

COLIN BAENZIGER & ASSOCIATES

EXECUTIVE RECRUITING

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*Section 11*

*David “Dave” J. Niemeyer*

*Lake Worth Beach City Manager  
Candidate Report*

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*Cover Letter and Resume*

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June 18, 2021

Colin Baenziger  
Rick Thomas  
Colin Baenziger and Associates

Dear Mr. Baenziger and Thomas:

I was excited to hear of the opening in Lake Worth Beach for the position of City Manager. If you are interested in a seasoned, energetic, collaborative, and results oriented administrator, you have found him in me.

Enclosed please find my resume. I visit the area every year and I have long envisioned moving there. Lake Worth's diversity and small town character make this an appealing destination for me. Here are some of my career accomplishments from my resume that make me a solid candidate for the position:

- Significant success managing tight budgets and reducing expenses, including reducing the personnel budget by 15% in Oak Brook while maintaining services through reorganization and reprioritization and reorganizing several village departments in Tinley Park to deal with the negative revenue effects from COVID-19.
- Successfully implemented results orientated strategic plans that changed the way the organizations I managed operated.
- Significant experience in economic development, including turning a city owned vacant industrial park into one that was nearly full, overseeing creation of a new downtown, and successfully negotiating a number of development agreements with new retailers, hotels, office and industrial users through complex incentive agreements.
- Successfully negotiated several collective bargaining agreements for police, fire and public safety.
- Significant experience in disaster management, including managing a major flood event in Des Plaines.
- Developed several public-private partnerships including an economic development partnership in Oak Brook with the Chamber of Commerce, and outsourcing municipal services such as a banquet facility, ambulance services, convention center management and landscape services.
- Significant experience in succession planning, including creating a training academy for mid level managers, developing cross functional teams using future leaders to work on interdepartmental problems, and developing a mentorship program.
- Developed high performance employee teams that improved accountability and customer service.
- Successfully applied for over \$5 million in grants over my career, including water improvements, flooding reductions, parking improvements, streetscape improvements, and recycling programs.
- Created customer service training programs and resident surveys and comment cards to measure customer satisfaction.

## **Section 11**

- Improved resident communication through development of new social media channels, resident weekly reports, cable shows and email newsletters.
- Partnered with other local governments including sharing of jobs, bidding of projects, electric aggregation, community marketing, grant applications, and lobbying.
- Actively involved in communities I have managed, included being involved with local service clubs such as Rotary and the Jaycees. Actively involved with local Chambers and received business advocate award from Oak Brook Chamber.

I would be honored to join the Lake Worth organization, and I believe I can add significant value to the city. Please let me know if you need any further information. I look forward to hearing from you.

Sincerely,

David Niemeyer

# **David J. Niemeyer**

7759 Bristol Park Drive  
Tinley Park, IL 60477  
224-260-1979  
[djniem@yahoo.com](mailto:djniem@yahoo.com)

## **EXPERIENCE Village Manager, Village of Tinley Park**

### **June 2014 to present**

- Oversee day to day operations of leading community of 57,000 in southwest suburbs.
- Developed plan to reduce village spending by more than \$7 million in operating expenditures due to COVID, including some permanent cuts with little effect on day to day services.
- Reorganized community development and engineering services saving several thousand dollars annually.
- Oversaw efforts to develop new citizen communication outreach program that included development of an annual report, a triennial citizen survey, and new social media tools.
- Created new pay plan/evaluation system with increased focus on merit.
- Negotiated agreement with village owned convention center developer that brought in a developer who was able to add more convention shows up until COVID.
- Overhauled village's hiring system that increased the number of qualified candidates and hiring turnaround time by eliminating unnecessary processes, removing restrictions that discouraged candidates from applying, and changing the hiring authority for certain positions.
- Oversaw development of three new TIFs in the village that helped revitalize the downtown, redevelop an aging shopping center, and provide new infrastructure to service the downtown.
- Led efforts to create a branding plan for the village focusing on music and development of a downtown plaza with the goal of attracting more business and residential development.
- Working with state of Illinois and various village officials to plan redevelopment of 280 acre former mental health center site.

### **Village Manager, Village of Oak Brook, IL**

#### **July 2007-June 2014**

- Oversaw 150 FTE's and \$45 million budget in one of Chicago's most prestigious suburbs with 7800 residents and a large daytime population who work, shop or stay in the community.
- In response to 2008 Great Recession, completed major reorganization of staff that reduced the work force by 15%, make some full time positions part-time, and eliminated three department head positions without significant changes to front line services. Also outsourced use of Bath and Tennis Club restaurant to private caterers and joined a centralized emergency dispatch agency which saved the village significant costs.
- Negotiated complex agreement for a new traffic signal that kept Costco in the community and involved several meetings with IDOT officials including the Secretary of Transportation.
- Worked with other village officials to create village's first "Taste of Oak Brook" festival that now attracts about 25,000 people per year and hired operator to bring back the village's famous polo leagues.
- Established new partnerships with the Oak Brook Park District and school district that included equipment sharing, personnel sharing, joint purchasing, discounts at the park district

## **Section 11**

fitness center for new businesses, and joint discounts to residents who are members of the park district facility and village's bath and tennis club.

- Led village's efforts in developing one of the Chicago areas first electric aggregation program for its residents and businesses, saving them about \$2 million per year.
- Worked with a committee on implementation of a 20 year Commercial Revitalization Plan that included an update of the village's sign ordinance and streamlining of development processes.
- Helped bring several grants to the village including commercial beautification grants.
- Partnered with Chamber on proactive economic development program to attract and retain new businesses that brought several new large office users to the community, and received their "Business Advocate of the Year Award".
- Negotiated lease agreement with local historical society for their first facility in the former home of the village's library.
- Implemented revisions in management performance evaluation system.
- Developed comprehensive new ethics ordinance.
- Created improved resident communication program, including enhanced outreach to Homeowners Association Presidents, improved newsletter and website, and regular outreach to residents by automated phone calls on important village events.

### **City Manager, City of Des Plaines, IL**

#### **July 2003-May 2007**

- Managed diverse, vibrant, redeveloping community of 58,000 adjoining O'Hare Airport with 450 FTE's and \$125 million annual budget.
- Development and planning accomplishments:
  - Supervised \$56 million downtown redevelopment project that included village acquisition of 22 parcels and construction of 150,000 square feet of office, retail and condos.
  - Oversaw establishment of 70 acre TIF.
  - Negotiated a number of complex agreements for hotel developments, sale of an old library to a residential developer, and transfer of land to the City of Chicago for airport expansion.
  - Instituted community's first strategic planning process and update of its comprehensive plan.
  - Oversaw plan to develop new public safety facilities.
- Increased confidence in manager's office through improved communication that was partially responsible for a successful referendum changing the government to a council/manager form.
- Improved accountability through reorganization of manager's office and community development department.
- Restored financial stability of the community and increased some city services without major property tax increases.
- Oversaw efforts of major flood event in community in spring 2004.
- Helped acquire over \$1 million in grants to reduce flooding in community.

### **Village Manager, Village of Homewood, IL**

#### **March 1998-July 2003**

- Managed prestigious, mature community of 20,000 with 180 FTE's and \$30 million annual budget.
- Oversaw \$2 million reconstruction of village hall, including space needs study.
- Created employee teams for health insurance, technology, and safety that implemented ideas that improved efficiency and reduced costs.
- Recruited five major businesses to village owned industrial park as well as several "big-box" retail stores through TIF and other incentives.
- Organized an external and internal government marketing program involving funding and coordination with neighboring community and local school and park districts that retained and attracted new residents.
- Developed five year strategic plan.

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- Created unique employee appreciation program recognizing employee's accomplishments in areas such as teamwork, project management, as well as "on the spot" awards.
- Negotiated several union contracts and worked with unions to significantly reduce health insurance premium increases.

### **Village Manager, Village of Richton Park, IL April 1993-March 1998**

- Managed diverse, growth village of 13,000 in Chicago south suburbs with 100 FTE's and \$14 million annual budget.
- Significantly improved fund balances through reorganization and privatization of some services and no significant tax increases.
- Oversaw successful referendum to increase police staffing and salaries.
- Negotiated contract with public works union that included a merit pay component.
- Oversaw merger of public works and water departments and community development and planning departments that reduced costs and improved customer service.
- Instituted the organization's first employee awards and recognition program.
- Developed programs to receive more feedback from residents, including surveys, comment cards, and neighborhood meetings.
- Developed several marketing and development tools that increased economic development activity, including new industrial and retail businesses.

### **Village Administrator, Village of Orland Hills, IL August 1988-April 1993**

- First administrator for rapid growth village of 7,000 with 40 FTE's and \$6 million annual budget.
- Implemented village's first TIF and negotiated retail redevelopment agreements that created \$1 million in new tax revenue for village.
- Reduced village liability insurance premiums by 75%.
- Negotiated free land for and oversaw planning of a \$1.5 million village hall.
- Developed village's first budget and reporting system.
- Made significant changes and upgrades to village newsletter.

### **City Administrator/Assistant to the Mayor, City of Harvard, IL March 1986-August 1988**

- First administrator for rural community of 5,000 with 40 FTE's and \$4 million annual budget. Promoted after short tenure as assistant to the mayor.
- Acquired over \$800,000 from four grant programs that brought two businesses to town, improved the city's water system, and built a commuter lot.
- Attracted new businesses to a previously stagnant community that created 300 new jobs and brought \$200,000 in annual tax revenue to the village.
- Created centralized purchasing system.

### **Part-time Analyst- Cook County Board of Tax Appeals May 1985-March 1986**

- Developed analysis of Cook County business tax incentive plan.
- Reviewed tax appeals.
- Worked on special projects.

### **Internship-Village of Buffalo Grove Public Works Department September 1983-May 1985**

- Developed job costing system.
- Reviewed public works budgets.
- Developed quality circles to review various public works activities.



## **Section 11**

**EDUCATION:** Master's in Public Administration, Northern Illinois University, DeKalb, IL 1985  
Bachelor of Science in Political Science, Northern Illinois University, 1983  
Minors: International Relations, Journalism  
ICMA Credentialed Manager and member of ICMA International Committee

**ACTIVITIES:** Professional: Member of ICMA, ILCMA, Metro Managers(past president)  
Personal: Enjoying biking, traveling.

**Section 11**

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*Candidate Introduction*

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**DAVID NIEMEYER**

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**EDUCATION**

Master's in Public Administration, Northern Illinois University  
Bachelor of Science, Political Science, Northern Illinois University

**EXPERIENCE**

Village Manager, Village of Tinley Park, IL	2014-Present
Village Manager, Village of Oak Brook, IL	2007-2014
City Manager, City of Des Plaines, IL	2003-2007
Village Manager, Village of Homewood, IL	1998-2003
Village Manager, Village of Richton Park, IL	1993-1998
Village Administrator, Village of Orland Hills, IL	1988-1993
City Administrator, City of Harvard, IL	1986-1988

**BACKGROUND**

Tinley Park has a population of 57,000 residents. It is located 25 miles southwest of Chicago and many of our residents commute to Chicago by train. We have a diverse economy with a larger retail center and several light industrial parks in the Will County portion of our town, and several retail centers in the Cook County portion of Tinley Park. In addition, tourism is a major part of our economy, as Tinley Park is home to the largest outdoor music facility in Chicago, a regional convention center, and several hotels that support the music theater and convention center. The village is recognized as a leading community in the southwest suburbs and many communities seek our input when they are looking for innovative services and programs.

We employ 450 employees, and I directly supervise five department heads, and assistant village manager, and assistant to the village manager and an executive secretary. The general fund budget is \$60 million and the total budget is \$150 million. This year we have a large number of capital projects that has increased the budget substantially.

The three most important issues facing Tinley Park are the following:

- Redevelopment of a 280 acre state mental health facility in the heart of the town.
- Enhancing our new music brand to attract tourists and revitalize our downtown.
- Revitalizing other retail centers in the community that have been hurt by their location in Cook County and the trend towards online shopping.

**DAVID NIEMEYER**

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**GENERAL MANAGEMENT STYLE AND EXPERIENCE**

I am interested in Lake Worth Beach as I believe my experiences can bring a lot of value to the community. I have long wanted to relocate to Florida and a community like Lake Worth Beach with its diversity and great amenities perfectly fits my lifestyle. It fits into my current career path as I have successful experiences with many of the challenges Lake Worth Beach faces, including redevelopment/TIF issues, financial challenges, reassessing how it does business, improving customer service, and flooding are all issues I have dealt with throughout my career.

My management style is collaborative. I seek out both elected official and staff's opinions on critical issues and seek to hire staff that are not "yes" people. I am a broad delegator but I hold staff accountable through specific performance measures that are the result of strategic plan objectives developed by the elected officials. I consider myself a coach as well as a supervisor. I try to help my staff think through options on solving a complex problem but I don't try to solve problems for them. I encourage my staff to take calculated risks and try new things, not just do things the way they have always been done.

My staff would say that I can be a taskmaster but I am fair. They would say I am a good listener and am open to new ideas. They would say that they appreciate that I stand up for them if they are inappropriately criticized by elected officials or residents. Finally, they would say I am a good team builder by the ways that I am bring staff together to work on complex issues.

In my time at Tinley Park, I have had 4 mayors and about 15 trustees. Therefore, I have had to adapt to many different personalities and styles and I think the trustees would say I have am very adaptive. My elected officials would also say I am an ethical, creative leader who has great knowledge of all aspects of municipal government. They would say that I always give them wise counsel and follow through on their concerns and requests. They would say that I am excellent at staff development and have developed a solid senior management team that is responsive to the residents and the elected officials. They would also say that they appreciate that my staff and I are willing to try new things to move the organization forward. Finally, they would also say on a personal level that I am professional, polite, respectful, and an excellent listener.

My strengths include the fact that I am good at keeping my eye on the long term vision for my community while still addressing the day to day challenges of the community. I also particularly strong in conflict resolution, economic development, and strategic planning. I am also strong in developing creative financial solutions to save my communities money through reorganization, developing intergovernmental partnerships, outsourcing and value engineering projects.

My weaknesses include trying to do much at times and not putting the quality needed into one or 2 projects. I have improved this by setting certain benchmarks for myself and staff before new projects are taken on. There have also been times when I have recognized that there are employees who are not meeting my organization's standards, but I have been slow in getting

### **DAVID NIEMEYER**

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them on performance improvement plans or deciding whether they have a future in the organization. I have improved this by working with human resources on developing a system for troubled employees that forces supervisors to take certain action steps to improve the employee's performance or ask them to leave the organization.

Performance measurement is critical to knowing how well your organization is doing. A good performance measurement system starts with a strong strategic plan developed by the elected officials in conjunction with input from the community. Each strategic plan objective should be assigned to a specific staff person to lead with a timetable for completion and performance measurement that indicates when we know this objective will be completed. Each department should also develop performance measurements such as public safety response times, water main repairs, etc, that can be compared to like communities. The International City Management Association has a good performance measurement system that allows a municipality to use comparative performance measures with like communities.

My biggest achievement was developing a reorganization plan in the Village of Oak Brook that cut Oak Brook's personnel budget 15% but improved the organization in the long run. When I started in Oak Brook, the Great Recession was significantly affecting revenues and particularly so in Oak Brook which had no municipal property tax but relied primarily on sales tax. I combined several senior management positions, offered early retirement programs to reduce the head count, changed some positions from full time to part time positions, and outsourced some positions where the private sector could do more cost effectively. While there were some morale challenges especially when these changes were first implemented, elected officials and senior management agreed that the organization functioned better in the long run after these changes were made.

My biggest disappointment was in Tinley Park in 2016 and a proposed affordable housing development. This was an extremely controversial development which brought hundreds of residents to our meetings and the village was sued by the US Department of Justice and spent millions of dollars in legal fees to litigate the case. The staff recommended the project based on the developer meeting all of the building and zoning standards of our code. However, we did not do the necessary public relations to explain the staff's support of the project and I also later learned my community development director had worked behind the scenes with the developer to change a code section that was benefiting the project. The director left the organization as she was about to be terminated but the damage was done.

In addition, several staff members left the organization due to the heat that was focused on the village staff and the community developed a negative reputation in the Chicago media due to the perceived racial prejudice in the community towards the project. I learned that me and my staff needs to be better prepared to explain controversial projects and I need to be more actively involved to make sure my staff is properly managing controversial projects.

### **DAVID NIEMEYER**

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I have had to fire several employees. It is not something I have ever enjoyed doing but I have always handled them fairly and directly. Unless it is something like employee theft or dishonesty, my terminations have normally been preceded by poor evaluations or a performance improvement plan so the employee is not surprised by the action. In those situations it is important that the employee be treated with dignity and respect and I offer them support if they desire it.

The challenges the person facing this job will include:

- Focusing on redevelopment/TIF issues.
- Addressing the financial challenges of the community.
- Dealing with absentee ownership in the community.
- Reassessing how the organization does business.
- Addressing other issues like homelessness, opioid use and flooding.

As a manager that will be new to Florida, I will need to learn the culture and regulations of Lake Worth Beach. However, as an outsider, I believe I can bring new and fresh ideas to Lake Worth Beach. In my career I have had to develop many creative solutions to challenging organizational and redevelopment problems that I hope I can bring to Lake Worth Beach.

My first six months in Lake Worth Beach will be focused on learning about the community and the organization and developing a plan to implement the major objectives set forth by the City Council. I would set up regular meetings with the elected officials and staff. I would want to hear the aspirations of each of the elected officials and what they see as the priorities of the city manager. I would want to meet staff at their facilities and talk to them about their jobs and how the organization can help them do their job better. Also, I would want to meet key community, business and other government leaders and become active in community events and organizations. I would review Lake Worth Beach's staff and determine where strengths and weaknesses are and develop a plan to improve staff where appropriate.

In my first few months I would also reach out to the local media to try to develop a positive relationship. I have always tried to develop a fair and honest relationship with the media and tell them what I can about an issue. I also get them information about interesting things going on in the community that they can report on. There is nothing in my background that would embarrass Bradenton if it became public.

I use social media to communicate with residents about critical things happening in the community. In Tinley Park I encouraged development of our first Facebook page, and we have recently added an Instagram and Tik Tok as social media tools to inform residents of all ages. We use social media to give regular updates by elected officials and me, community events, development updates, city council meetings, and public safety updates.

There is only person in Tinley Park who may contact you with "dirt" on me. Steve Eberhardt is a resident and attorney who has sued the village over twenty times, and has named me in several

**DAVID NIEMEYER**

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lawsuits. Most recently, he tried to get a job through political connections as our 911 director which he was clearly unqualified for and he is suing me for preventing him from getting that job.

In my leisure time I like to bicycle, watch theater, dine out, travel.

**SIX ADJECTIVES THAT YOU WOULD USE TO DESCRIBE YOURSELF:**

DRIVEN  
EMPATHETIC  
CREATIVE  
FAIR  
GOOD LISTENER  
ANALYTICAL

**REASON FOR WANTING TO LEAVE CURRENT JOB**

I am looking to leave Tinley Park as I have long desired to work in the Florida area and I am very familiar with the Bradenton area. A new Mayor was recently elected in Tinley Park and we both agreed it would be a good time for me to move on. I have been able to accomplish many of the goals that were set forth for me in Tinley Park and we have also developed a good succession plan that will allow a smooth transition in the manager's office.

**CURRENT/MOST RECENT OR RELEVANT SALARY**

My current salary is \$194,200.



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*CB&A Background Checks*

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**Background Check Summary for  
DAVID J. NIEMEYER**

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**Criminal Records Checks:**

Nationwide Criminal Records Search	No Records Found
County	
Cook County, IL	No Records Found
DuPage County, IL	No Records Found
State	
Illinois	No Records Found

**Civil Records Checks:**

County	
Cook County, IL	<p><b>May 2021</b> – Personal Injury Lawsuit filed by Eberhardt against Mr. Niemeyer in his capacity as Village Manager. <b>Disposition: Case is still open.</b></p> <p><b>November 2017</b> – All other extra-ordinary Remedies complaint filed by Eberhardt against Mr. Niemeyer in his capacity as Village Manager. <b>Disposition: Case has been appealed.</b></p> <p><b>March 2015</b> – Lawsuit filed by Eberhardt against Mr. Niemeyer in his capacity as Village Manager. <b>Disposition: May 2017, Dismissed</b></p> <p><b>September 2018</b> – Lawsuit filed by Eberhardt against Mr. Niemeyer in his capacity as Village Manager. <b>Disposition: May 2017, Dismissed</b></p> <p><b>July 2015</b> – Lawsuit filed by Mr. Niemeyer against Orlan Brook Condo Owners. <b>Disposition: Case is still open.</b></p> <p><i>* See explanation for records found on personal disclosure and next page.</i></p>
DuPage County, IL	No Records Found

**Background Check Summary for  
DAVID J. NIEMEYER**

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**Civil Records Checks:**

Federal  
Illinois

**March 1996** – Hemisphere Bldg Co vs Richton Park including Mr. Niemeyer in his official capacity as Village Planner and individually.

**Disposition: Terminated, February 1998**

**January 2019** – Johnson vs Tinley Park including Mr. Niemeyer in his official capacity as Village Manager.

**Disposition: Terminated, May 2019**

**February 2020** – Eberhardt vs Tinley Park including Mr. Niemeyer in his official capacity as Village Manager.

**Disposition: Motion to dismiss filed, however the case is still open.**

**June 2020** – Eberhardt vs Tinley Park including Mr. Niemeyer in his official capacity as Village Manager

**Disposition: Terminated, November 2020**

*\* See explanation for records found on personal disclosure and next page.*

**Motor Vehicle**

Illinois

No Records Found

**Credit**

Excellent

**Personal Bankruptcy**

No Records Found

**Sex Offender Registry**

Not Listed

**Education**

Confirmed

**Employment**

Confirmed

**Social Media**

Nothing of Concern Found

**Background Check Summary for  
DAVID J. NIEMEYER**

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Under the Fair Credit Reporting Act, 15 U.S.C. 1681-1681Y, credit and bankruptcy information are very sensitive and should not be used in the consideration of hiring. The information is included for each candidate because we do not want you to be surprised if third parties raise what they consider to be a concern. Also, some states have limited the reporting to seven years, so any records older than that will not be available in those states. In addition, motor vehicle reports are limited to three to seven years, depending on the state.

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**From:** David Niemeyer <djniem@yahoo.com>  
**To:** Lynelle Klein <lynelle@cb-asso.com>  
**Subject:** Fw: Background Check Records that Require an Explanation

The 1996 Hemisphere suit was a proposed handicap residential building that the Village of Richton Park denied a rezoning request. The developer sued claiming this was discrimination.

Two of the suits relate to Bonnie Johnson who is an employee that was terminated for poor performance. She sued saying she was not terminated fairly. Steve Eberhardt represented her.

All of the rest of suits relate to Steve Eberhardt. As I mentioned he has sued the village over 20 times. One of the suits claim that I and other staff members thwarted his hiring for a department head position. There have been numerous other suits related to the village allegedly purchasing items we weren't allowed to purchase, withholding money due residents from their garbage bills, FOIA requests, etc. The village has also filed suit against him asking to have his law license revoked due to abuse of the legal system. He has never won a case against the village and we have directed our attorneys to not settle his cases.

**Background Check Summary for  
DAVID J. NIEMEYER  
Personal Disclosure**

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**Personal Disclosure Questionnaire**

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Name of Applicant: David Niemyer

The following questions are designed so that we will be able to make full disclosure to our client concerning your background. Please answer them honestly. Cutting corners or misrepresenting your past will result in you being eliminated from all further searches conducted by this firm. We understand that frivolous charges are sometimes made and that charges do not mean you were guilty. We also understand that you may have been wronged and needed to seek compensation. The bottom line is that we want to be certain that our client is fully informed. If you have any questions, please contact us for clarification.

