

1 Village President Meyers-Martin stated that we will have that conversation with Cindy Saenz
2 because she puts this Report together. We will ask her in the future to include that as a
3 designation. Trustee Pennington stated that's fine.

4 **Roll Call: Ayes (5-0) Motion Carried.**

5
6 **Revised Agenda** – Village President Meyers-Martin stated that she hopes that everyone in the
7 audience has received one of the Revised Agendas because there were a couple of changes to the
8 Agenda. There is nothing substantive. They just moved items to their proper segment of the
9 Agenda.

10
11 **Commentary Regarding Executive Session** – Village President Meyers-Martin stated that we
12 will be going into Executive Session. There have been some questions and some commentary
13 regarding the fact that we don't normally do that. She stated that first and foremost she would
14 like to say that for those of you who come regularly; you know that we have been known to go
15 into Executive Session before we get into the meat of the Agenda. It's not a precedent that we
16 are setting.

17
18 Village President Meyers-Martin stated secondly, after consulting with our insurer and our legal
19 team, it was recommended that we have this Executive Session before we come out to address
20 issues concerning litigation. So therefore we will be moving to Executive Session in just a
21 second. However, because there are so many people here, normally we would ask the audience to
22 leave. We will actually be going across the way. She will try, as she always tries when the
23 Executive Session is at the beginning of the meeting, she will try to limit that to a reasonable
24 amount of time so that you are not sitting here for hours and hours. She stated believe me,
25 Executive Session is never done to wait out the audience. It is always done for an immediate and
26 necessary discussion for our Board Members to be able to address issues in an informed and
27 effective way. She will try to limit it so that we are possibly back in this room in the next 20-
28 minutes. Village President Meyers-Martin stated that she is sorry, but it just must be done for her
29 Board in order to make an informed and correct addressing of issues.

30
31 **EXECUTIVE SESSION:**

32
33 **To Discuss Matters of Litigation – Open Meetings Act Section 5ILCS120/2(c)(11) – With a**
34 **Need to Reconvene -**

35
36 **Motion by Trustee Byrd, second by Trustee Hudson to go into Executive Session to Discuss**
37 **Matters of Litigation According to the Open Meetings Act Section 5ILCS120/2(c)(11) With**
38 **a Need to Reconvene at 7:08 P.M.**

39 **Voice Vote: All Ayes Motion Carried.**

40
41 Administrator Mekarski stated that while we are in Executive Session, he is sure that a lot of
42 people are here for the Cell Tower Case. He stated that for the members of the audience, we will
43 be presenting copies of the Findings of Fact, the actual Appraisal Report done by our
44 Independent, Objective Analysis on Property Values. There are also copies of the Planning
45 Commission recommendations. He stated that you can go through those materials. It might help
46 you formulate questions to the Board. Mrs. Foster will be bringing that material in.

47

1 **RETURN TO OPEN SESSION:**

2
3 **Motion by Trustee Gibson, second by Trustee Pennington to return to Open Session at 8:20**
4 **P.M.**

5 **Voice Vote: All Ayes Motion Carried.**

6
7 **COMMUNICATIONS & PETITIONS:**

8
9 Village President Meyers-Martin opened Communications & Petitions at 8:21 P.M.

10
11 Mrs. Beverly Sokol stated that she lives in the Wysteria section of Olympia Fields. She wanted
12 to repeat something that she said at the last Planning Commission Meeting and that is,
13 “Perception is reality.” She did read everything that was submitted from the company seeking to
14 erect the cell tower but again, “Perception is reality.” She stated just to repeat that Motto and
15 belief, “Perception is reality,” and there are a lot of people who will not come into Olympia
16 Fields and live near a cell tower because they do feel that this could affect the health of their
17 children. She did read the statistics but again, “Perception is reality.”

18
19 Mrs. Sokol stated that the other thing she would like to speak about, and she doesn’t know if it is
20 out of turn or not but she expects that you will tell her if it is. She was just wondering her
21 experience in attending some of the Planning Commission Meetings has been that Victor
22 Blackwell has been a remarkable Chairperson of that Commission. She hates to see him being
23 removed from that position is what she would like to say, because of his performance as
24 Chairman of the Planning Commission. She knows that in the past there usually is a time span
25 between the time a Trustee is suggested. In the past there have been times when there have been
26 several months or even weeks. She was wondering if this could be postponed possibly so that the
27 residents and the Trustees would have the names of other people that were being considered.
28 Mrs. Sokol stated that she doesn’t think that it is her place to ask Village President Meyers-
29 Martin if there were other people, but she is sorry to see Victor Blackwell removed from that
30 Commission because she felt that he has done a magnificent job in handling, especially this cell
31 tower issue.

32
33 Village President Meyers-Martin stated that she agrees that he has been wonderful. Village
34 President Meyers-Martin stated that she will just briefly say that in the past, it has taken a bit
35 longer in order to review Trustee Candidates. However, she has interviewed a total of 12 Trustee
36 Candidates, people who were interested in being Trustees, Victor Blackwell being one of them.
37 We have recently had a submitted Résumé of Carlando Owens. His Résumé is in the Board
38 Packet as well. She stated that her recommendation because she has spoken with all 12 of these
39 candidates and reviewed their Résumés, her recommendation to the Board is Victor Blackwell.
40 She didn’t feel that because over the past she has interviewed 12-people that she needed to now
41 reopen that again. She has a pool of great candidates, and so that was her recommendation. Mrs.
42 Sokol stated thank you very much.

43
44 Mr. Ernie Gibson stated that he will cut right to the chase. He had quite a bit to say but the night
45 is fleeting. He would like to make a point as he has in the past at the Town Meetings, that he is
46 the President of the Wysteria Homeowners Association of 71-families. We are unconditionally
47 against certainly the cell towers. While we appreciate your going out and getting someone to

1 come in for a Special Study in reference to the impact on our real estate, we feel certainly that
2 this Study was more or less routine and boilerplate. It has nothing to do basically with the issue.
3 This group did not spend any time with the residents of Wysteria or Olympia Fields East, or The
4 Greens, or Graymoor. They came out with some things and they are telling us about their
5 knowledge of what they are doing in Kansas City, what they are doing in Ohio, what they are
6 doing along freeways, what they are doing in Possum Trot, Mississippi. We are not basically
7 interested in that situation. We are interested basically in Olympia Fields. He moved here 20
8 some years ago. He selected Wysteria particularly because we are laced around our borders of
9 about four church situations. One Greek Church was there. That is what they are confronted with
10 now. They said, "Beware of Greeks bearing gifts." He says, "Well, beware of Greeks leaving
11 gifts," so to speak. We are left with Reverend Hinkle so to speak. Mr. Gibson stated that he is
12 quite sure that he is quite a person. He looks forward to more or less religious institutions
13 moving in and enhancing the community, not putting basically a burden on more or less the
14 community. We are taxpayers. They are not. They come in and they are certainly abusing more
15 or less from the standpoint our situation. He just wants to let you know that we are against this
16 cell tower. We are not content with it as such. They came up with more or less some Christmas
17 Tree that they want to put up. We can provide our own Christmas Trees in Wysteria, and we
18 certainly don't need that situation. There's nothing alternate we can do in reference to a cell
19 tower. He says as the British say you know, "Tally Ho The Fox," and as the French would say,
20 C'est la vie." Thank you. (There was a round of applause). Village President Meyers-Martin
21 stated thank you, Dr. Gibson.

22

23 Mr. Carlando Owens stated that Beverly Sokol touched on many of the points that he was going
24 to make in that; it was mighty quick of a decision for Mr. Blackwell to be chosen as the Nominee
25 for Trustee. The last opening for Trustee was about three-years ago. Although, 12-people were
26 interviewed then, there may be additional people that would like to be considered. Some of those
27 12 may no longer be interested. He thinks it would be in the best interest of the Village if other
28 people were allowed to apply for the position.

29

30 Mr. Owens stated that in addition to that he would have to echo what Dr. Gibson said regarding
31 the cell tower. There is really nothing more that he can say about that. (There was a round of
32 applause).

33

34 Mr. Lee Langon stated that he won't beat a dead horse here. He is the President of Olympia Club
35 in Olympia Fields. He is also the Chairman of a Presidents Association that we have. We get
36 together and we share best practices. Most of our Presidents are against this 105, 120-foot cell
37 tower. It is forever changing. We have an issue here. We have a contractor that wants to put up a
38 cell tower. They said that Verizon wants to put up the cell tower. Well, it is funny that Verizon is
39 selling cell towers. They don't want to be in the business. Technology is moving so fast that we
40 don't need this monstrosity. A few of us did some research, granted for free. It didn't cost
41 anything. That would have given the Village a heck of an argument not to approve this thing. It
42 never should have got out of Committee. However, he hasn't seen Verizon's name on anything
43 where Verizon petitioned us for anything. We have a contractor here that's hoping to go after
44 Verizon or the cell phone companies. He prays that we knock it down here at the Trustee level
45 and refuse it, and let the chips fall where they may. That is one point.

46

1 Mr. Langon stated that our Mayor, to her credit, offered additional sites that they weren't even
2 interested in, that would not have interfered with any residential neighborhoods or anything else.
3 However, this site continues to be pushed, and it was in their own perspective ring that they
4 supplied where these alternate sites were put. So again, he asks that you turn this deal down, and
5 the consequences that the residents would have to face, that the town would have to face, we are
6 willing to face it. Thanks. (There was a round of applause).

7
8 Mr. Stoney Burke stated that he is the President of The Greens. There is some legal liability that
9 is associated with this cell phone tower. They do fall down. He provided pictures to the Zoning
10 Board of the places where they have fallen down. They do catch on fire. If they fall on
11 somebody, or catch on fire, our Ordinances as they are set up right now do not take that into
12 consideration. So either the Village by approving this can become liable for it, or the cell phone
13 operator is liable, or the people who are building the tower are liable. We have not heard
14 anything. We actually asked at one of the meetings who is going to be responsible for the
15 liability if something was to happen. He would encourage that somebody look into the liability
16 before they go along with this whole concept of the cell phone tower. He stated that putting it in
17 any neighborhood that is a residential neighborhood does not make sense.

18
19 Mr. Burke stated that a question was raised at one of the meetings that the places where this
20 company has tried to put cell phone towers has been primarily in lower income communities or
21 in commercial environments, not in the middle of middle class, Half a Million Dollar houses. We
22 were told by the consultants that were brought in here that this cell phone tower is not going to
23 impact housing values. That is not really true. He asked the question would any of you buy a
24 home next to a cell phone tower and they never answered that question. And as Lee said also,
25 there has been no empirical data provided by CST to actually show that there is a need by
26 Verizon. In looking at some Supreme Court Opinions and Appellate Court Opinions, if the cell
27 phone tower people have not provided empirical data showing a need by Verizon, then it is not a
28 valid request. They have been very generic in their request. All the charts that they showed, and
29 maybe they will show them again, they do not have Verizon's name on it. There is no
30 engineering data that they have actually shown. It has all been hearsay. Again, you need to turn
31 this thing down. If you don't get in the Public Record where they actually show this kind of data
32 then there is some liability associated with this. If it is not on them, it is going to be liability
33 where the Board or the Village of Olympia Fields could get sued.

34
35 Mrs. Eloise Houston inquired of Mr. Burke what about the health issues. Mr. Burke stated you
36 can ask the question. Mr. Burke stated that she asked a question about the health issue.
37 According to the law, the FCC says you cannot turn it down based on health. So the lobbyists
38 who wrote the laws for the cell phone people they inserted that. In Europe and in other places
39 around the world there are all kinds of empirical data that shows that the cell phone towers can
40 affect health. They actually operate at the same frequency that your brain operates at. But our
41 great Congress people allow the lobbyists to write the laws that say you cannot turn this thing
42 down based on health issues. (There was a round of applause).

43
44 Village President Meyers-Martin stated that it is our understanding that there is just as much
45 evidence that says there is no health related problems as there is health related problems. The
46 information that we've received is that it's equal in terms of yeah or nay to health issues. That's
47 why they ruled that way in terms of the FCC.

