

Minutes of the Executive Session
November 17, 2015
Fulton Conference Room

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

Motion was made by Trustee Pannitto, seconded by Trustee Vandenberg. Mayor Seaman called this Executive Session to order at 8:34 p.m.

A roll call was taken:

In attendance and
responding to roll call:

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

Absent: None

Staff Present: D. Niemeyer, Village Manager
M. Mertens, Assistant Village Manager
S. Tilton, Assistant Village Manager
S. Neubauer, Police Chief
T. Melody, Village Attorney

Others Present: None

The purpose of this Executive Session was to discuss a) the 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.

Village Attorney, Tom Melody, discussed the following litigation with the Village Board and provided status updates:

Violetto v. Tinley Park – Attorney Melody reviewed the settlement demand of \$250,000 and immediate promotion to the position of Sergeant by Officer Violetto. Upon discussion, the Village Board unanimously agreed to reject this demand and continue to defend the case.

Red Light Camera – Attorney Melody reviewed the case, filed by Mr. Eberhardt, related to the Village's red light camera system. Attorney Melody noted that the Village was awaiting the formal coverage document from the Village's insurance carrier, IRMA.

Tinley Sparks v Tinley Park- Attorney Melody reviewed the case and noted it was currently in the discovery process.

Donnelly v Tinley Park – Attorney Melody reviewed this IMRF case with the Village Board. Upon discussion with the Board, it was recommended that for informational purposes the Village calculate the cost associated with Mr. Donnelly's demand regarding buy back of prior IMRF service credit. It was also noted that this case should be further reviewed by the Village Board before determining any final course of action.

MINUTES

Committee of the Whole

Executive Session

November 17, 2015

D.J. Weigand v Tinley Park – Attorney Melody reviewed this case with the Village Board of which the primary focus is the Village's Farmer's Market. A key component of this litigation is whether or not the Farmer's Market is an official subsidiary of the Village and if so, subject to the Freedom of Information Act. Attorney Melody noted that this case was being consolidated with other similar litigation filed by Attorney Eberhardt against the Village.

Water Meter Class Action – Attorney Melody noted that the Village has filed a motion to dismiss this case. It was also noted that the Village will be preserving all records and any actual water meters replaced during the normal course of the business for the duration of the class action litigation.

Weigand v Tinley Park – Attorney Melody gave an overview of this case which was filed against the Village by Attorney Eberhardt. It was noted that there is a December 16, 2015 response to pleadings due date.

Elftmann v. Tinley Red Light Camera Class Action – Attorney Melody reviewed this additional red light camera case that has been filed against the Village by Attorney Eberhardt. It was noted that IRMA is handling this case on behalf of the Village.

Rosillo v Tinley Park – Attorney Melody reviewed the facts regarding this disability discrimination case and noted that the Village has requested summary judgement in the case.

Bettenhausen v Tinley Park – Attorney Melody reviewed the details of this worker's compensation case and the potential settlement offered to Mr. Bettenhausen.

On-line Travel Litigation – Village Manager Niemeyer reviewed the settlement that the City of Chicago has made in the on-line travel litigation with companies such as Expedia, Travelocity, Orbitz, etc. Mr. Niemeyer noted that with the City of Chicago coming to an agreement perhaps other suburbs could use that as a model for their own respective settlements.

Police Union Grievances – Attorney Melody reviewed three (3) pending police grievance issues with respect to Officers Violetto, Krotser and Flannery.

Trace Litigation – It should be noted that Trustee Vandenberg excused himself from the meeting at 9:15pm, prior to the start of discussion of this issue, due to a family relationship with the Plaintiff in the case. It was noted that Attorney Steve Viz was handling the case for the Village and it is currently in the discovery process.

Motion was made by Trustee Brady, seconded by Trustee Pannitto, to adjourn this Executive Session. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker and Brady. Nays: None. Absent: None. Motion carried and this Executive Session was adjourned at 9:21 p.m.

Motion was made by Trustee Grady, seconded by Trustee Brady to adjourn the regular Village Board meeting. Vote by voice call. Mayor Seaman declared the motion carried and adjourned the Special Committee of the Whole meeting at 9:22 p.m.

ST:lv