**Please explain any yes answers on a separate sheet of paper.**

1. Have you ever been charged or convicted of a felony?  
Yes  No
2. Have you ever been accused of or have been involved in a domestic violence or abuse incident?  
Yes  No
3. Have you ever declared bankruptcy or been an owner in a business that did so?  
Yes  No
4. Have you ever been the subject of a civil rights violation complaint that was investigated or resulted in a lawsuit?  
Yes  No
5. Have you ever been the subject of a sexual harassment complaint that was investigated or resulted in a lawsuit?  
Yes  No
6. Have you ever been charged with driving while intoxicated?  
Yes  No
7. Have you ever sued a current or former employer?  
Yes  No
8. Please list all your social media accounts (Facebook / Instagram / LinkedIn / Twitter, etc.) and your personal web page if you have one. Facebook, Instagram, LinkedIn
9. Is there anything else in your background that, if made public, would cause you, our client or our firm embarrassment if it came to light through the press or any other mechanism?  
Yes  No
10. Please provide a list of any lawsuits in which you are or have been a party either as plaintiff or defendant.

Attested to: David Niemyer  
Signature of Applicant

Please email this form via PDF DOCUMENT to [Lynelle@cb-asso.com](mailto:Lynelle@cb-asso.com) or via fax to (561) 621-5965 **no later than 5:00 PM PST 06/28/2021.**  
(Note: Please be sure to sign the form with your actual signature if you are sending Fax or PDF Document)

**Section 11**

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*CB&A Reference Notes*

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**Reference Notes  
David Niemeyer**

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**Paul O’Grady – External Village Attorney, Tinley Park, IL 708-805-3510**

Mr. O’Grady represents four or five municipalities in the areas and as such, he has known Mr. Niemeyer since around 2010 but they really began to work together in 2014 when Mr. Niemeyer was hired in Tinley Park.

Mr. Niemeyer is very diligent. He meets deadlines and has strong ethics. He listens to everyone’s opinions and keeps the elected officials apprised of his decisions. Employees in Tinley Park are very professional which indicates that Mr. Niemeyer makes great hiring decisions. When you compare Tinley Park to the surrounding communities, their success is reflective of the decisions Mr. Niemeyer has made and is attributable to his leadership.

In Tinley Park Mr. Niemeyer had the foresight to change the theme of the town. He helped them find their identity as a musical capital. He understands infrastructure and as the town grew, he ensured that it grew in a responsible way for taxpayers without overdevelopment. His success is even more significant considering that Tinley Park is in four townships and in two counties and requires quite the balancing act.

With the public Mr. Niemeyer has an excellent approach. His zealousness to be transparent has rewarded him with the trust of residents and taxpayers. Frequently when the public asks a question at Board meetings, he answers the question and then shows that the information can be found on the Village website. His effort to be transparent has built a bond and trust between the government and community.

During the pandemic Mr. Niemeyer has made a significant effort to keep their vendor bills down. Mr. O’Grady does not have as many office hours as he did before, but they have a weekly call which is very efficient and gives them an opportunity to go over anything they need to discuss. He has done a great job keeping everything on track with his communications and helping the community move forward. He also challenged the staff to look for answers themselves and draft a response to run by Mr. O’Grady, rather than paying him to do the research. The staff responded well and stepped up to the challenge and they are proud of what they have been able to research and accomplish on their own. He made cuts early in the pandemic to address the situation rather than waiting for fiscal collapse.

A seasoned manager, Mr. Niemeyer never becomes angry. He understands the dynamics of dealing with the public, the staff, and the elected officials. He does not become too excited or stressed, and he never makes knee jerk decisions. He is thoughtful and never raises his voice. He never picks a side, particularly with elected officials, and keeps the government running.

Tinley Park has had the typical controversy. A housing project became very controversial in town, enough so that a discrimination case was brought by the Department of Justice. Mr. Niemeyer was involved because the Board pushed back and refused to allow the development. The community was so outraged that they had to hold Board meetings in the gymnasium to



## Reference Notes David Niemeyer

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accommodate the attendance. They were able to bring the matter to a successful conclusion. The settlement was good because they compromised and it was fair, there was not a clear winner.

Mr. Niemeyer is ethical and transparent. While some developers believe that he is too tough, he is just following the code. Everyone wants TIF or tax money. He is not afraid to stand up to them and will not give away the store.

Mr. O'Grady would hire Mr. Niemeyer. He excels in managing mid-sized home rule communities. He understands economic development, is a great communicator and he does not overburden the taxpayer. He is a mentor who helps others.

### **Words or phrases used to describe Dave Niemeyer:**

- Great communicator,
- Fiscally conservative,
- Recognizes the importance of economic development,
- Mentor,
- Transparent, and
- Calm and level headed.

**Strengths:** Dedicated, communication, economic development, understand of finance and the impact of decisions on the community and taxpayer.

**Weaknesses:** He is very cautious and thorough which is a strength to some but others view as a weakness.

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### **Bill Brady – Trustee, Village of Tinley Park, IL 708-295-1318 708-710-8741**

Mr. Brady has known Mr. Niemeyer since 2016. Coming on Board as a new Trustee, Mr. Niemeyer has been very helpful in bringing him up to speed from the past administration. Mr. Niemeyer calls before each Board meeting to see if Mr. Brady has questions. Mr. Niemeyer always wants the Board to have answers to their questions. Mr. Brady is always well informed.

Some of the projects Mr. Niemeyer led are the purchase of a closed mental health center, the construction of a new firehouse, and resurfacing roads. He prepares the information of each project for approval and then leads the process.

Because Mr. Niemeyer is a good manager the staff is happy, and they have little turnover. When people leave, it is generally for promotional opportunities. He has made good hiring decisions, and those he has hired have fit right in, but he has also made good decisions to promote internally particularly in the HR and IT departments. His decisions in general are good.

**Reference Notes  
David Niemeyer**

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Mr. Niemeyer attends various civic functions including groundbreakings and festivals. He attends parades and the Caribbean style block party in downtown Tinley Park. He meets consistently with the staff to keep them up to date and they work through the issues. Communication is very important and he does well. He solves more problems than he creates.

While the Village's Treasurer has been in place for over two decades, Mr. Niemeyer is very aware of their budget and resources. For the most part he completes tasks in a timely manner, and he prioritizes very well. He has only missed a deadline when something larger or more important took precedence. He does very well when tensions are high and never appears stressed. Considering his job and responsibilities, he does very well.

The EDGE method is a good course for working with others. EDGE stands for Explain Demonstrate Guide Enable. Mr. Niemeyer uses this method when working with the staff and the elected officials. He enables them to do their job because of the information that he provides.

The Village has had some controversy but nothing occurred involving Mr. Niemeyer personally. Nothing in his background would concern a reasonable person. Everyone has detractors but Mr. Brady cannot recall anyone who would disagree with the statements in this reference.

Mr. Brady would hire Mr. Niemeyer to manage his own business. Mr. Brady trusts Mr. Niemeyer. He does what he says he will do. He is a great manager.

**Words or phrases used to describe Dave Niemeyer:**

- Tall,
- Organized,
- Good family man,
- Intelligent,
- Knowledgeable, and
- Communication.

**Strengths:** Organizational skills. Communicates well with everyone from the janitor to the Mayor.

**Weaknesses:** None identified.

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**Forest Reeder – Fire Chief, Village of Tinley Park, IL 708-878-6881**

Mr. Reeder has reported to Mr. Niemeyer since 2017. Mr. Niemeyer is a great supervisor, a skilled listener, and his experience in other communities has helped Tinley Park. Working with him has been a really great experience.

## Reference Notes David Niemeyer

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Everything is approved through Mr. Niemeyer's office, including hiring decisions. He asks good questions and outlines specific qualities that he looks for in the leadership team. He does a good job both selecting staff and when making decisions in general.

Tinley Park is a very active community, and it is rare to not see Mr. Niemeyer at an event. He attends community, church, and school events. He is very responsive and has an open door policy. He listens to the needs of the community. He filters out the good and bad, and then brings the department heads up to speed on what the community wants or needs.

When Mr. Niemeyer learns of an issue by a citizen or elected official, it is always discussed in staff meetings and communicated through emails. The leadership team is always informed. Budget is his highest priority and he does a good job managing it. He meets deadlines and is very even keeled in high tension situations. He has been a very calming presence for the staff.

During the pandemic Mr. Niemeyer led the management team to develop policies and strategies. He was very supportive of the department heads and let them determine the necessary changes in their department. He also led best practices and the strategic plan. In 2019 he allowed the department heads to really strategize on direction and then he presented the plan to the Board for approval. This process was the first strategic plan the community has had in a number of years.

While Mr. Niemeyer has not been involved in any personal controversy, he has also been good about staying ahead of Village controversy. He has responded to negative press about projects that were never finalized and other items beyond his control. He did a nice job managing the organization through these challenges.

Mr. Reeder would hire Mr. Niemeyer. It would be a shame for Tinley Park to lose him. He will improve any organization that he leads.

### **Words or phrases used to describe Dave Niemeyer:**

- Calm,
- Thoughtful,
- Compassionate, and
- Good communicator.

**Strengths:** He brings balance to what an individual department head needs and the bigger vision of the elected officials.

**Weaknesses:** While work is done on time, there is always someone in line ahead which makes it hard to start or finish meetings on time. He has incredible demands on his time but does an overall good job of balancing them.

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**Reference Notes  
David Niemeyer**

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**Patrick Carr – Assistant Village Manager, Village of Tinley Park, IL 708-935-1289**

Mr. Carr has known Mr. Niemeyer since 2014. When Mr. Niemeyer was hired, Mr. Carr was the Emergency Services Director. In 2017, Mr. Carr was promoted to Assistant City Manager and continues to work with Mr. Niemeyer in this capacity.

Mr. Niemeyer is a great supervisor. He provides opportunities for the staff to grow. He is open minded and very collaborative. When an employee is not performing it can take Mr. Niemeyer a little bit to take action, but he does address the issues. He has made good decision during his entire tenure but has done particularly well during the pandemic. Everyone really saw his leadership through this significant challenge. While it was a team effort, he led the staff and brought them through the difficulties. He is innovative and he maintains the operation at a high level. He keeps the staff well informed.

Mr. Niemeyer is often out in the community. He works very well with the public. He is involved in meetings with the Chamber, their sister city, and commissions. He attends the farmer's market, concerts in the park, and various other Village events. He is very visible.

When the pandemic started Mr. Niemeyer was constantly receiving briefs. He brought the Directors together to create a plan to work in a reduced personnel capacity with an expected budget reduction of 20 to 30%. He asked each Director to look at how they would manage their department with this reduction, and then put all the information together for the Board. They implemented the plan by March of 2020, and while they did lose quite a bit of revenue, they came through the pandemic much better than they thought they would. The Village is in a great position currently and are rehiring staff and restarting programs. His foresight in reducing their expenses saved the Village.

Mr. Niemeyer has good financial skills and he completes work in a timely manner. He is very good and calm in stressful situations. He gave employees the confidence to their jobs during the pandemic. He is a great leader who the staff want to follow.

The Village has had its share of controversy, but nothing has happened that relates to Mr. Niemeyer personally. Every manager has detractors but Mr. Carr does not know anyone who would disagree with this assessment of Mr. Niemeyer.

Mr. Carr would hire Mr. Niemeyer. He is a wonderful manager.

**Words or phrases used to describe Dave Niemeyer:**

- Collaborative,
- Informative,
- Innovative,
- Empathetic, and
- Dynamic.

**Reference Notes  
David Niemeyer**

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**Strengths:** Mentors employees, very open minded, very collaborative.

**Weaknesses:** None identified.

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**Asif Yusuf – Trustee, Village of Oak Brook, IL 630-258-4999**

Mr. Yusuf first met Mr. Niemeyer in 2007 when he came to the Village. However, he did not work with him until he was re-elected as a Trustee in 2011. They have had some occasional contact over the years since Mr. Niemeyer left the Village in 2014.

Mr. Niemeyer's job performance in Oak Brook was most excellent. He is hard working, sincere, and a straight shooter. He is confident and knowledgeable about various areas of municipal government. He works extremely well with his department heads and was an all-around good person.

Mr. Niemeyer's communication was fantastic. He laid out the issues in a very easy to follow manner and never let his ego and personality get into the mix of things. He did well to stay out of the political side of government which helped him to be a fine manager of the Village. Furthermore, Mr. Yusuf cannot recall any bad decisions made by Mr. Niemeyer and he never exceeded his scope of authority.

Not very many people were hired during Mr. Niemeyer's tenure at the Village, but when the occasion arose he always made good recommendations to the Board. He weighed in when they were hiring a new Police and Fire Chief and was extremely involved in that process, but knew that the final decision was the Board Members' responsibility. He laid out the pros and cons of each candidate and let them make the best decision possible based on the facts and his insight.

Being a Village Manager comes with having to deal with the public and one cannot be in that type of position without having good people skills. Mr. Niemeyer was no exception. He definitely has experience and is good at dealing with members of the community. He also had the backbone to tell people no when they made ridiculous requests. However, he would not just merely say no, he would always back up his answer with facts and reason.

Mr. Yusuf would characterize Mr. Niemeyer as someone who is innovative and someone who maintains his organization at a high performance level. He was not out there trying to reinvent the wheel, but he kept up with his professional contacts to stay current in his field. When ideas came his way that he thought would work for their community he put together a presentation for the Board that made it easy for them to make an informed decision.

Mr. Niemeyer is knowledgeable in terms of municipal finance. He was realistic when it came to the budget and laid everything out for the Board to easily understand and follow. Mr. Yusuf never presented a finance question to Mr. Niemeyer that he could not answer.

**Reference Notes  
David Niemeyer**

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The only controversial situation that Mr. Yusuf could recall was a situation with a department head who was accused of harassment. Mr. Niemeyer addressed the situation and dealt with it appropriately. Mr. Yusuf is not privy to any information about Mr. Niemeyer's background that would be thought of as unflattering by any future employer. Only one person on the Board might have something different to say about him, but he is a chronic complainer who often times complained about the entire staff. Mr. Yusuf would rehire Mr. Niemeyer in a heartbeat if a vacancy occurred as he was very sorry to see Mr. Niemeyer leave.

**Words or phrases used to describe David Niemeyer:**

- Sincere,
- Hard working,
- Skilled,
- Great interpersonal skills, and
- Diplomatic.

**Strengths:** Extremely knowledgeable individual who works hard, supports his elected officials, and stays above the political fray.

**Weaknesses:** Worked too hard and should have taken more time for himself.

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**Myra Eder – Community Activist, Village of Tinley Park, IL 708-421-3613**

Ms. Eder first met Mr. Niemeyer in 1988. She has been a news writer for several years and was assigned to cover municipal news for the Village of Orland Hills, IL where Mr. Niemeyer was the Administrator. They have continued to have contact over the years in their various roles around the area and she is a resident of Tinley Park and stays active in the community.

Mr. Niemeyer was a huge help to Ms. Eder when she was covering the municipal news in Orland Hills. She knew nothing of municipal government, and he spent hours explaining the processes to her. When she found out he had become the Village Manager in Tinley Park she was ecstatic. She knew that whatever would be in his purview would be done right.

Mr. Niemeyer knows how to work with people. He holds things together with his quiet, but strong demeanor. Some stressful political situations have happened in the Village and he is cool, calm, and collected in every situation. He keeps the Village running smoothly in spite of issues that the people on the Board are having. He is patient and stays above the political fray.

Ms. Eder would say that Mr. Niemeyer maintains the Village at a high performance level. His role as an administrator is to ensure that the municipality is running smoothly which he does quite well. He is sought out by many villages around the area to join their staff.

**Reference Notes  
David Niemeyer**

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Mr. Niemeyer certainly responds to calls by the public and explains the issues that he is at liberty to share. If he is quoted in the media it is always in terms of explanation and not in terms of his opinion. As a Village resident Ms. Eder has never seen him do anything to indicate he is not doing his job.

Ms. Eder is not aware of anything the Mr. Niemeyer has been involved with that would be considered controversial nor does he have anything negative in his background that would surface if the press were to investigate. She has never heard a negative comment about him in all the years that she has known him. He is well liked in the area. If she were a Mayor and needed someone to run the town she would seek him out for that job.

**Words or phrases used to describe David Niemeyer:**

- Soft spoken,
- Exceptionally trustworthy,
- Well informed,
- Politically savvy,
- Honest, and
- Commands respect in a quiet manner.

**Strengths:** Knowledgeable and experienced individual who is very effective at his job, and very strong in terms of ethics.

**Weaknesses:** None identified.

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**Greg Hannon – Former Trustee, Village of Tinley Park, IL 312-617-2108**

Mr. Hannon first met Mr. Niemeyer in 2014 when he came on board at Tinley Park. Mr. Hannon had been in public service for about 28 years and knew about him but did not get to know him until he came to the Village. He worked with him for about one year until he retired in 2015. They continue to have some occasional contact.

Mr. Niemeyer has done an excellent job as the manager in Tinley Park. Mr. Hannon had a good rapport with him. Mr. Niemeyer was always open with communication and he kept the elected officials and the Board apprised of what was happening in the Village. They had a very good circle of communication.

Mr. Niemeyer has a strong management style. He listens first before speaking. He did well dealing with eight bosses and keeping up with the daily operations of the Village. He did a phenomenal job of weaving the fine web of working with the staff, the elected officials, and the community in sync.

**Reference Notes  
David Niemeyer**

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Making good decisions came naturally to Mr. Niemeyer. He understands that the Board sets the policies and his decisions are based upon those policies. He definitely keeps the organization running at a high performance level. However, if a situation for improvement presents itself, he takes the organization to the next level.

Mr. Niemeyer has a plethora of experience dealing with the public. He practices with an open door policy with the residents and business owners. When issues arose he always handled them extremely professionally.

Mr. Hannon is not aware of any controversial issues where Mr. Niemeyer was involved. Mr. Hannon has no knowledge of anything in Mr. Niemeyer's background that would be found to be unflattering if the press were to research his past history. Mr. Niemeyer would do well in any municipality that hires him.

**Words or phrases used to describe David Niemeyer:**

- Professional,
- Communicative,
- Leader, and
- Aware of the politics, but stays above the fray.

**Strengths:** Strong manager who communicates well with everyone in the organization and is highly respected amongst his staff.

**Weaknesses:** None identified.

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**Ed Zabrocki – Former Mayor, Village of Tinley Park, IL 708-906-2679**

Mr. Niemeyer and Mr. Zabrocki have known each other, both professionally and personally, since approximately 1997. However, they only had the chance to work with each other in the same municipality for about one year.

Mr. Zabrocki was very happy with Mr. Niemeyer's job performance. He has been very positive in spite of inheriting the issues with the housing development that has dogged the community. He has a village type of personality that is easy going and he listens to people. He is patient and willing to talk things out. He does not get flustered even when he is in a roomful of upset people.

The first thing that Mr. Niemeyer did in Tinley Park was to become acquainted with each of the staff members, the elected officials, and the business community. He walked around town and made his presence known in the community.



**Reference Notes  
David Niemeyer**

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Mr. Niemeyer is a combination of someone who is innovative, a change agent, and someone who maintains the organization at a high performance level. However, he was not looking for a reorganization of how things are operating nor has he made a huge amount of changes. He has mainly focused on maintaining the high level of service that was already in existence when he arrived. He has made some quality suggestions such as updating the Village's 5 year plan. He saw that they were deficient in that area and jumped in to take care of that situation immediately.

When decisions have to be made Mr. Niemeyer is methodical and thinks things through. He bases all of his decisions on facts. Mr. Zabrocki has never had an issue with any of the decisions that he has made.

Mr. Zabrocki is only aware of one controversial situation that happened when Mr. Niemeyer was in Des Plaines. It was a crazy, hot bed of elected officials and they had some type of issue with the gambling casino. Mr. Zabrocki is not sure of the details, but knows that the elected officials were fighting amongst themselves and somehow Mr. Niemeyer became the scapegoat.

Mr. Zabrocki is not aware of any item in Mr. Niemeyer's past history that would be construed as embarrassing if the press were to go digging. He has served the community of Tinley Park very well.

**Words or phrases used to describe David Niemeyer:**

- Energetic,
- Good communicator,
- Listener,
- Hardworking, and
- Willing to accept new ideas from others.

**Strengths:** Dedicated and hardworking professional who is an excellent communicator and is very calm in all situations.

**Weaknesses:** None identified.

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**Ivan Baker – Former President, North Central Illinois Economic Development Corporation, Tinley Park, IL 815-663-7483**

Mr. Baker has known Mr. Niemeyer for quite some time, but did not have any major interaction with him until 2014 when he came to Tinley Park. Mr. Baker is the former Economic Development Director and they worked in that capacity at the Village until Mr. Baker left in 2016. They continue to have some interaction as Mr. Baker is a resident of the Village.

## Reference Notes David Niemeyer

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Everyone on the staff at Tinley Park loves working with Mr. Niemeyer. He has a calming presence and is determined and goal oriented. He encourages good communication and teamwork. He likes to have input from all of the department heads when it comes to resolving concerns. He is definitely communicative and inclusive with his department heads and staff.

Mr. Niemeyer is fully aware of all the issues, differences, and details in each department. He likes to know the details of the issues to help resolve problems, but ensures to let his executive staff members take care of the final outcome. He is the even keeled, calming force in a room especially in challenging situations.

In terms of problem solving Mr. Niemeyer looks at all of the options before deciding on a solution. He is the first Village Manager in 30 years to agree about the importance of putting together a strategic plan. He inherited a major contract replacing some faulty water meters. In the news it was a huge financial debacle. Fortunately, it was a manufacturing issue that could be dealt with and he was level headed and calm during the entire situation. He prepared the Board to deal with the citizens and helped to diffuse any anger around the issue.

Mr. Niemeyer is a change agent, but not on his terms. He wants to ensure that improvement is always occurring, but he will not force it on everyone. He is inclusive in the improvement process and understands that any successful changes depend upon the buy in of his staff.

In terms of finances, Mr. Niemeyer is lean with expenditures. If something can be afforded and would be beneficial to the customers he will be the first one to investigate it. He looks at ways to utilize existing funds or find creative ways to fund those ideas. He is also very team oriented in that area as well and encourages his staff members to give their input.

Tinley Park had one extremely controversial issue. It was a subsidized housing project that a small percentage of those apartments had been set aside for low income people. The developer went through all of the proper channels to get the permits and tax credits, but some zoning changes were applied that would benefit this project as well as some others in the community. Some in the public took that as the Board encouraging lower income housing to come to the Village. A very vocal portion of those residents put their discriminatory comments on social media and accused the Board of being racists. The Board decided to stop the project because of the outcry from the public, but unfortunately the developer did not like that and decided to take his concerns to the Department of Justice. The Village, the developer, and the Department were able to resolve it out of court. Unfortunately, Mr. Niemeyer had to deal with that situation, but thankfully he did an extremely professional job.

Mr. Baker is not aware of anything in Mr. Niemeyer's background that would be considered embarrassing if the press were to go digging. Mr. Baker would absolutely hire Mr. Niemeyer if given the opportunity.

Reference Notes  
David Niemeyer

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**Words or phrases used to describe David Niemeyer:**

- Team builder,
- Aggressive,
- Leader,
- Positive thinker,
- Caring, and
- Friendly.

**Strengths:** Intelligent, easy to work with, honest, an individual who believes in the benefit of the government for the citizens.