1 Mrs. Eloise Houston stated that when her daughter built in Naperville and they had towers, there
2 was a health issue of your home being near the towers of emitting radiation or something from
3 the tower. That was definitely given to the builders there when they were building in Naperville.
4

5 Trustee Waite stated that the National Institute of Health has contracted with a wide variety of
6 scientists to inspect a variety of issues concerning radiation, cell towers, transmission lines, all
7 kinds of things like that. The results of those Studies have come back basically that there are no
8 real definitive Studies that have shown that anybody has been harmed by cell phones or cell
9 towers. Whereas, the big transmission lines that you see there have been some things that they
10 have uncovered as far as they are concerned. That's why there is a big, wide, right-of-way where
11 you see those kinds of transmission lines. There is no Scientific Study that definitively proves
12 that there is any health hazard associated with cell phones and so forth.
13

14 Mrs. Houston inquired how much time was given in that Study, because they were told in
15 Naperville over time of five, 10, 15-years, it could be proven there were health issues.
16

17 Trustee Waite stated yes, but he thinks you would have to bring in and show us that Study, and
18 look and see who did the Study, and when it was completed. There have been many Studies
19 since then. He is not in favor of having cell towers all over the place, but the point is there is no
20 definitive research that shows emphatically that there is a hazard there. We all know people just
21 in our day-to-day moving around, that have got Cancer, got Leukemia, got this, got that, got
22 something else, but he has never had anybody come to him and say, "Hey, I got this illness now
23 and it is because of that cell tower over there." He has never seen any antidotal information that
24 is what he is saying. It has all been stuff that somebody has written in some whacky magazine or
25 whatever. That doesn't mean we shouldn't be vigilant of that kind of thing.
26

27 Mrs. Houston stated that they were giving a lot of discount on homes if they built it by the
28 towers, up to \$50,000.00 off homes if they built it by the towers.
29

30 Mr. Stoney Burke stated that he provided the Zoning Board with about an inch thick worth of
31 data to support some of the things in the Presentation that he gave. One of them had to do with
32 health. There was at least a 10, 15-page report from multiple people that they do, in fact, can be
33 affected by radiation. However, according to the law as written, the law says you cannot use
34 health as an issue to deny. But that does not mean that we are not concerned about it. There is a
35 Church School right adjacent to Hinkle's Church that has a whole bunch of kids playing soccer
36 and doing all kinds of things every Saturday, every weekend. He would not want his child, or
37 grandkid he should say, to be playing near that cell phone tower.
38

39 Trustee Waite stated that he agrees with Mr. Burke. All he is saying is that the Studies don't bear
40 it out. Mr. Burke stated that the material he gave has it contrary to that.
41

42 Mrs. Sandra Finley stated that she and her husband, Eddie, live in Wysteria. They are new
43 relatively to the people who have lived there and founded the community. They purchased a
44 townhouse in Wysteria to downsize after their children had grown and gone, and to spend their
45 future in Wysteria. She stated that we would not have made that purchase had we been looking at
46 a cell tower behind the prospective houses that they were shown in the area. We know that. That
47 is 1. 2. She took the time to go to the church this past Sunday. She is a member of New Faith. It

1 occurred to her that she had gone past this church for the few months that they have lived there
2 and had never gone in. She wanted to know what she could about who are these people. It just
3 seemed to her time to go to the church. She did. She sat through a nice service. As she walked
4 out her thought was as nice as it was, our interests were different. Those folks were there on a
5 Sunday and part of a community which is something they could do anywhere. She lives in
6 Wysteria which is not something she can do anywhere. She stated that they should have control
7 over how she lives, what the environment looks like, whether or not the Health Studies are
8 conclusive or inconclusive, or most important do anything at all to affect her property values; it
9 seems to her unfairly weighted in their favor. Therefore, as relatively new investors and new
10 neighbors, we are asking you to let Olympia Fields be what Olympia Fields has always been, a
11 haven, friendship, health-oriented, and a nature respecting kind of environment.
12

13 Mrs. Finley stated lastly, she took a look at the battle in her own mind that Friends of the Park
14 has just finished in Chicago. They won their battle simply by staying true to their values. There
15 will always be a carpet bagging kind of game, or offer, or deal, or something that appears to be
16 so compelling that you just can't say no. The Friends of the Park said, "No." As a result, the lake
17 front of Chicago is still pristine and envied by the world in terms of what it has to offer. She is
18 thinking that Wysteria and Olympia Fields have that kind of appeal too. She stated that if we
19 don't understand then we should be long-sighted, like if you play golf there is your short game
20 and your long game. In the course you do them both, and whatever you don't do well shows up.
21 This is a short game deal. She stated that a long game deal says, "We hold Olympia Fields to be
22 what she is and that is without a cell phone tower." (There was a round of applause).
23

24 Mr. Robert Lewis stated that he lives in Wysteria. He retired after 24-years from Motorola
25 working in their Law Department. At one time Motorola had all the towers in the country. They
26 fall down. They do all these other things. He is not here to argue. When we are talking about the
27 radiation, this industry really started in about 1985. It is really too early to see if it is going to kill
28 you or not yet. The point he is trying to make is we are standing here, three or four different
29 meetings, dealing with a situation. We need cell towers. That's fine. But we don't need it on top
30 of my house when you have alternative places for that. Mr. Lewis stated that he sat on the
31 Planning Commission when this company came and they wanted to put one right here where
32 Wal-Mart was in some folk's backyard over here where Wal-Mart is. They went down the street.
33 They wanted to put it in the park by some other people's houses. Now you want to put it right on
34 the edge of Olympia Fields behind the church. He stated that on their maps, which he thought
35 was deception in his mind, there is a house with people living in it five-feet from where they
36 want to put the tower, less than 100-feet from the school. The minister came here and spoke to
37 us. They have 120-kids in that building every day. All he is saying is there might be some health
38 issues. But why take a chance when right down the street the Village found a place. Chicago
39 Heights will welcome him in the space between the Food 4 Less and the storage place that would
40 meet the requirements that they have. He would ask as a resident of Olympia Fields that you not
41 allow this exemption that they need. Let them go there or take us to Court. If a Judge says that
42 we got to do it, we got to do it. But he would hate to look up five, 10-years from now and a new
43 Study comes out. Mr. Lewis stated that Motorola has a whole building on K Street in
44 Washington, D.C. dedicated to going into the Federal Government lobbying things that are in
45 their favor. It's always in their favor to do things, to put these towers wherever they want to put
46 them. So they throw in all that language that you can't consider radiation or any of these other
47 things, and the health issues. They wouldn't let you ride down the street without a bumper on

1 your car. You got to have a windshield and windshield wipers. But the government is telling us
2 that we can't be concerned about our health when there are some alternative sites available. That
3 is all he is saying. We all love cell phones. He stated put it down the street in the commercial
4 area where the rest of them are. Don't come bringing it and putting it in the middle of our
5 residential area so that somebody can get \$1200 or \$1500 a month. (There was a round of
6 applause).

7
8 Mr. Lewis stated that he has been here since 1990. They come into the community. The Greek
9 Church has been there forever. They wouldn't take a dime. That spot has been there and they
10 wouldn't do it. But we got a new congregation that came in here and all of a sudden that \$1500
11 or \$1600 a month that they are going to take is so important that all of us have to come out here
12 and try to fight it. He thinks it is stupid. Mr. Lewis stated that he would respectfully request the
13 Board to think about us, what we want, and not approve this cell tower. (There was a round of
14 applause).

15
16 Mr. Mac Daily stated that he wanted to share some information with you that he is sure everyone
17 will find it interesting. He would invite the Board to drill down into this in the way that you did
18 with All Nations when they came with their Petition to develop a program to help Veterans. You
19 really drilled down into their situation. Now there is a matter of being disingenuous and
20 misleading in the way that a company might operate. He wants to tell you about a conversation
21 that he had with Mr. Risby out in the parking lot after the third Planning Commission Meeting.
22 Mr. Daily said to him something that Mr. Daily had said at the second meeting that one could
23 make an argument that you set Reverend Hinkle up. You knew that this community did not want
24 a cell phone tower in the residential area of Olympia Fields. Mr. Risby interrupted Mr. Daily and
25 said, "Oh, no. It's not like that. Me and the Reverend go way back. We worked together before."

26
27 Mr. Risby stated that's a lie. Mr. Daily stated, "You may have been lying. I wouldn't put it past
28 you." (There was some laughter). Mr. Daily stated that he asked Mr. Risby a couple of other
29 questions as he vented and Mr. Daily listened. Mr. Daily tried to drill down into this relationship
30 between him and Reverend Hinkle. But Mr. Risby deflected each one of his inquiries. Mr. Daily
31 stated that he would invite the Board just with this information, let's see you drill down into what
32 kind of relationship he and the Reverend have had in the past. All of a sudden the Orthodox
33 Church was approached for the cell phone tower. He believes that they turned it down. He stated
34 all of a sudden now this church. He doesn't know if it was for sale before that, but Reverend
35 Hinkle shows up. And Reverend Hinkle is going to take this contract. Mr. Daily stated by the
36 way, at the first meeting which he didn't attend he read the Minutes. Mr. Daily thanked
37 Administrator Mekarski for providing those Minutes to us at the second meeting. Mr. Daily
38 stated that when he told me that he has never met Reverend Hinkle, he wasn't at the first
39 Planning Commission Meeting. Mr. Daily just waited and took the time to read the Minutes.

40
41 Mr. Daily stated that brings him to this point. At the first meeting Mr. Risby was asked about
42 some kind of arrangement with Reverend Hinkle. Mr. Risby said there was a letter, He didn't
43 have the letter. He doesn't like dealing with paper. He had it on a chip, Mr. Daily believes. He
44 didn't have the chip with him or whatever. There was a letter. At the second meeting Mr. Daily
45 asked Mr. Risby and the attorney, "Do you have a signed Agreement with Reverend Hinkle?"
46 You said, "Yes, a contract, a signed contract." So that means from the first meeting where
47 Reverend Hinkle attended and he could see how the community felt about this Proposal, why

1 would he then go and sign a contract? Do you understand what he is saying? He is not going to
2 accuse him of something that he doesn't know what. It is just that he is puzzled by the whole
3 thing. He stated that he invites the Board to drill down into what kind of previous relationship he
4 has had with Reverend Hinkle and get a full understanding of that.

5
6 Mr. Daily stated that the Planning Commission had to make their ruling based on compliance
7 with the Ordinance. They did that. The Planning Commission did what they are supposed to do.
8 They let it go out of their Committee to you. But now you have the responsibility and
9 opportunity to drill down further into this whole situation before you make your decision. Thank
10 you. (There was a round of applause).

11
12 Mr. Stoney Burke stated that he wanted to add one more thing. If you do this drill down, do a
13 drill down to see if there is an actual contract with Verizon, because Verizon's name is not on
14 any of those charts. They don't want any of those towers to show generic locations without
15 Verizon. If Verizon is truly a customer, and they are not doing this for speculative purposes you
16 can ask to see the contract with Verizon.

17
18 Village President Meyers-Martin stated that we are not at that point in the Agenda right now, but
19 she is going to ask Judy Kolman, our legal advisor, to just speak to some of the issues in terms of
20 legal liability that Mr. Burke spoke to cell phone towers falling.

21
22 Mrs. Kolman stated first of all at the two Plan Commission Hearings that they had, the Petitioner
23 presented a letter from their Structural Engineers verifying that the cell tower would not fall
24 down, but it would buckle inside each other. She stated that she is not an engineer, but it
25 wouldn't fall so that anything would be destroyed. It would fall into itself.

26
27 Mrs. Kolman stated secondly, they also presented facts that radiation is not emitted from the cell
28 tower, it is radio frequency. Whether you are at the Planning and Zoning Commission stage, or at
29 the Village Board stage, your determination as to whether or not to approve an Application for a
30 Cell Tower Facility must be based on the criteria set forth in your Zoning Code. You can't go
31 outside of those criteria. So for instance, asking for them to look at an alternative site, if that's
32 not one of the factors set forth in your Zoning Code you cannot ask them to do it. You also
33 cannot ask them whether it is necessary to build a cell tower. It's not in our Ordinance. So we
34 have to abide by specifically what's set forth in our Ordinance. And unfortunately, our
35 Ordinance only has a few criteria that they have to meet. She stated that from the facts that were
36 presented, it was met.

37
38 Mrs. Kolman stated that as far as the Property Value Study that was submitted, the conclusions
39 by the independent consultant said that there wouldn't be a devaluation of the property value,
40 basically that it was negligible. They presented Studies that they conducted in Flossmoor, Steger,
41 Naperville, Mundelein and Wheaton.

42
43 Village President Meyers-Martin asked Mr. McDonnell to speak briefly. She stated that someone
44 commented that a home was five-feet away from the tower, or it was a closer amount than our
45 Ordinance requires.

