

**MINUTES OF THE REGULAR BOARD MEETING OF THE TRUSTEES,
VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES,
ILLINOIS, HELD OCTOBER 1, 2019**

The regular meeting of the Board of Trustees, Village of Tinley Park, Illinois, was held in the Council Chambers located in the Village Hall of Tinley Park, 16250 S. Oak Park Avenue, Tinley Park, IL on October 1, 2019. President Vandenberg called this meeting to order at 7:34 p.m. and led the Board and audience in the Pledge of Allegiance.

President Vandenberg called for moment of silence in remembrance of the 19th anniversary of the Line-of-Duty Death of Tinley Park FD Captain Thomas G. Gotkowski. Fire Chief Reeder stated that Captain Gotkowski was 55 years of age and had served the Tinley Park Fire Department for 24 years at the time of his death.

Present and responding to roll call were the following:

Village President:	Jacob C. Vandenberg
Village Clerk:	Kristin Thirion
Trustees:	Cynthia A. Berg William P. Brady William A. Brennan Diane M. Galante Michael W. Glotz Michael G. Mueller
Absent:	None
Also Present:	
Village Manager:	David Niemeyer
Asst. Village Manager:	Patrick Carr
Village Attorney:	Patrick Connelly

Motion was made by Trustee Mueller, seconded by Trustee Berg, to approve the agenda as written or amended for this meeting. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Berg, seconded by Trustee Glotz, to approve and place on file the minutes of the Regular and Special Village Board Meetings held on September 17, 2019. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Brennan, seconded by Trustee Brady, to adopt and place on file **RESOLUTION 2019-R-096 RECOGNIZING FIRE PREVENTION WEEK IN THE VILLAGE OF TINLEY PARK FROM OCTOBER 6 THROUGH OCTOBER 12, 2019**. Fire Prevention Week is to be held in the Village of Tinley Park beginning October 6, 2019. All citizens are encouraged to do their share to provide a safe place in which to live and work by eliminating those fire hazards which cause the loss of life, property, and resources. Fire Prevention Week is always scheduled to coincide with the anniversary of the Great Chicago Fire of 1871. Vote by voice call. President Vandenberg declared the motion carried.

Motion was made by Trustee Brennan, seconded by Trustee Berg, to **CONSIDER THE FOLLOWING APPOINTMENTS TO THE VILLAGE OF TINLEY PARK COMPLETE COUNT COMMITTEE FOR THE 2020 CENSUS**. The Village of Tinley Park Complete Count Committee brings together a cross section of community members who will partner with the U.S. Census Bureau and utilize their local knowledge and expertise to reach out to all persons in the community to ensure a complete and accurate 2020 Census count. The following committee appointments are being made for the Village of Tinley Park Complete Count Committee for the 2020 Census:

- Shawn Roby, Tinley Park Park District
- Zach Musil, Tinley Park Public Library
- Jamie Bonnema, Bremen High School District 228
- Dr. Barb Rains, Summit Hill School District 161

President Vandenberg asked if anyone cared to address the Board. No one came forward. Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to consider approving the following Consent Agenda items:

The following Consent Agenda items were read by the Village Clerk:

- A. **CONSIDER REQUEST FROM THE AMERICAN LEGION POST 615 WOMEN'S AUXILLARY TO CONDUCT A RAFFLE ON NOVEMBER 2, 2019 WITH THE WINNER BEING DRAWN AT THE AMERICAN LEGION POST 615, 17423 67TH COURT ON THAT DATE.**
- B. **CONSIDER A REQUEST FOR A BLOCK PARTY PERMIT ON SATURDAY, OCTOBER 12, 2019, ON WALNUT LANE BETWEEN 9007 AND 9131 FROM 3:00 P.M. TO 10:00 P.M.**
- C. **CONSIDER PAYMENT OF OUTSTANDING BILLS IN THE AMOUNT OF \$1,242,098.48 AS LISTED ON THE VENDOR BOARD APPROVAL REPORTS DATED SEPTEMBER 20, AND SEPTEMBER 27, 2019.**