**Weaknesses:** At times keeping things calm can act as a double edge as he might have trouble identifying underlying issues that are already in existence of which he may not be aware.

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**Blaine Wing – City Manager, Rochester, MI 312-543-1175**

Mr. Wing has known Mr. Niemeyer since approximately 2000 when Mr. Niemeyer was in Homewood, IL. Mr. Wing was in a neighboring community and they worked several joint community efforts. Additionally, Mr. Wing was Mr. Niemeyer's assistant in the Village of Oak Brook from 2008-2014. They continue to stay in contact and Mr. Wing considers to be a fantastic mentor.

Mr. Niemeyer always interacted well with the elected officials, the staff, and the residents. He is personable and soft spoken, but highly experienced. He is a gentle giant with a quiet, commanding presence. Furthermore, he is comfortable and easy to talk and work with and has excellent presentation skills.

Mr. Niemeyer has a logical mindset and decision making process. He follows through on every decision he makes. He gathers input from others before moving forward on anything. When it came to Council decisions he ensured to give the Trustees several options to help them make well informed and correct decisions for the Village.

In terms of finances, Mr. Niemeyer has a financially wired brain. He is astute and detail oriented and can crunch numbers like no other. When the economy went south in 2008 he looked at several different options to help alleviate the budget issues. Unfortunately, he had to proceed with some layoffs. However, he was instrumental ensuring that everyone had a fair severance package and transitioned them as best as he could in such a situation.

Mr. Niemeyer is one who will keep the organization running at a high performance level. He does allow others to bring forward innovation, but he will not necessarily be the one to bring forth those ideas.

**Reference Notes  
David Niemeyer**

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One controversy occurred in Tinley Park between Mr. Niemeyer and the Public Works Director. The Director falsified some documents and he had to address that situation. He eventually had to let the Director go. Mr. Wing is not aware of anything in Mr. Niemeyer's background that would be found to be embarrassing. Mr. Niemeyer is a stand up person with much integrity. Mr. Wing would hire Mr. Niemeyer or work with him again if the opportunity ever arose.

**Words or phrases used to describe David Niemeyer:**

- Hard working,
- Integrity,
- Trustworthy,
- Communicative,
- Dedicated, and
- Fiscally responsible.

**Strengths:** Experienced professional who is logical in his thought process and who puts the needs of his community first.

**Weaknesses:** None identified.

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**Prepared by:** Lynelle Klein  
Colin Baenziger & Associates

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*CB&A Internet Research*

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**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Times, The (Munster, IN)  
June 14, 2021

**WATCH NOW: Tinley Park amps up pressure on Illinois to sell it derelict mental health center site**

Author: Mark Loehrke

Imagine you just fixed up your house with fresh paint and new landscaping to make it one of the nicest on the block. Passersby stop to admire it, neighbors are envious of it, but there's just one problem — it sits beside an overgrown lot that doesn't belong to you. The rogue parcel is sizable and owned by an out-of-towner who has not been inclined to negotiate a sale. This is the situation Tinley Park finds itself in with respect to a nearly 300-acre site that was once home to the Tinley Park Mental Health Center. Abandoned for nearly a decade, the massive lot sits in the center of the village — an odd pocket of stagnancy and decay amid the wave of development and improvement that has unfolded all around it the last several years.

The problem, says Village Manager **Dave Niemeyer**, is not a lack of will or good ideas, but rather an intransigent owner with whom village officials have been trying to negotiate for years — the State of Illinois. "We've been trying to acquire the property for more than seven years," **Niemeyer** explains. "We've had various discussions with the state, and there have been several offers made, but we just really haven't been able to reach a deal. In the last year or so, we thought they were going to sit down with us and get this done, but it hasn't happened yet. It's actually pretty frustrating."

The ongoing inability to get a deal done with the state is not only inhibiting potential development of the site, it is also preventing the village from simply trying to clean up the lot, which has devolved into a public health hazard. **Niemeyer** says environmental issues at the site include mold and asbestos, as well as rusting equipment and old gas lines. Trash and vandalism concerns also have increased in recent years. Estimates for the cleanup have run as high as \$15 million, an investment the village is willing to work with the state to make if it could get its hands on the property to get started. "Our major goal at this point is to acquire the site so that we can get it cleaned up," **Niemeyer** says. "That's the initial goal."

While the village has considered what could be done with a rehabilitated site at 183rd Street and Harlem Avenue, everyone understands that nothing can happen until that initial goal is met. **Niemeyer** says a number of developers have expressed interest, pitching everything from residential projects to commercial ventures, drawn by the site's central location and easy access to major roadways and the convention center. "We're not ready to say exactly what would go there, but we know whatever it is will be a big improvement over what's there now," he says. "I think it would be a boon that would certainly spur other development in the community."

While the lack of progress has been discouraging, **Niemeyer** says working with the state to acquire the property remains a top priority. The village's latest attempt to get things moving was a press conference last month designed to highlight the many issues facing the property and to

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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put some public pressure on the state to come to the table. And it won't be the last effort to put a big piece of Tinley Park's evolution into place. "Because of its location and size, I think this site is critical to the future of the village," **Niemeyer** says. "But it all hinges on the state deciding to move forward. It's time for the inaction to end."

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Daily Southtown (Chicago, IL)

May 27, 2021

**From racino to industrial business park - 114-acre parcel of land that's adjacent to Tinley Park to be developed, annexed**

Author: Mike Nolan

Property adjacent to Tinley Park that at one time was considered as a site for a combination harness racing track and casino will instead become an industrial business park, according to the village. The 114-acre parcel, northeast of Harlem Avenue and Vollmer Road, is now in unincorporated Cook County and would be annexed to Tinley Park, according to village manager **Dave Niemeyer**.

The site is directly north of an Amazon fulfillment center under construction in Matteson, and Indianapolis-based Scannell Properties is proposing a phased development of up to 1.3 million square feet of industrial space for warehousing and distribution. Scannell is not seeking financial incentives directly from the village, such as creation of a tax increment financing district, but the village will likely be asked to support a resolution seeking a property tax break through Cook County, according to Kimberly Clarke, the village's community development director. Scannell is expected to close on the purchase of the property in July, and the company's plans got an initial review from the village's Plan Commission earlier this month.

Initially, a building of 195,000 square feet would be built on the north side of the property, and Scannell's concept plan proposes three buildings, although a second building of a bit more than 1 million square feet could be developed, according to Clarke. Tinley Park and Scannell are working on an agreement to annex the site to the village, she said Wednesday. Tinley Park officials had, up until last year, been in talks to buy the property and at one point were offering then-owner Rick Heidner a hefty gain on his initial investment. Those discussions came to an abrupt end late last September, after the Chicago Tribune began raising questions about the proposed deal.

An appraisal by the village set the land's value at between \$5.25 million and \$5.75 million and Heidner had paid \$5 million for the property although Tinley Park was prepared to pay \$7.5 million, **Niemeyer** told the Tribune. Heidner sent a short email to Tinley Park officials saying the land was no longer for sale, with the message coming a day after the Tribune began inquiring about Heidner's ownership of the property.

**Niemeyer** said Wednesday the village was willing to pay a premium for the property in order to maintain control over the development. "We could basically control (development) through our ordinances, our codes," he said. "This was part of our planning area and we felt it was important we have control."

After a sale to Tinley Park fell through, Heidner agreed to a sale to Scannell "at a significantly higher cost" than what the village was willing to pay, according to **Niemeyer**, although he said



**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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he did not know what the sale price was and Heidner, through a spokeswoman, declined to say. The spokeswoman confirmed Wednesday that the sale to Scannell is pending, and the two sides agreed to a deal shortly after talks about a sale to Tinley Park ended. "I am very pleased this sale will allow the village of Tinley Park to annex the property which was always my hope and intent. I wish residents there the very best," Heidner said in a statement.

In 2019, village officials were supporting a proposal by Heidner to convert the shuttered Tinley Park Mental Health Center into a racino following legislation expanding gambling options statewide. The legislation allowed the combo horse track-casino for a Southland location as well as a separate free-standing casino elsewhere. Four proposals were submitted to state gaming officials for the stand-alone casino, with a review of the applications still ongoing. In the fall of 2019, however, the state blocked any plans that had been discussed to sell the property to Tinley Park, which had intended to transfer it to Heidner. The Vollmer-Harlem site was also considered by Heidner as a location for the racino, but "he looked at it as more of a backup site" to the 280-acre mental health center property, northwest of Harlem and 183rd Street, **Niemeyer** said.

Through a company he and his wife operate, Gold Rush Amusements, Heidner is Illinois' third-largest operator of video gambling terminals. Heidner had proposed a plan for the property at Vollmer and Harlem that involved a warehouse-distribution use, but the village was not keen on the proposal, Clarke said. "We did not want to carte blanche a warehouse use," she said. But at that time, Clarke said, "we had no knowledge of Amazon's plans" to build a 3.8-million-square foot fulfillment center across the street, with that project obviously making the Heidner site more ideal for a light industrial use.

The property Scannell is developing would be adjacent to the upscale Odyssey Country Club subdivision, but the developer is proposing a landscaped berm to help screen the industrial property, Clarke said. Portions of the Scannell site are either in a flood plain or flood way, so not all of the land can be developed, she said.

The village, although not being asked for any direct financial incentives, would likely seek a tax break through Cook County that reduces, for property tax purposes, the assessed value of the land on a temporary basis, she said.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Daily Southtown: Web Edition Articles (Chicago, IL)

May 20, 2021

**Tinley Park mayor criticizes state officials, suggests possible legal action over safety issues at former mental health hospital site**

Author: Mike Nolan

Tinley Park Mayor Michael Glotz said Thursday his village would consider a lawsuit if state officials don't move quickly to address environmental and public safety issues at a former state-run mental health hospital. During a news conference near the perimeter of the 280-acre state, village officials said tainted soil, underground storage tanks, asbestos and black mold are among issues at the former Tinley Park Mental Health Center they want to see addressed.

The facility closed in 2012 and the village wants to buy the property from the state, clean it up and offer it for development. The property is northwest of the intersection of Harlem Avenue and 183rd Street. "If they don't take action we are going to be forced to take action ourselves," Glotz said. Paul O'Grady, the village's attorney, said a lawsuit would be considered "only as a last resort" if negotiations don't produce results.

The mayor, sworn in earlier this month after serving a term as village trustee, said the village has been stonewalled in trying to get the site maintained properly. "We have attempted over and over again to get someone, anyone, at the state to talk to us," he said. "We want the state to either bring it up to code or sell the property to be cleaned up."

The village last month issued citations for building code violations, accumulated litter and overgrown grass and weeds on the property, which is patrolled by private security. Buildings are covered in graffiti and valuable metals such as copper pipes have been stripped from buildings, Glotz said. In a response to the violations last month, the Illinois Department of Central Management Services, which manages the property, said it is exempt from such municipal property or building codes. A message left seeking comment was not immediately returned Thursday.

An estimate made several years ago put the cost at remediating the site's environmental issues and razing dozens of buildings on the property at \$12.4 million. Glotz said Thursday he believed it would cost \$15 million to "make that site development ready."

Tinley Park's budget for the fiscal year that began May 1 includes \$7.5 million set aside to buy and remediate the property for potential redevelopment. The state's Rebuild Illinois capital program has also designated \$15 million toward cleanup. "No one can tell use if and when these funds will become available," said village manager **Dave Niemeyer**.

In 2015, Tinley Park planned to pay the state what was then an asking price of \$4.16 million for the property, but backed away from the purchase. In May 2019, the state offered to sell it to the village for \$4.5 million, and the village indicated it was agreeable to that but no further

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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discussions have been held, **Niemeyer** said. "It is an eyesore and an embarrassment to the state," he said. He said the village was going into any negotiations on a land purchase without truly knowing the site's value. He said the state had two appraisals of the property but has refused to turn them over to the village, and denied a request for the records under the state's Freedom of Information Act, although the village did not appeal the denial.

Village officials earlier this month learned that a water main serving the property was leaking, and, through a water meter that is linked to the site, estimated the spill at more than 2 million gallons. The water has since been shut off and a contractor has been hired by CMS to determine the source of the leak, **Niemeyer** said. The line is not looped into the village's municipal water system.

Last month, newly elected state Rep. Tim Ozinga, R-Mokena, introduced legislation that would force a sale of the property. The bill has been referred to committee. The property is not in Ozinga's 37th District.

Glutz had harsh words for state Sen. Michael Hastings, D-Frankfort, who he said had initially worked to assist the village by introducing a resolution to push the sale through. The mayor said he had sent 13 emails to the legislator in recent weeks regarding the property but has not received a response. "What has he done, or what will he do?" Glutz said. Hastings' office said the senator met with village officials and the village's lobbyist in February and April to talk about the state property.

In a statement in response to the news conference, Hastings said he has "worked tirelessly" during his eight years in the Senate "to do what's best for the village of Tinley Park, and for the future of the former Tinley Park Mental Health Center site." "We have now had four different mayors in Tinley Park during those eight years, and it's disappointing that the new mayor has only been on the job a few days and now immediately goes on the attack," Hastings was quoted in the statement.

Hastings said he secured the \$15 million in the state capital bill for the site cleanup. "I have presented several pieces of legislation and urged the Governor's office to sell the center property, and I call on them to release the funds for the site cleanup," the senator said in the statement.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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[CB&A Note: Mr Eberhardt filed his case (known in article below as Eberhardt 1) and it was dismissed. He filed again with changes (Eberhardt 11) and it was dismissed again because the court called the second case duplicative of the first. Both cases are in the article text. Click the link below to read the full text of the case.]

<https://www.leagle.com/decision/infdco20201110d96>

**EBERHARDT v. VILLAGE OF TINLEY PARK**

No. 20 C 3269.

STEPHEN E. EBERHARDT, Plaintiff, v. VILLAGE OF TINLEY PARK, a Municipal Corporation, JACOB C. VANDENBERG, Mayor/Village President, MICHAEL W. GLOTZ, Trustee/Mayor Pro-Tem, **DAVID J. NIEMEYER**, Village Manager, PAUL O'GRADY, Village Attorney, PATRICK CONNELLY, Village Attorney, and DOUGLAS S. SPALE, former Village Attorney, Defendants.

United States District Court, N.D. Illinois, Eastern Division.

November 9, 2020.

MEMORANDUM OPINION AND ORDER

GARY FEINERMAN, District Judge.

A review of the two suits reveals that the correct course is to dismiss this suit as duplicative of Eberhardt I. As outlined above, the two suits share significant overlap as to (1) the named defendants, (2) the alleged facts, (3) the asserted legal rights, and (4) the requested relief. See Serlin, 3 F.3d at 223-24. There are no "special factors counseling for . . . exercise of jurisdiction" over this suit. Id. at 224. Allowing this suit to proceed, accordingly, would not advance "wise judicial administration." Id. at 223. Given the factual and legal overlap between the two suits, any events that have occurred since Eberhardt initiated Eberhardt I are proper fodder for an amended complaint there, not any complaint in this materially identical suit.

This suit is dismissed. The dismissal of course is without prejudice to Eberhardt pressing his claims in Eberhardt I.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Tinley Park (IL)  
July 16, 2020

**For the Record**

Author: **David Niemeyer**

There's no denying that the COVID-19 pandemic has affected nearly every aspect of day-to-day life for all of us these past several months. While it seems like it's been forever since we've been able to shop for groceries without a face covering or see our favorite bands perform live in concert, I'm confident that those days will eventually return. Until then, the Village is doing everything we can to make sure we're being fiscally responsible in these very lean financial times.

When the Village adopted the 2021 budget in April, we also began working on a new spending plan to offset forecasted losses in revenue due to the pandemic. We made an immediate decision to reduce all discretionary spending and focus resources to the core services that Tinley Park residents and businesses needed. Unfortunately, as the pandemic continued to grow, so did the forecasted revenue loss. Village staff worked together on a new spending plan to limit, defer and eliminate expenditures from the approved budget to offset these additional revenue losses.

Currently, we project total revenue loss at more than \$14 million. The majority of this comes from the General Fund, about \$11 million (20 percent). The General Fund supports core services such as administration, public safety and public works. We created a new spending plan that reduced expenditures by eliminating, deferring or resizing projects, nonessential services, additional staffing needs and other non-critical Village operations. Other funds are experiencing significant revenue reductions as a result of COVID-19.

Specifically, most new hiring has been deferred, except for some critical public safety and management positions. Village staff has also deferred many capital expenditures, eliminated most training, reduced overtime significantly, and reorganized staffing. Also, my department heads and senior staff are being asked to take five intermittent, unpaid furlough days this fiscal year. I'm taking seven, and many employees are working reduced hours, all in an effort to decrease budgeted costs. The new spending plan provides the Village an opportunity to offset the impacts of COVID-19 early, which will hopefully mean we won't have to make more drastic and critical cuts later in the fiscal year.

We'll continue to update the Village Board on the actual COVID-19 revenue impacts as those amounts become known and make additional adjustments as warranted. The new spending plan gives us the ability to make additional reductions or re-institute expenditures as needed.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Tinley Park (IL)

June 19, 2020

**For the Record**

Author: **David Niemeyer**

It's been a rocky year so far for sure, but the Village is doing everything we can to help Tinley Park recover and move forward into better days.

One such plan is already in the works. At its June 9 meeting, the Village Board passed an ordinance that will begin the process of creating a new Tax Increment Financing (TIF) District for the 159th Street and Harlem Avenue corridor. The TIF will help us fill commercial vacancies in that area, spur development and give our local economy a much-needed shot in the arm.

If you're wondering just what exactly TIFs are, it's pretty simple – communities can use them to develop areas in need of a bit of help. Property tax revenues for taxing bodies within the TIF district are frozen at whatever rate they were at when the TIF was created, and increases in that revenue over the course of 23 years (the standard life of a TIF) are used for public improvements or to incentivize potential developers. It's self-funding and helps affected areas become financially viable once again.

The proposed 159th Street and Harlem Avenue TIF District covers an area that is of particular importance, as it contains scores of businesses that together comprise a commercial “front door” to our community. Vacancies in this area have increased dramatically, which translates into less traffic and less sales tax. Every vacancy increases the number of visibly empty storefronts, which in turn compromises the aesthetics of the entire area. Through time, the location becomes less and less of a prime destination for customers, and since the area is the first thing many people see as they enter our town, this creates a ripple effect that negatively impacts the rest of the businesses in Tinley Park.

The proposed TIF District would enable us to make the significant reinvestment needed to attract the type of commercial anchors that would better meet the needs of the Tinley Park community, transform this property into a premier local destination, and revitalize the local economy through job creation. It's also a chance to reimagine what business in Tinley Park can look like moving forward. Everyone is well aware of the fact that more people are shopping online instead of going to brick-and-mortar stores, resulting in retail being down across the board. That is unlikely to change anytime soon, so we'll have to get creative, and the 159th Street and Harlem Avenue corridor gives us such an opportunity.

Ultimately, the proposed TIF is a preventative measure to ensure this decline doesn't continue. Something needs to be done to stem the bleeding, and TIFs are one of the few tools municipalities have in their medicine cabinet to do the job. To be blunt, this is what it takes to attract development when you have the extraordinary costs that come with doing business in south suburban Cook County. Quality developers aren't going to come without assistance, and

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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this TIF will provide just that and offer a unique opportunity to bring first-class developments to our community. The next steps will include a Joint Review Board meeting at 1:30 p.m. Tuesday, July 14 in which taxing bodies can provide input and review the plan in greater detail. After that, the TIF will move to a public hearing at 6:30 p.m. Tuesday, Aug. 4. There, residents will be able to weigh in on the plan and get more information. The Eligibility Report and Redevelopment Plan and Project documents for the proposed TIF are available for review on the Village website. I'll keep you updated on the process as it moves along. Until we talk again, I wish you and yours a great summer.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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MSN.com (IL)

June 18, 2020

**Talk of Secretary of State Opening in Tinley Park Begins**

Author: Tim Moran

Officials in Tinley Park are looking into the possibility of an express Illinois Secretary of State facility opening in town. The area has been without one since the beginning of the coronavirus pandemic as the express facility that was open inside Orland Park Village Hall has closed permanently. Tinley Park Village Manager **Dave Niemeyer** said Thursday the village has been looking at possible places to house the Secretary of State office over the past couple of weeks. Trustee Michael Glotz, in a Wednesday email to **Niemeyer** and other village officials, listed three possible landing spots for the Secretary of State in Tinley Park.

Currently, the nearest Secretary of State facility for Tinley residents is in Midlothian. The facility in Chicago Heights remains closed after a fire broke out as a result of civil unrest in the wake of the death of George Floyd last month. Others in the south suburbs are in Lockport and Bridgeview. Glotz asked **Niemeyer** to look into the possibility of the facility opening at the former site of the Illinois Environmental Protection Agency's vehicle emission testing center on Duvan Drive, which has been left vacant since the Illinois EPA closed the site in 2016.

The trustee also asked if the village could "assist" the state in finding a spot in a vacant Tinley Park storefront or, as a "last resort," see if they could open in a portion of the Kallsen Conference Center at Tinley Park Village Hall. "We have not specifically looked at the emission facility and Kallsen Center but will look at those too," **Niemeyer** told Patch. Dave Druker, a spokesman for the Secretary of State office, said the state is "definitely looking for something in the area" to continue to serve the residents of Orland Park and Tinley Park earlier this month when the Orland Park closure was announced. He was not immediately available Thursday to discuss the possibilities mentioned by the officials in Tinley Park.



**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Daily Southtown: Web Edition Articles (Chicago, IL)

March 13, 2019

**Tinley Park looks to overhaul pay for firefighters**

Author: Mike Nolan

In a bid to stay competitive in hiring and retaining firefighters, Tinley Park officials plan to overhaul how most fire department personnel are paid. For the largely part-time force, a 10-step pay structure would be implemented with the start of the next village fiscal year on May 1. The pay plan would offer 2 percent pay hikes for each step. The Village Board is scheduled to vote on the plan next month after a Village Board committee Tuesday voted to recommend approval by the full board.

Currently, according to the village, firefighters have limited opportunities for pay hikes, which the new plan is intended to correct. Right now, personnel see pay increases once they complete their one-year probationary period or upon promotion, or through Village Board action in approving annual market wage adjustments, according to the village.

The new pay plan will "improve our competitiveness in the market" as far as retaining and attracting personnel to the department, **David Niemeyer**, village manager, told trustees.

Over four years, the revised pay structure is expected to cost the village a bit more than \$513,000. Currently, the base hourly rate for firefighters who've completed their one-year probationary period is \$19.04, and that would rise to \$19.52, according to the village. The base rate for engineers, now \$20.77 per hour, would increase to \$21.29.

Assistant chief and deputy chief positions would also see an initial bump. The base rate for assistant chief, now at \$25.96 per hour, would be boosted to \$28.16, while the base hourly rate for deputy chief, now at \$38.37, would go up to \$42.47, according to the village. Both are part-time positions. After that, assistant and deputy chief positions wouldn't be on the step increase schedule, but would be eligible for annual merit-based increases that would need Village Board approval.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Tinley Park (IL)  
October 26, 2018

**For the Record**

Author: **David Niemeyer**

I wanted to take a few moments to discuss an exciting proposed project that will be a cornerstone to revitalizing Downtown Tinley.

The Boulevard at Central Station is a four-story, mixed-use development project that will sit on the three acres of vacant land south of the Oak Park Avenue train station. This project has been talked about by various village boards for more than a decade. Once complete, the Boulevard will consist of 165 residential units and nearly 30,000 leasable square feet of commercial space and will bring the density required to create a vibrant, successful downtown.

