

**MINUTES**  
**Special Meeting of the Committee of the Whole**  
**June 9, 2020 – 7:00 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 June 9, 2020, to order at 7:27 p.m.

At this time Pat Carr, Assistant Village Manager and Director of Emergency Management and 911 Communications, stated prior to the Committee of the Whole meeting, the Village was under a tornado warning and the warning sirens were activated. He added that the sirens run for short time period and the Village does not sound an all-clear signal. If the sirens are activated again, it generally is because a new threat or warning has been issued.

At this time, President Pro-Tem 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 Pro-Tem Glotz 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:

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

Members Absent:

Staff Present:

- D. Niemeyer, Village Manager (Participated Electronically)
- P. Carr, Assistant Village Manager
- L. Godette, Deputy Clerk
- H. Lipman, Management Analyst
- P. Connelly, Village Attorney
- M. Walsh, Police Chief (Participated Electronically)
- F. Reeder, Fire Services Administrator (Participated Electronically)
- D. Framke, Marketing Director (Participated Electronically)
- P. Wallrich, Interim Community Development Director (Participated Electronically)
- A. Brown, Assistant Village Treasurer (Participated Electronically)
- J. Urbanski, Interim Public Works Director (Participated Electronically)
- P. Cordero, Economic Development Manager
- K. Gomulka, Administrative Analyst (Participated Electronically)

Others Present:

**Item #2 - CONSIDER ADOPTING TEMPORARY PUBLIC PARTICIPATION RULES & PROCEDURES FOR THIS MEETING.** Pat Connelly, Village Attorney, explained the temporary rules were drafted to be consistent with Governor Pritzker's Executive order. President Pro Tem Glotz asked if there were any comments from the Board. There were none. Motion was made by President Pro Tem Glotz, seconded by Trustee Galante, to adopt temporary public

participation rules and procedures, for this agenda. 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 – CONSIDER APPROVAL OF THE MINUTES OF THE SPECIAL COMMITTEE OF THE WHOLE MEETING HELD ON MAY 19, 2020.** – Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, to approve the minutes of the Special Committee of the Whole meeting held on May 19, 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 #4 – DISCUSS ODYSSEY FUN WORLD ON PREMISES LIQUOR SALES.** Kevin Gomulka, Administrative Analyst stated on June 2, 2020, the Mayor’s Office received a request from Nicholas Halikias from the Odyssey Venue, inquiring if he was able to provide food and alcoholic beverage service (beer and wine) to Odyssey Fun World from the Sweet Spot Sports Bar, which is another establishment operated by the requester. Additionally, the requester asked if food and alcoholic beverages could not be provided by the Sweet Spot, if the Village would grant Odyssey Fun World a sixty (60) day Special Event Permit.

The Mayor’s office reached out to the Village Attorney for guidance on the request. Upon review, the Village Attorney advised that the request could not be permitted, due to the Sweet Spot lacking a state “Caterer – Specialty Retailer” license, which allows catering companies the ability to sell alcoholic beverages, at unlicensed locations. Furthermore, the request for a sixty (60) day Special Event Permit could not be granted because it exceeds the fifteen (15) maximum days permitted for a Special Event Permit per Village Ordinance.

Upon further review, staff discovered that Odyssey Fun World currently has an active Class “E” liquor license issued by the Village. However, they are not allowed to sell liquor at the location because they lack a valid state-issued liquor license due to administrative oversights when converting from a Limited Partnership to a Limited Liability Company (LLC). Odyssey Fun World failed to notify the Village of Tinley Park and the Illinois Liquor Control Commission of the change of corporate structure, resulting in the state denying Odyssey Fun World’s liquor renewal application.

On June 4, the staff was asked to contact Robert Charal, Executive VP & COO for InterContinental Real Estate and Development Corporation. Mayor’s Office staff advised Mr. Charal that the best route to take is to fix the problem with the Illinois Liquor Control Commission since Odyssey Fun World already has an active Class “E” liquor license, which allows for the sale of beer and wine. Mr. Charal was advised to submit his request for a change in corporate structure in writing to the Mayor’s Office for review.