46

1 Mr. Robert Lewis stated if he could speak to that. On all the diagrams that they showed us, they
2 showed the church. They show the site of the tower. Immediately south of the church there's a
3 house. On their plats they say that it is unincorporated. It's not part of Olympia Fields. It's right
4 on the border of Olympia Fields. They didn't even address the issue that he made. Mr. Lewis
5 stated that he pointed out that they were talking about it is 150-feet away from the house in the
6 400 Wysteria Block from Kevin's deck. And it is so far from the school. They treated this house,
7 this residence, as if it was just a vacant piece of property. There is a house right there. You can
8 actually spit from that man's back steps to the tower. Mrs. Shirley Johnson stated that is right.
9 Mr. Lewis stated that if you look at their maps, look on the maps, it says "unincorporated," like
10 it's a vacant lot. There's a house there. It's not in Olympia Fields. It is unincorporated Cook
11 County there. But to him that's again part of in his mind the deception that this consultant
12 brought to this whole packet as far as he is concerned, coming in here talking Verizon and all of
13 these other things. We absolutely got to have this tower at the Wal-Mart site. That's the one
14 place we got to have it. Well, you can't have it there. Then we absolutely got to have it right over
15 here by Sergeant Means Park which was a block away. We got to have it there. Well, you can't
16 have it there. Now, we absolutely got to have it on my back porch. All he is asking is if you
17 absolutely got to have it, just move down one block to the commercial area to a spot that you,
18 Miss President, suggested and everybody would be happy and go home. That's all he is saying.
19 Thank you. (There was a round of applause).

20

21 Village President Meyers-Martin asked Mr. McDonnell to speak to the house that he is referring
22 to that is unincorporated and the distance, if you have that information.

23

24 Mr. McDonnell stated that he does not have that information. He is not aware of a house that is
25 five-feet. Mr. Lewis stated look on their plat that they provided.

26

27 Mr. Pete Iosue stated that he is from Teska Associates the Village's Planning Consultant. He
28 stated that you are probably more familiar with Mike Hoffman. Unfortunately, he was not able to
29 come tonight so he is filling in for him. You should have his Memo that he prepared evaluating
30 this Petition against the requirements of the Zoning Ordinance. Mr. Iosue believes that Mr.
31 Hoffman has the measurements to all the nearest properties outlined in his Memo. He stated that
32 from the way it looks to him the closest residential structure is 170-feet from the location of the
33 tower.

34

35 Village President Meyers-Martin stated in Olympia Fields. Mr. Iosue stated that it just says,
36 "Residential structure." There is a residential structure to the east that is in Olympia Fields. And
37 there is an unincorporated piece that has a house. He hasn't actually seen that house. He stated
38 from the aerial it looks to him like the house is on the south side of the lot. They are saying it is
39 closer. It looks to him like it is on the south of that particular parcel and the way it is measured
40 out.

41

42 Mr. Lewis stated that it is unincorporated. Here is the tower. Here is the house. Here is the house
43 right here. The tower is right here.

44

45 Mr. Iosue stated right and that's 170-feet from the pole. Mrs. Kolman stated that specifically in
46 the Teska Report and the latest revision was done June 14th, 2016, he does look at the
47 surrounding uses on Page 2. And he references, "The religious institutions on the north; the

1 single-family detached housing, Wysteria, on the east; the religious institution to the south, and
2 the one, single-family detached house and vacant lot both in unincorporated Cook County; and
3 on the west there is a single-family detached housing which is the Olympia Fields East
4 Subdivision.” He does go onto say that “The tower is approximately 170 from the nearest
5 residential structure.” So he included it.
6
7 Mr. Iosue stated that the way the Code is written the proposed tower needs to be 150-feet from a
8 residential structure, not a residentially zoned lot. We do the measurement from the actual pole
9 to the physical building and it is 170-feet. Village President Meyers-Martin stated thank you.
10
11 Trustee Waite inquired whether or not he is correct that the property that is in the unincorporated
12 area is governed by zoning from the County. Mr. Iosue stated yes.
13
14 Mr. Michael Lewis stated to the attorney he has one simple question. What are the legal
15 consequences of saying no? Exactly what would happen if the Board of Trustees were to vote no
16 to this Proposal? What would be the next steps?
17
18 Mrs. Kolman stated that she can’t speak to what the Petitioner would do. She stated most likely
19 if you voted no they would file a Complaint for Injunctive Relief in the Federal Court. She stated
20 that what you would produce would be all the written records that were produced by the Village.
21 There would have to be a written record of the vote tonight, and what it was based on. It would
22 include the Findings of Fact, and the Minutes. They would go in and say to the Judge, “Look it?
23 There is no substantial evidence supporting the decision by the Village Board, therefore we are
24 asking for Injunctive Relief, and we are asking to be able to build the cell tower.” She stated that
25 she can’t speak for the Petitioner, but that would probably be the next step. The Village would be
26 subject to a lawsuit in Federal Court.
27
28 Mr. Langon stated that this is a question again for the attorney. Is there a sunset on this procedure
29 for the Village to comply with for this cell phone tower, Petitioner?
30
31 Mrs. Kolman stated yes. Mr. Langon inquired of Mrs. Kolman what amount of days would that
32 be. Mrs. Kolman stated that it would have to end tonight. Otherwise, if the Board did not come to
33 a decision tonight, the Petitioner again would have the right to go into Federal Court and ask for
34 Injunctive Relief because a decision wasn’t made within the Federal Guidelines. Mr. Langon
35 inquired of Mrs. Kolman whether or not we are certain we are in compliance if we vote tonight.
36 Mrs. Kolman stated that when we told him that we would like to put it before the Board tonight
37 so that we could get the Ordinance prepared and the Findings of Fact prepared, he agreed, but
38 there was no other extension of time granted.
39
40 Mr. Langon stated that he understands that it started December ‘15 when it was first applied for.
41 That is well over 180-days. He stated folks it is 180-days and then they automatically get their
42 variance. However, since we brought up zoning, we have had a Zoning and Planning
43 Commission in place for many, many, many years with the same person chairing it. The question
44 begs to be asked, why are our Zoning Laws so weak. How come they weren’t revised long ago,
45 not just for cell towers, but for everything else? That is just a statement. Mr. Langon stated that
46 he implores you to just say no and we will just have to fight whatever they would like to do, and
47 that is what the citizens’ request. (There was a round of applause).

1 Trustee Waite inquired of Mr. McDonnell how many pages are the Zoning Ordinances that we
2 have for the Village, approximately. He stated that's not the whole thing. Mr. McDonnell stated
3 yes that is the chapter for zoning. Trustee Waite inquired whether or not that is the entire chapter.
4 Mr. McDonnell stated yes. The whole Municipal Code Book is about six-inches thick.

5
6 Mr. Ivory Hobbs stated that he is a concerned, conscientious resident of Olympia Fields, The
7 Greens of Olympia Fields. He would be quite awkward to try to be saying anything else that
8 hasn't already been said. He doesn't want to be repetitious about this at all. Mr. Hobbs stated that
9 his main request is that our Board look into this matter with their hearts and their souls, and
10 come to a decision that's going to be appealing to their constituents who are us. It is concretely
11 sure that we do not want the cell tower in Olympia Fields. (There was a round of applause). He
12 stated you being our representatives, you have an obligation, and you have a responsibility to
13 adhere to what your constituents want. That being said, when you do research and when people
14 do an Appraisal, and when someone does an investigation there are always two or three sides of
15 the coin. What he is saying definitely is this; if he did research he could make that research favor
16 what he wants in his opinion. (There was a round of applause). He stated that if somebody else
17 does that same research, same title, they can make that research favor in their opinion and this is
18 what is being done now. The things are simplistic. It is that we don't want the tower. We would
19 like for you, and we are appealing to you, we are asking you to please vote this down. Thank
20 you. (There was a round of applause).

21
22 Trustee Waite stated that he wanted to make a short comment. He stated that he doesn't mean to
23 be doing all the talking, but if you ask somebody to do an Appraisal you ask for their credentials.
24 The gold standard of Appraisal credentials is MAI that's a certification group. You can get other
25 people to do Appraisals; you might get somebody that crawled out from under a bridge
26 someplace. The gold standard, the MAI Registered Appraisers have to have certain credentials.
27 And you have to give them the criteria under which you want the Appraisal done, if you want it
28 done at Fair Market Value. For example, if some pig farmer showed up and he wanted to buy the
29 Tolentine property and turn it into a pig farm, he doesn't think we would like that. And none of
30 us would like being downwind from it. So we would take steps to eliminate it. There has been so
31 much litigation that is going on for cell towers, there's probably nothing left to uncover.

32
33 Mrs. Joyce Jordan stated that she has two questions. Mrs. Jordan stated that she lives in Wysteria
34 and it would be in her backyard also. (There was a round of applause). She stated one question is
35 why is it so cold in here. It is freezing in here. Trustee Gibson stated thank you. Mrs. Jordan
36 stated Number 2. She heard Lee or Robert say that there were two other locations that were
37 turned down prior to them trying to put it in our backyard. What happened with that litigation?
38 What happened when it was turned down? Did they have to go to Court and pay money, or was it
39 just turned down and they said, "No," and they went "Okay, well we'll go to the next one." And
40 then they turned that one down, "Okay, we'll go to the next one." Why are we going to be
41 obligated if we say no and they move it?

42
43 Village President Meyers-Martin stated that in the previous two cases the property was owned
44 by: 1. The Park District. And they rescinded it after there was so much protest to them that the
45 residents surrounding that area did not want the cell tower constructed there. The Park District
46 rescinded it. In this case, in order for that same thing to happen, Pastor Hinkle would have to
47 terminate the contract with Central States.

1 Mrs. Jordan stated that Pastor Hinkle does not pay taxes in Olympia Fields. We pay a lot of taxes
2 in Olympia Fields, and he gets to say what happens in our neighborhood. That makes no sense.
3 (There was a round of applause). Mrs. Jordan inquired how was he able to sign a contract
4 without us knowing about it. How was that possible? She stated for the church that pays no
5 taxes, that has about 20-people going to that church, okay? So therefore he needs money. And
6 they don't pay any taxes and he has all the say-so and he can sign a contract.

7
8 Village President Meyers-Martin stated that it is private property and therefore he has the ability
9 to negotiate with the company. It was only when it had to come to the Village for permitting and
10 that type of approval that our Planning and Zoning Commission got involved and the Board now
11 is involved. Previous to that it was Pastor Hinkle who was negotiating the contract.

12
13 Administrator Mekarski stated that he just wanted to expand on what the Mayor had said. She is
14 absolutely correct. The first Application was on the Currie Motors Property. Currie Motors was
15 in a business relationship with Joe Salamone who owned the Harold Motors Property. They were
16 under contract for the future Wal-Mart. That cell tower would have impacted that whole
17 Economic Development Site because it was within the building envelope that they were
18 negotiating with Wal-Mart. So that business arrangement never went forward. Then they went
19 for a business arrangement with the Park District on Park District Property. It wasn't a land use
20 decision. It wasn't a zoning decision. It wasn't governed by the rules that our legal advisor is
21 advising. They had the autonomy to say, "This business arrangement is not in our interest." This
22 is not a business arrangement with the Village on a Village site. As the Mayor said this is on
23 private property. Once they secured a contract with Reverend Hinkle it is going under the
24 Permitting Process, the Zoning Process under law. We have to abide then by the restrictions of
25 Federal Law. Federal Law eliminates a lot of our strength, a lot of our authority that we
26 customarily would have over land use. That's the very frustrating thing about cell towers. Cell
27 towers are necessary utilities. And just like it is very difficult for zoning to control electrical
28 towers for Commonwealth Edison, or communication towers for AT&T, across our right-of-
29 ways, it's the same fashion with cell towers. He stated that most of our Ordinance is preempted.
30 What was not preempted was the issue does it have impact on property values? We worked the
31 hardest we could to get the best Study that we could find. We had to make sure that that Study
32 was independent, impartial, and objective. His office, the Board of Trustees, and/or the
33 Department Heads were instructed you cannot impact or influence their independence, because
34 ultimately if it came out in Court that we twisted somebody's arm to have it come out to the
35 result that we wanted, essentially we would have lost the case anyways and we would have
36 suffered paying for attorneys fees and our own fees, and ultimately the tower would have been
37 built. He stated that he thinks the consultants can tell you that we gave them as many facts as we
38 could, but they came forward and they did an independent Point of Sale Analysis. They are here
39 tonight to present that analysis. Is that what anybody on this Board, even myself wanted
40 personally? No. He stated that is what was required for this Board, and his office, and the
41 Department Heads to follow was the rule of law. Ultimately, this Board has the final decision,
42 but the decision the Board would make could have consequences as Judy indicated.

43
44 Mrs. Michelle Austin stated that she resides in The Greens. Mrs. Austin stated we can't even cut
45 a tree down, and this guy can put up a tower. We had a neighbor that cut trees down and they
46 were fined. And this guy, does he live in Olympia Fields? A number of audience members stated

1 no in unison. Mrs. Austin stated that she can't even put a deck up before we get it approved, a
2 Permit, and he can put a cell tower up and he doesn't even live in Olympia Fields. Come on now.

