

**MINUTES**

**Special Meeting of the Committee of the Whole  
May 5, 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 May 5, 2020, to order at 5:33 p.m.

At this time, Trustee Mueller, stated the meeting was being held remotely via electronic participation consistent with Governor Pritzker’s Executive Order 2020-07 issued on March 16, 2020, which suspends the Open Meetings Act provisions relating to in-person attendance by members of a public body. Specifically, the Governor’s Order: (1) suspends the requirement in Section 2.01 that “members of a public body must be physically present;” and (2) suspends the limitations in Section 7 on when remote participation is allowed. On April 30, 2020, Executive Order 2020-33 re-issued Executive Order 2020-07. Trustee Mueller confirmed Board Members and Staff were able to communicate. All replied affirmative. Trustee Mueller then introduced ground rules for effective and clear conduct of Village business.

Clerk Thirion called the roll. Present and responding to roll call were the following:

Members Present: M. Glotz, Village President Pro Tem (Participated Electronically)  
K. Thirion, Village Clerk (Participated Electronically)  
C. Berg, Village Trustee (Participated Electronically)  
W. Brady, Village Trustee (Participated Electronically)  
W. Brennan, Village Trustee (Participated Electronically)  
D. Galante, Village Trustee (Participated Electronically)  
M. Mueller, Village Trustee

Members Absent: J. Vandenberg, Village President

Other Board Members Present:

Staff Present: D. Niemeyer, Village Manager (Participated Electronically)  
P. Carr, Assistant Village Manager  
L. Godette, Deputy Clerk  
P. O’Grady, Village Attorney  
D. Framke, Marketing Director (Participated Electronically)  
M. Walsh, Police Chief (Participated Electronically)  
F. Reeder, Fire Services Administrator (Participated Electronically)  
J. Urbanski, Interim Public Works Director (Participated Electronically)  
B. Bettenhausen, Village Treasurer/Finance Director  
A. Brown, Assistant Village Treasurer/Finance Director  
P. Wallrich, Interim Community Development Director (Participated Electronically)  
H. Lipman, Management Analyst

Others Present:

**Item #2 – CONSIDER APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON APRIL 21, 2020.** – Motion was made by Trustee Mueller, seconded by Trustee Berg, to approve the minutes of the Committee of the Whole meetings held on April 21, 2020. Vote by roll call. Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Pro Tem Glotz declared the motion carried.

**Item #3 – DISCUSS A RECAPTURE FOR COSTS RELATED TO UTILITY EXTENSIONS AND A LIFT STATION SERVING THE AREA EAST OF LAGRANGE ROAD GENERALLY BETWEEN 179TH STREET, 183RD STREET AND 94TH AVENUE.** – Paula Wallrich, Interim Community Development Director, presented background for this item. The area located along the Route 45 (LaGrange Road) commercial corridor, north of I-80, has lagged in commercial growth for some time due to the lack of existing utility infrastructure. In the FY 18/19 Fiscal Budget, the Village Board approved a new initiative that would include extending sanitary sewer and water main in this area as an inducement for commercial development. A contract with Baxter Woodman Engineering was awarded late last year for the design engineering for the project

Planning staff received an application from Top Hospitality, LLC in August of 2019 for the annexation and development of an 8.75-acre parcel east of White Eagle Drive and south of 183rd Street. The proposal includes two Marriot branded hotels. Currently the property is not served by sanitary sewer, and the extension of the nearby water main does not provide adequate water pressure to serve two 4-story hotels. A temporary connection to an existing sanitary sewer south of the property was investigated, however it could only be approved on a temporary basis as the sewer capacity has already been allocated for undeveloped property in the area.

The permanent solution for providing utilities to this parcel, along with several other parcels in the vicinity necessitates the infrastructure improvements. The Village will be constructing these improvements later this year with an anticipated completion date of December 2020. The proposed recapture ordinance provides for the Village to recoup the cost of these improvements from the benefitted properties.

The proposed recapture ordinance provides for the recapture of all costs related to the extension of the utilities and construction of a lift station. There are five (5) properties that will benefit from these improvements; four (4) will benefit from the construction of a lift station.

The formula for calculating the appropriate recapture amount is based on a square foot basis as a percentage of the actual total cost of construction of the utility extensions, including the acquisition costs of easements and rights-of-way and all legal and engineering services expenses required for the installation for the utility extensions and lift station.