The development will be constructed in two phases. Phase One will include 66 residential units, with about 15,000 square feet of leasable commercial space and upscale amenities for the residents. Part of the commercial space will be dedicated to a white-tablecloth, full-service restaurant to complement all of the other great businesses in Downtown Tinley and make the area a prime destination. Phase Two will include 99 residential units, about 15,000 square feet of leasable commercial space, a 181-space parking garage and a swimming pool for the residents.

This project would not be possible without the New Bremen TIF District, which the Village created earlier this year to replace the aging Main Street South TIF. Projects like the Boulevard are why we created the New Bremen TIF and the Main Street North TIF in the first place – to attract high-quality developments and bring commercial development to Downtown Tinley. It's important to note that each of the local affected taxing bodies supports this new TIF. These types of projects, along with the new plaza that will begin construction next year, promises to breathe new life into Downtown Tinley.

The development team, which consists of Hansen Development and Joe Rizza Auto Group, is requesting \$2.2 million in upfront funds to assist with the estimated \$3.3 million in public infrastructure improvements the location needs such as sidewalks, burying utility poles and water mains. These funds will be reimbursed to the Village as increment is generated by the project. Many of these improvements would have to be made by the Village regardless of this particular project due to aging infrastructure.

The developer has agreed to pay for all public improvements greater than the \$2.2 million incentive, no matter the costs. Having the developer perform these improvements is beneficial to us as a Village because it's more efficient for them to do the improvements now with the new development improvements, than to do them on our own. The developer can better coordinate the work of the various contractors and avoid conflicts that can result in construction delays. The estimated costs of the infrastructure improvements are detailed on pages 91 to 93 in the packet linked near the end of this article.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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The developer is also requesting \$4.8 million in tax increment development to assist with TIF-eligible expenses in the estimated \$32.7 million private development. A major objective of this incentive is to help finance the commercial development portion of this project, which the Village believes is important to the growth and revitalization of the downtown area and the Village economy. It is also important to note that the TIF funds supporting this incentive will be generated by the success of the development and will not include any Village funds. Furthermore, there are timetables in terms of construction that incent the developer to construct the project in a timely manner.

The Village will share as much as 50% of the yearly TIF increment with the developer until the Village receives all of its \$2.2 million in public infrastructure incentives back, after which the developer will receive up to the maximum \$4.8 million based on documented TIF costs.

The other parts of the incentive include a permit fee cap of \$100,000 and a land swap. The full details of the incentive package were included in the Village agenda packet for the Oct. 9, 2018 Committee of the Whole meeting, but I have included a direct link to this 114-page document for your convenience. The estimated value of the incentives is about \$7.5 million.

Incentives for development projects like this are thoroughly reviewed by staff and the Village Board. They are the result of extensive meetings and negotiations.

I invite all of you to read more about this project on the Village's Current Projects page. This project will be up for approval at the Nov. 6 Village Board meeting. Until next time, have a great Halloween and be sure to visit us at the annual Boo Bash, happening from noon to 3 p.m. this Sunday in Zabrocki Plaza.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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qa.wbez.org (IL)  
September 21, 2018

**Tinley Park’s Affordable Housing Fight is Over. Will the Village Now Diversify?**

Author: Miles Bryan

Delores Franks lives in far southwest suburban Joliet, but she likes to shop in Tinley Park, a village about 20 miles away. But Franks, who is black, said she doesn’t like to linger there for too long. “You can see it in certain stores. You can feel it in certain restaurants,” she said. “It’s like you’re not wanted here, even though you are spending your money.” For decades, southwest suburban Tinley Park, located about 30 miles from Chicago, has remained overwhelmingly white, even as many nearby suburbs grew increasingly diverse. This week marked what is likely the final chapter in a two-and-a-half year saga that at times put that racial disparity under a spotlight.

Tinley Park appointed a “Fair Housing Officer” Tuesday. It also adopted a fair housing policy, and will soon put village employees through fair housing training. The changes were required as part of a recent settlement with the U.S. Department of Justice, which sued the village in 2016 for blocking an affordable housing complex that would have likely attracted mostly black residents, according to the DOJ. The federal complaint alleged that village officials capitulated to “racially motivated community opposition” to the housing plan.

Village Manager **David Niemeyer** said Tinley Park plans to keep its fair housing officer on longer than the three years required by the settlement, and the village is committed to welcoming people regardless of race. “The village and its residents are friendly to all people and welcome with open arms African-Americans and anyone who wants to be a positive part of our community,” **Niemeyer** said in a written statement to WBEZ. But some fair-housing advocates and black people who visit the village are skeptical that much will change.

“Tinley Park got off very easy,” said John Petruszak, the executive director of the nonprofit advocacy group South Suburban Housing Center. “I think we are going to be monitoring what’s going on there for quite some time to try and make it a place where African-Americans perceive they can move to.” The Ohio-based nonprofit Buckeye Community Hope Foundation first proposed building 47 units of affordable housing in Tinley Park in 2015. In February 2016, hundreds of people attended a village board meeting to protest the housing plan, citing fears of falling property values, bigger classroom sizes in schools, and skepticism about the developer.

Although the plan was considered to be in “precise conformance” with village code, it was sent back to the Tinley Park Planning Department for further review, “stalling the project indefinitely,” the DOJ said. In November 2016, the DOJ sued Tinley Park, arguing that much of the resistance to the affordable housing development was motivated by racism. It cited comments left on Facebook groups formed around the issue as evidence, including: “I’ll bet my life savings that this place is overrun by garbage within a year or two,” and “the future of Tinley is looking more and more like Harvey.” That village, also in the south suburbs, is about 70 percent black,

**Internet – Newspaper Archives Searches****David J. Niemeyer***(Articles are in reverse chronological order)*

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according to 2016 U.S. Census Bureau data. Petruszak, who has worked on fair housing issues in the south suburbs for more than 30 years, said Tinley Park and other southwest suburbs have remained overwhelmingly white even as many black Chicagoans began moving south of the city in the 1980s and 1990s. “You saw white families then moving west and east,” Petruszak said. “East into Indiana, and west into communities like Tinley Park that are west of I-57.” According to census records, Tinley Park’s black population has grown from 1.6 percent in 1990 to 3.8 percent in 2016. By contrast, nearby Homewood has gone from 6.4 percent black to 37 percent in that same time, while Country Club Hills has gone from 58 percent black to 87 percent. The percentage of Tinley Park’s residents who are black is significantly lower than the percentage of those who work there: About 14 percent of people working in Tinley Park are black, according to federal jobs data. Delores Franks said that she plans to continue shopping in Tinley Park, but she could never see herself moving there. “I don’t think I would be comfortable,” she said. “I don’t want to be anywhere where I feel unwanted.”

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Southtown (Chicago, IL)  
June 12, 2018

**Date is set for settlement talks - Conference ordered by federal court in 2016 fair housing lawsuit against Tinley Park to begin in June - Tinley Park**

Author: Mike Nolan

Talks aimed at reaching a settlement of the Justice Department's lawsuit against Tinley Park regarding its handling of a controversial apartment development will start later this month, according to the village and a court filing. A June 25 conference will involve attorneys for the government and Tinley Park as well as retired U.S. District Court Judge David Coar, according to last Thursday's filing. The settlement discussion was ordered by the judge overseeing the case, but no agreement has been reached on resolving the matter out of court, **Dave Niemeyer**, village manager, said in an email Monday.

Just before Thanksgiving in 2016, the Justice Department sued Tinley Park, alleging officials violated the federal Fair Housing Act when they refused to approve plans for The Reserve, an apartment project slated for the northeast corner of 183rd Street and Oak Park Avenue that would have targeted low-income renters.

Coar served 16 years as a U.S. district court judge in Chicago and serves as a mediator and arbitrator for Judicial Arbitration and Mediation Services, which describes itself as the world's largest private alternative dispute resolution provider. JAMS declined to confirm its involvement in any discussions aimed at a settlement of the Tinley Park/Justice Department matter. Coar was a judge from 1994 until 2010 and prior to that served as a bankruptcy court judge for eight years in the Northern District. Coar joined JAMS in 2011.

Tinley Park last year settled a lawsuit filed against it by The Reserve's developer, and the village sued its former planning director, Amy Connolly, accusing her of breaching her fiduciary duties as a village employee and blaming her for the village being ensnared in costly litigation related to the apartment development, plans for which have since been dropped.

The reference to the settlement conference was made in the village's request for additional time to comply with an order by U.S. District Court Judge Sara Ellis to provide transcripts of closed-session talks among village officials during which The Reserve was discussed. Ellis had told the village to provide the transcripts for her to review by June 7, but attorneys said more time is needed because the conversations were recorded on audiotapes, which must be transcribed, and the people who were involved in the discussions are not clearly identified by name on the recordings, which involves a separate step of identifying who was talking, according to the extension request.

The Justice Department has sought the recordings or transcripts from the executive session meetings held in February and March of 2016, with some of the discussions taking place around the time the village's Plan Commission tabled a vote that could have potentially given the green

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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light to the apartment development. The village's attorneys have maintained that because the lawyer who was village attorney at the time was present during the closed-door talks, anything discussed is protected by attorney-client privilege. Ellis is hearing the Justice Department complaint and presiding over the Connolly matter and has scheduled status hearings on both for June 20.

Tinley Park has paid approximately \$2.3 million in legal bills related to The Reserve, including the Justice Department litigation, the lawsuit against Connolly and the complaint brought by developer Buckeye Community Hope Foundation. Legal bills don't include the April 2017 settlement with Buckeye. Per the terms of the settlement, according to the village, Tinley Park paid \$75,392 from the village's general fund, with another \$684,608 coming from a legal settlement fund held on the village's behalf by its insurer, the Intergovernmental Risk Management Association. IRMA also paid an additional \$1.69 million toward the total settlement of \$2.45 million.

Buckeye sued the village in April 2016 following a decision in early February of that year by the village's Plan Commission to table a vote on The Reserve. In seeking to keep the details of the closed-session discussions under wraps, the village notes that Buckeye had threatened a lawsuit as of late January of that year and that potential litigation involving the developer was "the dominant topic of conversation" during a Feb. 2, 2016, executive session.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Southtown (IL)  
April 22, 2018

**Tinley Seeks to Control Costs of Ethics Complaints**  
**Village Has Spent Nearly \$50K in Legal Fees This Fiscal Year**  
Author: Mike Nolan

As they seek to control legal costs associated with investigating ethics complaints filed against village elected officials and employees, Tinley Park trustees want to test a two-step process. Trustees had, in February, approved a 90-day stay on investigating new ethics complaints, although the village has continued to accept such complaints. The village, in order to maintain an arms-length approach toward investigating the complaints, relies on outside law firms to handle investigations, but "the expense of investigating (the complaints) is significant," Trustee Michael Pannitto said at a Village Board committee meeting Tuesday where the matter was discussed. During the current fiscal year, which ends at the end of the month, the village has spent more than \$48,700 on legal fees associated with examining ethics complaints, according to village records.

Pannitto and other trustees said they favored a "threshold test" to decide whether a complaint is valid and requires further investigation by an outside lawyer, but they initially couldn't agree on who would make such a determination. A suggestion was that an appointed committee do a preliminary evaluation of ethics complaints to determine what Pannitto, an attorney, described as "probable cause," but trustees couldn't agree on who would sit on such a panel and who would appoint them. It was also agreed that any such committee would also need an attorney advising it. Trustee Michael Glotz said he agreed that the legal expenses had become an issue but that he was "not comfortable with a hand-picked committee that is going to be the judge and jury" deciding whether a complaint against an employee or elected official has merit.

Eventually discarding the idea of a review committee, trustees, at the suggestion of Village Manager **Dave Niemeyer**, agreed to continue using outside lawyers but to have them make an initial decision on whether to move ahead with a full investigation of an ethics complaint. Patrick Connelly, the village's attorney, said he would come up with some basic criteria that a complaint would have to meet before being considered for a more thorough evaluation. Trustees hope to firm up the new process before the 90-day stay lapses later next month, but Connelly said that "getting this right is much more important" than a moratorium, which could be extended another week or so if needed. Pannitto said whatever process that trustees decide on doesn't have to be "perfect right now" and that if it turns out the two-step review "still costs a ton of money, we can revisit it."



**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Tribune (IL)  
December 13, 2017

**Lawsuit: Tinley Park Officials Blocked Job Opportunities**

Author: Mike Nolan

A Tinley Park attorney is accusing some village officials of "purposefully and maliciously" blocking attempts by the village's mayor to hire him. The lawsuit in Cook County Circuit Court by Steve Eberhardt comes just weeks after the Village Board thwarted an appointment by Mayor Jacob Vandenberg to have Eberhardt take over the duties of overseeing the village's emergency services and 911 communications. In his complaint, which seeks damages in excess of \$1 million, Eberhardt also alleges that some village officials stymied a plan several months ago by Vandenberg to name Eberhardt to a newly created job of chief information officer/special assistant to the mayor.

Defendants in the lawsuit include Village Manager **Dave Niemeyer** and Pat Carr, assistant village manager and director of Tinley Park's emergency services operations. They are being sued as individuals and not in any official capacity as village employees, according to the lawsuit, filed Nov. 20. Eberhardt contends their actions were based on their "own personal and political self-interests, motivations and animus" toward him. An attorney with a law firm representing the five defendants in the complaint did not respond to a message left seeking comment. **Niemeyer**, Carr and the other defendants are scheduled to file their responses to the lawsuit later this month.

Carr had been serving as emergency management and 911 communications director as well as interim assistant village manager until Oct. 17, when the Village Board approved him as assistant manager. Vandenberg, in an Oct. 19 memo, said he was naming Eberhardt to replace Carr in that Carr's promotion to village manager had created a vacancy in the job of emergency services coordinator. Although the village's personnel code prohibits one person from holding two jobs, trustees at the Nov. 21 Village Board meeting approved an exception, recommended by **Niemeyer**, to allow Carr to hold both jobs. He is not being paid two salaries, however, and the village plans to evaluate the dual roles in a year.

In his lawsuit, Eberhardt said the new mayor had intended to tap Eberhardt for a job, starting on or around June 1, that would "foster government transparency" and include " 'watchdog' type duties in an official capacity to help protect the interests of the residents, taxpayers and businesses" of the village. In May, after being sworn in as mayor, Vandenberg gave **Niemeyer** and Carr a job description for a new position that Eberhardt was to fill as chief information officer, reporting directly to the mayor. Duties included identifying inefficiencies, waste and potential for misconduct in village government; conducting periodic audits of village departments, boards and activities to spot evidence of fraud, abuse or illegal acts; and to receive and register complaints and information concerning inefficiency, waste and misconduct within village government, according to the lawsuit. The job description doesn't say what the salary would be.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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**Niemeyer** and Carr didn't carry out the mayor's direction to implement the new position in part because of their desire to "thwart government transparency they knew would result" as well as a "fear they would have no control over (Eberhardt's) duties" because he would report directly to Vandenberg, Eberhardt alleges. He said that **Niemeyer** and Carr instead crafted a position for the job of Transparency, Compliance and Purchasing Officer that would have some of the same duties as the CEO position proposed but with the job holder reporting to the assistant village manager. The position proposed a salary, depending on qualifications, of \$90,000 a year. They drafted the position "specifically with terms which they believed plaintiff would not accept," Eberhardt said in the lawsuit. **Niemeyer**, Carr "and others known and unknown conspired and took actions to prevent the employment" of Eberhardt, he alleges, noting that he withdrew from many legal cases based on the promises that he would be taking a full-time job with the village.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Southtown (IL)  
September 21, 2017

**Project Helps Make Walk on Mild Side  
Sidewalk to Address Student Safety Concerns  
Tinley Park**

Author: Ted Slowik

Teenagers tend to do what they want. Ask any parent or educator, and chances are they'll tell you it can be difficult at times to control the behavior of a teen. I've been concerned for some time about the safety of teens who walk along the road as traffic whizzes by along 175th Street between Ridgeland Avenue and Tinley Park High School. I'm not the first or only one concerned. When Tinley Park High School Principal Theresa Nolan learned that work on a sewer project would block access to the sidewalk along the north side of the road, she made a shuttle bus available to transport students who are within walking distance of the school. However, hardly any students are taking advantage of the service since it became available when the school year began a month ago, Nolan told me.

"The participation has been few to none," she said. "Students continue to walk, as they have for decades now, on the south side of the street along the shoulder. There has been little impact to walkers since they are continuing the pattern of behavior that has gone on for years." At long last, something is being done that might finally change the behavior of students who flirt with danger by walking close to traffic. Work is scheduled to begin this week on a project to build a sidewalk where none previously existed in front of homes along the south side of 175th Street, Tinley Park Village Manager **David Niemeyer** told me. "The project should take several weeks to complete," **Niemeyer** said. "This will improve the safety of students who walk on the shoulder."

The Tinley Park Village Board on July 18 awarded a \$143,984 contract for the work to Monee-based Davis Concrete, which submitted the lowest of four bids. "There is currently an uninterrupted sidewalk on the north side of the street, but this sidewalk lies on the opposite side of the street from the school," the village said in the minutes of its July 18 meeting. "As a result, many students over the years have been walking in the street instead of using the available sidewalk on the north side of the street, putting themselves and vehicles at risk. The village has received many complaints."

Like I said, I'm hardly the first to express concerns about the situation. A column I wrote nearly a year ago about the issue may have helped revive efforts to achieve a solution. "I urge village officials to make these improvements a higher priority and to work with the county on a plan to fund engineering and construction costs," I wrote in a piece published on Oct. 19, 2016. Two weeks later, **Niemeyer** addressed the issue in a newsletter to residents. He said the village had been trying for years to extend the sidewalk along the south side of 175th Street. "This was targeted to be completed as part of the Cook County improvement of 175th Street to the west of Ridgeland Avenue," **Niemeyer** said in a newsletter dated Nov. 3, 2016. "Unfortunately, that

**Internet – Newspaper Archives Searches****David J. Niemeyer***(Articles are in reverse chronological order)*

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project stalled in 2009 due to a lack of funding. It was a Cook County-funded project that was to cost about \$6 million." He said in the newsletter that then-Mayor David Seaman and other village officials met at the time with Cook County Board President Toni Preckwinkle to get the project back on track.

Becky Schlikerman, a spokeswoman for Cook County, said the county board last week approved a contract for design and engineering services for three road projects in the area. Tinley Park is the lead agency for the roadwork, and the county will reimburse the village \$482,562 for engineering and design work related to the three projects, Schlikerman said. The three projects are 175th Street from Oak Park Avenue to Ridgeland Avenue, Ridgeland Avenue from 175th Street to Oak Forest Avenue, and Oak Forest Avenue from Ridgeland Avenue to 167th Street. "Included in every project along a county route is a complete streets analysis to determine the appropriate accommodation for pedestrian and bicycle traffic, per the county's complete streets ordinance," she said.

On 175th Street, a 5-foot sidewalk will be provided on both sides of the street, she said, referring to the span between Oak Park and Ridgeland. That's west of the area that has me most concerned. Still, I credit Tinley Park officials for realizing the need for a sidewalk between Ridgeland Avenue and the high school and for hiring a contractor to build it. Nolan believes the new sidewalk along the south side of 175th Street will finally resolve safety concerns that have existed since Bremen High School District 228 opened Tinley Park High School in 1961. "This sidewalk will now allow students to safely be off the shoulder of the road," she said.

There's an adage that you can't make an omelet without breaking a few eggs. The work will temporarily inconvenience about a dozen homeowners along 175th Street. They've had a rough summer, with noise and dust related to construction of the Freedom Pond water-retention project on what was formerly part of the Panduit property. Lately, the intersection of Ridgeland Avenue and 175th Street has been tough to negotiate, with one lane blocked on 175th west of Ridgeland. Nolan said she is grateful to residents who will be inconvenienced during sidewalk construction. "Village officials shared with us that this is being done in two separate phases to minimize the inconvenience to homeowners. They are anticipating each phase to last for approximately two weeks at a time."

The village said in July the new sidewalk would be designed to accommodate existing landscaping in front of homes along the route. "The one thing I hope we can all agree upon is the fact that a two-week inconvenience to provide a safe passage for our students to walk to school is far more valuable than dealing with the aftermath of a student being struck by a car on the shoulder of the road," Nolan said.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Daily Southtown (Chicago, IL)

April 20, 2017

**Tinley Park resolves lawsuit - Board votes to approve settlement of \$2.45 million**

Author: Mike Nolan

With a quick, uneventful vote at Tuesday's village board meeting, Tinley Park officials laid to rest one legal controversy stemming from plans, now abandoned, to build apartments in the village that would target low-income renters. The settlement with Buckeye Community Hope Foundation, the Ohio-based nonprofit that proposed to build the 47-unit The Reserve, means the apartment project won't be built but it's unclear whether the agreement will also help in settling a separate lawsuit against the village, brought by the Justice Department, alleging violations of federal fair housing laws.

On Wednesday, a year to the day since Buckeye filed its federal lawsuit, a check for \$2.45 million was to have been delivered to the Chicago offices of the law firm Holland & Knight, which represented Buckeye in the lawsuit. Per the terms of the settlement, Tinley Park will pay Buckeye \$75,392 from the village's general fund. Buckeye will receive an additional \$684,608 from a legal settlement fund held on the village's behalf by its insurer, the Intergovernmental Risk Management Association. IRMA will then pay Buckeye another \$1.69 million out of its own fund, for a total settlement of \$2.45 million.

**Dave Niemeyer**, Tinley Park's village manager, said that IRMA had urged the village to settle the Buckeye matter and was also involved in negotiating the amount of the settlement. Steven Elrod, an attorney with Holland & Knight, declined to comment Wednesday on how the dollar amount was calculated.

Village officials said that the continuing cost of pursuing its defense of the lawsuit was a major factor in agreeing to settle. Trustee Brian Younker, prior to the board vote, said that the legal fees for the village could have been "well in excess" of \$1 million had the matter gone to trial and the outcome of the case been appealed by either side. Buckeye sued after the village's Plan Commission, in early February of last year, tabled a vote that would have cleared the way for The Reserve to be built. Buckeye alleged that village officials had improperly interfered in blocking the project and discriminated against prospective tenants of building.

As part of the settlement, Tinley Park denies any wrongful conduct on its part. The village contended that the building was required to have street-level commercial space, while Buckeye maintained that its apartment development had been in compliance with village codes at the time the Plan Commission considered the project. Enforcing street-level commercial requirements, Buckeye argued, was discriminatory against affordable housing.

Buckeye "would have preferred to build its residential development as it originally planned," and was "disappointed in the way the village conducted itself" during the review process, Elrod said. "We feel strongly we would have prevailed" had the case gone to trial, he said. Attorneys for the

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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village and Buckeye had "been talking about settlement concepts on and off for several months," and one proposal that had been on the table, but not pursued, called for Buckeye to build The Reserve but with commercial space on the ground floor, Elrod said.

Separate from the Buckeye settlement, attorneys for the village are awaiting a judge's decision on Tinley Park's motion to dismiss a lawsuit brought last November by the Justice Department alleging village officials violated federal fair housing laws by not approving the apartments.

Also, this past January, Tinley Park's former planning director Amy Connolly filed a complaint with the U.S. Department of Housing and Urban Development alleging her suspension violated federal fair housing laws. Connolly was suspended from her job, which she'd held since the fall of 2007, about two weeks after the Plan Commission tabled a vote on The Reserve. She had played a key role in reviewing plans for the project and had determined it complied with village development rules in place at the time.