President Vandenberg asked if anyone from the Board would like to remove or discuss any items from the Consent Agenda. No items were removed or discussed. Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to adopt and place on file **RESOLUTION 2019-R-097 AUTHORIZING THE EXECUTION OF AN ANNEXATION AGREEMENT WITH LENNY'S FOOD N FUEL, LLC LOCATED AT 19420 S. HARLEM AVENUE**. The Petitioner, Mr. Leonard McEnery, Lenny's Food N Fuel Harlem Avenue, LLC, an Illinois Limited Liability Company, has petitioned the Village of Tinley Park to annex his 4.87 ac parcel located at 19420 S. Harlem Avenue. The property currently operates as a motor fueling facility for autos and trucks,

a convenience store with drive-up food service window, two food service businesses, a carwash and outdoor dispensing/filling of propane tanks. The proposed annexation agreement sets forth a schedule for the Petitioner to bring the property into compliance with Village Building and Sign Codes with some noted exceptions. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote on roll call: Ayes: Berg, Brennan, Galante, Glotz, Mueller. Nays: Brady. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Brennan, to adopt and place on file **ORDINANCE 2019-O-055 APPROVING THE ANNEXATION OF A PARCEL OF PROPERTY LOCATED AT 19420 S. HARLEM AVENUE TO THE VILLAGE OF TINLEY PARK.** The Petitioner, Leonard McEnery, 19420 Harlem Avenue, is seeking annexation of his property (PIN 19-09-12-202-023-0000). This item was discussed at the Plan Commission meeting held on August 15, 2019 and at the Village Board on September 17, 2019 as a first read. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote on roll call: Ayes: Berg, Brennan, Galante, Glotz, Mueller. Nays: Brady. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to adopt and place on file **ORDINANCE 2019-O-056 GRANTING A MAP AMENDMENT TO B-3 (GENERAL BUSINESS AND COMMERCIAL DISTRICT) WITH SPECIAL USE PERMITS TO ALLOW FOR THE CONTINUATION OF THE EXISTING AUTOMOBILE SERVICE STATION AND AUTOMOBILE CAR WASH FOR PROPERTY LOCATED AT 19420 S. HARLEM (PETITIONER LEONARD MCENERY).** The Petitioner, Leonard McEnery, is seeking a Map Amendment to B-3 zoning upon annexation with Special Use Permits for an existing automobile service station and an automobile car wash. The property at 19420 S. Harlem Avenue is a developed property with existing uses including a convenience store, a drive-up window, restaurant uses and outdoor dispensing of propane tanks.

The Plan Commission held a Public Hearing on August 15, 2019 where a vote of 8-1 was taken to recommend to the Village Board a rezoning to B-3 (General Business and Commercial District) with Special Use Permits for an existing automobile service station and an automobile car wash. The Village Board reviewed this request as a first read at the September 17, 2019 meeting. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote on roll call: Ayes: Berg, Brennan, Galante, Glotz, Mueller. Nays: Brady. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Glotz, to postpone **ORDINANCE 2019-O-052 GRANTING CERTAIN VARIATIONS TO PERMIT THE CONSTRUCTION OF A ONE-STORY BUILDING ADDITION ON THE PARK OAKS BUILDING AT 17322 OAK PARK AVENUE (JAMES VROEGH)** to the November 5, 2019 Village Board meeting. Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Glotz, to adopt and place on file **RESOLUTION 2019-R-103 APPROVING AND AWARDED AN OAK PARK AVENUE FACADE GRANT TO ROBERT THIES FOR PROPERTY LOCATED AT 17326 S. OAK PARK AVENUE TINLEY PARK, COOK COUNTY, ILLINOIS.** This Resolution approves a Facade Grant for Robert Thies. Planned improvements for the building will include a complete new front facade. The total matching grants will not exceed \$35,000.00. The Economic and Commercial

Commission recommended the grant request at its September 9, 2019 meeting. The Community Development Committee recommend approval of the grant request at its September 24, 2019 meeting. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to adopt and place on file **ORDINANCE 2019-O-060 GRANTING A SPECIAL USE FOR A SUBSTANTIAL DEVIATION FROM THE NORTH CREEK BUSINESS PARK PLANNED UNIT DEVELOPMENT WITH EXCEPTIONS FROM THE ZONING ORDINANCE TO PERMIT THE CONSTRUCTION OF A HOLIDAY INN HOTEL AT 18320 NORTH CREEK DRIVE.** The Petitioner, SD Hospitality LLC, is seeking a special use permit to construct a Holiday Inn at 18320 North Creek Drive in the ORI PD (Office & Restricted Industrial, North Creek Business Park PUD) Zoning District. The proposed full-service hotel will be 63,471 sq. ft. in size and four (4) stories tall on a 2.47 acre lot. There will be 108 guest rooms with amenities that include an indoor pool, fitness room, meeting rooms, outdoor patio, dining area and a hotel lounge with a bar.