The recapture fees shall be compounded annually for a period of five years, after which the fees will no longer increase. The Finance Director has established two means by which to calculate this increase as outlined in Section Four of the ordinance. If the Village elects to issue a municipal bond for this work the fees will be increased annually by the True Interest Cost (TIC) which is defined as the real cost of the bond issue including all ancillary fees and costs stated as an annualized percentage. If the Village chooses to finance the improvements through any other means (e.g. capital reserves, grant, or short-term borrowing), the recapture fees shall be increased annually by the change in the Construction Cost Index (CCI) as compiled as part of the collection of Municipal Cost Indexes assembled by American City and County monthly.

Preliminary estimates for the cost of the proposed infrastructure has been provided by Baxter Woodman Engineering. The estimated cost for the utility extension is \$1,875,000 which includes a 5% contingency; the estimate cost for the lift station is \$525,000 also with a 5% contingency.

Trustee Berg asked if the recapture was intended to recoup the entire cost to the Village. Ms. Wallrich explained that the fees, for both the hard costs for the improvements, as well as the legal and engineering fees, would be recorded against the five (5) properties. If, and when the individual properties are developed, the amount recorded on that property would be due. Trustee Berg also asked if the Petitioner was still planning on moving forward at this time due to the Covid-19 Pandemic. Ms. Wallrich explained the property reclassification, includes an agreement which contains a schedule.

Trustee Glotz thanked staff for their hard work on this project, which is long overdue. Trustee Mueller concurred.

Trustee Mueller asked if there were any comments from the Staff. There were none. Motion was made by Trustee Mueller, seconded by Trustee Brennan, to recommend approval of a recapture, for costs related to utility extensions and a lift station serving the area east of LaGrange road generally between 179th street, 183rd street and 94th avenue 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 #4 – DISCUSS COOK COUNTY 7B – RECLASSIFICATION FOR TOP HOSPITALITY LLC, DBA NEW HORIZON (RESIDENCE).**

– Ms. Wallrich, presented background for this item. Hareesh Jethani (Applicant) of Top Hospitality, LLC. plans to invest \$17,630,000, excluding the purchase of the land, to construct a 118-room hotel approximately 85,000 square feet for a proposed Residence Inn of Marriott Hotel on the vacant 8.7-acres of land located at 9599 94<sup>th</sup> Avenue in Tinley Park. This location has been 100% vacant and requires significant improvements. The property is currently located in unincorporated Will County, but has filed a petition for annexation to the Village of Tinley Park.

Top Hospitality plans to construct two hotels at this location (Residence Inn & Courtyard). The land will be subdivided into two lots to provide for a hotel on each; therefore, they are filing two separate Class 7b tax incentives. Top Hospitality plans to construct the project in phases; the Residence Inn will be constructed last.

On February 5, 2019, the Village Board approved Ordinance 2019-O-009 designating the area known as 179<sup>th</sup> and Lagrange Road as blighted. This designation is the first requirement to qualify for Cook County's Class 7 Assessment Program. The blighted designation allows for current/future developers and businesses the ability to immediately access Cook County Class 7 incentives with Village approval to attract investment in high vacancy and underdeveloped areas. The subject property is located within the designated blighted area outlined within the ordinance and is therefore eligible to apply for Class 7 incentives.

The Applicant has retained the counsel of Elliott & Associates, a property tax law firm located in Des Plaines, Illinois, to assist with preparing the Class 7b application for Village and Cook County submittal.

The Applicant is requesting a Class 7b incentive to develop on land commonly known as 9599 94<sup>th</sup> Avenue (formerly 18300 96th Avenue, now White Eagle Drive). The Applicant has stated "but for" the Class 7b reclassification the development of this property will likely not be feasible. The applicant is working on the justification for the reclassification which staff will need prior to going before the Village Board for approval. Cook County provides the Class 7b Incentive Program that allows the reclassification of properties to effectively lower their tax assessment from the commercial rate of 25% to the residential rate of 10%. Class 7b reclassifications provide an assessment of 10% of market value for the first twelve (12) years, 15% in the 11th year, and 20% in the 12th year.

The project will be an enhancement to the Village by developing vacant land in an area previously designated as blighted by the Village.

