

MINUTES
Meeting of the Committee of the Whole
November 1, 2022 – 6:00 p.m.
Village Hall - Council Chambers
16250 S Oak Park Ave.
Tinley Park, IL 60477

Item #1 - At 6:01 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. Brady, Village Trustee
 W. Brennan, Village Trustee
 D. Galante, Village Trustee
 D. Mahoney, Village Trustee
 C. Sullivan, Village Trustee
 M. Glotz, Village President

Members Absent:

Staff Present: P. Carr, Village Manager
 H. Lipman, Assistant Village Manager
 M. Walsh, Police Chief
 S. Klotz, Fire Chief
 D. Ritter, Interim Community Development Director
 J. Urbanski, Public Works Director
 D. Framke, Marketing Director
 P. O'Grady, Village Attorney

Others Present:

Item #3 - CONSIDER APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD OCTOBER 18, 2022 – Motion was made by Trustee Brennan, seconded by Trustee Mahoney to approve the minutes of the Committee of the Whole meeting held on October 18, 2022. President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #4 – CONSIDER CLASS EV LIQUOR LICENSE FOR FRATELLO’S CAFÉ & DELI, 7101 WEST 183RD STREET –The petitioner, Sam Safar, has approached the Mayor’s Office seeking a Class EV liquor License for Fratello’s Café & Deli.

President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Motion was made by Trustee Sullivan, seconded by Trustee Brennan to recommend a Class EV Liquor License for Fratello’s Café & Deli, 7101 West 183rd Street be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #5 – CONSIDER A PURCHASE AGREEMENT FOR CERTAIN PROPERTY ALONG 179th STREET FROM ORCHARD HILL BUILDING COMPANY FOR USE OF A WATER BOOSTER STATION

– The Village Engineer determined the preferred location for a booster station be on a large parcel of property owned by Gallagher and Henry along 179th Street. The land was planned and approved for a future single-family home subdivision. Upon negotiations, the Village was able to come to an agreement for a parcel of land that would fit with the developer’s future plans for the subdivision. The purchase of the land would be for \$100,000 and allow for the construction of the booster station to begin in 2023.

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 Mahoney to recommend a purchase agreement for certain property along 179th street from Orchard Hill Building Company for use of a water booster station be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #6 – CONSIDER COMMUNITY DEVELOPMENT PROFESSIONAL FEE DEPOSIT – Staff requested to amend Section XIII of the Subdivision Regulations Code, to include a Professional Fee and Cost Reimbursement Agreement.

Throughout development projects, it is understood and agreed to in the application that the developer shall pay the Village any and all professional staff fees, costs, and expenses incurred by the village as a result of or in conjunction with the developer’s project. The Village’s professional staff includes, but is not limited to, its attorneys, engineers, land planners, traffic and transportation consultants, etc. Fees shall include, but are not be limited to, all time associated with any review, analysis, discussions, meetings, inspections, planning and all other work or services to be performed on behalf of the Village in conjunction with the project.

It is a common occurrence for developers to have unresolved invoices that require Village staff to exert excess time to ensure payment is received. Additionally, projects may stop before or during construction with invoices still needing to be paid. As a result, Staff proposed a professional fee and cost reimbursement agreement to be included in all development projects to act as a security deposit. The Village will retain this professional fee and will be authorized to use it to pay any outstanding invoices that a developer may leave unresolved. The proposed policy will ensure that the Village’s general fund is protected when it comes to these projects. Flexibility has been built into the ordinance that gives the Community Development Director authority to change the amount of the deposit based on the scope of a project and expected costs.

After a review of existing fee structures and consideration of the past due invoices encountered in past developments, a fee agreement in the amount of \$5,000 for Preliminary/Final PUDs, Preliminary/Final Plats of Subdivision, and new commercial and residential development approvals were recommended. The security deposit amount can be adjusted administratively at the discretion of the Community Development Director based on a project’s scope.

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 Brady to recommend Community Development Professional Fee Deposit be forwarded to the November 15, 2022, Village Board meeting. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #7 – CONSIDER RESCINDING FOX COLLEGE PARKING LOT EXPANSION

ORDINANCES – In 2020, Fox College, 18020 Oak Park Avenue, proposed expanding their parking lot by developing a parking lot and detention facilities on properties located west of the facility. The request included annexing the properties, rezoning, and zoning variations. The three ordinances, 2020-O-051, 2020-O-052, and 2020-O-053, allowing for the development were approved by the Village Board on September 15, 2020.

The development never moved forward as the petitioner noted they would not be completing the land acquisition or submitting the Plat of Annexation for recording citing high construction costs due to location in a floodplain and the decreasing need for parking following the Covid-19 pandemic as some classes were shifted online.

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 Sullivan to recommend Rescinding Fox College Parking Lot Expansion Ordinances be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #8 – CONSIDER AN AMENDMENT TO THE MARRIOTT ANNEXATION AGREEMENT

(RECAPTURE PAYMENTS) – The Village Board approved the annexation and development of two Marriott Branded hotels: Residence Inn and Courtyard on August 16, 2022. The developer intends to start construction work in Spring 2023. The development was able to move forward due to a utility extension project currently underway that brings sanitary sewer and water to the site. As part of the utility work, recapture of the costs was placed on the various undeveloped properties which the work served to benefit.

