

1 **MINUTES OF THE VILLAGE OF OLYMPIA FIELDS**
2 **SPECIAL MEETING OF THE BOARD OF TRUSTEES**
3 **Held on July 25, 2016**
4

5 The Special Meeting of the Board of Trustees was held on Monday, July 25th, 2016, at the Linzey D.
6 Jones Municipal Building and was called to order by Village President Debra Meyers-Martin at 8:30
7 A.M. The assembly recited the Pledge of Allegiance. Administrator Mekarski/Village Clerk called the
8 roll.

9
10 Present: Trustees – Gibson, Pennington, Byrd, and Waite
11 Village President Debra Meyers-Martin
12 Village Administrator/Village Clerk, David Mekarski
13

14 Absent: Trustee Hudson.
15

16 Village President Meyers-Martin thanked everyone for coming out to this Special Board Meeting. She
17 apologized to the Trustees because we are on our mini hiatus for the summer. We did have to do this as
18 advised by our legal advisor, and we had to do it right away. Therefore, that called for us to be here today
19 to take care of this business.
20

21 **BILLS FOR APPROVAL:**
22

23 Village President Meyers-Martin stated that you have before you Bills for Approval in the
24 amount of \$126,465.47. There is a Cover Memo in the Board Packet designating the more
25 significant payouts.
26

27 Trustee Byrd stated that he had a question under “Public Works” for a payout of \$550.00 for Ira
28 Williams. It is a reimbursement.
29

30 Administrator Mekarski stated that was associated with some flat tires that Ira received. We
31 believe that it may have been from debris in the Public Works Lot. He had to buy four-tires
32 because of the inability of just simply replacing a single tire and throwing off the balance. We
33 went ahead and split the difference and gave him the price for two-tires. That was investigated
34 by the Public Works Director and approved by Administrator Mekarski’s office.
35

36 Trustee Byrd stated that you are saying that there was one tire that had a screw in it, which we
37 don’t know that it came from that lot. Trustee Byrd agrees with making it whole on the one tire,
38 but trying to make it whole on two-tires that Mr. Williams’ feels caused the problem he disagrees
39 with that.
40

41 Administrator Mekarski stated that he believes that there was strong evidence that there was the
42 possibility of debris in our parking lot. We have the care and custody of employees’ vehicles. If
43 you have one flat, you can’t just typically replace one tire. It is either two or four. It throws off
44 the whole balance of the vehicle. That is why Jeff thought it was important to break it in half.
45 Obviously, we weren’t going to reimburse him for the four, but the two was reasonable.
46

47 Trustee Pennington inquired what significant evidence was present that would lead you to that
48 conclusion.
49

1 Administrator Mekarski stated that you would have to discuss that with Jim Landini. He believes
2 that there was debris in the parking lot with contractors coming and going. He stated that from
3 time to time they find nails and screws.
4

5 Trustee Byrd inquired whether or not we could approve this without this one item and have
6 further investigation.
7

8 Village President Meyers-Martin stated that you would like to remove that and table it from
9 approval. Trustee Byrd stated yes. She inquired what amount he is looking at.
10

11 Trustee Pennington stated that it is on Page 7, the first item "Vehicle Reimbursement dated 7-20-
12 16." The Invoice total was \$550.00. The vendor total was \$550.00.
13

14 Village President Meyers-Martin stated that you are asking to remove \$550.00 from the Bills for
15 Approval. Trustee Byrd stated yes.
16

17 Trustee Waite inquired whose car was it? Administrator Mekarski stated Ira Williams a Public
18 Works employee. Trustee Waite stated that it is already done. The tires are already on
19 somebody's car. Administrator Mekarski stated correct. He would have to absorb the cost
20 personally unless Jim Landini can provide additional documentation.
21

22 Village President Meyers-Martin stated that if there is no objection from removing that, the total
23 of Bills for Approval then becomes \$125,915.47. No one stated an objection to removing the
24 item from the Bills for Approval.
25

26 Trustee Gibson inquired what is "Illinois Café and Service Co., \$2,000.00 for the Liquor License
27 overpayment."
28

29 Administrator Mekarski inquired whether or not that is a receipt or bills payable. Trustee
30 Pennington stated that it comes under Revenue. Administrator Mekarski stated that was an
31 overpayment by Dotty's Café. Their Liquor License was erroneously charged at \$3,500.00. They
32 were due \$2,000.00. They put the wrong designation on their Liquor Application. Trustee
33 Gibson stated that she knew about Dotty's coming, but there was a little confusion because it
34 said, "Illinois Café and Service Co." She didn't know what that was.
35