Staff received the request on June 5<sup>th</sup> and provided the request and supplemental documentation to the Mayor for review. Upon review, the Mayor, in his role as Liquor Commissioner, expressed concerns regarding how Odyssey Fun World plans to manage the sale of alcoholic liquor at the location and requested that this item be brought to the Committee of the Whole for discussion.

Mr. Charal spoke on behalf of Odyssey via telephone. President Vandenberg expressed his concerns about alcohol consumption while operating the go-carts and asked how Odyssey will control this. Mr. Charal and Clint Paraday, Odyssey Fun World General Manager explained all customers in the outdoor area are issued wristbands that are marked when an alcoholic beverage is purchased. After two marks, the customer is not permitted to operate the go-cart. Mr. Paraday added the Odyssey go-carts have a slower maximum speed of 15-17 miles per hour versus those at Accelerate, which are higher. President Vandenberg would like the wristband procedure to be part of the liquor license, should it be issued.

Trustee Mueller asked if Odyssey staff would receive training. Mr. Charal replied they would.

Trustee Glotz asked President Vandenberg if he has contacted the Illinois Liquor Commission. President Vandenberg replied he has not contacted the Liquor Commission and he feels the documentation provided by Odyssey is sufficient.

**Item #5 – DISCUSS CLASS E LIQUOR LICENSE FOR BANDANA’S BBQ, 16200 HARLEM AVENUE.** – Mr. Gomulka, presented the request. In December 2019, Bandana's B-B-Q purchased the former Applebee’s restaurant located

at 16200 Harlem Avenue. Bandana's is a family-owned and operated restaurant chain that first opened in 1996 in Arnold, Missouri and is now a full-service restaurant chain with twenty-four (24) corporate restaurants and four (4) franchise restaurants. Bandana's currently has locations in four states, which include: Missouri, Illinois, Iowa, and Indiana. The restaurant is planning to open for business in Tinley Park by August 2020.

The Petitioner, Rick White, CEO, contacted Mayor Vandenberg's office on March 3, 2020, requesting a Class "E" Liquor License for Bandana's. The Class "E" Liquor License authorizes the retail sale of wine and beer for consumption on-premise only. Additionally, the sale of wine and beer is restricted to sales made in conjunction with the Petitioner's operation of a restaurant on the premises.

If the request is granted, the total number of class "E" liquor licenses in the Village will be six (6).

Trustee Mueller stated he is excited for the opening.

Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to move an Ordinance Increasing the Number of Class "E" Liquor Licenses that can be issued in the Village (Bandanas B-B-Q, located at 16200 Harlem Avenue) to the Village Board for approval. Vote by roll call. Ayes: Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: Berg. President Pro Tem Glotz declared the motion carried.

**Item #6 – DISCUSS VIDEO GAMING LICENSE REQUEST FOR 350 BREWING COMPANY, 7144 183RD STREET.** – Mr. Gomulka presented the request. 350 Brewing Company is a 2,800/+ square foot taproom located at 7144 W. 183<sup>rd</sup> Street. The establishment offers patrons unique house-brewed beers along with a "light fare" food menu. The business has been operating in Tinley Park for nearly six years and is currently in good standing with the Village.

The Petitioner, Ramzi Hassan, contacted Mayor Vandenberg's office on February 7, 2020, requesting to upgrade the establishment's current Class "A" Liquor License to a Class "AV" Liquor License to permit the use of video gaming terminals within the location.

In the request, the Petitioner stated that the current layout of the establishment allows for the space of a private room that is perfectly suited for video gaming. If Petitioner's request is approved, he plans to reconfigure the party room for video gaming. According to the Petitioner, once reconfigured, the room will provide a private yet welcoming atmosphere for those patrons interested in enjoying the use of video gaming terminals.

If approved by the Village Board, the total number of Class "A" liquor licenses will decrease to nineteen (19) and the total number of Class "AV" liquor licenses will be increased to fourteen (14).

Trustee Brennan asked if the gaming terminals would be enclosed. Mr. Hassan responded there is a fence separating the area. There is no current remodeling plan. Trustee Brennan asked if they would be willing to separate this area off with a seven (7) foot barrier. Mr. Hassan responded they are not opposed. Trustee Brennan asked if they could provide a drawing of the plans. Trustee Glotz added the request for separation is consistent with video gaming requests in the past.

