

Minutes of the Executive Session
Committee of the Whole meeting – May 9, 2017, 6:30 p.m.
Village Hall of Tinley Park
16250 S. Oak Park Avenue, Tinley Park, IL

Motion was made by Trustee Pannitto, seconded by Trustee Brady, to adjourn to Executive Session at 6:30 p.m. to discuss the following:

- A. 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.
- B. THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC 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.
- 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.

A roll call was taken:

In attendance, responding to roll call: J. Vandenberg, Village President
K. Thirion, Village Clerk
B. Younker, Trustee
M. Pannitto, Trustee
C. Berg, Trustee
W. Brady, Trustee
M. Glotz, Trustee
M. Mangin, Trustee

Absent: None

Village Staff: D. Niemeyer, Village Manager
S. Tilton, Assistant Village Manager
S. Neubauer, Police Chief (depart 7:20 p.m.)
L. Godette, Deputy Village Clerk
P. O'Grady, Village Attorney (depart 7:20 p.m.)
P. Connelly, Village Attorney

Others Present: A. McGrath, Att. Kozacky, Weitzel, McGrath
(Arrive 7:24 pm Depart 7:50 pm)

Item 1 – Collective Bargaining – Village Manager Niemeyer updated the Board on Police union negotiations including insurance and copays. Mr. Niemeyer stated that the Village should look at the insurance issues each year and make changes as necessary in order to avoid making a major change at one time. The Off the Record proposal by the Village included an increase of 2.75% in the second year in addition to the 2.5% in the other three years. The Village proposed a one time \$500 signing bonus to offset the insurance deductible for the first year.

Village Attorney O'Grady stated that interest arbitration would be taking place on May 10. Mr. O'Grady presented an overview of this negotiation to date. He noted that residency would be discussed with the arbitrator. The Police Department proposed a fifty-eight (58) miles residency clause and the Village proposed thirty (30) miles. The Police union members voted 42 for this contract and 23 against.

After discussion it was the concession of the Board directed the Village Attorney to move forward and complete negotiations and come to a final contract noting that residency would be determined by the arbitrator on May 10. After arbitration he would then bring the complete draft contract back to the Board to review.

Item 2 – Litigation – Mr. McGrath presented an overview of the Buckeye, Department of Justice and Amy Connolly litigation against the Village.

- The Buckeye case has already been settled. This case involved interpretation of the Village Code as to first floor commercial. He noted that IRMA played a large part in negotiating this case, and at one point wanted the Village to allow the development to be built. Finally the Village negotiated with Buckeye and IRMA to settle this case and finding it was in the best interest of the Village an less expensive to settle that have this case go to trial.
- Amy Connolly/HUD Investigation – Ms. Connolly filed a complaint stating that she was retaliated against because she was trying to bring low income housing to the Village. The Village filed a lawsuit against Amy Connolly declared she breached fiduciary duty. There is some strategy behind lawsuit for both the Amy Connolly leading into the Department of Justice case.
- Department of Justice Complaint mirrors the Buckeye lawsuit. The Department of Justice brings this for the people that may have been able to live in the Village. There is a motion to dismiss because there is no jurisdiction for them to bring because they have not be given the rights to bring the lawsuit by the Civil Rights Division of the Department of Justice. The Village is waiting on the judges ruling in July.

Item 4 – Litigation – Mr. Niemeyer presented an overview of the water meter litigation against the Village. This is a class action lawsuit. Peterson, Johnson and Murray and IRMA is taking a active roll in this lawsuit. An initial request for settlement has been made by the plaintiff for a high dollar amount, this is still in negotiation. This will come back to the Board within the next 90 days for the review.

Item 3 – Personnel – Mr. Niemeyer stated that with the resignation of Assistant Village Manager Tilton he had looked at options to fill the position, both long and short term. He noted that he would like to recommend the appointment of Patrick Carr to the position of Interim Assistant Village Manager. Mr. Carr will be evaluated by the Village Manager in six months to determine whether he is suitable for the permanent position. Mr. Carr is not seeking a pay increase. The current Operations Coordinator, Lisa Kortum, will run the 911 department while he is the Interim Assistant Village Manager. After discussion it was the concession of the Board to send the appointment of Patrick Carr to Interim Village Manager to the next Village Board meeting for approval.

Motion was made by Trustee Mangin, seconded by Trustee Pannitto, to adjourn this Executive Session. Vote on roll call: Ayes: Younker, Pannitto, Berg, Brady, Glotz, Mangin. Nays: None. Absent: None. Village President Vandenberg declared motion carried and this Executive Session was adjourned at 7:59 p.m.

Motion was made by Trustee Brady, seconded by Trustee Mangin, to adjourn the Village Board Meeting. Vote by voice call. President Vandenberg declared motion carried and this Executive Session was adjourned at 8:00 p.m.

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