3
4 Village President Meyers-Martin stated that she understands her point she does. But to cut trees
5 down it requires a Permit. To build a deck it requires a Permit. It requires a Permit for this cell
6 tower to be constructed and that is the issue at hand at this point. She understands what Mrs.
7 Austin is saying. She stated that people are repeating themselves. The same people are speaking.
8 We really do want to get to this portion of the Agenda, but go ahead.

9
10 Mr. Ivory Hobbs stated that it is time to conclude. He wanted to say that there have been some
11 brilliant Presentations about why we should not erect the cell tower. He would just like to say to
12 the whole body of Trustees, when you do a Study, or when you do some type of Appraisal and
13 when you do research, there are contributing factors. He doesn't know how we belittled what we
14 are saying and what we are doing to common pigs. Village President Meyers-Martin closed
15 Communications & Petitions at 9:22 P.M.

16
17 **CONSENT AGENDA:**

18
19 **A. Recommended for Payment of Invoice #16060208 to Robinson Engineering for Work**
20 **Completed in Connection with the Vollmer Road Reconstruction Engineering Project**
21 **(Project No. 14-590) in the amount of \$87,545.74.**

22
23 **B. Recommendation for Payment of Invoice #16060207 to Robinson Engineering for Work**
24 **Completed in Connection with the Olympia Fields Vollmer Road Bike Path Project – Phase**
25 **1 (Project No. 13-468.01) in the amount of \$7,820.33.**

26
27 Village President Meyers-Martin stated that this brings us to the Consent Agenda, Items (A) and
28 (B), which are routine Agenda Items that have been discussed and are routine in our policies, and
29 therefore do not require any additional discussion.

30 **Motion by Trustee Waite, second by Trustee Pennington to approve Consent Agenda Items**
31 **7 (A) and 7 (B).**

32 **Voice Vote: All Ayes Motion Carried.**

33
34 **Ordinance #2016-13 – An Ordinance Granting a Special Use Permit to Construct a Cell**
35 **Tower in a R-2 Zoning District (Central States Tower/Cathedral of Joy Family Life Center**
36 **Church) First and Second Reading** – Village President Meyers-Martin inquired of Mr. Riley
37 whether or not he wanted to speak first.

38
39 Mr. Riley stated that in light of all the evidence and testimony that we have heard, he would
40 prefer to have the consultants go first and then he can wrap up. He would like to make comments
41 at the very end if he may and that way we will have the facts before us.

42
43 Village President Meyers-Martin stated that we have with us tonight Mr. DeLacy and Mr. Hiton.

44
45 Mr. P. Barton DeLacy stated that he thinks tonight we are really here to address the Trustees. We
46 will go over the Study. It is clear to him this was not an advocacy piece. This was fact-finding.
47 Their task was simply to determine if there was evidence in the marketplace of diminution in

1 value from existing cell towers. One comment that he made at the Planning Commission
2 Meeting which he thinks is important to acknowledge is that, while they found no demonstrative
3 evidence in the market of diminution in value, there are circumstances particularly in the run up
4 to a tower being sited where there is apprehension in the marketplace, and many of you have
5 testified to that tonight. If you knew the cell tower was going in you wouldn't buy. You are
6 concerned about it today because it may go in there. While they found no direct evidence of that
7 in the market, there is literature, there are Studies that have been done that have suggested that in
8 anticipation of a "LULU," a Locally Undesirable Land Use, cell towers or other kinds of
9 undesirable land uses that may be opposed that are typically associated with public utilities, that
10 it may take longer to market your home. He stated that yes that could be interpreted under some
11 conditions as perhaps affecting value the fact that you can't sell it as quickly as maybe someone
12 else. In the final analysis and in the data that they will walk you through again tonight, what they
13 found is where cell towers have been present for 10 or 15-years in subdivisions very similar to
14 other subdivisions that do not have the influence of cell towers, that under those circumstances
15 there just is no measurable evidence that home prices are any less per square foot than they are in
16 the subdivisions where there are sale activities next to cell towers. It's critical to understand it.

17

18 Mr. DeLacy stated that someone said, "Let's take a vote." He stated that diminution in value is
19 not about popularity. It's about actual evidence of market sales one way or the other. Clearly, the
20 cell tower is unpopular. The issue is can we demonstrate that when the towers are in place that
21 they will adversely affect value. Our analysis, nothing is perfect, but our analysis suggested that
22 impact is negligible.

23

24 (Mr. DeLacy and Mr. Hiton presented a PowerPoint Presentation at this time). Mr. DeLacy
25 stated that he and Rick Hiton have been active in the valuation area for over 35-years. Mr.
26 DeLacy has a background as a Land Economist. He has performed Impact Studies like this
27 around the country and in the area. Sometimes they are able to show value impact sometimes
28 not. Mr. Hiton has a firm that is well-established. There's a lot of talk about market data. They
29 looked at every possible location where they could pair up a homogenous subdivision and
30 compare it which had a cell tower near it within a quarter mile and a like subdivision where there
31 were sales that was not near a cell tower. They were pleased that they didn't have to go to
32 wherever in Mississippi. There are Studies that have been done in other Cities. They focused
33 entirely on the Chicago area, in the suburban areas around the City of Chicago, and in areas that
34 are either as nice as Olympia Fields or in a couple cases where home prices are higher. They
35 looked at some where home prices were lower.

36

37 Mr. DeLacy stated that Mrs. Kolman covered these for you. Why cell towers are opposed are: 1.
38 Health Concerns; 2. Aesthetics; and 3. Adverse impact on property values. It was not their
39 position to debate health concerns. It was off the table. They addressed aesthetics. He has found
40 that where aesthetics really makes a difference are areas where you have territorial views that are
41 pristine but then are threatened by a structure of some type: A wind tower; a cell tower; some
42 other kind of obtrusive improvement. In topography like we have in Olympia Fields where it is
43 open space and is often wooded, he stated that many, many homes have trees around them. The
44 topography is flat. The fact is that it's difficult to say that a viewshed from a house is going to be
45 impacted either way. They also made the point about the properties that front on where the cell
46 tower is going to be placed in a technical perspective already have a blighted view and they
47 already look out on a church parking lot, and church buildings. It is not golf course frontage.

1 Western Avenue is heavily traveled. Under those circumstances the presence of the cell tower is
2 not necessarily going to aggravate a situation that already is not considered pristine the way they
3 would consider a golf course fairway, a view of a lake, or something like that. It is a technical
4 term. It is not a personal observation. It's just a technical one that they make as Appraisers in that
5 location.

6
7 Mr. DeLacy stated that leads us to adverse impacts on property values. He stated that diminution
8 in value is a legal term. They use it in things like eminent domain when property is being
9 condemned to determine if there are damages. The way Appraisers try to prove it or demonstrate
10 it is they use what's called a "Paired Sales Analysis," where they try to find very similar
11 properties that have sold around the same time and the difference in their sale price might be
12 explained by the control factor they are looking for. Wysteria is a very nice subdivision. He
13 stated that because the homes there were built at the same time by the same builder they are very
14 uniform in their outward appearance. That is by design. He stated that it's not unusual beginning
15 in the '80s and certainly running to today where subdivisions will be within a gated area or very
16 defined, and they will have similar characteristics. There will not be that much variance in house
17 size, in interior quality, price point, and such. Older subdivisions people start to go in and add
18 additions so they become more variable. When they are looking again as technicians to try to
19 find differences in value, homogenous is what they are looking for. They are looking for
20 subdivisions where the homes are similar in design, style, utility of one house to another as
21 possible. That way they can take the sales that occur in those subdivisions and reduce them to
22 price per square foot and they have a unit of comparison that can tell them something. A house
23 that sells for \$200.00 a foot is demonstratively better than a house that sells for \$150.00 a foot.
24 They would expect to find that if cell towers adversely affected property values then sales of
25 homes near cell towers might sell for \$150.00 a foot. An identical house a mile away in a similar
26 subdivision would sell for \$200.00 a foot. That is the kind of evidence they were looking for in
27 their Study. Mr. DeLacy stated that a "Paired Sale" is a sale, resale of the same property over
28 time or it's the sale of two similar properties that can be compared.

29
30 Mr. DeLacy stated that this was a schematic prepared by Teska. It is useful in two ways. It shows
31 what the tower would look like on the church site. It also shows the other buildings that are
32 already there. He is not saying the view is improved by the cell tower. The view that was there in
33 the first place is not pristine.

34
35 Mr. DeLacy stated that this is an example of the ubiquity of cell towers. This is only a partial
36 map showing some of the cell tower sites that are located on the south side of Chicago. You can
37 see Olympia Fields and the arrow. This is simply to show that cell towers are today not quite as
38 ubiquitous as telephone poles, but they are sort of the modern telephone poles. Their job was not
39 to debate whether or not there were alternate sites. They have no opinion on that. They were
40 simply asked to determine if once a cell tower is in place if it will adversely affect property
41 values.

42
43 Mr. DeLacy stated that this is not a cell tower. As he understands it this tower in Flossmoor on
44 Dunfries Street was built for civic defense purposes. Nobody ever objected to civil defense. It's
45 not very pretty. It's certainly obtrusive. It has been there for 50-years. This is a very nice
46 subdivision that has been developed around it. He stated that sale prices of homes in this

1 subdivision were found to be no less per square foot than similar subdivisions in the Flossmoor
2 area that did not have this view.

3
4 Administrator Mekarski stated that he just wanted to point out that even though that was an old
5 Nike Facility there is now cell towers erected on top of the facility.

6
7 Mr. DeLacy stated the cells themselves are very opportunistic. If they can they will populate
8 towers. They will populate water towers if they can. He is on the Board of "SRO." It's a Single
9 Room Occupancy Project at 18th and Wabash south of the loop. It is non-for-profit. They have
10 cell towers on their roof. It is a six-story building and the tallest property in the area so they have
11 cell towers up there.

12
13 Administrator Mekarski stated that this is the Ballantrae Subdivision in Flossmoor north of the
14 Meijer's property.

15
16 Mr. DeLacy thanked Administrator Mekarski. He stated that this is just another site again. These
17 were very nice homes, three-car garages. They were built after the fact. He stated that behind the
18 Nike tower you can see the water tower. He thinks that the picture kind of speaks for itself. The
19 developer went to the site even though these towers were there first.

20
21 Mr. DeLacy stated that this is Teska's Map that they put in their report for perspective. It shows
22 the proposed cell tower site and its relationship to the Cathedral of Joy. Yes, you are on the
23 boundary with Chicago Heights. They don't have an opinion on whether or not this tower could
24 go in Chicago Heights or not. The fact is if you are going to argue impact, a quarter mile is a
25 quarter mile. They wouldn't be here if this was going to go on a commercial site or if it was
26 across the street in Chicago Heights.

27
28 Mr. DeLacy stated that their scope of work, they read with much interest all of the written
29 testimony that had been submitted to the Planning Commission. They were looking for data in
30 the market. They were not taking a poll of what people thought about cell towers so much as it
31 was to look for transactional evidence in the market. They characterized the various
32 neighborhoods that were going to be affected by the cell tower. He stated that Mr. Hiton did a
33 yeoman's job using a couple of different databases that Multiple Listing has. Mr. DeLacy was
34 very impressed with the thoroughness of his research. Mr. DeLacy asked Mr. Hiton to tell a little
35 bit about what his tool can do and what they could find.

36
37 Mr. Rick Hiton stated that the map with all of the cell towers was probably Sprint. They have
38 information using their Multiple Listing Service and some other tools from Cook County to zero
39 in on all the sales.

40
41 Mr. Bill Harris stated that this is Northbrook. He stated talk to me two seconds about Northbrook
42 in your Study. Mr. DeLacy stated that he will.

43
44 Mr. Hiton stated that he was looking for sales. He stated remember we are looking at cell towers
45 where they affect residential property. He looked at every single one of those towers, every
46 single one he zoomed in on Google Earth. When he found residential property he zoomed into
47 that on the MLS and saw if it was similar kind of housing to yours, yes or no. If it was yes it

1 became part of the Study. He went all the way up to Wisconsin to find housing. He found
2 Northbrook.

3
4 Mr. Harris stated right. He stated Northbrook the houses were substantially lower. Mr. Hiton
5 stated that was the one sample where it was lower. Mr. Harris stated that he lives in Wysteria. He
6 stated that he is looking at your Report. It says that in Northbrook the houses that were near the
7 cell towers were substantially lower in value. So?

8
9 Mr. DeLacy inquired if he could explain “so.” Northbrook was the only one. They found there
10 was 12%. Mr. Harris stated that is a big number. You are talking about 15. We don’t have 15-
11 years. We don’t have 15-years to let our housing values recover. Mr. DeLacy stated that the
12 nature of the work they do was that they were going to report everyone they found where they
13 had adequate sale activity. There were some situations where there frankly weren’t sales so they
14 couldn’t tell either way.

