee Brady, seconded by Trustee Pannitto to adjourn to Executive Session to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body or legal counsel for the employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine the validity. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried and this meeting was adjourned to Executive Session at 6:03 p.m.

Item #4 – Discuss the following items as related to the Legacy Code:

- A. Hiring specialists to review the Legacy Code;
- B. Potential changes to the Code; and
- C. Proposal for a moratorium on development in the Legacy District

Item #5 – Review communication process for the Village -

Mayor Seaman updated the audience with the Board direction that the Village will be moving forward with a full review of both the Zoning and Legacy Codes. Staff will provide the Mayor and Trustee Vandenberg with a list of qualified firms to perform this professional service and the Village will communicate the process upon formal selection. Additionally, the Village Board will be seeking independent counsel to review the process for the proposed project at 183rd and Oak Park Avenue to ensure that the Code was

followed in an appropriate manner and determine if there were any missteps on part of the developer or staff. This item will be reviewed by the Village Board at the February 16, 2016 Village Board meeting.

Trustee Pannitto asked for a review by an expert in the field on how this project occurred without the Village Board's knowledge. Additionally, Trustee Pannitto requested a review of the Legacy Code to determine whether it fits the needs of the community as well as determine if the plan, as currently approved, is still the desired direction of the Village Board. Lastly, Trustee Pannitto requested communication improvements be made between staff and the Village Board as well as looking at increased transparency with the public.

Trustee Vandenberg advised the audience that upon further reflection and discussion with the Village Board he has determined that he will postpone his request for a moratorium of development within the Legacy District while the Village conducts its investigation into the process. Should the findings warrant future consideration of a moratorium, he would bring the subject back for future discussion.

Resident, Matt Coughlin, requested that the investigation, as described by the Board, attempt to solve the organizational dysfunction between staff and Village Board and that the code support the plan to fit the needs of the Village. He requested that the Board find an external code expert with the right pedigree and experience.

Other residents expressed similar views for full disclosure, transparency and an independent review of the issues at hand.

Mr. Eberhardt requested that the Board review the IDA application by the developer as well as a background investigation on Tower Construction. He also advised the Board that the Sheriff's Dept. may be able to provide an Inspector General review in lieu of independent counsel.

Motion was made by Trustee Younker, seconded by Trustee Brady, to adjourn this Executive Session and reconvene the Special Committee of the Whole meeting. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Brady. Nays: None. Absent: None. Mayor Seaman declared the motion carried and this Executive Session was adjourned at 8:40 p.m.

Motion was made by Trustee Grady, seconded by Trustee Brady, to adjourn the Special Committee of the Whole Meeting. Vote by voice call: Mayor Seaman declared motion carried and adjourned this meeting at 8:59 p.m.

MSM:lv

*cc: Village Board
Village Manager
Village Treasurer
Assistant Village Managers
Director of Economic Development
Director of Planning
Deputy Village Clerk*