

Minutes of the Executive Session
 September 15, 2020, 7:30 p.m.
 Special Village Board Meeting – Village Hall of Tinley Park
 16250 S. Oak Park Avenue, Tinley Park, IL

Motion was made by Trustee Galante, seconded by Trustee Mueller, to adjourn to Executive Session at 7:49 p.m. to discuss the following:

- A. THE PURCHASE OR LEASE OF REAL PROPERTY FOR THE USE OF THE PUBLIC BODY, INCLUDING MEETINGS HELD FOR THE PURPOSE OF DISCUSSING WHETHER A PARTICULAR PARCEL SHOULD BE ACQUIRED.**
- B. THE SETTING OF A PRICE FOR SALE OR LEASE OF PROPERTY OWNED BY THE PUBLIC BODY.**

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

This meeting was 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:

- M. Glotz, President Pro-Tem
- K. Thirion, Village Clerk
- C. Berg, Village Trustee (Participate Electronically)
- W. Brady, Village Trustee
- W. Brennan, Village Trustee
- D. Galante, Village Trustee (Participated Electronically)
- M. Mueller, Village Trustee

Board Members Absent: J. Vandenberg, Village President

Others Present:

- D. Niemeyer, Village Manager
- P. Carr, Assistant Village Manager
- A. Brown, Assistant Village Treasurer
- K. Clarke, Community Deve. Director (Arrive 9:10 p.m. Depart 9:34 p.m.)
- L. Godette, Deputy Village Clerk
- H. Lipman, Management Analyst
- P. Connelly, Village Attorney

Purchase and Sale of Land

Harlem/Vollmer Road Property- Pat Connelly provided an update on the brokers agreement. This document is a standard commercial purchase and sale agreement. He then provided the highlights of the agreement:

- The Village is purchasing this property in three (3) separate pieces;
- 120 days from the signing of the agreement due diligence begins. This includes soil studies, flood plain studies, surveys etc.;
- During the 120-day window the market for this property will be surveyed;
- By the end of the 120-day period the Board should have a good overall assessment of the property and what can be built on it. There is also the expectation that there will be a buyer ready to purchase the property from the Village. At the very least we should know if there is a market for the property;

- The agreement with the seller includes the seller paying the entire brokers agreement; and
- We are still waiting for title report.

Dave Niemeyer provided an overview of a variety of items needing to be done for analysis of the site. He noted that several of these items are under his authority to sign and a couple are under the Board's authority. Items include:

Wetland delineation	
Delineation report	\$6,000
Army Corps Jurisdictional Determination	\$2,250
Threatened and endangered species	\$1,000
Soils (+/-35 total borings)	
Initial borings to screen soils	\$13,250
Remaining boring	\$17,250
(Doing them all at once saves)	(\$4,000)
Floodplain Study (possible LOMA)	\$25,000
Topography	\$30,000

Other studies include drone technology, detention, volume control, water, sanitary, and permitting.

He stated that we want to start getting this items done as soon as possible. The floodplain study is important to discover how much of the land is buildable.

We would like to get full information out to developers as soon as possible. It might be early November before we can begin to get this out to developers.

Trustee Galante had concerns with the wetland study. She wanted to be sure that we are tracking all the funds spent on this. She also asked when the public will be informed of this purchase.

Mr. Niemeyer agreed the studies need to be done. We should have answers after these studies are done. The studies will assist the brokers in determining the market value of the property. Eventually this will need to be discussed publicly, but we are in process of discussing land acquisition at this point. He noted the appraisal states depending on the flood plain and Class 6B incentives which will increase the value of the land. Mr. Niemeyer spoke to the sale of the land to Matteson. He commented that the cost in this transaction was at a higher price than the \$7.5 million Tinley Park will be paying. Trustee Galante asked if the Village had proof of this potential sale to Matteson. Mr. Niemeyer stated yes, the Village attorney has a copy of it.

Trustee Berg commented on the listing agreement. Village Attorney Connelly stated the agreement is still in a draft form. She also questioned why the Village is paying a consultant fee to JLL of \$50,000. Mr. Niemeyer stated this fee was negotiated down to \$50,000 from about \$120,000. This fee is for their work with our consultants that are undertaking the due diligence and determining how the price we are paying compares to the market. In the draft purchase agreement with Rick Heidner, the property owner, he is to pay this broker fee. Attorney Connelly noted that the broker represents the Village on the purchase and sale of the property. Trustee Berg feels they should not be paid.

Trustee Berg asked how Mr. Niemeyer determined the amount Mr. Heidner paid for the property. He stated it was the value of the property plus fees.

Mr. Niemeyer reminded the Board that the appraisal is based on not giving incentives and also based on the uncertainty of the floodplain mapping. We know we are giving incentives. It clearing states in the appraisal that will increase the value. Mr. Connelly stated that Board would have to approved the contract with the broker.

Trustee Galante had concerns with overpaying for the property.

It was the consensus of the Board to direct Staff to move forward with the studies of the property.

Motion was made by Trustee Glotz, seconded by Trustee Mueller, to adjourn this Executive Session and return to the Regular Village Board meeting. Vote on roll call: Ayes: Brady, Berg, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: President Vandenberg. President Pro-Tem Glotz declared motion carried and this Executive Session was adjourned at 8:13 p.m.

Motion was made by Trustee Glotz, seconded by Trustee Brady, to adjourn the Special Village Board meeting. Vote on roll call: Ayes: Brady, Berg, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: President Vandenberg. President Pro-Tem Glotz declared motion carried and the Special Village Board meeting was adjourned at 8:13 p.m.

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