Due to increasing costs for construction and financing of the project, the petitioner is looking for some flexibility in the payment of the recapture amount due (\$440,164.67) prior to subdivision of the lot as required in the annexation agreement. Proposed is a 5-year payment plan with a flat 5% interest rate to simplify payments (as opposed to tying to variable pricing indexes). The payment flexibility will allow the petitioner time to finish the project and start earning revenue instead of owing the full amount upfront before construction starts.

While money owed would transfer to any future owners, the agreement requires any remaining balance be paid if the properties are ever sold to ensure that if it is sold before all payments are made, the amount is worked out with the sale and does not transfer to the new owner to make payments.

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 Brennan to recommend an amendment to the Marriott Annexation Agreement (Recapture Payments) be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #9 – CONSIDER THE RENEWAL OF LIABILITY INSURANCE WITH ILLINOIS MUNICIPAL LEAGUE RISK MANAGEMENT ASSOCIATION (IML RMA)

– In 2021, Staff presented various options to the Board as it relates to the Village’s liability insurance. After an internal cost analysis, and review of various insurance carriers, the Board approved switching to the (IML RMA),

and agreed to what is called the min/max policy. This establishes a minimum and maximum premium the Village would pay in any given policy year depending on the claims experience. In addition, the high deductibles (i.e., worker's compensation was previously at \$300,000) are now \$0 across most lines.

For the 2022 policy year, the Village paid \$919,601 as the minimum premium, with a potential maximum contribution not to exceed \$1,452,787. The renewal for 2023 is a minimum premium of \$990,962, with the potential maximum contribution not to exceed \$1,565,523. The increase is largely due to an increase in payroll costs, not claims experience. If the Village pays the renewal prior to November 18th, there will be a 1% savings, bringing the renewal cost down to \$984,552.38.

While the Village continues to pay and manage claims that remain open with our previous carrier, the claims experience has been good this past year, and the expected savings since switching to IML RMA has been seen. Excluding the premium, zero additional costs from January 2022 until present have been incurred. By comparison, with the previous carrier in 2021, the Village paid a premium of \$810,209 and was also billed \$1,345,924 for claims due to the high deductibles. This is nearly a million-dollar savings. It was noted the Village continues to have costs (\$855,103 YTD) associated with open claims from the previous carrier, so the Village won't fully recognize those savings until old claims close out.

Outside of claims management, the Village has been very pleased with the service IML RMA has provided and the constant open line of communication. IML RMA has continued to meet or exceed expectations and Staff recommended renewal of the policy for 2023 year.

Trustee Galante asked what was driving the savings. Hannah Lipman, Assistant Village Manager/Interim Treasurer, explained the min/max policy and how the lower deductibles provide savings.

Trustee Brennan was pleased with the favorable renewal and the customer service from IML RMA.

Motion was made by Trustee Sullivan, seconded by Trustee Brady to recommend the renewal of liability insurance with Illinois Municipal League Risk Management Association (IML RMA) be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #10 – CONSIDER A PROFESSIONAL SERVICES AGREEMENT FOR LEGISLATIVE CONSULTING WITH CORNERSTONE GOVERNMENT AFFAIRS, INC – Cornerstone Governmental Affairs provided a proposal to assist with general matters with the State of Illinois and various regulatory departments. Due to the complicated nature of regulatory matters with the State, Cornerstone Government Affairs specializes in this area and will assist with these complex discussions. This includes Tinley Park Mental Health Center (TPMHC) matters.

This agreement is for 12 months at a rate of \$4,000 per month (billed monthly) for a total of \$48,000.

Trustee Galante asked if this agreement is needed because State Legislators won't work with the Village regarding the TPMHC. Paul O'Grady, Village Attorney, explained Cornerstone will assist not only the legislators but also other bureaucratic agencies, such as the Governor's Office and Central Management Services (CMS). Trustee Galante stated the residents should not have to pay additionally because elected officials for the area should be working with the Village. Mr. O'Grady stated it is not unusual for municipalities the size of Tinley Park to have this type of agreement, especially with regard to a project such as the TPMHC. He added the TPMHC property is the largest property for sale by the state.

President Glotz stated if Trustee Galante wished to reach out, it was Senator Hastings and Representative Rita who blocked the transfer of the TPMHC property to the Village. The Governor's Office was in support of the property transfer. He also added these types of services serve as a conduit to those in Springfield in lieu of attorneys or staff being stationed in the Capitol.

President Pro Tem Mueller stated acquiring the TPMHC property would change the Village and is in support of this agreement.