Changes to the village's Legacy Code governing development in the downtown business district were made to firm up the "street level commercial" requirement, and an ordinance finalizing those revisions was approved by the village board at its Tuesday meeting. Connolly resigned in May of last year to take the job of city development director in Racine, Wis. HUD is investigating her complaint and could file a lawsuit against Tinley Park should it find that her claims have merit, Connolly's attorney, Patrick Walsh, said Wednesday.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Southtown (IL)  
February 13, 2017

**Tinley Park Opts Out of New Cook Ordinances**

Author: Mike Nolan

Tinley Park has become the latest community to opt out of new Cook County laws boosting employees' minimum wage and providing paid sick leave. In an ordinance approved unanimously at Tuesday's Village Board meeting, the village requires Tinley Park private sector employers to abide by state and federal laws covering minimum wage, but exempts them from following the new county rules that take effect July 1.

Other Chicago suburbs, including Barrington, Oak Forest and Rosemont, also have voted to opt out of the county's regulations, which cover incorporated, as well as unincorporated areas. The Cook County Board last fall approved ordinances requiring employers to provide paid sick leave, as well as increase the minimum wage paid to employees.

The minimum wage will rise from the state's current \$8.25 to \$10 starting July 1, with dollar-an-hour hikes kicking in July 1 of subsequent years, reaching \$13 by July 2020. Beyond 2020, increases will be tied to the rate of inflation, but not exceed 2.5 percent. Also starting July 1, employees, with few exceptions, will earn an hour of paid sick leave for every 40 hours worked, up to a maximum of 40 hours of sick leave annually. Suburbs that are near the border of Cook and its collar counties are concerned that they could be at a disadvantage if businesses in their communities are required to follow the new Cook County requirements while those nearby in an adjacent county are not.

In a memo last month to trustees, Tinley Park village manager **Dave Niemeyer** noted that because portions of the village are in both Cook and Will counties, businesses "would essentially be operating under two different sets of rules" regarding wages and sick time.

Before the Village Board's vote, Trustee Michael Pannitto said that he was not opposed to protections for employees, but that the county regulations went "a little too far."

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Tinley Park (IL)  
January 26, 2017

**For the Record**

Author: **David Niemeyer**

The Village of Tinley Park is undertaking several new and exciting projects this year. With the music branding initiative, a complete redesign of the Village website, development of the 280-acre state property along Harlem Avenue and continued efforts to increase government transparency through social media and live-streaming of Village Board meetings, 2017 is already shaping up to be a very busy and productive year. Another project with far-reaching implications for the future of Tinley Park is the new strategic plan, which the Village Board approved at its Jan. 17 meeting. The plan will guide the Village for years to come and provides several key benefits.

The plan documents the priorities of both the Village Board and residents, and sets a course for action several years in the future. This is in stark contrast to a traditional budget, which is normally only a one-year financial planning document. The plan will also provide direction and accountability to staff and help to communicate with residents the direction in which the Village Board is headed. It also prioritizes limited resources and funding. At the beginning of this process, the Board chose to develop a plan that involved substantial input from residents and community leaders. Residents were able to participate in an online survey, and I'm happy to report that we received a total of 1,191 responses. Focus groups also convened with residents, businesses, community leaders, civic groups and students to ensure all facets of our community were represented in the new plan.

The Village Board then convened a two-day planning process where they reviewed the community input and began to develop goals, which were ranked from a priority one to a priority four and included many ambitious aims in the areas of community development, public safety, infrastructure, marketing and finances. The full plan is available for viewing on the Village website by clicking [here](#). It will be reviewed with the Board regularly and will be used as a guide for making future Village budget decisions. It will also be reviewed for potential changes each year in December when the Village begins its budget planning process. I encourage you to review the plan online and give me any comments you may have!



**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Business (IL)  
November 28, 2016

**Feds Hit Tinley Park with Housing Discrimination Suit**

Author: Dennis Rodkin

Tinley Park officials stalled approvals of a proposed low-income housing development in the wake of local residents' race-based criticism of the plan, according to a lawsuit filed by the U.S. Department of Justice. The suit, filed on Nov. 23, charges village officials violated the Fair Housing Act by effectively mothballing a developer's plan to build a 47-unit, three-story apartment building called the Reserve. The units would be rented to people making less than 60 percent of the area's median income—primarily "low, very low, or extremely low income households," according to the Justice Department suit. The developer would finance the below-market rents using the federal Low Income Housing Tax Credit. The architecture and other details of the proposal conformed with all requirements laid out in the village's master plan, which meant, according to that same master plan, that it should speed through the approval process, the Justice Department claims.

After Tinley Park residents voiced objections at village meetings and in Facebook groups last winter, the project was referred back to the suburb's planning department in February. In the nine months since, "the planning department has not requested additional information about the Reserve" from the developer, Buckeye Community SixtyNine, according to the suit. The developer is affiliated with Buckeye Community Hope Foundation, based in Columbus, Ohio. The stalled approval process indicates village officials "capitulated" to community residents' race-based opposition to the project, the Justice Department charges. Regional demographics suggest blacks would be three times as likely to qualify for the rentals than white households, the suit says.

"The village wholeheartedly disagrees that any decision made by the village in regard to the Reserve project was in any way based on race or any other improper considerations," said a statement released by Dave Seaman, Tinley Park's mayor, and **Dave Niemeyer**, village manager. "The village of Tinley Park does provide affordable housing to its residents, promotes diversity and provides services for those in need. The village continues to object to the use of taxpayer dollars on this issue, but is prepared to defend its actions through further court proceedings, if necessary."

Tinley Park's population is 88.8 percent white, according to the 2010 U.S. Census, and 3.7 percent black. Buckeye began communicating with Tinley Park officials about building on a vacant site at Oak Park Avenue and 183rd Street in February 2015, according to the suit, and submitted a final application to the village's planning department in December.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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**BREAKDOWN OF UNITS**

After the Daily Southtown reported in January that the affordable-housing project was proposed, "Tinley Park residents initiated a campaign to oppose and stop development of The Reserve," the Justice Department charges in its suit. Two Facebook groups, Concerned Citizens for Tinley Park and Citizens for Tinley Park, both of them with village trustees as members, had discussions about the proposal, the suit says. Members' comments "are disparaging towards future residents of the Reserve," according to the suit. The comments included: "Wth, we pay high taxes and house prices to live in HUD neighborhoods." "This needs to be stopped. It will bring so much crime and ruin Tinley." "Whitey doesn't have a chance." When one commenter posted a photo of an African-American man pouring malt liquor on a gravestone, the suit says, another commented, "Is that one of the hopeful occupants?"

**MEETINGS HELD**

About 300 people attended a Feb. 2 meeting of the Tinley Park board of trustees, some of them complaining the proposed affordable housing development would depress property values and bring in residents who needed government services that cost more than the taxes generated by the development. Despite the fact that the project's being in "precise conformance" meant it should be allowed to move ahead, Tinley Park's Plan Commission sent the proposal back to the planning department staff for further review, the suit says.

The proposal has been left on hold since that time, the suit charges. "Tinley Park's actions were taken in response to community opposition based on the race and racial stereotypes of the prospective tenants of affordable housing," the Justice Department charges. Separately, Buckeye, the developer, sued Tinley Park in April over the delays in approval. That case is still pending. The village has also been sued by a group opposed to the project, who allege an October 2015 ordinance changed the master plan's language to no longer require but encourage first-floor commercial space in certain new buildings. The change favors the proposal for the Reserve, which has no first-floor commercial space.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Tinley Park (IL)  
October 20, 2016

**For the Record**

Author: **David Niemeyer**

With the Village's new Facebook page launching just a few weeks ago and the recent announcement that we'll be pursuing music as Tinley Park's new brand, it's been an incredibly busy and productive month. I'd like to take a few minutes to update you on another recent development, namely that the Village Board has decided to hire two outside experts who will help to improve our staff's efficiency and make sure we are paying competitive but fair salaries and benefits to our employees.

The Village hired Paypoint HR to look at the salaries of all non-union employees to ensure they're competitive and comparable to other similarly sized communities. They'll also examine how we can improve our merit pay system and will take a hard look at benefits - things such as health insurance, vacation pay, etc. This study will also include both public and private sector comparisons where appropriate, with a focus on job descriptions and how positions compare to each other. In my experience, professionally managed communities will typically undertake comprehensive salary surveys every few years. It has been about 10 years since Tinley Park did its last comprehensive salary survey and pay plan review.

The Village also hired Matrix Consulting Group to review the Village Hall organizational structure to make sure it aligns with the goals and service level expectations of the residents and Village Board. The expert will conduct a best-management practice and comparative assessment of staffing allocations, analyze the organization, analyze our operations and staffing in each function, review whether redundant or unnecessary tasks can be eliminated, recommend how technology can be used to better deliver services, and analyze the effectiveness of Village operations and potential cost-savings opportunities.

It's important to note that, for both of these studies, not every single position in the Village is going to have an exact comparable match. Some of our staff members may perform the duties of two or more employees at a comparable location, while other jobs that are performed by one person elsewhere are spread out here amongst several people. All of this means it's not always going to be an easy cookie-cutter comparison, which is one reason why we've elected to hire an independent company that specializes in conducting these kinds of studies.

A key advantage of having an independent expert conduct these studies is assurance of an impartial and unbiased analysis. Occasionally, towns will hire more staff and pay the corresponding salaries and benefits to undertake special projects such as conducting these studies rather than hiring outside experts. I support moving forward with an external expert who can get this project completed in a timely manner, free from other distractions.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Both studies should be completed within the next several months and, when finished, should yield an end product that will provide us with the tools needed to help make our Village staff as efficient as it can be. We also want to continue to attract and retain talented, experienced employees while making sure the salaries are competitive and comparable to other similarly sized organizations in the public and private sectors. Using the information provided from these studies, I'm confident we can do just that.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Chicago Tribune: Daily Southtown (IL)

July 13, 2016

**Tinley Park Eyes \$2.5 Million County Grant, But Property Owners Must OK Annexation**

Author: Mike Nolan

Tinley Park officials are hoping to convince dozens of homeowners in the Kimberly Heights subdivision to agree to annex into the village, wooing them with promises of Lake Michigan water, better police protection and freshly paved streets. The village is in line for a \$2.5 million grant from Cook County, part of the county's initiative to do away with pockets of unincorporated territory, and would use the money to install water lines in part of the subdivision that lacks access to Lake Michigan water, as well as improve stormwater drainage.

The snag is that everyone would have to be on board with the annexation proposal for the county to award the grant, Village Manager **Dave Niemeyer** told residents at an informational meeting Monday. And residents would be on the hook for sharing in the costs of extending water lines and were told their property taxes could go up about 17 percent annually. Kimberly Heights is bounded by James Street to the north, 167th Street to the south, Ridgeland Avenue to the west and Austin Boulevard to the east. Many property owners in Kimberly Heights previously annexed into the village, which put in water lines, although there are still sections in the western portion of the subdivision that remain unincorporated. Most of the homes that don't have access to water lines and rely on wells are in the eastern third of the subdivision. A separate sanitary district handles sewage in the subdivision, but that district would be eliminated should residents agree to annex.

In total, 70 homeowners would need to petition the village to request annexation, although **Niemeyer** said Cook County officials would be asked if the 100-percent threshold is negotiable, provided there is sufficient interest among property owners to annex. About 80 people who live in the subdivision attended the meeting at Tinley Park High School, where they were told that of the \$2.5 million grant, \$1 million would be earmarked for extending water lines and the balance for improving drainage ditches throughout the subdivision. To cover the estimated \$1.7 million price tag to install water lines through the east section of the subdivision, all property owners seeking to annex would share in the cost. Homeowners in the eastern portion would pay an estimated \$12,400 each, plus as much as \$4,500 to run water from the street to their home, while those properties in the area that is already largely annexed would pay an estimated \$10,800 per homeowner, plus a separate charge to run a water line into their home.

The village wouldn't force them to abandon their wells and connect to the municipal water supply, although they would still be responsible for their portion of the cost of extending water lines. They would be able to spread the cost over 15 years, although not the cost of running water into their home. Still, some residents said that the cost might be out of reach for some on fixed incomes who want Lake Michigan water, and asked whether the village could pursue other grants. **Niemeyer** said that while the village could potentially seek a low-interest loan, government grants are hard to come by.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Homeowners asked whether the village would consider a forced annexation of their properties should not enough of them agree to voluntarily annex. While the village has in the past taken that route in a handful of cases, **Niemeyer** said the Village Board has generally been opposed to it. The village told homeowners that should they annex, the village would not put in curbs, gutters or sidewalks to help maintain the "rural character" of the neighborhood, but streetlights would be installed at some intersections. The village said it would resurface streets in the subdivision if the remaining unincorporated properties are annexed. Some residents said that having Tinley Park police respond to emergency calls would be a benefit of annexation, noting Cook County sheriff's police are spread thin over a large area of unincorporated sections in Harvey and South Holland to also patrol. Tinley Park police do accompany ambulances that are dispatched to calls in Kimberly Heights.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Tinley Park (IL)  
June 2, 2016

**For the Record**

Author: **David Niemeyer**

Editor's Note: In this new column, Village Manager **Dave Niemeyer** shares information on key issues affecting the Village of Tinley Park. Look for it on a semi-regular basis in the Community Email.

I'd like to take a few moments to address a recent allegation that claims the Village hasn't been collecting on the value of its recyclable materials for 26 years. The contract has its roots in the year 1990, a time when the world was just waking up to the importance of recycling and taking actions to protect the environment for future generations. At the June 26, 1990 Tinley Park Village Board meeting, the board voted on two notable pieces of legislation: Ordinance 90-O-053 regarding recycling regulations, as well as Resolution 90-R-027 approving a three-year deal with Tinley Park Disposal.

The wording in the ordinance stated the Village is entitled to collect on the full value of the recycled items. This likely was a boilerplate ordinance used by multiple municipalities at the time, which the Village decided to adopt as its own. The contract with Tinley Park Disposal, a resolution which again was voted on the same day as the ordinance, stated the refuse contractor would give the Village a flat annual payment of \$10,000 in lieu of collecting on the value of the recyclable materials. During the 1990 competitive bidding process for the refuse contractor, bidders were allowed to offer various methods of payment to the Village for the value of recycling, including a flat fee.

This payment was increased to \$12,000 in 1993 and remained at that rate until the annual payment was deleted altogether in 2001 in exchange for the refuse contractor agreeing to take responsibility for the delivery and cost of recycling bins, an expense the Village had previously paid. The Village's legal counsel is of the opinion that the contract with Tinley Park Disposal supersedes the Village code, both of which were approved on the same day. In retrospect, the Village should have realized the ordinance and resolution were at odds and reworded the ordinance, but this is a minor issue.

The Village's next steps on this issue will be to reword the Village Code to better compliment the refuse contract. [Click here](#) for a timetable of events, and [click here](#) to read the minutes from the June 26, 1990 Tinley Park Village Board Meeting.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Illinois Leaks (IL)

April 2, 2016

**Tinley Park Planning Director Amy Connolly Preposterously Cries Discrimination**

Author: Unknown

Correspondence between disgraced Tinley Park Planning Director Amy Connolly and embattled Village Manager **David Niemeyer** shows what appears to be a threat made by Connolly of a discrimination lawsuit against the Village after Connolly was put on paid administrative leave for her role in allegedly tampering with the Village’s Legacy Code zoning ordinance. Both Connolly and Village Attorney Thomas Melody (of the Orland Park firm Klein Thorpe Jenkins) are personally named in a lawsuit filed on 3/22/16 by citizens of Tinley Park in Cook County Circuit Court chancery division to have a Judge declare void all tampering to the zoning code that Connolly and Melody are alleged to have done in August and September 2015 to intentionally benefit the Columbus, Ohio-based Buckeye Community Hope Foundation.

The lawsuit alleges that Buckeye needed the zoning code tampered with to remove the words “street level commercial required” and replace them with “street level commercial permitted” for Buckeye to be able to build a low income housing project in the formerly “commercial required” Oak Park Avenue Corridor of downtown Tinley Park. Buckeye’s project, called “The Reserve,” has never included the kind of street level commercial space that the Legacy Code zoning ordinance required (before it was tampered with in 2015, in what the lawsuit alleges was a deliberate act designed to specifically benefit Buckeye by removing the word “required” and altering it to “permitted” so \$16 million “The Reserve” project could proceed).

A housing project in 2014 for senior living residential units by a developer called PIRHL without street level commercial space was not allowed to proceed because of the strict “commercial required” zoning code. The lawsuit alleges that Connolly and Melody intentionally tampered with the zoning code to allow Buckeye to succeed in 2015 where PIRHL failed in 2014. A letter from Village Manager **David Niemeyer** to Connolly, dated 2/17/16, placed Connolly on immediate administrative leave, took back her computer and other Village issued items, and asked/barrred Connolly from setting foot on Village premises. This disciplinary action was taken by the Village against Connolly when emails surfaced between Connolly and Buckeye that seemed to show improper collusion leading up to efforts to “clean up” the zoning code to clear a path for Buckeye to get its way where PIRHL was stopped. At multiple Board meetings in February and March 2016, thousands of Tinley Park citizens demanded an investigation into Connolly’s actions, necessitating her suspension.

Connolly appears to have lashed out against the Village of Tinley Park on 2/25/16, when she raised the specter of a discrimination lawsuit based on a wild perversion of the Fair Housing Act. In Connolly’s warped logic, she apparently believes the Village can be sued for placing her on paid administrative leave while it investigates Connolly’s actions in allegedly tampering with the zoning code in improper and possibly illegal ways. Connolly claims that she has “been discriminated and retaliated against for lawfully aiding in the exercise and/or enjoyment of fair



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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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housing rights relative to the Reserve Project.” The problem with this absurd contention by Connolly is that it does not appear that her actions in removing the words “street level commercial required” and ultimately replacing them with “street level commercial permitted” in the Legacy Code zoning ordinance were lawful, according to the lawsuit filed against the Village. As Tinley Park’s Planning Director, her job was not to aid an out-of-state developer by intentionally altering existing zoning code so that the developer’s housing project could then slip through. Those actions are both at root of the lawsuit and the reason for Connolly’s suspension and paid administrative leave.

On 3/22/16, the Village of Tinley Park appointed Cook County Sheriff Tom Dart as its official Inspector General and asked his office to immediately begin investigating the propriety and legality of all actions taken to alter the Legacy Code zoning ordinance. This maneuver by Connolly in claiming discrimination may have spared her from being terminated outright, since she remains on paid administrative leave as of this writing. It appears the Village was frightened of a potential discrimination or wrongful termination lawsuit, which has allowed Connolly to sit at home and collect her full paycheck and benefits while the Village figures out their next move. During board meetings, repeated calls for Connolly’s termination have been made by residents of Tinley Park who don’t understand why the Village can’t just fire her. Many ask what a public employee needs to do to lose her job in our state.

The next important date on the horizon appears to be 5/1/16, when the Village of Tinley Park announces its new budget and staffing for 2016. This is the day when apparently the Village will appoint high-ranking positions such as Village Manager and Planning Director, which appears to be an opportunity for the Village to decline to renew Amy Connolly’s employment with the Village. A working theory amongst people following this matter closely is that perhaps the Village is keeping Connolly on paid administrative leave until the clock runs out on 5/1/16 and the Village can cut her loose without Connolly being able to make any sort of wrongful termination claim. If that’s true, then Connolly has found a clever way to keep getting paid and to maintain all of her platinum-plated benefits from 2/17/16 (the date she was placed on leave) until 5/1/16, the date that allegedly the Village has a clear window to potentially let Connolly go for good.

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Chicago Tribune: Daily Southtown (IL)  
February 17, 2016

**Tinley Park Suspends Planning Director Amid Reserve Probe**

Author: Gregory Pratt and Mike Nolan

Tinley Park has suspended Planning Director Amy Connolly while the village commissions an outside review of the approval process behind a controversial proposed housing project, officials said. The village placed Connolly on paid leave Wednesday pending an investigation into the review process for The Reserve, a proposed 47-unit, low- and moderate-income apartment complex to be built on the northeast corner of 183<sup>rd</sup> Street and Oak Park Avenue. Tinley officials plan to hire an outside law firm to conduct the investigation, which Village Manager **Dave Niemeyer** said he expected will happen "very soon." Mayor Dave Seaman said the Village Board's consensus is to hire Chicago firm Winston & Strawn, but the deal hasn't been completed. "We made promises and we're keeping promises," Seaman said. "We said we would give this a thorough review, and this is the first step in reviewing not only what happened in this particular instance ... but, at a broader level, the zoning process."

Village officials have faced mounting criticism in recent weeks from residents about the project. Many residents feel the village hasn't been transparent about the project, and said The Reserve would attract crime, lowering property values. Connolly's attorney, Patrick Walsh, said Connolly looks forward to participating in the investigation, "and hopefully providing the investigators with the evidence that they need to come to the correct conclusions." "Amy has no doubt her name will be cleared of any wrongdoing, and that it will be shown what she's really done is help the village, rather than cause it any harm," Walsh said. "There is documentary evidence that everyone knew exactly what this project was, long before any votes," he said. Walsh called the suspension, "The worst case of scapegoating I've ever seen in my life."

The village's Planning Department had previously deemed the project to be in compliance with zoning and development codes governing building in the village's Legacy District — the area that takes in most of the Oak Park Avenue business district. Those codes were put in place to streamline the project review process for companies in an effort to lure development to the downtown area. An unintended consequence, at least in this case, is that the Village Board is playing no role in evaluating the apartment building proposal. Tinley's Plan Commission tabled a vote earlier this month that could have given final approval to the project, instead sending it back to the Planning Department for further review. On Wednesday, the village announced that the board had approved the creation of a new Citizens Advisory Committee that will include Tinley Park residents Matt Coughlin, Trent Ridgway, Charlie Smith and Roxanne DeVos. This new committee will assist the independent planning consultant in its review, the village said in a release. Local attorney Steve Eberhardt and Coughlin, the main face of the Citizens of Tinley Park group that has voiced opposition to the project, questioned a timetable Seaman previously laid out for the review. The mayor previously told the *Daily Southtown* he believed it could be completed in about 40 days, but Eberhardt said that was "unrealistic," and Coughlin said that no timetable needs to be set as the ultimate goal is "to get to the truth."

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Chicago Tribune: Tinley Park (IL)

November 9, 2015

**Tinley Park Hired PR Firm to Deal with Overcharging Water Meters Fallout**

Author: Gregory Pratt

Tinley Park officials hired a public relations firm to help shape their response to the ongoing controversy over inaccurate water meters, records show. Tinley officials hired Winnetka-based Prairie State Strategies to provide "crisis communications, community outreach and engagement counseling designed to broaden public awareness" of village actions involving the town's water meters, records show. In June, a Tribune investigation chronicled widespread problems with Tinley Park's so-called smart water meters. The Tribune found that the suburb knew for years that its meters were prone to overbill residents yet gave the public inaccurate assurances that the meters worked fine. Along the way, Tinley Park officials repeatedly under-refunded residents whose meters were overcharging. The firm was hired about a month after the investigation was published. Through October, Tinley Park has racked up a \$10,725 tab with the firm at \$300 an hour.

Douglas O'Brien, the public relations consultant, said he has been assisting the village "in enhancing their communications with the public." "We've spent a good deal of time on the water meter issue because that is obviously front and center right now in terms of the public's interest," said O'Brien, who also said that it's "tremendously widespread" for governments to use outside communications consultants. Tinley does not typically use outside public relations firms. One resident whose meter was removed for recording water use without flow, Sean Draves, questioned the expense. "If you are telling the truth and being honest, why would you need someone to craft that message for you?" Draves said. "I bet that (money) could have been used to square up some water accounts."