15
16 Village President Meyers-Martin stated that she wanted to stop him for a minute. She stated now
17 we are in the middle of a Presentation. If, in fact, there is commentary or questions, she will
18 suspend the rules and you can ask questions of the gentleman once he is finished with his report.
19 This is not the segment where people talk back and forth. This is a Presentation. She will
20 suspend the rules so that you can ask your question because he certainly wants to answer that as
21 well as any other questions that anybody might have. We are trying to get through this
22 Presentation.

23
24 Mr. DeLacy thanked Village President Meyers-Martin. Mr. DeLacy stated that the process they
25 went through is very deliberative. Instead of Paired Sales they looked at Paired Subdivisions
26 very simply. They went around the metropolitan area because, in fact, the City of Chicago grew
27 sort of like in a half crescent over time. He stated to find subdivisions like Wysteria, you might
28 have to go up to Northfield or Northbrook a similar distance north of the CVD as Flossmoor and
29 Olympia Fields or south, and similarly going west. They found in three of the areas the
30 properties that were close to the cell tower actually sold for more than the similar properties that
31 were removed from the cell tower. They didn’t think that cell tower made it worth more. That
32 was just one indicator. Northbrook was the negative indicator. Northbrook was the only one they
33 found where they could show that property values were lower near the cell tower than they were
34 further out.

35
36 Mr. Harris stated that is what we are looking for. That’s what we need to say no.

37
38 Mr. DeLacy stated that was one example to say no. And we had three examples or four examples
39 that said it either was the other way around. They didn’t say it was a positive. They just said the
40 evidence is negligible either way. You can’t really demonstrate it with sale data. That satisfies
41 the letter of the law regarding diminution of value which is one of the criteria for sighting the cell
42 tower. They don’t take a position either way whether to build it or not to build it. The Village
43 hired them. They are not advocates. They are only advocates for what they find. Their findings
44 were there is no demonstrable evidence at this time. Mr. Hiton did the mapping on this and the
45 exhibits.

46

1 Mr. Hiton stated that this is the subdivision down the road from here with the Nike tower and the
2 water tower. The price per square foot of this subdivision, they tested it two ways. The price per
3 square foot of the houses that had backyards that sold with the cell tower, sold for the same price
4 per square foot as the whole subdivision. The entire subdivision sold for about the same, if not
5 about a dollar more than the rest of the homes in Flossmoor in the same two-year time period as
6 that subdivision. Right down the street they had a sample of a tower that was already there and
7 the subdivision that was built, and now after time it all sold for the same price per square foot.

8
9 Mr. DeLacy stated so to their point once there the cell tower becomes part of the scenery like
10 anything else. He stated that he made comments to this affect at the Planning Commission
11 Meeting that the decisions to buy a home are personal and varied. People will decide to live in
12 Olympia Fields because they want to live in Olympia Fields, and if the only house available
13 backs up to a cell tower that may still be the one they want to buy versus another location that is
14 in Olympia Fields. The market is imperfect. Mr. DeLacy and Mr. Hiton have been in the
15 valuation business in real estate for way too many years between them then they would like to
16 count. He no longer calls "sale data" statistics. He calls them "antidotes," because it is so
17 personal and it varies. The more data they have it does tend to correlate a bit. So often in a Paired
18 Sales Analysis just like Northbrook or anything else, you can have a theory that a bigger house in
19 the same development, same utility will sell for more than a smaller house. And then that won't
20 be the case for whatever reason. Maybe whoever was buying the house liked the way the kitchen
21 was laid out better. Maybe the one house had a purple bathroom or something nobody liked.
22 That's personal preference. He always talks about the situation where we all love big trees. He
23 has been involved in right-of-way situations where for whatever reason a sewer had to be
24 extended and it was going to take out what was a street tree. It is devastating absolutely to the
25 people that live there. They are losing their tree. They find going back years later somebody who
26 never saw the tree there won't pay any more or less for the house than they would based on its
27 other characteristics. That's a difficult point to grasp. Everyone now living in Wysteria might
28 decide to move when the cell tower gets built. That won't necessarily translate in lowering
29 property values down the road once the cell tower is there. That's just the way the market kind of
30 works. The tools we have are imperfect. The information we have is imperfect. The analysis we
31 did was the best we could. A lady in the audience stated it is imperfect.

32
33 Mr. DeLacy stated that in the end all that he and Mr. Hiton have are they are Appraisers. They
34 have independence. They have no bias. They have a good deal of experience and knowledge.
35 That's their stock in trade. They don't have an interest here. They were trying to just look for the
36 right answer based on the data that was available.

37
38 Mr. Hiton stated that these are the test cases for each City that they had homes for. Except for
39 Northbrook they mostly show very similar price per square foot of homes in the last two-years
40 and he didn't include foreclosures. These are all arms-length transactions in these areas where
41 there are cell towers.

42
43 Administrator Mekarski inquired whether or not he wants to mention the number of cases on
44 each one.

45
46 Mr. DeLacy stated that he will walk you through the table here. They have a much more detailed
47 table that is in the Addendum to the Reports. He tried to extract the salient issues here. In this

1 one we had three houses, and number of sales. He stated that its three houses that were in the
2 subdivision closest to the cell towers. And 13 houses that were removed outside a quarter mile
3 where you couldn't argue there was any cell tower impact. They looked at three-years of sale
4 data. There hasn't been a lot of appreciation or depreciation either way. They didn't have to
5 make any adjustments going back to 2014. The next number is the average house size. You can
6 see that the three houses close to the cell tower averaged 3,886 square feet, pretty big houses.
7 The 13 away were a little bit smaller, 3,594. He thinks that they all had a pretty similar bedroom,
8 bath count, garage count. They are very similar in age. He thinks masonry exteriors. He stated
9 very nice homes. The three that sold near the cell tower averaged \$302,500.00. The 13 outside
10 the cell tower influence area actually sold for 8% less, \$276,967.00. On a price per square foot
11 basis, you could say, "Well, those were smaller houses." If you look just on a price per square
12 foot basis, they are almost the same. The three closest to the cell tower sold for 65-cents a square
13 foot more. That's not a significant number. This tells them that is not a significant difference
14 either way.

15

16 Mr. DeLacy stated this is Northbrook. He stated three sales near cell towers and 18 sales away
17 from cell towers. They had quite a few more sales. The houses near the cell towers were a little
18 bigger, 2,646 square feet. He stated outside they are 2,505. The average sale price there is about
19 a \$50,000.00 difference absolutely between the two. When you reduce it to sale price per square
20 foot it is 11.21%. So it is an 11% difference. This was negative. If they had found five or six
21 examples like this they might have had a different conclusion.

22

23 Mr. Harris stated that you only had three examples. Mr. DeLacy stated that we have five
24 examples of Paired Sales. Mr. Harris stated that Steger doesn't count \$190,000.00 houses.

25

26 Village President Meyers-Martin stated sir can we let him get through this and then she promises
27 him he will get to ask those questions.

28

29 Mr. DeLacy stated that actually they wanted to look at some lower priced homes to see whether
30 there was an impact there. You are correct. They didn't find any Paired Sales in Kenilworth or
31 places where you have \$2,000,000.00 homes. They are not near cell towers. A woman in the
32 audience stated exactly. He stated that homes under \$500,000.00 are sometimes so that is what
33 they were looking at. A gentleman and a woman stated in the audience sometimes. Mr. DeLacy
34 stated that is correct. They are just going with the data that is available. A number of the articles
35 he has written and Studies he has done have been in rural areas. They are never able to find this
36 kind of rich data. They have to go on much more indirect indicators. Mr. DeLacy inquired of Mr.
37 Hiton whether or not he wanted to talk about the Steger case.

38

39 Mr. Hiton stated that this is the Steger case. We have a cell tower and a water tower. They
40 looked at all the houses that have backyards directly to the cell tower or water tower. Again,
41 those homes were there before those towers came up. The bottom line is that in this community it
42 has housing at a much lesser price. The price per square foot of houses outside this area versus
43 right in this picture sold for the same price per square foot. They didn't control the data. The data
44 controlled them. They would look for the cell towers and find housing if they could find housing.
45 As you are aware most of the cell towers are not in housing. He stated that from here to
46 Wisconsin they looked.

47

1 Mr. DeLacy stated that this is the Steger example. There were five homes near the tower and
2 seven away. He stated much smaller homes, 1,500 square feet. He stated a little bit larger near
3 the cell tower, and a little smaller outside. There is more variance in this sampling. When you
4 reduce the price per square foot it is about a 4% difference in favor of being close to the cell
5 tower. They will acknowledge that Steger was a less desirable area to Study because it is older
6 and the homes are not as homogenous as they found in newer subdivisions in other
7 neighborhoods. These homes were there before the cell tower was built. They are small. They are
8 definitely inferior but they were looking for impact. The impact isn't about how expensive the
9 home is. It is about like to like. There's no reason there wouldn't be an impact perhaps with
10 homes that were only priced in the \$100,000.00 to \$150,000.00 range.

11
12 Mr. Hiton stated that in Wheaton they had a very big sample of properties and the houses on the
13 cell tower. The cell towers were built after the homes were built. The cell towers are about 15-
14 years old. The homes right there are about 30. The cell tower houses sold for a dollar per square
15 foot more than the properties outside the community. The sample size is bigger this time.

16
17 Mr. DeLacy stated that Wheaton was a very persuasive example. There was a lot of activity
18 there. In many areas they didn't have the richness of data that they did here.

19 Mr. Hiton stated and those are the houses that are affected by the cell tower directly versus the
20 rest of the Wheaton area that they found similar housing to that community. There are the two
21 cell towers actually that everyone is looking at in that community. Mr. DeLacy stated that they
22 would be delighted to answer questions.

23 **Motion by Trustee Waite, second by Trustee Byrd to suspend the rules so that there can be**
24 **questions to the consultants at 9:57 P.M.**

25 **Voice Vote: All Ayes. Motion Carried.**

26
27 Mr. Harris stated that as he looks at the Study, you throw out Steger, because that is a total
28 anomaly. Northbrook and Wheaton cancel each other out because they say the same thing on
29 each side of the equation. Northbrook says there is. Wheaton says there isn't. So you are left with
30 Flossmoor. So you have basically one place and you are saying that says there is no diminution
31 of property value.

32
33 Mr. DeLacy stated that in a Court of Law the depth and richness of the data they used would be
34 found persuasive in terms of demonstrating whether or not there is diminution in value. That's
35 the standard they are held to. Define five subdivisions within a metropolitan area that we could
36 survey this way. He stated believe me he has worked around the country and it's difficult to be
37 able to do this kind of Case Study. Appraisers every day and the gentleman who said, "Well it
38 depends who pays your bill what your opinion is." He acknowledges that is often a complaint
39 about experts. In this case you can't say that about them.

40
41 Mr. Harris stated that he is not questioning his expertise. He stated maybe it is a question for the
42 Board. Mr. Harris stated that to him the Study is inconclusive.

43
44 Mr. DeLacy stated that it is the weight of evidence. Mr. Harris stated it's the weight of evidence.
45 It is conclusive. Mr. DeLacy stated that they felt it was conclusive based on their standards. It is
46 certainly up to the Board to decide if it goes the other way. They had four examples where the

1 impact was zero to even positive. They had one that was negative. There could be a lot of other
2 reasons. They could probably drill down into the Northbrook situation.

3
4 Mr. Harris stated that there is three and one. The total is four. Mr. DeLacy stated that we had
5 five. They are going to count Steger. In their professional judgment Steger is relevant. It's next
6 door. The mere fact that its homes are of lower price was one they were testing. Mr. Harris stated
7 that you have Flossmoor, Northbrook, Wheaton and Steger. That's four. Mr. Hiton stated there is
8 five. Mr. DeLacy stated that we are discussing the preponderance of the evidence. In their
9 professional opinion they don't think that the evidence supports. They are not saying it is a
10 positive benefit. They are not saying it is a negative one either it diminishes value. If he went
11 into a Court of Law he would have to make the case that Northbrook is more comparable and
12 more demonstrative than the two that are next door to Olympia Fields and Wheaton, which again
13 price wise is a more comparable area than Northbrook. If he was looking to show diminution in
14 value, he would keep looking until he got to Northbrook and he would use that as his example
15 and ignore the others. They are presenting the four. They felt it's not demonstrative. That's their
16 opinion.

17
18 Mr. Langon stated that he has a statement. It's actually a point of information. He stated that nine
19 years ago he and his wife were looking for a new home. They looked at Flossmoor. They looked
20 at Frankfort. They looked at Lemont. They looked all over the place. His wife decided she
21 wanted to stay in a predominantly African-American community. So they looked at homes in
22 Flossmoor where those houses were being built. Those homes by that tower were \$100,000.00
23 cheaper for the same house away from that tower. He is just giving you that point of information.
24 We have lost value in the last seven or eight-years with the housing downturn and even
25 Flossmoor, and yes, everything is kind of flat lined no matter where it's at. When they were
26 brand new the developers had discounted those homes greatly.