The proposed reclassification resolution shall also include an agreement between Top Hospitality and the Village obligating the applicant to certain conditions of their proposed development. Any failure to meet these conditions will result in the Village's right to terminate the agreement and the Class 7b Assessment Classification on the Property. The conditions for the Residence Hotel development are summarized below:

1. Payment of all real estate taxes;
2. Property must be developed in accordance with approved plans;
3. Project must be completed by December 31, 2022 (applicant has the right to request an extension)

The Economic Commercial Commission reviewed this request at their March 09, 2020 meeting. The Commission unanimously voted to recommend approval of the class 7b request for the Residence Inn Hotel.

Trustee Brady thanked Ms. Wallrich and the Community Development department for a great job on the project. Trustee Glotz concurred thanking Paul O'Grady, Village Attorney and the Public Works Department as well.

Motion was made by Trustee Mueller, seconded by Trustee Brady, to recommend the Class 7b request for the Residence Inn hotel, 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 #5 - DISCUSS COOK COUNTY 7B – RECLASSIFICATION FOR TOP HOSPITALITY LLC, DBA NEW HORIZON (COURTYARD).**

– Ms. Wallrich stated the background for the Residence Inn, was the same as Item #4 on this agenda. Haresh Jethani (Applicant) of Top Hospitality, LLC. plans to invest \$17,880,000, excluding the purchase of the land, to construct a 125-room hotel approximately 83,722 square feet for a proposed Courtyard of Marriott Hotel on the vacant 8.7-acres of land located at 9599 94th Avenue in Tinley Park. This location has been 100% vacant and requires significant improvements. The property is currently located in unincorporated Will County, but has filed a petition for annexation to the Village of Tinley Park.

The Village of Tinley Park can expect Top Hospitality to increase the property tax value of the location. In addition, the hotel plans on hiring approximately 51 employees (36 full-time and 15 part-time) and help to generate healthy revenue through hotel tax for the Village of Tinley Park.

On February 5, 2019, the Village Board approved Ordinance 2019-O-009 designating the area known as 179th and LaGrange Road as blighted.

The Applicant has retained the counsel of Elliott & Associates, a property tax law firm located in Des Plaines, Illinois, to assist with preparing the Class 7b application for Village and Cook County submittal.

The Applicant is requesting a Class 7b incentive to develop on land commonly known as 9599 94<sup>th</sup> Avenue (formerly 18300 96th Avenue, now White Eagle Drive). The Applicant has stated "but for" the Class 7b reclassification, the development of this property will likely not be feasible. Cook County provides the Class 7b Incentive Program that allows the reclassification of properties to effectively lower their tax assessment from the commercial rate of 25% to the residential rate of 10%. Class 7b

reclassifications provide an assessment of 10% of market value for the first twelve (12) years, 15% in the 11th year, and 20% in the 12th year.

The proposed reclassification resolution shall also include an agreement between Top Hospitality and the Village obligating the applicant to certain conditions of their proposed development. Any failure to meet these conditions will result in the Village's right to terminate the agreement and the Class 7b Assessment Classification on the Property. The conditions for the Courtyard Hotel development are summarized below:

1. Payment of all real estate taxes;
2. Property must be developed in accordance with approved plans;
3. Project must be completed by December 31, 2022 (applicant has the right to request an extension)

The Economic Commercial Commission reviewed this request at their March 09, 2020 meeting. The Commission unanimously voted to recommend approval of the class 7b request for the Courtyard Inn Hotel.

Trustee Mueller asked if there were any comments from the Board. There were none. Motion was made by Trustee Mueller, seconded by Trustee Brennan, to recommend the Class 7b request for the Courtyard Hotel, 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 #6 – DISCUSS TEXT AMENDMENT TO TEMPORARY USE – PETE'S MARKET.** - Ms. Wallrich, presented background for this item. The Village allows for certain temporary uses under Section V.C.11. of the Zoning Ordinance. These uses cover such operations as temporary offices for the sale of rental property, a temporary yard for construction materials, sale of holiday trees or seasonal vegetation and carnivals. Consideration of any other kind of temporary use requires a text amendment to the Zoning Ordinance.

Pete's Fresh Market recently purchased the former K-Mart property at 16300 Harlem Avenue and have presented a conceptual development proposal that includes new construction of a 74,000 sq. ft. grocery store and 48,000 sq. ft. retailer. They also propose to redevelop the former K-Mart store to provide an additional +33,000 sq. ft. of retail space and +158,400 sq. ft. of accessory warehouse/distribution space. The proposal will require an amendment to the existing Park Place Planned Unit Development which will be scheduled for review later this year. Due to COVID-19, Pete's Fresh Market has experienced increased demand for warehouse space at their existing warehouse facilities. Currently their warehouses contain some non-grocery related items such as fixtures and equipment for their stores. They have requested to use the vacant K-Mart store to temporarily relocate these items to make room for more grocery related items in their existing warehouse facilities. They have also stated that during this time of COVID they have been presented with purchasing opportunities for items of necessity that have been difficult to keep stocked in their stores. Therefore, they would also like the opportunity to use the Tinley Park property to store some of these products on a temporary basis as well.