Village Manager **Dave Niemeyer** said it's a "relatively small contract." "Our goal through all of this is to get the truth and the facts out. ... That's why we hire somebody with expertise to help us do that," **Niemeyer** said. Tinley has turned to O'Brien for guidance multiple times as the controversy has unfolded. When Public Works Director Dale Schepers resigned in July amid questions over his handling of the issue, Tinley turned to the company for help crafting its message. In August, the consultant helped prepare Tinley Park officials for a town hall forum hosted by state Sen. Michael Hastings, D-Tinley Park, where residents grilled Mayor Dave Seaman. Later that month, Tinley again called on the firm after a resident filed a lawsuit over the water meters seeking class-action status that accused local officials of "unfair, immoral, unjust, oppressive and unscrupulous" conduct.

Tinley officials vowed in the wake of the Tribune investigation to perform independent audits of their water meters program. To that end, the village hired consultant West Monroe Partners to perform a two-phase review. Last month, Tinley released its consultant's report acknowledging problems with the meters but downplaying their significance. The Tribune found the consultant used looser standards for meter accuracy than ones that a top national expert said should have

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**David J. Niemeyer**

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been used, but **Niemeyer** defended the review, which cost about \$124,000, as an "honest assessment." At the same time, Tinley officials said they were putting a second phase of the review on hold because of the lawsuit. They also said they were holding off on taking certain actions recommended by the consultant, like random testing of meters, because of the litigation. Like with other events in the water meter controversy, Tinley consulted with its public relations firm on the Phase 1 report, records show.

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Tribune: Daily Southtown (IL)  
October 30, 2015

**Trace Sues Tinley Park Over Unpaid Bill**

Author: Gregory Pratt

Tinley Park is being sued over \$492,000 its former ambulance contractor claims it is owed from the village. Tinley officials have adamantly denied owing Trace Ambulance any money for past services while Trace previously billed Tinley for \$492,000. A Will County court may end up deciding who is right in a controversy that has been simmering since summer 2014, when Tinley Park dropped longtime vendor Trace Ambulance for New Lenox-based Kurtz Ambulance.

Christopher Vandenberg, president of the company based in Tinley Park, said Trace "attempted for several months" to reach an agreement with the village, but Tinley "continued to deny that any amount was due to Trace." "Unfortunately, because the Village was unwilling to even acknowledge that any amounts were owed, we were left with no choice but to initiate the litigation to recover the amounts we were contractually due," Vandenberg said in an email. **Dave Niemeyer**, Tinley's Village Manager, said the village is "vigorously defending this claim" but declined further comment.

In court documents, Tinley Park has denied owing Trace any money and denied that Trace complied with all its contractual obligations. The lawsuit was filed in Will County earlier this year. At a Friday hearing, a Will County judge scheduled status hearing in the case for Jan. 5. The lawsuit asks for a judge to declare that Tinley "is obligated to compensate Trace pursuant to the contract," Vandenberg said. The lawsuit does not specify how much Tinley allegedly owes, but \$492,000 is what the company billed Trace last year, and Tinley refused to pay, **Niemeyer** said.

Vandenberg, whose relative Jake Vandenberg is a trustee on the village board, said he still hopes "that we can avoid the expense of prolonged litigation and resolve this matter amicably." Jake Vandenberg said in an email that he has "zero financial interest" in the ambulance company and has not participated in any board discussions about Trace or any litigation it is involved in with the village. The financial dispute began last summer, after Tinley awarded Kurtz a contract worth an estimated \$3.7 million through July 2018. Tinley sought a new ambulance contract in spring 2014, and Kurtz and Trace were the only competitors.

Trace contends its expired deal with Tinley said the village would pay \$200 for each hour the town required more than the number of ambulances stipulated in the contract. After Tinley Park dropped Trace, the company tallied those hours since May 2010 and sent the village a final bill totaling \$492,206. The village received its final bill from Trace less than two weeks after Kurtz took over. In a written response to Trace's invoice last summer, Tinley Park Treasurer Brad Bettenhausen said the village was surprised, "as we had not been previously advised such charges existed." "It would be expected that had such charges arisen, they would have been brought (to) the village's attention and billed at regular intervals over the course of the contract

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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period, with such billing expected to occur no less than annually," Bettenhausen wrote the company at the time. "No such notice or billing of such charges has occurred" before the bill. The town denied Trace's bill and also questioned its accuracy, saying it could find no record that it had requested the additional service. Switching vendors was a contentious process for the village. The first signs of conflict emerged at a public safety meeting in May 2014, when village officials revealed the Kurtz bid had come in "significantly" lower than Trace's. Trace executives warned that the health care industry is undergoing many changes and changing vendors would be a "risk."

Ultimately, Tinley officials said they made the switch because Trace's proposal was 21 percent more expensive than Kurtz's. "I can't justify paying 21 percent more just because the company is here in Tinley," Trustee Brian Maher said at the time. Trace shares a long history with Tinley, having served as the village's ambulance provider since 1979 except for a brief interruption in the 1990s, officials previously said. The ambulance contract became a campaign issue during the spring election, as incumbent trustees backed by former Mayor Ed Zabrocki slammed Jake Vandenberg's bid to serve on the board as "sour grapes" over Trace losing the contract. Vandenberg denied the claim before the election, saying he has "nothing to do" with the ambulance company.

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Chicago Tribune: Tinley Park (IL)

October 14, 2015

**Tinley Park Water Meter Report Criticized as ‘Propaganda’**

Author: Joe Mahr and Gregory Pratt

In the first answer to a scandal involving water meter inaccuracy and overcharging, a consultant hired by Tinley Park acknowledged problems with the meters but downplayed the significance — sparking immediate criticism of the consultants' methods and conclusions as the village faces what could be a costly lawsuit. The 18-page presentation was portrayed by village administrators as confirmation that the problems are not widespread. But Village Manager **Dave Niemeyer** acknowledged that the village, even after the report, doesn't know the extent of the problems and is unwilling to immediately do random sampling to figure out the extent as recommended by the consultants. An originally planned second-phase investigation to study the issue more deeply has been paused because of a pending lawsuit. "Believe me, there's no one who wants to put this behind us more than us, but certainly the litigation obviously complicates it and is drawing out the process," **Niemeyer** said. **Niemeyer** touted the consultants as experts who did solid work, but the Tribune found they used looser standards for meter accuracy than ones a top national expert said should have been used.

And several residents who've complained about the meters said they suspect the findings were skewed to protect the village's reputation at the expense of finding the truth. "This (report) seems like a propaganda piece for the village of Tinley Park," said Donna Gerlich, whom the village previously acknowledged had a meter that overcharged her and her husband. Another resident whose meter was confirmed to have problems, Angela Kaczmarek, said the report "seems biased toward keeping the village guilt-free." The consultants, Chicago-based West Monroe Partners, said Tuesday they could not immediately comment and directed questions to the village. **Niemeyer** defended the review, which cost about \$124,000, as an "honest assessment."

The West Monroe report comes four months after a Tribune investigation found village officials knew for years their smart electronic water meters were regularly overstating how much water was going through them, yet did little to ferret out bad meters and ensure residents affected were fully refunded. Instead of alerting the public, officials initially downplayed the problem by falsely telling residents far fewer meters had overbilled residents than they had found and that all tested meters had passed industry standards, when they hadn't. The scandal led to the ouster of the village's public works director and spurred a lawsuit that accused officials of "unfair, immoral, unjust, oppressive and unscrupulous" conduct. The plaintiff is trying to get court approval to include all Tinley Park water users as plaintiffs, which could make it a high-profile, and costly, class-action lawsuit.

The controversy occurred amid a political sea change in Tinley Park, where a longtime mayor resigned, and several of his allies on the village board lost re-election bids to rivals. The new mayor, Dave Seaman, has led village officials in vowing an open and honest review of so-called "spinning" meters. Spinning is when the readings on a water meter rise higher and faster than

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**David J. Niemeyer**

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they should. The review released this week raised questions among residents and an industry expert. The consultants concluded most smart meters "appear" to be within national standards, citing a summertime test that they said found 84 percent of those tested meters passed national standards. But missing were specifics of how the other 16 percent failed. Meters can fail for overcharging and undercharging. A Tribune analysis found most of those meters overcharged. And that was based on the consultants using a "weighted" formula that allowed meters to fail some flow tests but pass overall. In one case, a meter failed one flow test by overcharging more than 8 percent, yet under the "weighted" formula was still considered accurate.

Tom Kelly, a Maryland water official who heads the industry's national committee on meter standards, told the Tribune on Tuesday that the national standards call for a stricter metric: failing a meter that overcharged at any flow test. Using that metric, the Tribune found more than 22 percent of the tested meters would have flunked, compared with just 9 percent flunked for overcharging under the consultants' standard. Kelly said even a 9 percent failure rate is bad, but a 22 percent failure rate is "completely unacceptable." "If the customers got ahold of that (statistic) ... they're going to scream, and rightfully so. Fair is fair," Kelly said.

**Niemeyer** said he was confident in the consultants' work and, regardless, discounted the high failure rate as being tied to a sample that included many meters pulled for suspicions of overbilling. He said a better measure would be random sampling of village meters — something long called for in national standards, and also recommended by West Monroe's report. But **Niemeyer** said the village hasn't decided whether to do that because of concern of how it might interfere with the village's defense of itself in the lawsuit. The consultants also suggested the village had over-counted how many meters had spun, but didn't offer any data on how many meters they thought had spun, or were spinning.

The Tribune previously reported that the village noted at least 355 cases over the years of spinning meters, and that doesn't count thousands more entries of failures that lacked specifics on how the meters failed. But the consultants said they "rarely observed" a meter spinning, and the spinning they saw was only when meters didn't have water going through them, and when water was put through them those meters actually under-billed. Village officials said the consultants suspected that workers sometimes misdiagnosed meters as spinning. Also at issue is exactly how meters can spin. Assistant Manager Steve Tilton said the consultants believed the only way is by a meter spinning consistently in ways that always boost consumption readings without going back down. But one national expert has told the Tribune it's possible the meters spin intermittently too, based on records the Tribune provided him of meters with up-and-down consumption levels that passed some accuracy tests before later testing as spinners.

The consultants also questioned whether spinning meters actually lead to overcharges. The consultants said they separately reviewed 10 accounts of residents with suspicious meters and found "no direct correlation" between spinning and the amount of water on the customer's bills. It's unclear which accounts the consultants were reviewing to find no correlation of spinning to higher-billed amounts. **Niemeyer** and Tilton said they didn't know, nor could they immediately provide records. And it's the finding that most frustrates residents previously profiled by the



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Tribune. At Gerlich's townhouse, she and her husband had consumption levels hover about 8,000 gallons per billing period until it began creeping up over five years until it hit 29,000 gallons in early 2011, when the Gerlichs complained. The village found the meter spinning and replaced it. Once the meter was replaced, the couple's recorded consumption returned to about 8,000 gallons. "It's not like all of a sudden we were taking 10 showers a day. There's only two people in the house," she said. "Reading that report, it just infuriates me because it's just like they're saying 'Oh no, everything's fine. It's just your imagination.' "

Other residents, such as Laura Konieczny, criticized the report. The village replaced her meter after she complained it was overbilling her. She said the report seems skewed toward protecting the village. The report offered no explanation of the cases cited by the Tribune. Instead, the report focused on how, in general, water bills were far higher because of rate increases imposed by the city of Chicago that have been passed on to residents, even as consumption rates, on average, have dropped. It said that, in general, the 93 homes that had smart meters replaced last fall didn't have any less reported consumption than homes without smart meter replacement. It even credited the village's smart meters for giving the village "more accurate metering," although the consultants chided "less than comprehensive management" over billing that "placed the burden of proof on the customer to address issues."

A big issue left unresolved is what additional refunds, if any, affected residents should get. The Tribune, in reviewing accounts, found affected residents repeatedly appeared to have been short-changed. The Gerlichs, for example, had their bills cut by \$109 but could be owed \$317 more, under a Tribune analysis. The report offered no specific plan for refunds. Instead, it questioned the village's unclear refund policy while also telling the village that it should use its random sampling and engineering analyses of spinning meters to gauge how much meters spin, which can inform how much people should be refunded. Among other recommendations, it suggested monthly billing, instead of quarterly, to better manage the system. And "to begin rebuilding trust with the community and utility stakeholders," it suggested an "aggressive communication campaign" that included, among other things, a focus group of residents "to assist with marketing and testing of system changes."

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Tribune: Daily Southtown (IL)  
September 26, 2015

**Tinley Park Overspent \$1 Million on Pond, Owes Orland Hills \$280,000**

Author: Gregory Pratt

Tinley Park owes neighboring Orland Hills about \$280,000 in sales taxes it agreed to pay as part of an annexation agreement from a decade ago, records and interviews show. The \$280,000 debt is in addition to about \$1 million Tinley Park overspent as part of a deal to divide up costs and revenue related to a retention pond and strip mall, records show. Orland Hills officials have sent three letters to Tinley Park this year about past-due sales taxes and in May formally threatened to sue Tinley for not making its payments, records show. "They know they owe us some money," said Orland Hills Administrator Conrad Kiebles, who noted in an interview that his town "let it go for probably too long."

Tinley's Village Manager, **Dave Niemeyer**, said his suburb is "still hoping to work something out with Orland Hills, and my understanding is they would like to (work something out) also." The debt dates back to a 2005 annexation agreement between Tinley Park and Orland Hills, where Tinley annexed land near 171st Street and LaGrange Road. Tinley Park agreed to front the costs for a retention pond that would cost \$614,325 and split sales tax revenue from a shopping center with Orland Hills to help make up for that expense, records and interviews show. Instead of an anticipated \$614,325, however, it cost Tinley Park about \$1.6 million to build the retention pond, **Niemeyer** said.

Tinley officials also expected to recoup their investment in five years, **Niemeyer** said, but sales tax revenue has been less than expected. "It's now actually projected to take, with no change to the agreement, as much as 30-plus years," **Niemeyer** said. Tinley Park is withholding payment on its sales taxes "due to the understanding that the retention pond reimbursement was going to be renegotiated," **Niemeyer** said. At one point, **Niemeyer** said, Tinley and Orland Hills' previous administrators talked about renegotiating the deal. Brian O'Neill, Orland Hills' assistant administrator, said he didn't dispute that there might have been informal talks but said only both towns' village boards could change the agreement.

O'Neill also said he's 99 percent sure there's nothing in the agreement that spelled out any time frame for Tinley Park to be recouped for its pond expense. "There is nothing in the agreement that calls for any change in the agreement, any void in the agreement or payment due to Orland Hills," O'Neill said. Kiebles, Orland Hills' administrator, said his town would like Tinley to begin the payments as soon as possible. The \$280,000 figure was released by Tinley Park. Orland Hills officials said they don't know exactly how much money Tinley owes but said the \$280,000 figure is "in the ballpark of where we thought it would be." Orland Hills officials met with Tinley in February, then wrote to the village in March after they didn't hear back by a Feb. 20 deadline. In May, an attorney for Orland Hills sent a letter to Tinley saying it is in default and threatening a lawsuit.

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**David J. Niemeyer**

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**Niemeyer** said he couldn't immediately explain why the pond construction cost so much more than it was originally projected. But, he said, the project was managed by Orland Hills, and Tinley officials told them they were concerned about cost overruns "at the time." O'Neill said "things are subject to change" with construction projects, and cost overruns are normal. He said he doesn't know what caused the overruns but said the higher cost would have been known as the project was ongoing and didn't "sneak up on anyone." Each side emphasized in interviews that they're attempting to negotiate an amicable resolution.

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Tribune (IL)  
August 4, 2015

**Tinley Park Awards No-Bid Projects to Political Insider**

Author: Gregory Pratt

Every year, Tinley Park officials spend tens of thousands of dollars printing three newsletters that tout the town's virtues. In a recent edition of the Tinley Park Exchange, Mayor Ed Zbrocki lauded the village's "conservative financial management" and boasted of cost-cutting measures during the recession. But a Tribune analysis of Tinley Park's expenses for the newsletter and other printing shows the village has awarded no-bid projects to a political insider's company, and experts question the transparency of those deals. Since 2004, Tinley Park has spent more than \$1 million on jobs from Crossmark Printing, a business owned by the mayor's most recent campaign manager. Crossmark's owner, Marty Ward, is also a longtime village commissioner. By contrast, the southwest suburb has paid more than 100 vendors combined less than \$700,000 for printing in the same time frame, invoice records released by the village show. Tinley Park officials said Ward's connections to the town's leaders have not played a role in the village sending jobs to Crossmark or assigning it the newsletter without any competitive bidding process since 2004. Zbrocki said the village has simply been satisfied with the company's track record. "They get the work because they do a good job. Should we bid it out? Probably we should have," Zbrocki said. "I would hope once we bid it out he gets it again."

Watchdog groups said officials should have bid out the newsletter even if they were happy with the service. "That might be an acceptable rationale if the vendor had no other relationship with the city," said David Melton, executive director of the Illinois Campaign for Political Reform. "At a minimum, they should be doing an open bid process." Local business owners echoed those concerns. Ron Strenge, co-owner of Force Enterprises in Tinley Park, said he has sent a salesman to ask village officials how his company can get on the bid list for the Exchange. So far, Strenge said, he hasn't been given the opportunity to make a proposal. "If it was bid, and (Crossmark) legitimately won the bids, then there could be no complaints about it," Strenge said. "But under circumstances where other people don't even get the chance to bid on it, it seems like there's a problem there."

Village Manager **David Niemeyer** said Tinley Park plans to bid out the Exchange this fall. The last time it went to bid was 2004, according to the village. Asked why the village hadn't gone to bid in a decade, **Niemeyer** said it is "not unusual for a municipality that has a long-standing, satisfactory relationship with a vendor to maintain that relationship for a number of years." This isn't the first time Tinley Park's choice of vendor has come under scrutiny. The Tribune reported in March that the village had spent \$176,000 at Heather's Haus Florist, a family business of the mayor's longtime secretary. Other florists received a fraction of the town's business by comparison.

In January, the Tribune reported that Tinley Park paid a business owned by a sister-in-law of the village's marketing director more than \$86,000 for holiday decoration work since 2000. Zbrocki

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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acknowledged at the time that Tinley Park should have bought flowers from different local businesses but said staff fell into a routine based on past purchases. In response to questions about the holiday decorations, he said the village was supporting a local business that does good work. This week, Zabrocki said all towns have vendors they turn to, often because they've reached a certain "comfort level" with the company's work. "This happens all over," he said. In addition to Ward's tenure as a village commissioner, which began in the late 1990s, and his service during the mayor's most recent re-election campaign, Crossmark has made political contributions to Zabrocki dating to 1994, state campaign records show. Crossmark has also done more than \$92,000 worth of work for political committees affiliated with Tinley Park officials, records show. Ward flatly rejects any suggestion that the village turned to him because of his connections. Rather, he said, Crossmark receives work from the village because of its high quality and low prices. "It can't be anything other than that," Ward said.

Ward founded the company in 1991 after working in the printing industry since the 1970s, he said. Crossmark employs 12 people full time and does work for 18 municipalities, as well as 30 schools and school districts and 14 nonprofits, he said. To Ward, Crossmark represents a "great American story." "A dream and vision of entrepreneurship. Providing quality workmanship in the manufacturing sector. Supporting the town you lived in for over 30 years," Ward wrote in an email. In a follow-up message, Ward reiterated that he has nothing to do with how the village spends money. "I believe I made it very clear that Crossmark does not have any control in decision making in the village for print," Ward wrote. "Nor do I."

Since 1991, Crossmark has done about \$1.3 million worth of business with the village, a vendor report released by the town shows. Tinley Park has spent \$1 million at Crossmark since 2004, and officials estimated that about half can be attributed to the Exchange. Besides the Exchange, Tinley Park officials have made a range of purchases big and small from Crossmark over the years, including gold foil business cards for the Tinley Park term limits commission, holiday cards and cooking fire prevention place mats, invoice records show. Local businessman Thomas Kane, who owns the Printer's Quill in Mokena, said he was "shocked" by the amount of money paid to Crossmark compared with other businesses. He said the village should spread purchases out among local companies.

Not all towns print expensive newsletters. Naperville used to print one that cost \$35,000 for up to six editions a year but cut back in 2011 because of the economic downturn, city spokeswoman Linda LaCloche said. Today, Naperville sends out a two-sided sheet of paper with residents' utility bills. Arlington Heights no longer has a printed newsletter, ending publication in 2010 because of budget cuts, staff attorney Lisa Farrington said. Tinley Park officials use the Exchange, which is mailed to all residents, to highlight village projects and activities. The town's elected leaders also write brief essays for the publication. For example, one trustee recently noted the Babylonian roots of code compliance. The latest issue mixes practical advice, such as "Coyote tips for the summer," with self-congratulatory articles such as "Tinley Park commended for economic development success." Beneath the mayor's most recent letter to residents is a message that town officials often emphasize. "Shop Tinley Park," the newsletter reads. "It's great for all of us."

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Tribune: Tinley Park (IL)  
July 13, 2015

**Tinley Park Suspends Public Works Boss as Water Meter Issues Intensify**

Author: Gregory Pratt, Joe Mahr and Lauren Zumbach

Tinley Park has suspended its Public Works director after the village told an independent water meter testing company to "not report if the meter passed or failed," according to a letter obtained by the Tribune. The suspension with pay comes in the wake of a Tribune investigation into chronic problems with electronic SmartMeters that Public Works Director Dale Schepers has long defended. The investigation, published in June, found the suburb has known for years that its meters were prone to overbill residents, yet it gave residents inaccurate information in an online article and newsletter mailing that said the meters work fine. The village also failed to fully refund some residents who were overcharged, the Tribune found.

Officials assured residents earlier this year that existing meters fall within industry standards for accuracy, but the Tribune found inconsistencies with that statement. In the months before its investigation was published, the Tribune questioned Schepers and other public officials extensively about accuracy tests for water meters, including situations where meters were passed when experts said they should have failed. Village officials said they decided the meters didn't need to meet national standards after they were installed. Tinley officials recently took it one step further, according to a letter dated June 30.

Officials asked the firm M.E. Simpson, based in Valparaiso, Ind., that has done testing for the village to stop printing on its reports when meters fail national standards. Village officials told Simpson they would like to be the ones who "make the determination if the meter passed or failed" based on the company's tests, according to the letter. Michael Simpson, the company's president, said in an interview Monday that he was uncomfortable with the request because he felt "it was delving into an area where you could violate trust." "It has to be unbiased because in a case where there are issues like Tinley Park has had, you want an honorable and fair third party sharing correct information with everyone so you know what the answer is and it's fair," Simpson said. Simpson sent a letter to the suburb refusing the village's request.

Acting Mayor Dave Seaman and Village Manager **Dave Niemeyer** declined to comment on specifics of Schepers' suspension, but both men said they were unhappy the testing company was told not to include "pass" or "fail" on its tests. Simpson said **Niemeyer** called him last week and said to continue presenting reports "exactly the way they're supposed to be." Schepers, the Public Works director since 2004, could not be reached. The suspension comes before the village embarks on what it said will be an independent investigation into the water meter situation.