Motion was made by Trustee Brennan, seconded by Trustee Brady to recommend a professional services agreement for legislative consulting with Cornerstone Government Affairs, Inc be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Mahoney, Mueller, Sullivan. Nays: Galante. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #11 – CONSIDER FIRE DEPARTMENT COST RECOVERY ORDINANCE – This Ordinance is an expansion of Ordinance 2019-O-019. The Fire Department is seeking approval for the reimbursement of costs incurred while responding to incidents that are typically covered by insurance policies. Having the ability to charge costs per incident will free up the Fire Department's resources for the increasing costs of life-saving equipment needed to keep the community safe. This cost recovery structure will be implemented by billing for reimbursements on a per-incident basis, rather than a blanket fee or tax addition.

Charges/rates for incident billing was provided. It was noted that no resident of Tinley Park will be required to pay any bill above what the insurance company pays out in their standard policies. In most standard auto, home, and business insurance policies there are built-in coverages for Fire Department services.

Trustee Brennan noted the Village's population increases during the workweek and special events and this Ordinance will help recover some of the associated costs. He added Tinley Park is one of the last municipalities in the area to implement this.

Trustee Galante asked for clarification that the residents will not be double billed for incidents. Steve Klotz, Fire Chief, stated they will not.

Motion was made by Trustee Brennan, seconded by Trustee Brady to recommend a Fire Department Cost Recovery Ordinance be forwarded to the November 15, 2022, Village Board meeting. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #12 – CONSIDER PURCHASE AGREEMENT WITH MACQUEEN EMERGENCY LLC FOR FIRE DEPARTMENT APPARATUS REPLACEMENT – The Fire Department currently has an ongoing 20-year Apparatus Replacement Program to provide a plan that will assist in budgetary considerations in relation to fire apparatus replacement. Fire apparatus has traditionally taken approximately 10 months to build from the time of order. Delivery timelines have now increased to 32 - 38 months for delivery.

Over the next three budget cycles, one (1) Engine and one (1) Ladder Truck will be ordered to maintain the replacement program. An opportunity to place an order the apparatus now and to avoid any price increase over the next 32-38 months is available. There is no money required for this order until the units are delivered. There are several payment options including not paying until the units are delivered.

Enforcer Pumper	\$ 972,238
Enforcer 100' Aerial Ladder	\$ 1,658,738
Multi-Unit Discount	\$ (10,000)
Total Sale Price	\$ 2,630,976

Both units have been pre-bid by Houston-Galveston Area Council (HGAC) Consortium Pricing.

Trustee Brennan asked for an update on the current order. Chief Klotz stated a viewing is scheduled for September 2023 with delivery in March 2024.

President Glotz asked if there will be a reduction should costs go down. Chief Klotz replied, the agreement has locked in pricing adding manufacturers are not confident the delivery time will improve. President Glotz asked if there is any other equipment that should be put on order. Chief Klotz stated this type of request may be made again next year as this is now a different process than in the past which was typically completed within a budget year.

Chief Klotz stated that not all manufacturers are offering locked-in pricing and additional costs are being passed onto the purchaser.

Motion was made by Trustee Brennan, seconded by Trustee Brady to recommend a Purchase Agreement with MacQueen Emergency LLC for fire department apparatus replacement be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #13 – CONSIDER A DIRECT PURCHASE ORDER FROM GORDON ELECTRIC SUPPLY FOR THE PUBLIC WORKS HIGH DENSITY POLYETHYLENE (HDPE) DUCT – Public Works has utilized all of its stocked 1.250" HDPE duct to repair damaged electrical wiring for streetlights throughout various areas within the Village. Many areas within the Village have direct buried wiring for streetlight infrastructure which is subpar to our current standard and the direct buried wiring needs to be fully replaced within the duct after multiple failures/breaks on the same line and location. Three (3) quotes were obtained:

- CED-EFENGEE Electrical Supply: \$27,226 (Note: vendor minimum purchase length for duct is 8,000 ft.; Wiring included in quote, but it will not be installed inside the duct)
- Steiner Electric Company: \$27,999 (Wiring included in quote but it will not be installed inside the duct)
- Gordon Electric Supply: \$27,865 (Wiring included in quote and it will be installed inside the duct)

Gordon Electric Supply was the only company located who will install the wiring inside the duct. This provides substantial cost savings on labor to be provided by Public Works to pull 5,000 feet of wiring through the duct as well as between \$9,000-\$10,000 for the wire as shown on the quotes. Staff requested authorization to purchase two (2) HDPE Duct reels from Gordon Electric Supply.

Funding is budgeted and available in the approved FY23 Budget; Municipal Buildings Fund.

Budget Available	\$60,000
Purchase Amount	<u>\$55,731</u>
Difference – Under Budget	\$ 4,268

President Pro Tem Mueller asked if members of the Committee had any questions. There were none. Motion was made by Trustee Sullivan, seconded by Trustee Mahoney to recommend a direct purchase order from Gordon Electric Supply for the HDPE duct be forwarded to the Village Board. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the motion carried.

Item #7 – 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 Mueller, seconded by Trustee Brennan, to adjourn the Committee of the Whole. Vote by roll call. Ayes: Brady, Brennan, Galante, Mahoney, Mueller, Sullivan. Nays: None. Absent: None. President Pro Tem Mueller declared the meeting adjourned at 6:39 p.m.