36 Village President Meyers-Martin stated that is their corporate company. Administrator Mekarski
37 stated that as you can see that is Revenue.
38

39 Trustee Pennington stated this brings up the point that he brought up at our last Board Meeting.
40 Detailed questions like this, we should have at least a footnote, if we can't put anything out on
41 the side, at least have a footnote in the document to give us some degree of explanation as to the
42 Illinois Café and Service Co. and the \$2,000.00 figure. That way we won't have to raise these
43 questions continuously in order to make sure that we get an explanation. The explanation will
44 already be in the document. He knows that was discussed at the last meeting.
45

46 Administrator Mekarski inquired of Trustee Pennington whether or not he wants notations on
47 every bill. Trustee Pennington stated notations on items that are not regular items and/or high-

1 end items, high cost items. He stated just a footnote. Administrator Mekarski stated that we can
2 do that. Trustee Pennington stated that that was supposed to have been discussed with our Finance
3 Director. He doesn't know if it has been or not. He brings it up for a second time.

4
5 Trustee Gibson stated that she had a question about the vehicle reimbursement but that has been
6 solved. Trustee Gibson inquired on Page 6 of the Detailed Board Report, what kind of Plan
7 Commission signs are necessary.

8
9 Trustee Pennington stated that he saw that in his bills to review. He believes that refers to the
10 signs that we have for the Commissioners names. We had two new Commissioners and they
11 didn't have signs.

12
13 Mr. McDonnell stated that we had to buy these little nameplates here. Trustee Gibson stated all
14 right.

15 **Motion by Trustee Byrd, second by Trustee Pennington to approve the payment of Bills for**
16 **July 25th, 2016, in the total amount of \$125,915.47.**

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

18
19 **COMMUNICATIONS & PETITIONS:**

20
21 Village President Meyers-Martin opened Communications & Petitions at 8:41 A.M.

22
23 Village President Meyers-Martin stated that the reason for this very, very Special Board Meeting
24 today, 8:30 A.M. is that because of the vote that was taken on the cell phone tower, in order to
25 protect the Village we need to submit a written response in terms of the vote and why the vote
26 was in the negative. We did not have that at the time of the Board Meeting. Judy Kolman from
27 our Corporate Attorney's Office has put together a written response for us to be able to submit.
28 This is strictly for approval of that written submission document.

29
30 Mrs. Kolman stated that under the FCC which is the Federal Communications Commission, if
31 you are going to deny a request for a tower, besides a written denial you have to prepare a
32 written statement. That is what this written statement was. She stated that you need to do it as
33 close as possible to the time that the written denial is issued.

34
35 Administrator Mekarski stated that this written statement was from the Public Record of the July
36 11th Board of Trustees Meeting.

37
38 Mrs. Kolman stated that this public statement was drafted after a review of the Minutes that were
39 taken in regard to the discussion on the cell tower and the vote.

40
41 Trustee Pennington inquired of Mrs. Kolman whether or not that included the Minutes from the
42 Plan Commission.

43
44 Mrs. Kolman stated no. The Plan Commission Minutes were not before the Board. The Plan
45 Commission had their own recommendation that was written based on the two Public Hearings
46 that occurred before the Plan Commission and the written Minutes that were prepared.