Warehouse/distribution uses are permitted in the M1 (General Manufacturing) and MU-1 (Mixed Use Duvan Drive) zoning districts. The former K-Mart site is zoned B-3 (General Business and Commercial District) as a Planned Unit Development (PUD). Any consideration of non-permitted uses on this site will require a substantial deviation of the PUD and full submittal and refinement of the ultimate development proposal for the site. This could take up to a year to complete. Due to the urgency of the request, Staff has been requested to provide for this use as temporary use. As stated above, the Zoning Ordinance currently only provides for certain listed uses. Warehousing or distribution is not listed as a permitted temporary use. This pandemic has created unique circumstances for our community. While Pete's Fresh Market has requested this use due to their operational needs there may be similar requests for stockpiling or warehousing of goods in the future. Natural disasters or fires could require a retailer to request warehousing space on a temporary basis.

Due to the size requirements and ancillary truck traffic associated with warehouse/distribution uses, staff is recommending this temporary use be confined to B-3 districts only. There are several existing retail facilities in B-3 districts that currently warehouse their products and experience daily truck delivery. This zoning district is designed to accommodate more intense types of commercial uses. Retailers such as Sam's Club, Target and other grocery stores typically maintain an inventory of product on site and have daily semi-trailer deliveries.

Staff is also recommending that no greater than 50,000 sq. ft. be devoted to this temporary use and that adequate site access is provided to accommodate anticipated traffic. This will limit any impact from truck traffic related to the warehouse use. A six (6) month term will be a condition of the permit with the opportunity for one (1) extension for a total of no more than twelve (12) months for the temporary use.

Trustee Berg is happy that a use was found for the vacant building, not adverse to seeing this building be zoned warehouse permanently.

Trustee Brady asked if there is a timeline for the opening of Pete's Market as a retail store. Ms. Wallrich responded this is tentatively scheduled for the May 19<sup>th</sup> Village Board agenda. Trustee Brady also wanted to know what area of the building would be used for warehousing. Ms. Wallrich responded a plan has not yet been provided.

Trustee Brennan is happy the Village can help, but does not want warehousing to be permanent.

Trustee Galante asked if future temporary warehousing would need Village Board approval. Ms. Wallrich explained any temporary use would require Board approval.

Trustee Mueller thanked Kimberly Clarke, Community Development Director, Ms. Wallrich, Staff, and Mr. O'Grady for their hard work on this complex project, and is excited for the addition of Pete's Market to the Village.

Trustee Glotz concurred. He stated this was a difficult project to work out and is looking forward to Pete's breaking ground.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to move Pete's Market text amendment 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 #7 – DISCUSS RENEWAL OF THE CONTRACT WITH J&J NEWELL FOR THE CONCRETE FLATWORK AND CURB REPAIR PROGRAM.** – John Urbanski, Interim Public Works Director, presented the contract renewal for the concrete program. Bids were opened for the 2019 Concrete Flatwork and Curb Repair Program on June 4, 2019. J&J Newell was the low bidder in the amount of \$197,647.50 with a 2.5% annual increase. This would make their contract total \$202,588.69.

Funding requested to be budgeted for FY21 is currently \$202,589.00.

Trustee Mueller asked if there were any comments from the Board. There were none. Motion was made by Trustee Mueller, seconded by Trustee Galante, to recommend the contract extension with J&J Newell Concrete Contractors, Inc., for the concrete flatwork and curb repair, 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 #8 – DISCUSS RENEWAL OF THE CONTRACT WITH TRAFFIC CONTROL CORPORATION FOR THE PAVEMENT STRIPING PROGRAM.** – Mr. Urbanski presented the contract renewal with Traffic Control Corporation. Bids were opened for the 2019 Pavement Striping Program on June 4, 2019. Traffic Control Company was the low bidder in the amount of \$58,483.50 with a 1.25% annual increase. The contract total is \$59,214.54 in 2020. Village staff has worked with this contractor before and found them to be a credible, trustworthy contractor and they are also IDOT prequalified. Due to the low bids, the quantity and overall cost of the project was increased to \$87,000 to match the total approved last year, which is \$3,000 under the FY21 Budget.