Village officials previously said they hope to hire an independent consultant to audit the program by July 28, have an initial report done by Aug. 28, and a final report by Oct. 28. Meanwhile, the village released more records to the Tribune last week that document more problems with the meters. The village has had thousands of failures over the years, though records don't always list

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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the specific failures. In its June investigation, the Tribune found records of at least 355 meters that had over-recorded the amount of water flowing through, known as spinning. The latest records show 44 more. Seaman said the village could not release more information about Schepers at this time but said the top priority is fixing its problem with the water meters program. "We want to get the whole situation resolved as quickly as possible, up to and including the infamous meter situation," Seaman said.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Tribune (IL)  
February 4, 2015

**Tinley Park Proposes New Village Purchasing Policy**

Author: Gregory Pratt

Tinley Park officials unveiled a proposed purchasing policy Tuesday night that could prevent politically connected firms from receiving exclusive business from the south suburb. The policy is being amended to ensure staff receives multiple quotes on certain purchases and to institute periodic meetings between the village and potential vendors to let businesses know of tentative and scheduled bids, among other changes. The proposed revisions come after the Tribune reported numerous stories throughout 2014 about no-bid business being handed to companies with extensive ties to Tinley Park's leaders. The proposed policy also recommends that village staff "rotate the purchase" when purchasing from local businesses.

"What we don't want to do is just say rotate (purchases) for the sake of rotating, and all of a sudden we lose something or we get a product or a price that's not as good as the other one," said **Dave Niemeyer**, village manager. "But certainly, we want to make sure that (if) we have three or four businesses in town that have similar products, similar qualities, similar service, that they're all given a fair chance." The policy revisions still require full approval from village officials.

Last year, the Tribune reported that village officials spent \$119,000 since 1989 for food from Ed & Joe's Restaurant and Pizzeria, whose owner is chairman of an influential Tinley Park commission. This was significantly more money than was spent at the next-closest competitor. In 2011, Tinley Park awarded a garbage contract worth at least \$24 million to a politically connected firm tied to a longtime commissioner — extending a contract that's been given to the same company since 1993. A Tribune analysis showed that a flower shop owned by family of the mayor's secretary did \$176,000 worth of business with the village over the years, about eight times more than its nearest competitor in the same time frame.

And Crossmark Printing, a company owned by the mayor's most recent campaign manager, did \$1 million in business with the village since 2004. More than 100 other vendors combined received less than \$700,000 for printing business in the same time frame. Under the proposed policy, which was unveiled at the village's Finance and Economic Development Committee meeting Tuesday, staff would need to receive three or more quotes on any purchase over \$5,000. **Niemeyer** said that's been the village's informal practice but it's now being codified.

The most controversial item in the proposed policy would require village employees to disclose if they own businesses that the village uses. "To avoid the potential for or the appearance of favoritism or collusion" on purchases, any item or service bought from a business owned in whole or part by a village employee must be disclosed by the employee on a form. Trustees Dave Seaman and Greg Hannon expressed concerns about creating a bureaucracy with the requirement.



**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Southtown: Web Edition Articles (Chicago, IL)  
December 16, 2014

**Tinley Park to get \$700,000 grant for convention center upgrades**  
Author: Mike Nolan

Tinley Park is getting a \$700,000 state grant to make improvements to the village’s convention center that officials hope could eventually lead to increased business there. The grant from the Illinois Department of Commerce and Economic Opportunity, announced Tuesday by state Sen. Michael Hastings, D-Orland Hills, would pay for much-needed improvements, such as parking lot repairs and improving Wi-Fi access at the center, Harlem Avenue and 183rd Street.

Tinley Park last week submitted a budget to the state outlining its plans for the money, a portion of which would also be used to increase marketing to draw more shows, business meetings and other events to the 120,000-square-foot building, village manager **David Niemeyer** said. That could ultimately benefit village businesses, especially hotels and restaurants, and the village and state would also see a larger share of tax revenue as a result, according to **Niemeyer**. He said once the state department reviews and approves the village’s proposed project budget, Tinley Park will receive the grant money and work can begin sometime next year.

Along with repairing and resurfacing the center’s main parking lot, the lot lighting will be retrofitted with energy-saving bulbs, and interior work will include setting up a video conferencing room and increasing wireless access points to allow for better Wi-Fi use “throughout the building on a more consistent basis,” **Niemeyer** said.

Separate from the grant, the village has hired a consultant, Roger Brooks International, to help gauge its “tourism friendliness” and suggest tactics for reaching a broader pool of groups and organizations that might use the convention center, he said. Village officials plan to discuss the findings of that study next month, and Tinley Park is earmarking \$55,000 from the grant to help implement the recommendations, **Niemeyer** said.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Chicago Tribune (IL)

April 1, 2014

**Pick for Tinley Park Manager Aims to ‘Make a Difference’**

Author: Gregory Pratt

After several months of searching for a new village manager, Tinley Park officials said they settled on **David Niemeyer** because of his extensive experience in local government. Mayor Ed Zabrocki said the village wanted a manager who could hit the ground running and knows the south suburbs. **Niemeyer** most recently was village manager in Oak Brook. "**Dave** was the one who the board felt most comfortable with, and felt he had the experience," Zabrocki said. Village officials said the hire was expected to be finalized April 1 at the town's Village Board meeting. **Niemeyer** will make \$170,000 in salary, according to a compensation report posted on Tinley Park's website. He has 27 years of experience in village management, according to a Tinley Park press release. Before becoming Oak Brook's village manager, **Niemeyer** worked as city manager of Des Plaines from 2003 to 2007, village manager in Homewood from 1998 to 2003, village manager of Richton Park from 1993 to 1998, village administrator for Orland Hills from 1988 to 1993 and city administrator/assistant to the mayor in Harvard. **Niemeyer** said he enjoys working in municipal government because "you can make a difference at a local level."

During his career, **Niemeyer** said he is proud to have helped develop long-term strategic plans for his communities, maintained financial strength in Oak Brook despite the Great Recession and developed employee appreciation programs. Oak Brook Mayor Gopal Lalmalani said **Niemeyer's** hire is Tinley Park's gain. "**Dave** is a wonderful guy and a very good manager," Lalmalani said. "He did a great job for Oak Brook for seven years." **Niemeyer** has also had the opportunity to do hands-on work. When he worked for Harvard, **Niemeyer** said, the town didn't have assistant managers or on-staff planners. "I had to do everything," he said. Starting at a small town gave him "the perspective of what it's like to be working as a department head and learn a lot of the operational aspects of what a municipality does," **Niemeyer** said. Blaine Wing, who worked with **Niemeyer** for about six years in Oak Brook, praised his former boss. "He was a very sound and reasonable manager, concerned about the residents, employees and businesses, as well as the elected officials," Wing said. "All of his decisions were well thought out."

Over the years, Tinley Park has been known for the longevity of staff and elected officials. **Niemeyer** will replace former Village Manager Scott Niehaus, who resigned in November to take the manager's job in Lombard. Niehaus had been Tinley Park's village manager since 2003. Tinley Park has only had three managers since 1973. Dennis Kallsen served from 1976 to 1991, followed by Dave Dorgan from 1991 to 2003, and then Niehaus. **Niemeyer** said that stability was one of the main attractions for him. "One of the things a manager always looks at is what's been the tenure of previous managers," he said. Their tenure "points to a stability in this community that was very attractive to me." **Niemeyer** has family in Oak Lawn, Palos Heights and Orland Park, he said. For fun, **Niemeyer** likes to play tennis and has taken cycling trips in Europe and Australia.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Patch.com (IL)  
March 25, 2014

**Tinley Park Chooses New Village Manager**

Author: Lauren Traut

Tinley Park has selected a new village manager to fill the vacancy left by the departure of Scott Niehaus. Oak Brook's current Village Manager **David Niemeyer** will replace Niehaus, who left in January for a managerial position in Lombard, village staff said Tuesday evening. "**David Niemeyer** brings an energetic, collaborative and results-oriented mentality to the Village of Tinley Park," Mayor Edward J. Zabrocki said. "**David** is an experienced and especially gifted professional who will serve the Village of Tinley Park with the same passion and commitment we've come to expect from our Village Managers over the years." The Village Board is expected to approve **Niemeyer's** appointment during its April 1 meeting.

"I'm very excited to come to Tinley Park," **Niemeyer** said. "I've lived in the south and southwest suburbs the majority of my life, and I'm just grateful to be able to come back here and work with one of the premier communities in the southwest suburbs." **Niemeyer** received a bachelor of science degree in political science in 1983 and a master of public administration degree in 1985, both from Northern Illinois University in DeKalb, Illinois. **Niemeyer** has 27 years of experience in village management. His most recent experience was as Village Manager of Oak Brook, Illinois from 2007 to the present. Before that, he served as City Manager of Des Plaines, Illinois from 2003 to 2007; Village Manager of Homewood from 1998 to 2003; Village Manager of Richton Park from 1993 to 1998; Village Administrator for Orland Hills from 1988 to 1993; and City Administrator/Assistant to the Mayor in Harvard, Illinois from 1986 to 1988. **Niemeyer** is expected to begin in June.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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The Doings (IL)

March 20, 2014

**Incentives Help Lure 750 Jobs to Town**

Author: Chuck Fieldman

The Oak Brook Village Board has agreed to some financial incentives for a real estate company planning to build a new corporate headquarters in town. Duchussois Real Estate plans to build a 252,600-square-foot facility at 1818 Swift Drive, currently occupied by Follett Higher Education Group. The new corporate headquarters building is for the Chamberlain Group of Elmhurst, which specializes in garage door openers and related products. The largest financial incentive in the agreement is a 50 percent reduction in fees, which amounts to about \$100,000. Also included is reimbursement of up to 50 percent of public infrastructure costs up to a maximum of \$35,000, or a maximum total \$70,000 infrastructure reimbursement. The additional amount would come from the cost of possible water main relocation. Up to \$35,000 would come from the village's water fund as a reimbursement to the company doing the project.

As part of the agreement, Chamberlain agreed to occupy its new building for at least five years. No timeline for construction or occupancy has yet been set. Chamberlain will bring about 750 employees to the Oak Brook building and possibly more in the future if additional adjacent properties are later purchased. Follett Higher Education Group is moving to the nearby Westbrook Corporate Center in Westchester. Follett's last day in Oak Brook is March 21. "This is a huge project," Village Manager **Dave Niemeyer** said. "Chamberlain's relocation to Oak Brook will be a significant positive economic impact to our community. It will be easier for their employees to shop and dine in Oak Brook, our hotels will benefit from overnight stays, and Oak Brook will be exposed to other corporate professionals who visit Chamberlain."

With trustees Don Adler and Mark Boy absent, Mike Manzo cast the lone vote against the financial incentives for the project, but said he is very pleased to have Chamberlain coming to Oak Brook. "It's a wonderful fit; I love the development, but if it's not going to generate some sales tax, I can't support any financial incentives," Manzo said. "We don't have a property tax in Oak Brook, so sales tax is even more important for us." Manzo said his bigger concern is not wanting any precedent set for continuing to provide financial incentives for businesses that don't generate sales tax revenue for the village. "We have no process for financial incentives; we're the only community I know that offers incentives for office buildings," he said.

**Niemeyer** said village staff is going to work on a set of guidelines for offering financial incentives to businesses interested in coming to Oak Brook.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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The Doings (IL)  
December 19, 2013

**Capital Projects a Focus for 2014 Village Budget**  
Author: Chuck Fieldman

The Oak Brook Village Board approved a balanced 2014 budget Dec. 10 that allows for the completion of significant capital improvements. Expected expenditures of \$52.5 million are up more than 11 percent from \$47 million in 2013, while anticipated revenues of \$52.8 million are up 6 percent from \$49.8 million. “About half of the increase in expenditures is from capital projects,” Village Manager **Dave Niemeyer** said. “We have held off on capital projects the past few years because of the economy and us really trying to keep expenses as low as possible.” **Niemeyer** said that by policy the village looks to maintain a six-month reserve in its general fund. “We now have eight months in there because we have held off on many projects and cut staff over the past few years,” he said. “We always estimate our revenues conservatively.”

It is particularly important that Oak Brook’s expected revenues be calculated conservatively because the largest source, sales tax, makes up 23 percent of money taken in by the village. Oak Brook does not assess a property tax. “We’ve projected sales tax to increase by 2 percent over last year, and it could be more than that,” **Niemeyer** said. Major capital expenses include \$3.1 million for street resurfacing, \$1.35 million for water main replacement in York Woods, a \$495,000 Sports Core subsidy, \$275,000 for locker room and drainage improvements at the Sports Core, a \$115,000 subsidy for polo, a \$750,000 pumper truck for the Fire Department, and \$300,000 for two dump trucks.

However, trustees were clear all capital expenditures would need to be approved by the Village Board on an individual basis. “We typically don’t spend everything that’s in the budget,” said Trustee Asif Yusuf. “We’ve left the door open for flexibility with these capital projects.” The budget also includes about \$260,000 for new employees. “We really have been at bare bones with our staffing the past few years,” **Niemeyer** said. “Hiring a few additional people will not have us back to anywhere near where we were before, but there are some positions we should fill.” A full-time person to be in charge of the non-golf areas of the Sports Core is a possibility, as is turning a part-time catering position at the Sports Core into a full-time job. “This isn’t about creating a bunch of new jobs; it’s about filling some positions that really need to be filled and will help us run more efficiently,” **Niemeyer** said.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Sun-Times: Web Edition Articles (IL)  
March 19, 2013

**Judge upholds Oak Brook’s firing of Drew Peterson’s cop son**

Author: Pioneer Press

The firing of former Oak Brook Police Officer Stephen Peterson in 2011 was upheld Monday by DuPage County Judge Terence M. Sheen. After he was fired by Oak Brook’s Police and Fire Commission, Peterson filed a lawsuit in DuPage County, seeking to overturn his dismissal.

Peterson was dismissed after the Fire and Police Commission determined that Peterson didn’t disclose important information to Illinois State Police during their investigation into the disappearance of his father’s fourth wife, Stacy. Drew Peterson, Stephen’s father, is serving 38 years in prison for the 2004 murder of his third wife, Kathleen Savio. Authorities have said that Drew Peterson gave his son three weapons and \$236,000 shortly after Stacy Peterson vanished from her Bolingbrook home on Oct. 28, 2007, but Stephen Peterson didn’t immediately disclose that information to investigators.

“In this case, it was in no way arbitrary or unreasonable for the board to conclude that Officer Peterson exhibited conduct incompatible with continued service as a police officer,” Sheen wrote in his opinion. “Therefore, this court finds that Officer Peterson’s conduct, when viewed in its entirety warrants the sanction of discharge.”

In firing Stephen Peterson, commission members said in a prepared statement that he had “used extremely poor judgment with respect to the weapons and the money he received from his father.”

“We agree with the judge’s decision and the actions our Police and Fire Commission took,” Oak Brook Village Manager **David Niemeyer** said.

Peterson has 30 days to appeal Sheen’s decision to the Illinois Appellate Court.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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The Doings (IL)  
November 15, 2012

**Economic Development Key for Village**

Author: Chuck Fieldman

With April municipal elections approaching, we sat down with village managers to ask about issues facing their community. **David Niemeyer** has been village manager in Oak Brook since 2007. He has worked in local government for about 25 years.

Q. Can you briefly describe the top three issues Oak Brook faces?

A. I would say right now, certainly like every other community, economic development and redevelopment. We have a rather unique situation here where we partner with the Chamber of Commerce. We're very proactive, and that's something that's become more the case recently. Ten years ago, there wasn't much done to be proactive, but there's a lot of competition now, with the city and other suburbs, in terms of bringing new businesses here. We just finished our first economic development brochure. We have something we started about three years ago called a Rapid Response Team. When a business is interested in coming to town, we put on a presentation as one group. Another issue is something we're now addressing with our new residential enhancement committee. We're an older community. Our population dropped almost 10 percent in our last census, and our average age is 55. We have a lot of good things to bring young families here, but not enough people know about it. We're planning to do more marketing. The third issue is dealing with a new environment of reduced revenues from years ago. We have a smaller staff, and we're always continuing to look for ways to run more efficiently.

Q. Given the economy, how would you describe Oak Brook's fiscal situation?

A. We're in excellent fiscal condition. When the revenues went down we made corresponding cuts. We do rely on sales tax, and our sales tax has rebounded some, although it's not what it was at one time. We have healthier reserves than before, but we always have to be cautious because sales tax can go up and down. More than 50 percent of our operating budget is based on sales tax.

Q. How is the state's pension crisis affecting Oak Brook?

A. The pension crisis, I think, is the underpinning of the state's financial crisis. We want our state to get fiscally healthier. The appearance of the state of Illinois is that we can't address big issues. That doesn't help the business environment. We have a great local business environment here; that's probably the one negative in a lot of our business people's minds — that we're in Illinois.

Q. Do you think Oak Brook is doing a good job conducting its business transparently?

A. Yes. We have really made extra efforts to get stuff available to the public, to put things on our website. (Assistant Village Manager) Blaine (Wing) and I, as well as the board, are very accessible to residents. We're a small community here. We're very transparent in the work that we do.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Pioneer Press (IL)

August 22, 2012

**Pension: (Suburban) Sheahan Challenges Oak Brook Officials to Open Deposition Session**

Author: Chuck Fieldman

Former Oak Brook Police Chief Tom Sheahan is challenging village officials to a public deposition session. Sheahan offered his challenge through The Doings after the Village Board's Aug. 14 hiring of an investigator to look into how Sheahan's pension left the village with a \$750,000 unfunded liability. The purpose of the investigation is to look into how Sheahan, appointed in 2005, was able to use a piece of 2007 legislation introduced by state Rep. Robert Molaro to boost his pension at the expense of Oak Brook's taxpayers, village officials said.

The legislation allowed Sheahan to transfer his previous pension credits to Oak Brook. Sheahan resigned as chief in 2011 after slightly more than six years with the Oak Brook Police Department. His \$750,000 pension liability is over a 20-year period, he said. "They have been making it seem like I pulled something really sneaky, and that's just not the case," Sheahan said. "It took three weeks to negotiate my contract with the Village Board, and it went back and forth three to five times before it was finished." Sheahan said he would submit to eight hours of deposition over a two-day period, with questions being asked of him by the village's attorney. "I'd be happy to do that as long as it's televised in Oak Brook and put on their website," he said. "My other stipulation is that all the Village Board members, the village president, the village manager and the assistant village manager submit to questions from me, and I can use anything uncovered during the deposition in my lawsuit." Sheahan is involved in a lawsuit against Oak Brook and several of its employees, claiming they caused damage to his reputation and "stigmatized him in his profession."

Village Manager **Dave Niemeyer** didn't accept Sheahan's challenge for open-session depositions. "We're in litigation with him; he basically began the litigation, and we'll defend ourselves in court through the legal system," **Niemeyer** said. "We feel we have a very strong case." Sheahan said never met or spoke to Molaro until after Molaro had retired from the senate and had been hired by Oak Brook as a lobbyist. Molaro was appointed as a \$5,000 a month lobbyist by the village in 2009. "I was directed to meet with him by **Dave Niemeyer** to talk about a traffic light to help Costco," Sheahan said. "I really feel like I have been targeted here, and their targeting of me is libelous and slanderous. I have three lawyers looking into it."

Sheahan said if current Police Chief James Kruger stays six years, his pension liability will be similar for the village, and said former police and fire chiefs have pension liabilities twice as much. **Niemeyer** said the village wouldn't be paying anything toward Kruger's pension for time he worked elsewhere. "And with all the others, our pension responsibilities are based on their time working here, not other places," **Niemeyer** said.

Oak Brook officials have said on several occasions that Sheahan was the only person in Illinois affected by the legislation proposed by Molaro. Molaro was appointed as a \$5,000 per month



**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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lobbyist by the village in 2009. “The village knows that isn’t true,” he said. “IMRF gave Oak Brook a list of 20 people affected by this.” IMRF is the Illinois Municipal Retirement Fund. **Niemeyer** said Oak Brook officials received a list from IMRF of 20 people who were eligible to take advantage of the pension legislation, but that Sheahan is the only one who took advantage of it. “And when Molaro introduced the legislation, he said, without mentioning a specific name, that it was to benefit one individual,” **Niemeyer** said. “Our big issue with this is that he’s the only one who is benefitting from this legislation. We want to know how that happened.”

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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[CB&A Note: We asked Mr. **Niemeyer** about this incident. He recalls that after the Chief filed the suit, his attorneys did not show up in court so the judge dismissed the suit.]

The Doings (Oak Brook - Oakbrook Terrace, IL)

December 29, 2011

**Craig, Sheahan, Former Business Owner Sue Village**

Author: Steve Schering

Former Oak Brook village president John Craig, former police chief Tom Sheahan and former Sky Bar owner Iwona Burnat have filed a lawsuit against Oak Brook residents and village officials. The lawsuit was filed Dec. 16 in U.S. District Court in Chicago. The lawsuit names the village, Oak Brook Police Officers George Peterson, Garrett Church and Parry Barnes, Police Sgt. Brian Strockis, Police Lt. Jason Cates, Police Lt. Tamie Shuey, Village Manager **David Niemeyer**, former trustee Moin Saiyed, Village President Gopal Lalmalani and former trustee Robert Sanford as defendants.

In the document, the three accuse Oak Brook police officers of creating e-mails “containing false facts with regard to President Craig,” in relation to Craig’s incident with three Oak Brook police officers at the Sky Bar on Nov. 13, 2010. According to an investigation by the Better Government Association, the police officers were at Sky Bar that November evening for a “bar check” and claimed Craig, who was there, yelled at them. They also claimed Craig pulled his retired police badge on them and threatened to get them fired. Craig denied wrongdoing and claimed the officers were trying to make him look bad because of the impending village election.

The plaintiffs accuse **Niemeyer** of offering Cates and Shuey, “immunity from any internal discipline for their misdeeds and misconduct stemming from (the) Nov. 13, 2010 incident,” and claims **Niemeyer** offered immunity to other officers “if they provided him with damaging information regarding Sheahan.” The document claims Sheahan was “forced to resign as the chief of police of Oak Brook on April 26, 2011” because the environment he worked in became “hostile and more than unbearable.” The complaint claims the defendants “intensified their harassment of the Sky Bar,” and acted to “destroy the Sky Bar’s business,” which led to Sky Bar being “forced out of business” in late October.

Lalmalani, who defeated Craig in the April village election, is named for allegedly committing actions that were “retaliatory, malicious and intended to punish Sky Bar and Burnat for not supporting his election.” “The village does not believe the complaint has merit and will be vigorously defending against the claims,” Oak Brook Village Attorney Peter Friedman said. Craig and Sheahan claim to have suffered “serious and ongoing physical and psychological injuries,” due to the actions of the defendants. The plaintiffs have hired Ivan Tomic of the Tomic Law Group of Chicago to represent them. Phone calls and messages left for Tomic at his office were not immediately returned. The plaintiffs seek compensatory damages, punitive damages, reasonable attorney fees, an award of damages and any judgment for compensatory damages against the defendants, to be determined at trial.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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[CB&A Note: Only the information relevant to **David J. Niemeyer** is listed below.]

Daily Herald (Arlington Heights, IL)  
November 2, 2010

**Five towns get federal cash for better transit**

Author: Robert Sanchez

Nearly \$3 million in federal money will help pay for trails and streetscape enhancements in Lisle, Oak Brook, Villa Park, Warrenville and Woodridge. The planned upgrades in those DuPage County communities are among 120 projects statewide that received a total of nearly \$90 million in federal cash through a state-run program, according to the Illinois Department of Transportation. Officials said the Illinois Transportation Enhancement Program is meant to improve the quality of life in the state by "promoting alternative transportation, such as bike and hike trails, streetscape and beautification, and preserving transportation resources."

Oak Brook officials estimate that the roughly \$569,000 the village received will pay about 80 percent of the cost for its 22nd Street beautification project. The village wants to install decorative lights, median plantings and other enhancements along a stretch that runs from Spring Road to Salt Creek.