27
28 Mr. DeLacy stated that you make a very good point about the vagaries in the marketplace. He
29 won't quibble with your fact situation. He will tell you that in all the work he has done in
30 studying residential housing values across the country, and he made this comment earlier, that
31 there are mega trends that affect property values that are much more important than whether your
32 neighbor mows his lawn or not. These have to do with the overall economy, the demographics,
33 and the fact that right now who knew that millennials wouldn't be buying homes. They would be
34 living with their parents and staying in apartments. He won't dispute your experience at all. He
35 will say that now based on the transactional evidence they have once they are in place, people get
36 use to them and they don't seem to have a negative impact.

37
38 Trustee Waite stated that he has lived in Olympia Fields now off and on for 32-years. When he
39 first came here people were telling us you should buy in Flossmoor. People were saying you get
40 more house for the dollar in Olympia Fields. They looked around. It looked like to them when
41 they bought at the time the first house, the price of housing in Olympia Fields was 15 to 20% less
42 than Flossmoor. That was his wife's opinion. Then they bought another house, same deal. It's
43 very difficult to figure out. And the Appraisals, the bank had been doing an Appraisal, and hell
44 that would be 25 to 30% less than what he thought it was worth. The value is in the mind of the
45 beholder in most cases. People would say, "Did you get a good buy?" He would say, "Well, I
46 don't know. I'll tell you after I sell."

47

1 Mr. Owens stated that he had two quick questions. When you were doing your analysis, was the
2 market time considered for the houses that you were comparing? And was the age of the houses
3 considered in your comparison?
4

5 Mr. Hiton stated yes. We tried to group everything in the five to 25-year age bracket for all the
6 suburbs. Sometimes they had to go about five-years more for Wheaton because that's how old it
7 was. They had a really good sample size in there. It was the same thing with Northbrook they
8 were 30-years old, maybe 32-years old. A lot of those subdivisions had short sales and
9 foreclosures. He took them out.
10

11 Mr. DeLacy stated that it wasn't significant. Since 2013 if not 2014 they found generally that
12 marketing time is not as significant. It has kind of evened itself out Rick would be saying. The
13 markets have been relatively stable so it made for again sort of another factor that they didn't
14 really have to adjust for.
15

16 Mr. Gibson inquired whether or not you can identify the area in Wheaton. Where are you talking
17 about in Wheaton?
18

19 Mr. Hiton stated that it is on the map there. Mr. Gibson stated that he knows it is on the map but
20 about where. Mr. Hiton stated that it is the center, north side of the town, right in the center but
21 north.
22

23 Mr. DeLacy stated that what guided us is where the cell tower was. Mr. Gibson stated that those
24 are older homes. Those are 75 and 100-year old homes. Mr. Hiton stated no, no. That house
25 where he took the picture is where he can get in with his camera that was on a different block.
26 But he had to go around a train to get that. He wanted to show the two towers to show you that
27 there was another affect. Where all those numbers are, those houses are like 35-years old.
28

29 Mr. Gibson stated that he lived in Glen Ellyn for about 40-years so that is what he is asking. Mr.
30 Hiton stated there is a train going through it. There is a bike path. They had two towers there.
31 Mr. DeLacy stated and there was a lot of activity.
32

33 Village President Meyers-Martin stated thank you so much. She inquired of Judy whether or not
34 she wanted to comment before we now bring the Petitioner forward.
35

36 Mrs. Kolman stated that we have to take into consideration what the consultants found. They
37 gave us objective, factual evidence. She is concerned about her house and the value. When you
38 are determining whether you can deny an Application based on the devaluation of property, we
39 need not only your opinion, we need an expert or a consultant coming in that would prove that
40 the values diminish when it's near a cell tower. And the residents, the ones who testified the
41 three nights, nobody came in with a Definitive Study or any expert stating that the values
42 diminish when you are near a cell tower.
43

44 Village President Meyers-Martin inquired of Mrs. Kolman is there any possibility that that Study
45 would be considered as someone said earlier "inconclusive" or no.
46

1 Mrs. Kolman stated their Study. She thinks the Court would look at it and look at the conclusions
2 that they have come to with the data they supplied and the Court would probably rely on that. It's
3 a Study with factual background. And that the facts support their conclusions without any
4 contrary Studies done that could be presented.

5
6 Village President Meyers-Martin stated that she was just asking legally. Village President
7 Meyers-Martin inquired of Mr. Iosue whether or not he wanted to speak to anything as far as
8 Teska's input.

9
10 Mr. Iosue stated it is getting late. He is sure that everybody has probably heard enough tonight.
11 He will just state that kind of the reason that we are here is to evaluate a Special Use. The Zoning
12 Ordinance is pretty clear on how the Board is to review these cases. There are six general
13 Standards set forth in the Zoning Ordinance that you review all your Special Uses by. There are
14 also three specific Standards specifically for cell towers. Those criteria are all highlighted in the
15 Memo that we did. And you guys have discussed them all tonight. Mr. Iosue stated that he
16 actually commends the Board. Whatever your decision is you have collected all the relevant data
17 to answer those questions per your Zoning Ordinance. Unless anyone has any specific questions
18 about our recommended findings, they are all in the Memo. He would be happy to answer any
19 questions.

20
21 Village President Meyers-Martin stated thank you. She stated we will have the Petitioner now.

22
23 Administrator Mekarski asked for one minute to load up Mr. Riley's Presentation. Village
24 President Meyers-Martin stated that while we are loading this up, if anybody needs to take a
25 brief break, we have been sitting here for a long time. She stated that we still have one Trustee
26 missing. She inquired of Mr. Riley if he would like to just introduce himself. Mr. Riley stated
27 absolutely.

28
29 Mr. Riley stated that his name is Richard Riley and he represents Central States Tower. There
30 has been a lot of discussion not only tonight but at the Planning Commission. He finds himself in
31 kind of an unusual situation. Generally, he would bring in an Appraiser in order to respond to a
32 particular Standard. It is also Mr. Riley who usually brings in a Planning Group so they can
33 discuss all the planning parameters. In this case the Village, without them knowing about it and
34 without them being present, authorized this Impact Study. And then they have their own experts,
35 Planning Staff that they have brought in and conducted a Study. He stated that between those
36 two Reports you have a consensus that we have met all of the Standards in your Ordinance. His
37 job as an attorney for his client is to make sure that he does, in fact, meet all of the Standards.
38 That's the responsibility they have.

39
40 (Mr. Riley presented his PowerPoint Presentation). Mr. Riley stated that since the Planning
41 Commission Meeting, he only has four or five slides. They have made sure that they used a
42 Monopine Stealth Tower. They also have compliance with your other six recommendations from
43 your Planner. There has been a lot of discussion about your Zoning Code and it might be
44 inadequate. Yet he finds himself in a situation where his client is building a brick wall, which he
45 has not done in the last seven-years, and he is also building this Monopine which is an expensive
46 thing to do, coupled with the extensive landscaping that your Planner has recommended. It will

1 be looking at the back end of a church; it will be a virtual forest when they get done between the
2 Monopine and the trees that have been required.

3
4 Mr. Riley stated that's what we are talking about. Is it 105-feet high? Yeah, it's going to be tall.
5 And yes, it is going to be strange looking at first. When the thing is built everybody in the
6 subdivision is going to drive by and take a look at it. They will see the plantings when we are
7 done. A month later no one is ever going to see it again. He says that because he has been doing
8 precisely what he is doing now for 30-years, and he has seen residences build up around water
9 towers and cell towers. He supplied three other Studies, very extensive Studies at the Planning
10 Commission level. They all conclude the same thing. He really regrets personally all the concern,
11 and angst, and anger over this because he really thinks it is unwarranted. You will not see the
12 structure. There have been conversations. How come this is the third site? Well, because we try
13 and locate these facilities as far away from residential properties as possible. That's why we are
14 on the Wal-Mart site. That's why we are on the other site, the Park District. Why? He stated
15 because we look for a big parcel of property. Why? He stated because we don't want to put it on
16 a residential lot. We can't meet any of your setbacks. You have three conditions that separate us
17 and force us to go to big parcels of property. When you are dealing with a residential area such
18 as you have here, the only parcels that are large are generally church parcels, or schools, things
19 of that nature. You know all of our utilities, you flip on a switch you get electricity. You turn the
20 faucet on you get water. Light the stove you get gas. You can pick up a telephone off the wall
21 and all these utilities are underground. And nobody raises the least bit of concern about it. In
22 fact, if he told you that they were going to improve your utility services everybody would be
23 applauding. Then we get to wireless and we have the problem of the infrastructure above ground.
24 Yes, it has an impact. So do transformers and other things of that nature. Is it going to go away?
25 No, sir. It's not going to go away. We just turned the corner a couple weeks ago where over 51%
26 of all the houses in America are wireless only. That's their only source. Look around. Anyone
27 who has children, anyone who has grandchildren, they know. They don't walk into an apartment
28 looking around for phone jacks anymore. It's all wireless.

29
30 Mr. Riley stated next slide please if he may. There is an actual tower. It is in his hometown
31 Chesterton, Indiana. That just got built. It is the first one that he knows of anywhere in this area.
32 He stated next slide please. This is what it looks like from a considerable distance away,
33 1500-feet. You can see it over in the middle between that real tree and the for sale sign. He stated
34 next slide, please. There is also another tower he might add in the picture which is interesting.
35 There it is from half the distance, 740-feet. He thinks it is 85-feet tall. He stated next slide,
36 please. You have the Teska Memorandum. He has 65-slides here. He can go through each one.
37 The bottom line is folks; we comply with your Standards.

38
39 Mr. Riley stated that he was an Alderman in his hometown Palos Hills, Illinois. He has to take an
40 oath when he becomes an Alderman. That oath says that he has to follow the law, Federal, State,
41 and local. If the law says he has to do this, then that is what he has to do. He doesn't know how
42 else to say it. A lot of communities by the way are very concerned that they are not getting
43 adequate attention from the wireless carriers. They want to make sure that they are not left out.
44 He was standing in the hallway. He stated that it is ironic. Your Villager Newspaper what's the
45 second line at the top, "Economic Development." He stated you don't have Economic
46 Development today unless you have access to the Internet and wireless facilities. It is the second
47 most important thing that people ask for when they start locating new businesses. He stated that

1 he is standing in the back of the room and what does he see, he sees several cell phones out,
2 iPhones out, people on the iPhones checking dates and that. You are the reason that we have to
3 provide service here. This is the technology. You have cell sites. We don't locate these cell sites
4 willy-nilly. When we locate existing cell sites you could have one that's in a parking lot, and you
5 can have one that's on commercial property, industrial property, and in the middle it is all
6 residential. And that is where you have to go. You can't locate two cell sites next to each other.
7 And you can't locate them so far apart that they won't communicate. The RF Engineer whose
8 only job is developing a Search Ring in which if we can find a site to build it has to reach out and
9 talk to these other cell sites. At that point the RF Engineer has no idea whatsoever of what kind
10 of uses are in that Search Ring. That falls to the Site Acquisition person. There were two other
11 sites that were tried and we were not able to make a deal. So we wind up on a church property,
12 because it's a big property and because it meets your criteria. There's no evil plan here. No one
13 is trying to do anything to hurt Olympia Fields. Mr. Riley stated that he can tell you folks that
14 going forward it is wireless that is going to be very important. Mr. Riley asked the Board to take
15 a look at the Standards. These are your rules, your laws. He will say again, we comply with those
16 rules and laws. He is sorry for all the concern and that, but a month later nobody will ever even
17 see this. They will walk right by it. Thank you very much.

18

19 Village President Meyers-Martin inquired of Mr. Riley whether or not he could speak to the
20 question that came up earlier about Verizon and their involvement.

21

22 Mr. Riley stated absolutely. Verizon is the company that initiates this whole process. They have
23 engineers. They need service. This whole system will report out dropped calls, calls that are not
24 completed, calls that cannot be initiated. They have Trouble Reports that come out, computer
25 generated. And then they have all the complaints from people who actually have cell phones.
26 And when they write in and say, "Hey, I'm not getting any service here, or I'm getting dropped,"
27 they make a list. And then when they have money to develop and they have money to spend so to
28 speak, they have a budget, they take a look at the areas that need the service the most. Maybe
29 like the squeaky wheel gets the grease type of concept. That's what initiates it. Then the RF
30 Engineer says, "Fine. If I'm going to incur service where does a cell site need to be located?"
31 That starts the whole RF Engineering process in which he develops a Search Ring. The problem
32 is from his perspective the day that cell site is built if it's built, and they flip the switch, they will
33 know within hours whether or not that cell site works, whether or not it reaches out and talks to
34 the other cell sites, or if it is too far. It is a huge responsibility. It is a lot of money. So Verizon is
35 the one who is going to go on this tower. They are the ones who are behind it. They are the ones
36 also by the way, who supplied all the RF Engineering Data that he showed at the Planning
37 Commission. Their name is all over it. He doesn't know why people think that they are not
38 involved in this but they are.