President Vandenberg asked the Board to consider amending the Ordinance as written to reflect the seven (7) foot barrier requirement.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, to recommend an Ordinance Decreasing the Number of Class "A" Liquor Licenses that can be issued in the Village and Increasing the Number of Class "AV" Liquor Licenses that can be issued In the Village (350 Brewing Company, located at 7144 183rd Street), be forwarded to the Village Board for approval upon receipt of plans including a seven (7) foot barrier. Vote by roll call. Ayes: Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. Abstain: Berg. President Pro Tem Glotz declared the motion carried.

**Item #7– DISCUSS OAK PARK AVENUE GRANT PROGRAM REVISIONS.** – Priscilla Cordero, Economic Development Manager, presented updates to the Oak Park Avenue Grant Program. The Village of Tinley Park is committed to assuring the long-term viability of the Legacy Districts by assisting existing businesses, recruiting new targeted businesses and supporting tourism. To support this effort, in May 2018 the Village began offering the Oak Park Playbook – a series of five grants specifically designed to encourage Downtown Tinley business owners to invest in and improve their respective properties. One of the key goals of the program is to provide funding to improve the building stock of the downtown by bringing aging structures into code compliance (ADA, sprinkler and alarm systems), improve the facades and overall aesthetics of the streetscape (facades, signs and landscaping), and attract targeted retailers to the area (restaurants, boutique retailers, and music-oriented businesses). A total of \$256,626 in grants has been awarded for the redevelopment and attraction of targeted retail businesses since the inception of the program, making permanent improvements to seven properties.

As with any new initiative time has afforded the opportunity to re-evaluate the program to ensure its success in meeting the original goals of the program. The Economic and Commercial Commission (ECC) has devoted several meetings to the critical analysis of the five (5) grant formats with recommendations on such issues as the claw back provisions in the Retail Grant, eligible expenses, project timelines and the need to focus on permanent improvements to properties that can result in increased property value and assessed valuation. Following is a summary of these recommendations for the FY20-21 Oak Park Avenue Playbook Grant Program.

The Economic and Commercial Commission and Staff recommend the following changes to the Oak Park Avenue Playbook Program guidelines.

1. Grant amount to be capped at \$70,000 per property.
2. Grant Applicant or appointed representative will be required to attend ECC meeting at which grant application is being reviewed.
3. Work must not commence until grant approval is received. Should work commence prior to grant approval, said approval will be null and void.
4. Grant approvals will be null and void if project is not completed within twelve months of grant approval. A project timeline will be instituted as follows:
  - a. Must submit a full set of plans within three months of grant approval;
  - b. Must obtain building permit within six months of grant approval;
  - c. Must complete project within twelve months of grant approval;
  - d. Extension requests will require board approval.

Furthermore, the ECC and Village Staff, recommend the following changes.

1. Eliminate the Landscape Grant Program.
2. Improve timeline and process for business owners by allowing Sign Grants to be reviewed by Community Development Staff with recommendation for approval to Village Board.
3. Remove claw back requirement from Retail Grant. Funding will be provided only for permanent improvements fixed to the real estate therefore the Village’s investment is protected even through the loss of a business. In addition, greater scrutiny of a required business plan with focus on the strength of the business model, as well as the business owner’s retail experience to mitigate risk of failure.
4. If the business owner is an existing entity with at least two years in business, the business plan requirement may be waived.
5. Remove painting as an eligible expense in the Façade Grant.
6. Remove soft costs as an eligible expense in the Retail Grant.

Status reports on grant applications and funding levels will be included in the Community Development’s monthly Active Projects Report and presented at Economic and Commercial Commission meetings so as to keep the community and elected officials apprised of the status of each grant program recipient.

The changes above were unanimously recommended for approval by the ECC at the May 11, 2020 meeting with the exception of how often the grant should be capped. Five Commissioners voted for the grant to be capped at \$70,000 per property per year and three voted for the grant to be capped at \$70,000 per property every three years. Staff has expressed concerns regarding properties applying for up to \$70,000 each year noting that an applicant could apply in May for

\$70,000 and then again in June (different fiscal year) for another \$70,000 and thereby awarded \$140,000 for the same project. It is the hope that with limiting the cap to every three years more properties can be improved in the district.