Funding requested to be budgeted for FY21 is currently \$90,000.00.

Trustee Beg asked for verification that the total cost is \$3,000 under budget. Mr. Urbanski clarified the contract is written as a cost not to exceed \$87,000, so there is the ability to reduce the costs.

Motion was made by Trustee Mueller, seconded by Trustee Brennan, to recommend renewal of the contract with Traffic Control Corporation for the pavement striping program, 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 POST 7 (164TH STREET & HARLEM AVENUE) FORCED MAIN IMPROVEMENTS.** – Mr. Urbanski presented the Post 7 improvements. Alternate #5, of this project consists of cured-in-place pipe (CIPP) lining of the 14" forced main beginning east of Jean Lane on 167th Street and ending at Normandy Drive and 167th Street.

The Village awarded the contract to perform improvements of the force main from Post 7 Lift station (164th Street and Harlem Avenue) to 167th Street and Normandy Drive in July 2019. The contract awarded the base bid plus alternates one (1) through four (4). Base bid plus alternates one (1) through three (3) were completed in January 2020. Alternate four (4) required excavating in multiple locations on 167th Street. The decision was made not to excavate the county road during the winter/plowing season. Visu-Sewer will be returning in early May to complete alternate four (4), encompassing the cleaning and

televising of the existing force main to determine the condition of the pipe. Alternate five (5) is the final phase of the project, which is lining the existing force main under 167th Street to prolong the life of the pipe and prevent emergency costly repairs, as they have done for the other sections of the force main. When this alternate is complete, the entire force sanitary sewer main, from the lift station to the point it becomes a gravity sewer, will have been cleaned, televised, and lined. The gravity sewer from this point, to where it empties into the MWRD transmission sewer, was also cleaned, televised, and lined during a separate project in FY2020.

Contractor:	Location	Proposal
Visu-Sewer	Bridgeview, IL	\$677,350.00

Funding in the amount of \$900,000.00 is available from the approved FY2021 Budget.

Trustee’s Berg, Brady, Brennan, Galante, Mueller and Glotz all thanked Mr. Urbanski for his hard work on this project providing the cost savings.

Motion was made by Trustee Mueller, seconded by Trustee Brady, to recommend Post 7 (164th Street & Harlem Avenue) forced main 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 FIBER OPTIC EXTENSION PROJECT – 80TH AVENUE TRAIN**

**STATION TO POST 11 WATER TOWER.** – Mr. Urbanski presented the 80<sup>th</sup> Avenue Train Station to Post 11 Water Tower, Fiber Optic Extension Project. This project consists of the underground horizontal drilling of cable duct, communication cables (fiber optic and copper phone lines) from the existing utility vault at the 80th Avenue Metra Train Station to the Post 11 Water Tower. It requires permitting and coordination with the Cook County Highway Department to cross 80th Avenue as well as the Buckeye Pipeline which is in the west right of way along 80th Avenue.

Three (3) bids were received and publicly read on April 27, 2020. The bid results are below. The lowest, responsible bidder was IHC Construction Company, LLC in the amount of \$124,700.

<u>Contractor</u>	<u>Location</u>	<u>Base Bid Total</u>	<u>Alternate Bid Total</u>
IHC Construction Company, LLC	Elgin, IL	\$127,940	\$124,700
Utility Dynamics Corporation	Oswego, IL	\$170,735	\$159,935
Jules Madison, Inc.	New Lenox, IL	\$325,686	\$320,706
Engineer’s Estimates		\$175,910	\$174,110

Funding is budgeted for in the FY21 Capital Improvement Budget.

Budget Available:	\$399,000
Lowest Responsible Bidder:	\$124,700
Contingency Amount	<u>\$ 15,00</u>
Difference (under budget)	\$ 259,300



Trustee Mueller asked if there were any comments from the Board. There were none. Motion was made by Trustee Mueller, seconded by Trustee Brady, to recommend the 80<sup>th</sup> Avenue Train Station to Post 11 Water Tower, Fiber Optic Extension Project, be forwarded to the Village Board for approval. Vote by roll call. Ayes: Berg, Brady, Brennan, Glotz, Mueller. Nays: None. Absent: Galante. President Pro Tem Glotz declared the motion carried.