The Plan Commission held a Public Hearing on September 19, 2019 and voted 5-0 to recommend approval of the special use with revised conditions in accordance with plans as listed in the "Listed Reviewed Plans" and Findings of Fact in the September 19, 2019 Staff Report. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. No one came forward. Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Brennan, seconded by Trustee Berg, to adopt and place on file **RESOLUTION 2019-R-104 A RESOLUTION APPROVING AND ACCEPTING A PLAT OF RE-SUBDIVISION FOR THE UNION SQUARE TOWNHOME PROJECT LOCATED AT 6822-6830 179TH STREET AND 17884-17890 OAK PARK AVENUE.** The Petitioners, Mike and Kevin Halleran, have petitioned the Village of Tinley Park to approve and accept the Plat of Re-Subdivision for the Union Square Townhome Project.

The Union Square Townhome project received approval of their Site Plan and Plat of Subdivision in 2016. Since that time, the developers have experienced sales that indicate a preference for 3-bedroom units. Therefore, the Hallerans have requested an amendment to their approved site plan for the 2 buildings comprising 9 townhome units on the north side of 179th Street. The total unit count will change from six (6) 2-bedroom "A" units and three (3) 3-bedroom "B" units to three (3) 2-bedroom "A" units and six (6) 3-bedroom "B" units. In order to meet the required setbacks, the building fronting Oak Park Avenue has decreased the width of the units slightly from what was originally proposed.

The proposed site plan changes necessitate a change in the Subdivision Plat. Therefore, a Plat of Re-Subdivision was reviewed at the September 19, 2019 Plan Commission meeting and was unanimously recommended for approval to the Village Board with a vote of 5-0. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. Trustee Berg stated she approves of more three (3) bedroom options at this development. Trustee Galante asked with increasing the number of units with three (3) bedrooms would parking be an issue. Community Development Director Clarke stated that this development will meet the parking requirements. Trustee Glotz asked if the first phase of this townhome development is sold

out. Community Development Director Clarke stated yes and this phase, phase two (2) has three (3) units pre-sold. Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to adopt and place on file **RESOLUTION 2019-R-105 APPROVING AND ACCEPTING A PLAT OF ABROGATION OF A PUBLIC UTILITY AND DRAINAGE EASEMENT FOR THE UNION SQUARE TOWNHOME PROJECT LOCATED AT 6822-6830 179TH STREET AND 17884-17890 OAK PARK AVENUE.** The Petitioners, Mike and Kevin Halleran, have petitioned the Village of Tinley Park to approve and accept a Plat of Abrogation of a Public Utility and Drainage Easement for the Union Square Townhome Project. Due to market changes, the Hallerans have elected to increase the footprints of their townhomes to provide for more 3-bedroom units. The number of units remains the same. However, the increase in the size of the units impacts the 5' Public Utility and Drainage Easement located at the north end of the property which will be reduced by 2' resulting in a 3' total easement. The Village Engineer has approved the request. The Plan Commission reviewed the a Plat of Abrogation of a Public Utility and Drainage Easement at its September 19, 2019 meeting and recommended its approval with a 5-0 vote. President Vandenberg stated that this item was in its final adoption stage and asked if anyone cared to address the Board. Trustee Glotz asked which engineers reviewed the request. Assistant Public Works Director Urbanski noted it was both Village Engineer Zemaitis and engineers from Robinson Engineering. Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

At this time, President Vandenberg asked if anyone from the Staff would care to address the Board.

No one came forward.

At this time, President Vandenberg asked if anyone from the Board would care to address the Board.

Trustee Brennan spoke to the Village hosting an open forum to discuss the new State laws regarding the sale of marijuana and how it pertains to the Village.