39

40 Mr. Riley stated the church they have to go to a property owner. They are telling that property
41 owner we are going to be here for 30, 35-years. That means if you have any plans going forward
42 30, 35-years, if you decide to lease property with us, you have to take into account that this tower
43 is going to be there and you are going to have to deal with it. That is a big imposition. It scares a
44 lot of people. A lot of commercial places will not enter a lease with us just because of that
45 concern. They don't know if they are going to expand their building. They don't know if parking
46 is going to get in the way. There are a million reasons. It's not an easy job to find a site. If we are
47 in the middle of an Industrial Park we all go, "Hooray, this is going to be easy." The last place in

1 the world we want to be is in close proximity to residential. But you know folks; this is going on
2 everywhere, everywhere, this very type of situation. Why? Because all the easy sites have been
3 taken and the industry has been avoiding residential areas for the last 20-years. And where is the
4 demand for service in the residential areas. If you walk down to your basement you want your
5 cell phone to work. This is the only communication we are going to have. Landlines are
6 disappearing. He stated 911, talk to your Police Chief, 86%, 87%, of all your 911 calls come in
7 on cellular phones, not on landlines. You walk down the backyard you take your cell phone. You
8 walk to get the mail you take your cell phone. You go to the store you take your cell phone. It's
9 with you all the time. It is the single most safety device that has ever been invented. Nothing
10 gives you access to the world and to safety like a cell phone. It's a good thing.

11
12 Mr. Riley stated that they understand the balance between infrastructure and utilities. That's
13 what your Board has had to do for years. He doesn't care what it is. If it is a transformer, if it is a
14 generating PECO Station they have out now, they have to balance the need for utilities and do
15 the placement of the infrastructure. Their Zoning Ordinance there is three general conditions and
16 there are six specific Standards. He can put them up on the board. He can show you how they
17 comply with all of them. That's him talking. You've already had your own experts from the
18 Village say that we meet all these Standards. He would like to make you a bet. He stated that if
19 this tower gets built, how many people will actually look at it after the novelty wears off seeing it
20 behind the church over there. It has very little, low impact. His client has done many things that
21 he is not required to do by your Standards, including that brick fence and including stealthing
22 this tower to make it look like a tree. He is going way beyond what is normally required. He
23 thinks a very sincere effort has been made to satisfy your fears and concerns.

24
25 Village President Meyers-Martin stated that some of the commentary that she heard is this
26 Monopine just looks like a Christmas Tree sitting in the middle. You mentioned something about
27 planting additional landscape. Are you planting additional trees?

28
29 Mr. Riley stated yes, we are. Mr. Iosue inquired of Mr. Riley whether or not they are going to
30 comply with all the recommendations. Mr. Riley stated absolutely. He stated that's what is being
31 recommended, two Red Maples, six Arborvitae, and four Spruce Trees. That's all in addition to
32 the Monopine.

33
34 Administrator Mekarski inquired whether or not he wanted to outline exactly where the tower is
35 and where Wysteria is.

36
37 Mr. Iosue stated that this is the house that is immediately closest. Here is the house that is
38 immediately to the east. What we did when we reviewed the Site Plan was to recommend some
39 buffering. The pole would be in this area over here. So we recommended some additional bushes
40 and trees. The initial Site Plan called for just a chain-link fence surrounding for security
41 purposes. We recommended this landscaping and the brick wall to help to screen the equipment.
42 There is like a small building adjacent to the pole that would hold all the electronics equipment.
43 So this would help to at least screen that from view from the adjacent house.

44
45 Administrator Mekarski inquired of Mr. Iosue whether or not the brick wall would match the
46 brick of the church.

47

1 Mr. Iosue stated that the brick wall would match the brick of the existing structures on the site,
2 yes.
3
4 Mr. Riley inquired whether or not that answered Village President Meyers-Martin question.
5 Village President Meyers-Martin stated, yes.
6
7 Trustee Byrd stated that he had a question about the Monopine. He did go visit the one in
8 Chesterton. Trustee Byrd stated that you said that you live in Chesterton. Mr. Riley stated that he
9 does. His office is in Chesterton. Trustee Byrd inquired of Mr. Riley whether or not Central
10 States also put that one up. Mr. Riley stated no, sir. That was another company, SBA. Trustee
11 Byrd stated that he noticed it was put up in September of last year and it still is not in use. It
12 seems like if there's a need and use for it, it would be up and running. Mr. Riley stated that the
13 company that put the tower up is SBA. Verizon has built that particular tower and they have also
14 built another tower in town right behind the police station. They are working on both of them. He
15 is not sure what the holdup is. They will locate on both of those towers. They have a tremendous
16 build-out plan, Verizon does. He stated so does T-Mobile, Sprint, because nobody can keep up
17 with the capacity.
18
19 Trustee Byrd inquired of Mr. Riley who maintains the tower once it is put up, the pine tree. He
20 did notice around the base, the trunk supposedly of the tree, it's different colors than the one you
21 showed up there like maybe it's not being maintained.
22
23 Mr. Riley stated that it is brand new. We can go back to that picture. It is kind of interesting. It
24 was their attempt to make the actual steel tower look like a tree trunk. He stated to what extent
25 they succeeded or not is open to discussion for sure. That was done intentionally. Trustee Byrd
26 stated it was. Mr. Riley stated that tree trunk was done intentionally. He stated in this case you
27 are going to have substantial plantings and a brick wall he might add. You are going to have a
28 brick wall and substantial plantings that will hide the bottom third of the tree. When the trees
29 grow and mature it will be very well-sheltered and very unusual. This facility is also being built
30 to house two other wireless carriers so that we do not have to go through this process for at least
31 two other carriers. They too are going to need a facility somewhere in this area. He doesn't want
32 to use the word "guarantee," but every tower that they know of fills up rapidly.
33
34 Mrs. Kolman stated Trustee Byrd, we put in the conditions that if you approve the Special Use
35 Permit that from the date of construction of the cell tower that it is completed, in the event that it
36 is not used by any wireless provider within a 12-month continuous period then they have to take
37 the cell tower down. You wouldn't have it empty for more than 12-months. It wouldn't be the
38 same situation that you are finding in Chesterton where nobody is using it and it has been built.
39
40 Village President Meyers-Martin stated okay, the hour is late so we are going to get to this.
41
42 Mr. Thomas McNeal stated that he has been sitting here and he has been listening to all this right
43 here. He stated just like the other residents he is against the tower as well. He just wants to say
44 for the record, that basically listening to your Presentation, good sales pitch, good sales person,
45 but the Board of Trustees is not under the obligation just to the fact that the criteria and
46 everything that you have gone through putting the tower up actually meets the Code. Every day
47 in this country government Boards are challenged. We've seen that throughout the process if

1 there is something. Just because individuals have written a law that doesn't make that law perfect
2 and right. It is challenged a lot of times. What our Board of Trustees is under the obligation to do
3 is they have a certain duty to their constituents who voted them in on their behalf to vote on
4 things, and do things on their behalf that is in the best interest of the constituents. We've had a
5 very good working relationship with our residents here and the different Homeowners
6 Associations. Individuals from each one of those Homeowners Associations have voiced their
7 opinion that they are totally in disagreement with this particular tower being put in. So therefore
8 he would say just vote it down in the best interest of the constituents that voted everybody into
9 office and let the cookies fall where they fall and deal with that particular perspective. That's it.
10 (There was a round of applause).

11
12 Mr. Riley stated that he would like to respond to that. We could begin an argument chain here for
13 the rest of the night. The bitter pill is that he knows you are opposed to it. He knows the residents
14 are opposed to it. It has been abundantly clear. But from the Board's perspective they are
15 obligated to follow the law. This is the law of the community. This is not something that we
16 made up. We came into your community. We take a look at your laws and we comply with them.
17 We did our search based upon your criterion. We found this site. A gentleman in the audience
18 stated but you are not wanted.

19
20 Village President Meyers-Martin stated excuse me, please. Can this gentleman finish his
21 statement? She has given everybody an opportunity to speak. So please let him finish, and then if
22 you have a comment we will move to you.

23
24 Mr. Riley stated that he is essentially finished. He stated like he said when he began this
25 Presentation; he regrets the anger and the angst. They like to think that when they are coming in
26 they are benefitting a community and not doing anything to harm it. He stated having said that,
27 he will say it for the last time; we complied with all of your rules and regulations. We followed
28 them. We did so in great excess. We really have. You won't find this kind of brick wall. You
29 won't find this kind of tower structure anywhere else for miles around here. Miles and miles
30 around here, even the more expensive, exclusive suburbs that we referred to earlier. You won't
31 find them. Thank you.

32
33 Mr. Burke stated that he wanted to state two quick things. He thought he heard him say that these
34 towers will fill up very quickly. Mr. Burke provided Victor Blackwell with a spreadsheet that
35 showed all of their proposed towers and all of the towers that had availability. And two-thirds of
36 the towers that they have here in the Illinois area are available that they had not populated. So
37 that is not quite 100% true.

38
39 Mr. Burke stated that the other thing he will say in conjunction with what this gentleman here
40 just said, laws are there to kind of keep us doing the right thing but laws are challenged. And
41 when this country was formed black people or women could not vote. It was when people stood
42 up and said, "Well, we don't allow black people to vote. We don't allow women to vote." We
43 challenged the laws. This law should be challenged for all the reasons that we have already
44 articulated. Just because a law says that they have the right to do that does not mean that "we"
45 Olympia Fields cannot say, "We don't want to do it." (There was a round of applause).

46

1 Trustee Byrd stated that he has a question for Mr. DeLacy or Mr. Hiton. Trustee Byrd stated that
2 he noticed in your Report about diminishing of property value, you did mention that there was a
3 negligible adverse affect. But all you talked about was that there was no affect on your Study.
4 But you said there was a negligible adverse affect. His definition of “negligible” might be
5 different than yours. Negligible with Steger and negligible with Olympia Fields or Wheaton is
6 totally different. That could be a \$50,000.00 to \$100,000.00 difference there. He is trying to find
7 out what do you mean by “Negligible Adverse Affect.”

8
9 Mr. Hiton stated that the only adverse affect they found was Northbrook where it was clear.
10 Every other suburb that they studied, and there are other suburbs that they did not include in the
11 Study because their sample size was way too small, there was “negligible” being no change in
12 value or possibly greater. So Northbrook was the only place where the change in value was a
13 negative. Everything else was zero.

14
15 Trustee Byrd inquired whether or not he could ask the question a little differently this time. Mr.
16 DeLacy stated sure. Trustee Byrd stated that he saw the Northbrook Study. But you are telling
17 me there’s a negligible, and he is taking in the whole Study. He took it that the entire Study had a
18 slight adverse affect on property value not just Northbrook, because there was Northbrook there
19 and Steger down there too. Maybe you used the wrong word. That is what he was listening too.

20
21 Mr. Hiton stated that he is sorry. It shows that there is no diminutive change in value. The values
22 are insignificantly different. They are the same. It is like the word “reasonable” in a lawyer.
23 There are a lot of definitions. The only negative part of our value findings was one community.
24 We put it in the Report to see if there was going to be more and there wasn’t. So while you don’t
25 like using Steger, we like using Steger because it is a community that sells properties and the
26 values are actually more on the cell tower sites than they are on the non-cell tower sites that are
27 non-foreclosed or short sale properties.

28
29 Mr. Riley inquired of Village President Meyers-Martin whether or not he could add one small
30 comment on that point. Your Standard for property values uses the word “Substantial.” It has to
31 have a substantial impact on property values. There is just no way that any of the Studies come
32 anywhere close where somebody would say there is substantial.

33
34 Mrs. Houston stated that the gentleman that just got through speaking he stated in his comments
35 before that the tower would be filled up right away, but yet Trustee Byrd brought out the fact
36 that he has a tower in his area and two more are going up and they are not being used. That kind
37 of contradicts that a tower goes up and gets full right away.

38
39 Trustee Byrd stated that they didn’t have power to it. Mr. Riley stated that we are talking about
40 towers in different states, different communities. The one in Chesterton for example, you saw
41 that the tower is in the back of the church and has a little bit over 10-acres of property. The run
42 from the street is probably 1,000-feet. There’s large construction going on. There are a million
43 reasons why there are not antennas on that tower at the moment but there will be. They will not
44 spend that kind of money. His client would never spend that kind of money unless he has a
45 Leasing Agreement with a carrier.

