

Minutes of the Executive Session
 Regular Village Board meeting
 February 7, 2017, 7:30 p.m.
 Village Hall of Tinley Park
 16250 S. Oak Park Avenue, Tinley Park, IL

Motion was made by Trustee Younker, seconded by Trustee Suggs, to adjourn to Executive Session at 9:02 p.m. to discuss the following:

- A. THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY OR LEGAL COUNSEL FOR HE 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 ITS VALIDITY.
- B. LITIGATION, WHEN AN ACTION AGAINST, AFFECTING OR ON BEHALF OF THE PARTICULAR PUBLIC BODY HAS BEEN FILED AND IS PENDING BEFORE A COURT OR ADMINISTRATIVE TRIBUNAL, OR WHEN THE PUBLIC BODY FINDS THAT AN ACTION IS PROBABLE OR IMMINENT, IN WHICH CASE THE BASIS FOR THE FINDING SHALL BE RECORDED AND ENTERED INTO THE MINUTES OF THE CLOSED MEETING.
- C. COLLECTIVE NEGOTIATING MATTERS BETWEEN THE PUBLIC BODY AND ITS EMPLOYEES OR THEIR REPRESENTATIVES, OR DELIBERATIONS CONCERNING SALARY SCHEDULES FOR ONE OR MORE CLASSES OF EMPLOYEES.

The Village Deputy Clerk announced that this Executive Session is now being recorded.

A roll call was taken:

In attendance, responding to roll call:

D. Seaman, Mayor
 B. Maher, Village Trustee
 T. Grady, Village Trustee
 M. Pannitto, Village Trustee
 J. Vandenberg, Village Trustee
 B. Younker, Village Trustee
 K. Suggs. Village Trustee

Absent:

P. Rea, Clerk

Village Staff:

D. Niemeyer, Village Manager
 S. Tilton, Asst. Village Manager
 P. Wallrich, Interim Comm. Deve. Director (Depart 10:33 am)
 L. Godette. Deputy Village Clerk
 P. Connelly, Village Attorney
 J. Turiello, Village Attorney (Depart at 10:33pm)

Others Present:

B. Lemley, Att. Querrey & Harrow
 (Depart 9:30 pm, Return 10:20 pm, Depart 10:30 pm)
 A. McGrath, Att. Kozacky, Weitzel, McGrath (Depart 10:30 pm)
 M. Ely, IRMA (Depart 9:35 pm)
 S. Garvey, IRMA (Depart 9:35 pm)

Item 1 – Litigation - Margo Ely Executive Director Irma presented an overview of the rules of coverage from IRMA in the Buckeye Complaint. She noted that IRMA sent a Reserve Notice in the summer of 2015 for \$650,000, then another Reserve Notice in October 2016 for \$300,000. A Recurrent offer was sent to the Village in the amount of \$500,000 in January of 2017. The Village Board sent this offer for \$500,000 to the Plaintiff. This offer was rejected by the Plaintiff.

Ms. Ely spoke to the Buckeye's demand received on February 7, 2017, which is \$4,617,878 in exchange for Plaintiffs agreeing to dismiss the litigation and release the defendants. Buckeye breaks down its demand as follows: \$1,401,839 for expenditures to date, \$1,679,072 for the development fee that Buckeye would have received from the project going forward, and \$1,536,967 for the PV of selling the development in 2033. Ms. Ely stated that all of this is not covered by IRMA, a portion of it is.

Ms. Ely asked how the Village would like to proceed with this litigation. She noted that the \$500,000 was at her fund limit of what she could offer to the Village, she will be going to the CCLC to ask for additional funds.

At this time Ms. Ely and Ms. Garvey departed the meeting. Mr. Lemley departed the meeting to return after Board discussion. Ms. Turiello, Mr. Connelly, and Mr. McGrath, presented an overview of where the case is at and options to proceed to the Board. 1) Negotiate with developer on the project and keep IRMA coverage in play; 2) Negotiate with developer to give funds not to build the project and dismiss the lawsuit; 3) Accept the \$500,000 from IRMA and the Village would take the case over. Ms. Turiello noted that IRMA has been unclear throughout this process. Mr. McGrath stated that the Amy Connolly case was received by the Village this week. He also spoke to the Department of Justice complaint and how it might relate to the Buckeye Lawsuit. Mr. Lemley returned.

After discussion of the Board the consensus was to direct the Mr. McGrath to report to Buckeye for mediation to discuss a dollar amount (with the project not being built), then return to IRMA with the dollar amount and allocation percentage. Mr. McGrath noted that it could be a month to six weeks for mediation.

Item 2 – Personnel – Mr. Niemeyer presented an update on the Fire Chief interviews. He noted that a full report will be available to the Board by the end of this week. The Assessment Team is not going to recommend any of the candidates. The team did state that the top candidate was Forrest Reeder.

Item 3 – Collective Bargaining – Mr. Niemeyer presented an update on the Collective Bargaining with Metropolitan Order of Police (MAP). He stated that the offer on the record proposal presented to MAP by the Village was rejected which included the following:

- Wage increase of Year One 2.5% – Year Two 2.5% - Year Three 2.75% – Year Four 3%;
- Stipend to ease the insurance deductible, Year 1 \$250–Year 2 \$250–Year 3 \$150–Year 4-\$100;
- Four year contract

The village needs to submit a best and final offer in anticipation of arbitration. The following is recommended:

- Residency within a 15 mile radius of the Village;
- Wages at 2.5% per year for two years;
- Insurance as it is for the rest of the Employees;
- Duties of Community Service Officer and Part Time Hours;
- Discipline goes to arbitration not to the Civil Service Commission.

The due date for best and final offer is February 15, 2017.

Motion was made by Trustee Grady, seconded by Trustee Suggs, to adjourn this Executive Session. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker, Suggs, Nays: None. Absent: None. Mayor Seaman declared motion carried and this Executive Session was adjourned at 11:01 p.m.

Motion was made by Trustee Grady, seconded by Trustee Suggs, to adjourn the Special Village Board Meeting. Vote by voice call. Mayor Seaman declared the motion carried and adjourned this meeting at 11:01 p.m.

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