**Item #11 – DISCUSS THE VILLAGE MANAGER’S AUTHORITY TO CONTRACT FOR THE PURCHASE OF ELECTRICITY – STREET LIGHTING ACCOUNTS.** – David Niemeyer, Village Manager, provided background for this item. The Village participates in a consortium with 140 other municipalities known as the Northern Illinois Municipal Electric Collaborative (NIMEC) to drive down pricing for residential and municipal electricity.

In addition to the Village’s residential and small business electric aggregation program, NIMEC also goes out to bid for electricity pricing relating to municipal uses (pumping stations and street lighting accounts) on behalf of the entire consortium. With 140 communities that participate in NIMEC’s consortium, aggregating the collective volume and bidding together achieves savings that would otherwise not be available if the accounts were bid individually.

The Village has three (3) Street Lighting accounts that benefit from the collective bid. These accounts are not included in our electric aggregation program and instead bid separately because of the high level of electric consumption used to operate.

NIMEC will be holding a group bid for Street Lighting accounts on June 4<sup>th</sup>, 2020. As with previous electrical agreements, the window of opportunity for the Village to sign agreements and take advantage of the lowest bidder is typically limited to less than 48 hours. As such, the Village will need to authorize the Village Manager, to sign a third-party agreement upon completion of the competitive bidding process. This will aid in assuring that the Village will continue to be afforded the best possible electrical rates.

Trustee Mueller asked if the timeframe for approval was always 48 hours. Mr. Niemeyer replied, typically yes.

Motion was made by Trustee Mueller, seconded by Trustee Brennan, to recommend the Village Manager’s authority to contract for the purchase of electricity for street lighting accounts, 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 REQUEST FOR A RENT REDUCTION DUE TO COVID-19 FOR CAVALLINI’S AT THE OAK PARK AVENUE TRAIN STATION.** – Mr. Niemeyer presented the request from Cavallini’s. In 2013, the Village passed a resolution (2013-R-010) authorizing the renewal of a five (5) year license agreement with Cavallini’s In the Park, located at 6700 South Street within the Oak Park Avenue Metra Station. Per the agreement, Cavallini’s pays the Village \$700 a month as the base license fee, plus a percentage of gross sales computed in accordance with a formula.

Due to the COVID-19 pandemic, small businesses across the State are struggling. With Metra ridership practically non-existent and the Stay at Home Order in place, Cavallini’s has lost about 97% of their revenues since March 16<sup>th</sup>.

Cavallini's has paid the Village for March, but requested the Village to defer or reduce the base license fee for April and May. Cavallini's has completed various grant applications for federal stimulus money, to no avail yet. Additionally, with events being cancelled through the summer, revenues are expected to remain low until the banquet space can be utilized again. Therefore, as there is not a viable business platform without banquets, there may be requests for additional concessions until banquets can occur again.

Given the circumstances, it is recommended the Village waive the \$700 base fee for April and May, or if the Stay at Home Order is in place. Any further requests will be brought to the Board's attention, and should any stimulus funding become available, the rent reduction would be revisited.

Trustee Berg is glad the Village can help. Trustee Mueller concurred.

Trustee Brady stated concern this may set a precedent. Mr. Niemeyer explained this is an agreement with Cavallini's and the Village, the Village would have no input on a private agreement.

Trustee Brennan stated he has clients who also have not been successful securing financial aid. He asked if there is a way to find out if they do receive aid. Mr. Niemeyer responded he spoke with Pricilla Cordero, Business Development Manager, who stated there currently is no way to find out. Mr. Niemeyer has asked the owner to keep the Village informed on the progress.

Trustee Galante asked if they are open for curbside pickup. She also has concerns about setting a precedent. Trustee Mueller noted they are open, but foot traffic is down 97%.

Motion was made by Trustee Mueller, seconded by Trustee Brennan, to recommend the request for a rent reduction due to Covid-19 for Cavallini's at the Oak Park Avenue Train Station, 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 – RECEIVE COMMENTS FROM THE PUBLIC –**

President Pro Tem Glotz asked if there were any comments from members submitted in writing via email or the drop box at the Village Hall. Village Attorney O'Grady stated there were none.

President Pro Tem Glotz asked if there was anyone from the public who requested to comment telephonically. Village Attorney O'Grady stated there were none.

#### **ADJOURNMENT**

Motion was made by Trustee 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 6: 40 p.m.

dm