

Minutes of the Executive Session of the Committee of the Whole
June 9, 2015
7:30 p.m.
Fulton Conference Room

Motion was made by Trustee Maher, seconded by Trustee Younker to adjourn to Executive Session to discuss:

- 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.

Vote on roll call: Ayes: Seaman, Maher, Grady, Vandenberg, Younker. Nays: None. Absent: Pannitto. Acting Mayor Seaman declared the motion carried and this meeting was adjourned to Executive Session at 8:18 p.m.

Village Clerk, Patrick Rea, announced that this Executive Session is now being recorded.

A roll call was taken:

In attendance and responding to roll call:

P. Rea, Village Clerk
D. Seaman, Acting Mayor
B. Maher, Village Trustee
T. Grady, Village Trustee
J. Vandenberg, Village Trustee
B. Younker, Village Trustee

Absent:

M. Pannitto, Village Trustee

Others Present:

D. Niemeyer, Village Manager
M. Mertens, Assistant Village Manager
S. Tilton, Assistant Village Manger
B. Bettenhausen, Village Treasurer
T. Melody, Village Attorney
P. Rettberg, Attorney
J. Murphey, Attorney

Litigation Discussion –

1. **Tinley Sparks v. Village of Tinley Park** – Paul Rettberg, Attorney with Query and Harrow, Ltd., representing the Village of Tinley Park presented an overview of a May 20, 2015 settlement letter from the Tinley Sparks attorney, Ravitz & Palles, PC. Mr. Rettberg presented the Plaintiff settlement demands as well as an overview of the case. Upon discussion, the consensus of the Committee was not to accept a settlement at this time and to have our attorney respond to the letter as such.
2. **Weigand v. Village of Tinley Park** – John Murphey, attorney with Rosenthal, Murphey, Coblenz and Donahue, presented an overview of the Weigand v. Tinley Park case. He advised the Committee that this is a non-jury case and the items listed in this case appear to be more political vs legal matters. Upon discussion, the consensus of the Committee was to continue defending the Village and not to negotiate a settlement at this time.
3. **Dement v. Village of Tinley Park** - John Murphey, attorney with Rosenthal, Murphey, Coblenz and Donahue, presented an overview of the Dement v. Tinley Park case. He advised the Committee that this is a non-jury case and the items listed in this case appear to be more political vs legal matters. Additionally, the Committee discussed the Farmer's Market component of the case and advised Mr. Murphey that the Farmer's Market Committee is not a Village appointed committee and is made up of volunteers who assist with running the Farmer's Market on a weekly basis. The Village of Tinley Park does not have a checking account or other

documentation related to the day to day activities of the Farmer's Market. Upon discussion, the consensus of the Committee was to continue defending the Village and not to negotiate a settlement at this time.

Orland Hills – Park Hills Shopping Center – The Village Manager and Village Treasurer provided an overview of the Park Hills Shopping Center intergovernmental Agreement with Orland Hills and possible litigation pending payout of the incentive agreement related to this project. The Village Manger believes that the Village can negotiate a successful amendment to the Intergovernmental Agreement regarding a sales tax sharing payout in relation to reimbursing the village of Tinley Park for the construction costs of the off-site detention pond. Upon discussion the direction of the Committee was to have staff update the Board on the history of the Intergovernmental Agreement, construction costs and payout of the off-site detention pond and to continue working on a possible amendment to the Intergovernmental Agreement with Orland Hills.

Motion was made by Trustee Grady, seconded by Trustee Younker to adjourn this Executive Session and reconvene the Regular Committee of the Whole meeting. Vote on roll call: Ayes: Seaman, Maher, Grady, Vandenberg and Younker. Nays: None. Absent: Pannitto. Acting Mayor Seaman declared the motion carried and this Executive Session was adjourned at 10:01 p.m.

MSM:lv