47

1 Dr. Ethel Collier asked if the Board could remind this body what the vote of the July 11th
2 meeting was.
3
4 Village President Meyers-Martin stated that the vote was five to zero to deny the Permit for the
5 tower to be constructed.
6
7 Mr. Sterling Burke stated that he provided the Zoning Board with a 38-page Presentation on the
8 technical reasons why the Petition should be denied. He is curious whether or not the Board had
9 an opportunity to review that and whether or not the lawyer had an opportunity to review that.
10 He stated that there were some technical reasons that he provided that made logical sense. He
11 also provided Supreme Court and Appellate Court documentation which showed why the whole
12 thing should have been denied or those things that we needed to note and get into the Public
13 Record that would be helpful if we ever had to go into Court. He is just curious whether or not
14 the Board Members had an opportunity to see any of that data.
15
16 Village President Meyers-Martin stated that she can't speak for the rest of the Board Members.
17 She did read it. However, this statement does have to come from the time that the vote was
18 taken. And at that time no Trustee quoted or stated any of those findings that you provided to
19 them. She will let them speak for themselves in terms of if they, in fact, read what you presented
20 to the Board. Village President Meyers-Martin inquired of Mrs. Kolman if she wanted to
21 confirm, or clarify the fact that the written statement does have to come from the Board Meeting
22 and what was stated at the time.
23
24 Mr. Burke stated that he wasn't questioning or making a statement about that. He was just asking
25 a question if the Board had an opportunity to see that, and if she had an opportunity to have any
26 weigh-in on having that as potential information that will help the Village in the event that we do
27 have a lawsuit.
28
29 Mrs. Kolman stated that in the event there is a lawsuit, there will be what you call a "Discovery"
30 stage where the Petitioner would request all documents from the Village. She believes, if she
31 remembers correctly, that what Mr. Burke presented to the Plan Commission was taken in as
32 evidence. So that would be part of the Discovery. That would be given to the Petitioner. It would
33 be part of the Court Record.
34
35 Administrator Mekarski stated that all three detailed Minutes from the Planning Commission are
36 permanent Public Record and were given to the Board of Trustees prior to them making their
37 decision.
38
39 Village President Meyers-Martin stated that if it had been stated at the time that the vote was
40 taken any of those comments, or any of those elements of the documents that you presented, if it
41 had been stated at that time, we then could add it to this record. This record is strictly from the
42 Board of Trustees Meeting when the vote was taken.
43
44 Trustee Pennington stated that he did read the material. We got the material during the course of
45 our Public Record Meeting with Zoning and Planning. He stated that Miss Kolman is correct. If
46 there is a lawsuit, then all of that data is discoverable and will be put into our record in terms of

1 presenting Discovery to the Plaintiffs should they file an action against the Village. In other
2 words, it is not going to go unseen. It will be seen.

3

4 Trustee Waite stated but all records would be turned over also to the defense attorney. Trustee
5 Pennington stated sure, sure. We are the ones producing it.

6

7 Village President Meyers-Martin closed Communications & Petitions at 8:47 A.M.

8

9 **Consideration and Approval of the Written Statement and Determination of the Board of**
10 **Trustees for a Special Use Permit for a Wireless Telecommunication Facility (Central**
11 **States Tower/Cathedral of Joy Life Center Church) –** Village President Meyers-Martin stated
12 that Item 4 is the consideration and approval of the written statement. You have that statement
13 before you. All of the statements were taken directly from the Minutes. Everyone has had an
14 opportunity to see that over the weekend.

15 **Motion by Trustee Byrd, second by Trustee Pennington to Approve the Written Statement**
16 **and Determination of the Board of Trustees for a Special Use Permit for a Wireless**
17 **Telecommunications Facility (Central States Tower/Cathedral of Joy Life Center Church);**
18 **Based on the Public Record of the July 11, 2016 Village Board of Trustees Meeting in**
19 **Regards to the Petition Filed by Central States Tower for a Special Use Permit for the**
20 **Construction of a Wireless Telecommunications Facility behind the Cathedral of Life**
21 **Center Church at 20401 Western Avenue, Olympia Fields, Illinois.**

22

23 Trustee Pennington stated that he would like to commend counselor for a fine job in putting this
24 document together. She clearly captured the essence of our last Board Meeting and reduced those
25 comments to a document that he thinks is an excellent document on our behalf.

26

27 Mrs. Kolman stated thank you.

28

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

29

30 Mrs. Kolman requested that in accordance with the FCC, that the Mayor signs it and that you
31 send a copy to the Petitioner today.

32

33 Village President Meyers-Martin stated absolutely. Mrs. Kolman stated thank you. Village
34 President Meyers-Martin stated that we did invite the Petitioner here and he refused. Mrs.
35 Kolman stated that she understands. Village President Meyers-Martin stated that takes care of
36 our business for today. She thanked the Trustees for being here. She thanked the residents for
37 being here.

38

39 **ADJOURNMENT:**

40

41 **Motion by Trustee Pennington, second by Trustee Byrd to Adjourn this Special Meeting of**
42 **the Board of Trustees at 8:50 A.M.**

43

Voice Vote: All Ayes Motion Carried.

44

45 **Respectfully submitted by Faith Stine.**

46

47