Trustee Glotz stated he would like the grant capped at \$70,000 per property, unless ownership of said property changes.

Trustee Berg would like to keep the program unchanged. Ms. Cordero explained changes proposed are in response to the landscape portion of the grant being under-utilized and to move the resources to other portions of the grant. It will also simplify the grant and focus on fixed improvements to the property. In addition, landscaping is an eligible expense under the façade grant, which makes the landscape grant redundant.

Trustee Brady asked why the landscape grant was under-utilized. Ms. Cordero replied that it was marketed in the same manner as the other grants. Paula Wallrich, Interim Community Development Director responded she could not comment as to why the landscape grant was not utilized, however making this change will allow focus to be on the building which will have the best investment return.

Trustee Brennan feels each business could be eligible to apply every three (3) years or \$70,000 total. Trustee Galante concurs.

Trustee Mueller stated the changes remove soft costs allowing the money to be used for permanent improvements to the property. He likes the removal of the claw back, and is in favor of three (3) year eligibility.

Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to move a resolution Approving Revisions to the Oak Park Playbook Grant Program, with the grant to be capped at \$70,000 per property every three years, 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 AMENDING RENTAL CODE IN LIGHT OF COOK COUNTY JUST HOUSING ORDINANCE.**

– Matt Walsh, Police Chief presented the change to the rental code. The Village of Tinley Park (“Village”) is desirous to amend its rental code to control and regulate landlords’ ability to conduct background checks on prospective tenants in light of Cook County’s recent Just Housing Ordinance (“JHO”) which limits landlords background checks and places an undue burden on lessors in verifying qualifications of potential tenants. As such, the Village’s directive is to amend the rental code to allow lessors the ability to conduct criminal background checks on prospective tenants.

The Cook County Just Housing Ordinance went into effect on January 1, 2020 imposing certain restrictions on criminal background checks and a rigid set of requirements that sets forth a step-by-step screening process. Pursuant to the Just Housing Ordinance, landlords are limited in conducting a criminal background check and are unable to use criminal convictions as a reason for denial of a prospective tenant application.

Cook County released additional information after placing the JHO into effect which specifically states that a home rule municipality with a crime-free ordinance that specifically contradicts the JHO would supersede the JHO.

The Village is suggesting that we modify the current rental code to allow lessors the ability to conduct criminal background checks on prospective tenants. This would benefit the owners/landlords of rental properties in that they would not have to abide by the current JHO restrictive requirements. It would further benefit the Village in protecting and preserving the neighborhoods’ public health, safety and welfare of residents by requiring these criminal background checks.

Trustee Berg asked if this was a two-step process. Chief Walsh explained the amendments would allow for background checks to be conducted in the current manner, which has been successful.

Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, to move an Ordinance Amending the Residential Rental License by Adding Sub-Chapter 129f.081 of the Tinley Park Municipal Code, 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 SEXUAL HARASSMENT POLICY ORDINANCE – WORKPLACE TRANSPARENCY ACT.** –This item was tabled to the next meeting.

**Item #10 - DISCUSS GEOGRAPHIC INFORMATION SYSTEM (GIS) CONSORTIUM AGREEMENT.** Mr. Carr, presented the modification of the current contract. Due to the COVID-19 Pandemic, the Village has received an adjusted executive board agreement and supplemental statement of work with the GIS Consortium service provider, Municipal GIS Partners (MGP). The term for this adjusted GIS agreement and supplemental statement of work is July 1, 2020 through December 31, 2020. Funds for this expenditure are budgeted in the amount of \$154,033.81 in the fiscal year 2021 budget. Currently GIS is in the office 5 days per week, this will be reduced to 2 days per week for an approximate saving of \$7,500 per month.

Motion was made by President Pro Tem Glotz, seconded by Trustee Mueller, to move a Service Agreement between the Village with Municipal GIS Partners, Inc 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 #11– RECEIVE COMMENTS FROM THE PUBLIC –**

President Pro Tem Glotz asked if there were any written comments or requests to speak from members of the public. Laura Godette, Deputy Village Clerk, stated there were none.

**ADJOURNMENT**

Motion was made by President Pro Tem Glotz, seconded by Trustee Brennan, 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 8:32 p.m.

dm