

Minutes of the Executive Session
June 16, 2020, 7:30 p.m.
Regular Village Board Meeting – Village Hall of Tinley Park
16250 S. Oak Park Avenue, Tinley Park, IL

Motion was made by Trustee Brady, seconded by Trustee Mueller, to adjourn to Executive Session at 8:21 p.m. to discuss the following:

- A. **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.**
- B. **DISCUSSION OF MINUTES OF MEETINGS LAWFULLY CLOSED UNDER THIS ACT, WHETHER FOR PURPOSES OF APPROVAL BY THE BODY OF THE MINUTES OR SEMI-ANNUAL REVIEW OF THE MINUTES AS MANDATED BY SECTION 2.06.**
- C. **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.**

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

At this time, President Vandenberg stated this meeting is being conducted pursuant to Governor Pritzker's disaster proclamation and Public Act 101-0640, which amends requirements of the Open Meetings Act due to the COVID-19 pandemic. Pursuant to the same, the Village Board finds that it would be impractical to conduct an in-person meeting with all members present. Elected officials confirmed they were able to hear one another.

A roll call was taken:

In attendance, responding to roll call:

J. Vandenberg, Village President (Participated electronically)
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. Glotz, Village Trustee
M. Mueller, Village Trustee (Participated electronically)

Board Members Absent:

Others Present:

D. Niemeyer, Village Manager
P. Carr, Assistant Village Manager (Participate Electronically)
B. Bettenhausen, Village Treasurer, Depart 10:00 p.m.
A. Brown, Assistant Village Treasurer, Depart 10:00 p.m.
L. Godette, Deputy Village Clerk, Depart 10:00 p.m.
H. Lipman, Management Analyst, Depart 10:00 p.m.
D. Rosenbaum-Hall, Village Attorney (Participated Electronically-
(Depart 9:50 p.m.)
P. Connelly, Village Attorney

Collective Bargaining . . .

Mr. Niemeyer updated the Board on a unresolved grievance with Local 150. This grievance was filed a few years ago stating that the Village did not have the ability to make changes to the health insurance. Arbitration has been delayed a few times. The Village will need to pick a new date and cost will be incurred. Staff would like to know if the Board would like to settle and avoid the costs and risks of arbitration.

There are thirty-eight (38) Public Works bargaining unit members and assuming settlement at \$500 per employee the total settlement cost would be \$18,000. There are other Public Works non-union employees could also receive the \$500. The Village did settle this with the Police Union at \$500 per employee.

Assuming arbitration and the Village wins such that no deductible is awarded to the union, the Village Attorney estimates:

- Approximately 15 hours pre-arbitration prep
- Approximately 5 hours arbitration hearing
- Approximately 15 hours reviewing transcript and post-hearing brief
- Approximately 5 hours of random things that always happen (motions, conference calls, etc.)

This would equal roughly a minimum of forty (40) hours estimate for arbitration, not a guarantee, which would make arbitration around \$10,000. This a assuming a smooth arbitration process.

Assuming arbitration and the Village loses that would equal a minimum of \$28,000 in union award and arbitration cost. Keep in mind the union will be seeking the deductible for all years of the collective bargaining agreement. The \$28,000 is on the low end and assumes the arbitrator would render an award no greater than that given to police as an internal comparable. The Village also has a strong secondary argument that the union cannot seek the deductible for years 2020 and beyond as they didn't present such an offer in negotiations. They have signed the agreement knowing there is a \$500 deductible. The chances of an award of \$500 per employee for each year of insurance coverage since the deductible went into place is unlikely.

After discussion it was the consensus of the Board to direct staff to offer a settlement to this grievance by giving \$500 to each union employee.

Litigation . . .

Mr. Niemeyer updated the Board on the litigation with the contractor for the 80th Avenue Train Station. He noted that the Village's last offer to settle with the contractor was \$225,000. The contractor counter-offered \$125,000. Staff is seeking the final authority amount from the Board to settle this lawsuit out of court. After discussion, it was the consensus of the Board to direct staff to seek a settlement of no less than \$175,000.

Review of Executive Session Minutes . . .

Village Attorney Connelly stated that after review of the unreleased Executive Session minutes he recommends the need for confidentiality still remains. After discussion it was the consensus of the Board to present a resolution stating that the need for confidentiality still exists as to Executive Session minutes at the following Village Board meeting.

Motion was made by Trustee Brady, seconded by Trustee Brennan, to adjourn this Executive Session and return to the Regular Village Board meeting. Vote on roll call: Ayes: Brady, Berg, Brennan, Galante,

Glitz, Mueller. Nays: None. Absent: None. President Vandenberg declared motion carried and this Executive Session was adjourned at 8:47 p.m.

Motion was made by Trustee Brennan, seconded by Trustee Brady, to adjourn the Special Village Board meeting. Vote by voice call. President Vandenberg declared motion carried and this Executive Session was adjourned at 8:47 p.m.

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