46

1 Trustee Gibson stated that she had a comment if she is allowed to do that. Village President
2 Meyers-Martin stated yes, absolutely.

3
4 Trustee Gibson stated that she is speaking from a Board of Trustees Member to the Board of
5 Trustees, the President, and also the community residents who are taxpayers. First let me say that
6 the Village of Olympia Fields is a small Municipality compared to neighboring communities
7 around us. She thinks that we should carry the mantle of “One for all, All for one,” because
8 whatever happens in one part of Olympia Fields affects everybody. She doesn’t believe that we
9 should enter into any kind of deliberation that is totally against the will of the taxpayers. When
10 most of us became aware of Central States Company’s intention of erecting a 100-foot
11 Monopole, now called a “Christmas Tree” in her opinion, in a residential zone we were informed
12 not by the Board, not by the Administration of this community, we were informed by the
13 President of Olympia Fields East and the manager of the Park District. We did not know at the
14 time that there already was a contract signed and had been executed with the Cathedral of Joy
15 Church.

16
17 Trustee Gibson stated that if some of you were here at the first meeting you might have heard her
18 say, “How dare you. We embraced you when you came to our community. And for you to turn
19 around just because you are in need of money and ruin several different subdivisions is not
20 acceptable in her opinion.” We were not aware of the contract. It had already been executed. It
21 appeared that yes, maybe the person who was preparing this did come to the Village. In her
22 opinion if we are going to stay transparent, then these people who have been elected by the
23 residents of this community need to know it. Now, she did not know, and she thinks that she
24 found out later that it is against the law for the Administration to not accept an Application
25 request. But there was an Application request made to this Village December 30th of 2015, at
26 which time \$3,500.00 was accepted from the company and put in an escrow.

27
28 Trustee Gibson stated that if you had asked most of the Trustees on this dais, “Did you know
29 that?” We would have had to say, “No we didn’t know it.” She is concerned. And she finds it
30 hard to accept the consequences because we were not officially presented by the Administration
31 to the Board of Trustees. And if we are going to remain transparent we need to know at least
32 what is happening before it gets out as a rumor in the neighborhood. That’s all she has to say
33 now. (There was a round of applause).

34
35 Village President Meyers-Martin inquired whether or not any other Trustee wanted to speak
36 before we make the Motion. Trustee Pennington stated let’s move forward.

37
38 Village President Meyers-Martin inquired may she have a Motion to Waive on First Reading and
39 Adopt in Second Reading Ordinance #2016-13: An Ordinance Granting a Special Use Permit to
40 Construct a Cell Tower in a R-2 Zoning District (Central States Tower and Cathedral of Joy
41 Family Life Center Church). (There was no response).

42
43 Village President Meyers-Martin stated again may she have a Motion to Waive on First Reading
44 and Adopt in Second Reading Ordinance #2016-13: An Ordinance Granting a Special Use
45 Permit to Construct a Cell Tower in a R-2 Zoning District (Central States Tower and Cathedral
46 of Joy Family Life Center Church).

47

1 Trustee Waite stated that he is sorry. He inquired of Village President Meyers-Martin whether or
2 not she is asking for a Motion, or was that a Motion. Village President Meyers-Martin stated that
3 she is asking for a Motion and it needs to be seconded. She stated that Protocol would ask her to
4 do this one last time.

5
6 Mr. Langon stated that if you don't vote they get it by default. Mrs. Kolman stated that you need
7 to vote on the Motion. She stated that you need to vote on the Motion. Somebody needs to
8 second it. You don't have to vote to approve it. You can vote to deny it. You need to make some
9 sort of definitive decision tonight.

10
11 Village President Meyers-Martin stated that she will ask again.

12 **Motion by Trustee Pennington, second by Trustee Byrd to Waive on First Reading and**
13 **Adopt in Second Reading Ordinance #2016-13: An Ordinance Granting a Special Use**
14 **Permit to Construct a Cell Tower in a R-2 Zoning District (Central States Tower and**
15 **Cathedral of Joy Family Life Center Church).**

16 **Roll Call: Ayes (0) No (5-0) Motion Denied.**

17
18 (There was a round of applause). Village President Meyers-Martin thanked everyone for all of
19 their comments and their input.

20
21 **Ordinance # 2016-14 – An Ordinance Amending Section 4-35, “Maximum Number,” of**
22 **Chapter 4, Article II, “Licenses,” of The Olympia Fields Village Code (First and Second**
23 **Reading) –** Village President Meyers-Martin stated that brings us to Ordinance # 2016-14 – An
24 Ordinance Amending Section 4-35, “Maximum Number,” of Chapter 4, Article II, “Licenses,” of
25 The Olympia Fields Village Code. This is on First and Second Reading.

26 **Motion by Trustee Pennington, second by Trustee Gibson, to Waive on First Reading and**
27 **Adopt in Second Reading Ordinance #2016-14 - An Ordinance Amending Section 4-35,**
28 **“Maximum Number,” of Chapter 4, Article II, “Licenses,” of The Olympia Fields Village**
29 **Code.**

30
31 Village President Meyers-Martin stated that this is a Liquor License for our Wal-Mart.

32 **Roll Call: Ayes (5-0) Motion Carried.**

33
34 **Resolution #2016-11 – A Resolution Formally Censuring Trustee Robert Waite -** Village
35 President Meyers-Martin stated the next item is Resolution #2016-11. It is a Resolution Formally
36 Censuring Trustee Bob Waite. You have that Memo before you.

37 **Motion by Trustee Gibson, second by Trustee Hudson to Approve Resolution #2016-11 – A**
38 **Resolution Formally Censuring Trustee Bob Waite.**

39 **Roll Call: Ayes (2) (Trustee Waite voted No). (Trustee Pennington and Trustee**
40 **Byrd abstained) Motion Carried.**

41
42 Administrator Mekarski asked for clarification from Mrs. Kolman regarding abstentions.

43
44 Mrs. Kolman stated that with the abstention, the abstention would go with the majority vote.
45 Administrator Mekarski stated that the majority is yes. The Motion carries as advised by Judy
46 Kolman, our legal advisor.

47

1 **APPOINTMENTS AND RESIGNATIONS:**

2
3 **A. Appointment – Paul Cruse to the Public Safety Committee** – Village President Meyers-
4 Martin stated that she has before you tonight the Appointment for Paul Cruse to the Public Safety
5 Committee.

6 **Motion by Trustee Pennington, second by Trustee Gibson to Approve the Candidacy of**
7 **Paul Cruse to the Village of Olympia Fields Public Safety Committee for a Term**
8 **Continuing until a New Appointment is Made by the Village President.**

9 **Voice Vote: All Ayes Motion Carried.**

10
11 Village President Meyers-Martin stated that we welcome Mr. Cruse to the Public Safety
12 Committee.

13
14 **B. Appointment of Trustees Bill Pennington and Art Byrd to the Ad Hoc Committee for**
15 **the Crown Castle Franchise/ROW Agreement** – Village President Meyers-Martin stated
16 that she would like a Consensus from the Board to Appoint Trustees Bill Pennington and Art
17 Byrd to the Ad Hoc Committee for the Crown Castle Franchise/ROW Agreement.

18
19 There was a Consensus of the Trustees to appoint Trustees Bill Pennington and Art Byrd to the
20 Ad Hoc Committee for the Crown Castle Franchise/ROW Agreement.

21
22 Village President Meyers-Martin stated that Trustees Bill Pennington and Art Byrd will be
23 members of the Ad Hoc Committee for the Crown Castle Franchise/ROW Agreement.

24
25 **C. Resignation of Trustee Nale** – Village President Meyers-Martin stated she has Trustee
26 Shirley Nale’s Resignation Letter here. (The letter was passed to each of the Trustees). Village
27 President Meyers-Martin stated that effective immediately Shirley Nale is resigning from the
28 Board of Trustees.

29
30 **Motion by Trustee Byrd, second by Trustee Hudson to Accept the Resignation of Trustee**
31 **Shirley Nale from the Olympia Fields Board of Trustees and Authorize a Letter to be Sent**
32 **on Behalf of the Village Board of Trustees Thanking her for her Service to the Village.**

33 **Voice Vote: All Ayes Motion Carried**

34
35 **D. Nomination of Victor Blackwell to Fill Vacancy of Former Trustee Nale Expiring May**
36 **2017** – Village President Meyers-Martin stated that you have the Résumés of both Victor
37 Blackwell and Carlando Owens in your Packet.

38
39 **Village President Meyers-Martin stated: “As Village President, I Would Like to Affirm my**
40 **Recommendation of Appointment of Victor Blackwell to fill the Vacant Trustee Seat**
41 **(Formerly Held by Shirley Nale) with a Term Ending May 30th, 2017; and I Respectfully**
42 **Request a Motion of my Fellow Board Members to Confirm my Appointment.”**

43
44 Trustee Gibson stated that she has an unreadiness relative to this issue. Trustee Gibson stated that
45 the residents of this Village have voted for her to serve our Village for the past 15-years. She
46 takes pride in serving all of the residents. She realizes that our President has the authority to
47 bring forth a candidate of her choice to fill the vacancy of Trustee Shirley Nale. She has the

1 utmost respect for the chosen candidate, Victor Blackwell. However, she is a bit perplexed
2 because of the urgency of filling this vacancy, and also assuming according to the Agenda that it
3 is a done deal before the vote is taken.
4

5 Trustee Gibson stated that she questions the procedure which is not consistent with the selection
6 process in the past. Therefore, she is requesting that this Motion be tabled until a later date,
7 primarily until deliberation by the Board of Trustees is completed to assure transparency which
8 we continually strive for. (There was a round of applause).

9 **Motion by Trustee Gibson, second by Trustee Byrd to table this matter.**

10
11 Village President Meyers-Martin stated that she didn't think this recommendation for
12 Nomination was out of order, or that there was a sense of urgency. In the past she has
13 interviewed 12-people who have expressed interest in becoming Trustees. She had received all of
14 their Résumés. She reviewed them. They had not been selected previously. This was an
15 opportunity to go to that pool of candidates and chose the person that she felt would be an asset
16 and a great addition to this Board. She must say that Mr. Blackwell who has served
17 commendably as the Chairman of our Planning and Zoning Commission has worked tirelessly,
18 and has been committed to the Village of Olympia Fields. As you can see by his Résumé he is an
19 Attorney. He serves in many capacities where he is given a lot of responsibility. She respects
20 your request to table this item. Village President Meyers-Martin stated that she assures you that
21 there was no urgency. It was a matter of common sense that she had spoken to 12 different
22 people regarding their desire to be on the Board, and Victor Blackwell stood out amongst those
23 people.
24

25 Trustee Waite inquired whether or not that was the end of the discussion. Village President
26 Meyers-Martin inquired whether or not anyone else would like to say anything.
27

28 Trustee Waite stated that he doesn't know Mr. Blackwell but he has heard good reports about
29 everything that he has been doing so far with the Village. However, he has worked with
30 Carlando Owens on the Olympia Fields East Homeowners Association for the last 10-years. He
31 can say that he has done an admirable job in working with the constituents of our community. He
32 doesn't have that information about Mr. Blackwell. Trustee Waite stated that if he were given a
33 choice between the two he would pick Carlando Owens.

34 **Roll Call: Ayes (5-0) Motion Carried.**

35
36 Administrator Mekarski stated that our legal advisor has asked to go into Executive Session with
37 a need to reconvene. It will be a very short Executive Session. It would be under
38 5ILCS120/2(c)(11).
39

40 Village President Meyers-Martin stated that we will be going into Executive Session to discuss
41 matters of litigation. We will reconvene, but there will be no action taken afterwards. There will
42 just be a Motion to Adjourn once we come back to Open Session. She thanked everyone for their
43 time tonight.
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EXECUTIVE SESSION:

To Discuss Matters of Litigation – Open Meetings Act Section 5ILCS120/2(c)(11) – With a Need to Reconvene –

Motion by Trustee Pennington, second by Trustee Byrd to go into Executive Session to Discuss Matters of Litigation According to the Open Meetings Act Section 5ILCS120/2(c)(11) With a Need to Reconvene at 11:06 P.M.

Voice Vote: All Ayes Motion Carried.

RETURN TO OPEN SESSION:

Motion by Trustee Pennington, second by Trustee Byrd to Return to Open Session at 11:25 P.M.

Voice Vote: All Ayes Motion Carried.

ADJOURNMENT:

Motion by Trustee Pennington, second by Trustee Byrd to Adjourn this Special Meeting of the Board of Trustees at 11:25 P.M.

Voice Vote: All Ayes Motion Carried.

Respectfully submitted by Faith Stine.