Trustee Brady asked Fire Chief Reeder to announce the Fire Department Open House. Fire Chief Reeder noted that the Fire Department Open House will take place on Saturday, October 5, 2019, from 9:00 a.m. to 1:00 p.m. at Fire Station 46, 17355 68th Court.

Trustee Brady, Clerk Thirion, and Executive Assistant Lisa Valley congratulated the Fire Department on the great job they did with the Citizens Fire Academy. Graduation for this Academy will take place at the Fire Department Open House.

Trustee Glotz made a clarification to a statement made during public comment at the September 17, 2019, Village Board meeting regarding the Video Gaming Act. He noted that if Lenny's Food N Fuel qualifies as a truck stop establishment based upon the eligibility factors in the Act, the Illinois Gaming Board would likely grant them a license to operate gaming terminals. However, prior to allowing licensees to utilize gaming terminals, the Gaming Board directs its agents to conduct inspections and activate the terminals. In practice, those agents would likely not activate the gaming terminals because the use of those terminals is in violation with local regulations. Section 210 states that all licensees must comply with all federal, state and local laws. Section 310 allows as grounds for disciplinary action based upon a licensee's failure to comply with any federal, state or local law or regulation. Accordingly, any use of the gaming terminals

in violation of the Village's ordinances would likely lead to suspension and revocation of the gaming license. Section 201 and 301 allow for adequate protection for the Village to inhibit a license's ability to operate gaming terminals without local approval.

Village Attorney Connelly concurred and noted the new State gaming regulations has increased the number of gaming machines an establishment can have. The number of gaming terminals allowed by the State is six (6) gaming machines, the number allowed by the Village is five (5) gaming machines.

President Vandenberg stated that the Mayor's Office will be bringing the issue of the State Gambling Law changes regarding the allowance of six (6) video gaming machines to the Administration and Legal Committee soon.

At this time, President Vandenberg asked if anyone from the Public would care to address the Board.

A citizen noted that October is Breast Cancer Awareness month. He also stated concerns about the Union Square development increasing the number of three (3) bedroom units and the South Street Development not having three (3) bedroom units. Community Development Director Clarke noted these are two different products. He also spoke to the open forum on cannabis. Village Attorney Connelly noted this forum could not discuss if cannabis is legal in Tinley Park, it could be if the Village should opt out of selling cannabis in Tinley Park. President Vandenberg and Trustee Glotz noted that the Board has decided to take its time on the decision of opting out of the sale of cannabis.

A citizen stated his concerns about the Boards view on the expansion of gambling in the Village and concerns about campaign contributions.

A citizen congratulated Lenny's Food N Fuel for being annexed into the Village of Tinley Park.

A citizen stated that campaign contributions are legal in Illinois. She stated her concerns about the legal fees for lawsuits the Village and its citizens have to pay.

Motion was made by Trustee Mueller, seconded by Trustee Berg, at 9:26 p.m. to adjourn to Executive Session 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.

THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY OR LEGAL COUNSEL FOR THE 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 AN EMPLOYEE OF THE PUBLIC

BODY OR AGAINST LEGAL COUNSEL FOR THE PUBLIC BODY TO DETERMINE ITS VALIDITY.

- B. THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY OR LEGAL COUNSEL FOR THE 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 AN EMPLOYEE OF THE PUBLIC BODY OR AGAINST LEGAL COUNSEL FOR THE PUBLIC BODY TO DETERMINE ITS VALIDITY.
- C. 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.
- D. THE SETTING OF A PRICE FOR SALE OR LEASE OF PROPERTY OWNED BY THE PUBLIC BODY.

Vote on roll call: Ayes: Berg, Brady, Brennan, Galante, Glotz, Mueller. Nays: None. Absent: None. President Vandenberg declared the motion carried.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to adjourn the Executive Session and reconvene the regular Board meeting. Vote by voice call. President Vandenberg declared the motion carried and reconvened the regular Board meeting at 9:26 p.m.

Motion was made by Trustee Mueller, seconded by Trustee Berg, to adjourn the regular Board meeting. Vote by voice call. President Vandenberg declared the motion carried and adjourned the regular Board meeting at 9:26 p.m.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.

APPROVED:



Village President

ATTEST:



Deputy Village Clerk