Village Manager **David Niemeyer** said the project had been on hold because of budgetary concerns. "Fortunately, now we have been able to get grant money for it," he said.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Trib Local (IL)  
October 4, 2010

**Oak Brook Budget Pinched by Firefighters' Pensions**

Author: Heather MacDonald

Faced with a looming budget shortfall, Oak Brook officials say they can no longer afford to foot the bill for its firefighters' pensions after several years of "astronomical" increases. Over the last several weeks, village officials cut \$1 million across the board from next year's budget as expenses continue to outpace tax receipts, said Village Manager **David Niemeyer**. At a meeting of the village's Citizens Finance Advisory Committee last month, Village President John W. Craig said the village's budget was being pushed into the red by its obligations to fund the retirement plans for the village's firefighters. "We need to face the reality that we can't afford the pension programs as they are structured now," Craig said, adding that village-sponsored special events are also on the chopping block.

In 2010, the village paid more than \$1 million toward its firefighters' pensions and more than \$950,000 toward police officers pensions, after several years of "astronomical" increases set by state law, **Niemeyer** said. Oak Brook's budget is complicated by the fact that the village does not levy a property tax, but instead relies on sales tax revenue from the upscale Oak Brook Center, which attracts shoppers from all over the area. "That makes it very challenging," **Niemeyer** said. Craig supports reducing the department from 28 to 21 or 22 firefighters, and contracting with a private company to cover calls for service as needed. That means the village would not have to pay those firefighters pensions. However, such a move is prohibited by the village's agreement with International Association of Fire Fighters Local 4646, and union president George Grodek said it would threaten public safety. "You get what you pay for," Grodek said, adding that many contract firefighters have less experience and are not as qualified as members of the department. Grodek said he was skeptical that the village was truly in a financial crisis, noting that the village has \$9 million in its rainy day fund, far more than most towns. "Last year, [the board of trustees] wouldn't cut leaf pickup, but now they want to slash the fire department," Grodek said. "I guess the fire department is a non-essential service."

Because Oak Brook does not have a local property tax, the village keeps enough cash on hand to pay six months' worth of village bills because sales tax receipts can swing up and down based on shoppers' whims, **Niemeyer** said. An advisory referendum on the November ballot will ask Oak Brook voters whether the state's public employee pension system should be reformed. Much of the outcry over pensions is based on misinformation, Grodek said. "The public doesn't understand the toll this profession takes on your body," Grodek said. "We have bad knees, bad ankles. We can't get another job. We just go home and lick our wounds." Oak Brook firefighters have been working without a contract since December 2007, when their last contract with the village expired. In an effort to reach a new deal, mediation began Sept. 30, but neither Grodek nor **Niemeyer** said he expected a quick resolution to the years-long dispute over staffing levels, wages and a host of other issues. "Negotiations are never easy," **Niemeyer** said.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (IL)  
March 26, 2010

**Oak Brook Backs Off on Cutting Ambulance**

Author: Anna Madrzyk

The village of Oak Brook has backed off a plan to eliminate one of its two ambulances to save \$350,000 a year. A week after staff notified Northlake-based Paramedic Services Incorporated of the village's plans to cancel its contract - and touted the move as "smart government" in a news release - the village board decided to hold off on taking action. Instead, the board decided to create a committee to look at "all the various options" in a report by fire safety analysts McGrath Consulting Group, said Village Manager **David Niemeyer**. Eliminating an ambulance was not one of the consultant's recommendations.

In a letter to Oak Brook residents, three former Oak Brook fire chiefs denounced the move as "a threat to the community we took an oath to protect." Oak Brook is struggling to cope with a sharp decline in sales tax revenues due to the troubled economy. Residents do not pay a property tax for village services. "Nobody would want to do this (eliminate an ambulance) in ordinary times," **Niemeyer** said.

In addition to its own staff, the village has a contract with PSI to provide two firefighter/paramedics per shift - the staffing for the second ambulance. About 20 percent of emergency calls occur when there are two non-related emergencies going on at once. If Oak Brook eliminated one ambulance, neighboring communities would be called to respond and "there could be a significant delay," said James Bodony, retired Oak Brook fire chief. Furthermore, some calls - such as cardiac arrests and high-speed crashes - need two two-person ambulance crews. "If someone is in full cardiac arrest, four people are barely enough," Bodony said.

The committee to study the report will be formed during the next month, **Niemeyer** said. The village already has adopted some of the consultant's recommendations, including a wireless fire alarm system to reduce the village's comparatively high number of false alarms. The village also is changing its procedure for false alarm notification and follow-up, **Niemeyer** said. And it has put a fire truck and a reserve engine up for sale, as the consultants recommended. The 82-page fire study report is available online at [www.oak-brook.org](http://www.oak-brook.org).

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
July 22, 2009

**Oak Brook trims \$1.3 million**

Author: By Anna Madrzyk

The wealthy community of Oak Brook has joined the list of municipalities laying off employees due to the economic downturn. Trustees Monday approved nearly \$1.3 million in cutbacks to offset declines in sales tax revenue. The cuts reduce the village's payroll by the equivalent of 14.75 full-time positions spread across all departments. Some of the positions already were vacant. The aim was to "minimize the impact the cuts would have on village operations and services to residents," Village Manager **David Niemeyer** said.

The measures include:

- \* Combining the engineering and public works departments, and eliminating the position of village engineer for a savings of \$161,185 in salary and benefits.
- \* Requiring employees in clerical positions to work 40 hours a week instead of 35 or 37.5 hours — in effect a pay cut. This will save roughly \$25,000 in the straight-time overtime clerical employees received when they worked between 35 or 37.5 hours and 40 hours a week.
- \* Outsourcing the IT department for a savings of about \$60,000 a year.
- \* Eliminating the positions of deputy village clerk, records management clerk and receptionist at village hall to save about \$206,000. Three part-time employees and a minute-taker will be added for a total cost of \$49,485.
- \* Cutting two full-time dispatchers and two full-time records positions in the police department. In addition, one full-time and one part-time dispatcher position will remain vacant.
- \* Doing fire inspections on shift rather than special details, saving roughly \$60,000 a year.

The package of cutbacks includes \$300,000 from the nearly \$1.4 million budget of the Oak Brook Public Library, but village trustees are waiting to hear from the consultant hired to study the library's staffing, organization and workflow before making a decision. That report is expected in mid-August.

Village officials say they are considering turning the library over to a for-profit company that can run it more inexpensively, but only as a last resort. The Friends of the Oak Brook Public Library oppose privatization.

Earlier this month, village trustees voted to hire Calihan Catering of Chicago to run the clubhouse banquet facility of the Oak Brook Bath & Tennis Club, used for weddings, parties and civic events. The clubhouse has been losing money, but **Niemeyer** projects the outsourcing will result in a net gain of \$50,000 a year.

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Daily Herald (IL)

October 1, 2009

**Ugly Battle has Librarians in Oak Brook Turning to Teamsters**

Author: Burt Constable

Telling her mother that she wanted to come to the aid of a library under attack, 11-year-old Sydney Sabbagha stood at the podium before the Oak Brook village board. "I used to go to the library knowing there were people there to help me find a book. Now there is no one to help me," Sydney said solemnly. "It will never be the same without the people you fired." Sydney nestled back into her seat, but that didn't stop 69-year-old criminal attorney Constantine "Connie" Xinos from boldly putting her in her place. "Those who come up here with tears in their eyes talking about the library, put your money where your mouth is," Xinos shot back. He told Sydney and others who spoke against the layoffs of the three full-time staffers (including the head librarian and children's librarian) and two part-timers to stop "whining" and raise the money themselves. "I don't care that you guys miss the librarian, and she was nice, and she helped you find books," Xinos told them.

"Don't cry crocodile tears about people who are making \$100,000 a year wiping tables and putting the books back on the shelves," Xinos smirked, apparently referencing the fired head librarian, who has advanced degrees and made \$98,676 a year. He said Oak Brook had to "stop indulging people in their hobbies" and "their little, personal, private wants." Sydney was upset and "her little friend was in tears" after Xinos spoke at the meeting last week, says mom Hope Sabbagha. "I wanted that kid to lose sleep that night," a grinning Xinos says Wednesday, as he invites me for a nearly two-hour interview in his Mercedes-Benz in the gated Oak Brook community where he lives. "This is the real world and the lesson, you folks who brought your kids here, is if you want something, pay for it."

Xinos, who unsuccessfully sued to stop the building of the new library, which opened in 2002, sits on one side of the issue. He lost his election bid to be a village board member, but has been president of his home association since 1983 and worked to elect board members who agree with him about the library. On the other side sits Barbara Benezra, the longtime president of the Friends of the Oak Brook Public Library, who considers the library "my third child." "This is the heart of the village," Benezra says as she tours the library and surrounding gardens under a sign sporting a Cicero quotation reading, "If you have a garden and a library, you have everything you need." "We don't have a grocery store," Benezra says. "We have this." While Benezra acknowledges the need for some budget cuts at the library, given the recession, she says, "There's always been a faction of this town that's been anti-library."

The librarians, who stereotypically remain hushed for this story, obviously feel a bit threatened. They have turned to the Teamsters for some labor help. Teamster librarians in Oak Brook? Mercy. "We get good contracts for all kinds of professionals," says Brian Rainville, executive director of Teamsters Joint Council 25, which oversees 100,000 Chicago-area Teamsters, from pharmacists to zoo keepers. "They have given us petitions," Village Manager **David Niemeyer**

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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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says of the Teamsters. "Assuming they do become certified, we'll have to negotiate with them." Other village employees are unionized and the village works out contracts with them. Everybody thinks Oak Brook is rich and has all kinds of resources, but we don't," **Niemeyer** says. "Oak Brook has very low taxes and that's a point of pride in this town."

Begun as a volunteer effort in 1961 with donated books, the library occupied a small space in village hall until it moved into an old school two years later. It stayed there until the village built the new library. The library is a village department funded by the general fund, same as the police, fire department and public works. It has no taxing power. Its budget comes from the village, and much of that money comes from sales tax, as there is no property tax. And sales at the mall and other businesses are down. "We're probably going through what a lot of towns are going through," **Niemeyer** says of the budget cuts. "None of these things are easy."

It's not complicated for Xinos. "You may like the library, but when you call 9-1-1, you want a policeman or a fireman before someone to tell you where the books are in the library," says the man who has talked of privatizing, outsourcing or even closing the library. "I understand that my philosophy is conservative," Xinos says, adding that government just needs to catch bad guys, put out fires, fix the streets and make sure buildings are sturdy. He campaigned, successfully, against a plan to bring subsidized housing for seniors into town by declaring, "I don't want to live next to poor people. I don't want poor people in my town."

A poor kid who grew up in Berwyn and worked in his dad's cafeteria in Chicago, Xinos went to law school and served in the Marines. Xinos says he speaks for Oak Brook's view of the Teamsters when he says, "Nobody here likes those kind of people." Xinos, who says he never had children in part because he wasn't sure he'd be able to support them, sprinkles the F-word throughout his conversations. He dismisses a recent library event involving dogs with a blunt three-word rant in which he bookends swear words around the word "that."

That attitude doesn't represent the silent majority in Oak Brook, who support the library, Benezra says. "There's been no discussion on the village board about closing the library," **Niemeyer** notes. "There is great pride in our library. We have an outstanding library." What the library will look like in the 2010 budget depends on Xinos, Benezra, Teamsters, librarians, the village board and the people of Oak Brook.



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**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Daily Herald (IL)

July 5, 2009

**Oak Brook Could Privatize Library as a ‘Last Resort’**

Author: Anna Madrzyk

Faced with declining sales tax revenue, the village of Oak Brook is considering a radical step to save money: Privatizing its public library. Village trustees are looking at several options to cut \$300,000 - more than 20 percent - from the library's nearly \$1.4 million annual budget. One possibility, which officials say would be a last resort, is to turn the library over to a for-profit company that can run it more inexpensively. "The odds of outsourcing are low," Trustee Gerald Wolin said. "But it's not out of the question." And that has library supporters worried.

"Privatizing is a Draconian solution which will destroy the library as a viable community resource," said Barbara Benezra, president of Friends of the Oak Brook Public Library, in a statement to village trustees.

Privatization of public libraries "is still a very rare phenomenon nationwide," said Bob Doyle, executive director of the Illinois Library Association in Chicago. Oak Brook Public Library would join just a dozen or so library systems in Oregon, Texas, Tennessee and California that have been privatized. Typically, librarians who aren't laid off become employees of the for-profit company, but with reduced salaries and benefits. Outsourcing companies also hire more paraprofessionals to cut costs. And patrons may find they can no longer check out a book at a neighboring library or order several copies for a book group discussion through interlibrary loan. "There are a lot of negatives," Wolin said.

Oak Brook trustees are looking to make up to \$1.5 million in "sustainable" cutbacks communitywide, Village Manager **David Niemeyer** said. These are permanent cost reductions, not one-time savings such as employee furlough days adopted in some municipalities. Unlike most suburbs, Oak Brook does not collect property taxes for village services, but instead relies on sales taxes to support its general fund. Sales tax is expected to be down \$650,000 by the end of 2009. Revenue from state income tax and interest is also down, **Niemeyer** said. The board does not want to dip into its \$9 million in cash reserves. "We have a policy that we should make our best effort to keep six months of reserves in the general fund," **Niemeyer** said. "That's higher than most towns, but that's because we rely on sales tax."

Earlier this year, Library Director Meg Klinkow-Hartmann put together a proposal for \$97,000 in savings that included cutbacks in library hours, eliminating three part-time positions and cutting back on book purchases. But after three new trustees were seated in April, the new village board decided cuts needed to be much deeper. The board last month hired a consultant to study the library's staffing, organization and work flow. Library Associates Companies is conducting on-site interviews at the library this month. A report is expected in mid-August. The firm already has a contract with the DuPage Library System to provide staffing services and support for its 132 members, including public, academic, school and special libraries in five counties. The company is involved in partial outsourcing - a library project or a function, such as

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recruiting - but not running an entire library. A different company - Maryland-based Library Systems and Services - is the leader in contracts to run privatized public libraries. "We have many outsourcing contracts, but not to take over the entire facility," said Deborah Schwarz, president and CEO of Library Associates, which is based in Los Angeles. The consultant will be looking for efficiencies, but "privatization was not discussed." "Anytime you have an outside consultant coming to look at things, people get a little nervous," Schwarz added. "We are all librarians ourselves and we have great empathy for the staff."

The American Library Association does not support turning over control of taxpayer-funded library services to an outside, for-profit company. Public libraries are best staffed by professional librarians who are a part of the community and understand the needs of the people they serve, said Jim Rettig, association president. Oak Brook's library, for example, has an extensive collection of foreign-language materials tailored to its diverse community. "I want the library to continue to be a viable community asset run by librarians who know us," Benezra said. Programs for senior citizens and children and the Evergreen Concerts all contribute to making the library "the heart and soul of our community." The Friends board is asking for cutbacks to include temporary cuts in materials and hours of operation, rather than focusing solely on staff for cost savings, and to reinstate the cuts when the economy turns around. **Niemeyer** said he has heard "a lot of concern about the outsourcing option," but the board "is just trying to do the fiscally responsible thing and look at all options."

**Other cuts on horizon in Oak Brook**

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Oak Brook is looking to get out of the catering business and make some money. The village is reviewing bids from two caterers - Calihan Catering and Backyard Grill, both of Chicago - to run the clubhouse banquet facility of Oak Brook Bath & Tennis Club, used for weddings, parties and civic events. The clubhouse is expected to lose \$116,805 in 2009, although that's actually better than it did in some previous years, Village Manager **David Niemeyer** said. "We just aren't experts at the restaurant business," he said. The village would get a cut of the catering firm's profit, "turning a losing enterprise into a moneymaking enterprise," **Niemeyer** said.

**Niemeyer** said he expects that a recommendation on which firm to hire will be made at the July 14 board of trustees meeting. The village board has directed **Niemeyer** to look for up to \$1.5 million in budget cuts to offset a decline in sales tax revenue due to the slumping economy. This is on top of \$1.3 million in cutbacks made earlier this year, primarily through freezing positions in village departments. Trustees "are concerned some of the cuts are not sustainable and asked (staff) to go back and find further cuts," **Niemeyer** said. **Niemeyer** said he is working on recommendations now and expects discussion at the July 14 meeting.

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*(Articles are in reverse chronological order)*

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Oak Brook Suburban Life (IL)  
June 6, 2008

**Village Gets Cop Charges Dropped**

Author: Petras Barcas

The village of Oak Brook won two lawsuits in federal court May 30 that alleged the village improperly fired a former police officer, as well as interfered with a bid by a private company to install the next generation of squad car cameras.

The first suit, filed last year by former Oak Brook police Sgt. Randy Mucha, 43, alleged that he was improperly terminated. Mucha was suspended and later fired from his job last summer in part for allegedly requesting conviction information on a resident. He then filed suit in the U.S. District Court in Chicago against the village, Police Chief Thomas Sheahan, and the town's Police and Fire Commission.

Four counts of the suit were dismissed, including one that sought administrative review of the Board of Fire and Police Commission's decisions, and one that alleged the board conspired with Sheahan to fire Mucha. "All along, I felt the actions we took in both cases were appropriate," Oak Brook Village Manager **David Niemeyer** said. "The village of Oak Brook, in the last few years, has had a lot of litigations filed, and we are going to respond."

Other counts of the Mucha suit alleged Sheahan made defamatory statements that Mucha had child pornography on his computer, and that there was an invasion of privacy involving other nonpornographic pictures on Mucha's computer. A separate legal case involved Closed Circuit Innovations. The company alleged the village and Sheahan discriminated against CCI, interfered with existing business relationships and denied it an opportunity to bid on the village's new squad car cameras. All of the claims were dismissed.

"This is an example of two cases where we responded aggressively and we're happy with the outcome," said **Niemeyer**. "These are significant victories for the village. Oak Brook will continue to aggressively fight all unmeritorious lawsuits filed against the village."

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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The Doings (Oak Brook - Oakbrook Terrace, IL)  
August 16, 2007

**OB Offers Village Manager Post to 20-Year Veteran**

Author: Alissa Raschke

After almost six months with no permanent village manager at the helm, Oak Brook is one step away from filling the post. President John Craig announced Tuesday that, pending contract negotiations, acting village manager **David Niemeyer** will permanently take the position.

**Niemeyer**, an Oak Lawn native, stepped in as acting village manager in mid-July, after acting/assistant village manager Jeff Moline left Oak Brook for a different job opportunity. He said he found out about the opening from the PAR Group, a consulting firm the village hired to assist in the search.

Craig said **Niemeyer** has proven himself in the past few weeks. "**(Niemeyer)** has come into our village and has worked very hard to acclimate himself to Oak Brook's style of government and unique way of life," Craig said. "As village president, I think this is good for the village." A 20-year veteran of public administration, **Niemeyer** last worked in Des Plaines. "I've been a city manager in Illinois since 1986," **Niemeyer** said. "I've been with five communities, smaller than Oak Brook and larger."

He added that despite the rough road the village has been down in recent years, he's looking forward to working in Oak Brook. "I'm very excited about the opportunity and impressed by the way everyone works together here, the elected officials and staff," **Niemeyer** said. "Everybody seems to be pulling toward the same goals, and there's a lot of projects to work on."

Craig said the board is still looking over the contract, but that it should be finalized soon. "His contract is under review," Craig said. "We should have this done within a week." Since former village manager Rick Boehm left the village in March, there have been three acting village managers, including Moline, **Niemeyer** and, for a short time, Pat Horn. Now the board is turning its attention to finding a permanent village attorney, a position that has been open since Kenneth Kubiesa resigned in May. The board is holding special meetings to consider the applicants; the field has been narrowed to three candidates.

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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The Doings (Oak Brook - Oakbrook Terrace, IL)  
July 19, 2007

**Acting Village Manager Named in Oak Brook**  
Author: Alissa Raschke

The resignation of acting village manager Jeff Moline last week left Oak Brook with three top positions open, but village President John Craig has taken steps to fill the openings. Craig appointed **David Niemeyer** acting village manager, where he will stay until the Village Board completes the search for a new village manager, according to a press release.

**Niemeyer**, who most recently worked in Des Plaines, has 20 years of experience in local government. Though he will take over most of the duties of village manager, the board amended the ordinance for the temporary appointment to limit the acting village manager's power and budget. He will not have the authority to hire or fire anyone, change job descriptions or make large purchases without the approval of the board.

An Oak Lawn native, **Niemeyer** is one of the candidates the PAR Group has selected for permanent village manager. "I became aware of the position through the PAR Group," **Niemeyer** said. "Oak Brook is a very prestigious town." He said he's aware of the legal issues the village is facing but he is not deterred. "I've dealt with a variety of towns, and certainly Des Plaines had its share of issues," **Niemeyer** said of his last job. "The positive here far outweighs the negative." He added that he's anticipating getting to know Oak Brook. "I enjoy working with the public and I look forward to input from residents," he said.

The search is still on for a new permanent village manager, assistant village manager and village attorney. The village has been working with the PAR Group since earlier this year when then-manager Rick Boehm announced his resignation. At a July 3 special board meeting, Craig said the board hoped to have a decision made on a new manager by the end of July. "The Board of Trustees is working closely with the PAR Group to expedite the hiring of a new village manager," Craig said in a statement issued by the village. "In the meantime, (**Niemeyer**) will be able to fill the gap and help us through this transition period."

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
May 22, 2007

**Des Plaines city manager resigns**

Author: Ames Boykin

Des Plaines aldermen unanimously accepted the resignation of City Manager **David Niemeyer** on Monday, two weeks after they cleared the mayor to work out the terms of ending his employment. **Niemeyer**, who earned \$123,188 in the post he held since 2003, will get seven months' pay plus \$10,000 for his retirement plan under the terms aldermen approved Monday.

**Niemeyer's** last day on the job was Monday, when he reported to work, but he didn't attend the council meeting. **Niemeyer** couldn't be reached for comment late Monday.

Aldermen, after a closed-door meeting May 7, gave Mayor Tony Arredia a vague direction in open session, which officials later said was the OK to deal with **Niemeyer** on a separation agreement. "The council didn't like the direction he was going in," Arredia said. "They thought there were things that should have been done faster." Without getting specific, Arredia cited development issues as among those things that aldermen felt could have been done more quickly.

Arredia plans to give **Niemeyer** a letter of recommendation Tuesday. **Niemeyer's** father has been ill, so negotiations between the mayor and **Niemeyer** took longer than expected, according to the mayor.

In 2004, Des Plaines voters approved a change in government, putting the city manager in charge of day-to-day business and department heads. Since **Niemeyer's** performance evaluation became a topic of discussion this month, aldermen have questioned the city manager's role in light of the government change. That will be the topic for future committee meetings.

Arredia denied the decision on **Niemeyer** was the result of a power struggle between the city manager and aldermen amid the change in government that stripped the city council of the powers it previously had. "City managers reach plateaus where it's time to move on," Arredia said. "It's one of those things."

Since Des Plaines operates under a managerial form of government, an acting manager must be named. Assistant City Manager Jason Bajor will fill in, Arredia said. The city also plans to hire a headhunter firm to find **Niemeyer's** replacement. Arredia said he expects the council to pick a successor within six months.

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
February 23, 2007

**City manager bargains for new post**

Author: Ames Boykin

Des Plaines City Manager **David Niemeyer** is bargaining with aldermen in an attempt to win their support for a new assistant director of human resources. **Niemeyer** in a memo has told aldermen that he is willing to essentially trade two part-time positions, a marketing plan, strategic plan follow-up and new bulletin board for aldermen's approval of the proposed \$94,652 position.

If the city council agrees to trim the spending as **Niemeyer** suggests, it would save \$61,401. **Niemeyer** calls the new assistant director position one of his "top priorities" in this year's proposed budget. After budget talks, city officials boosted this year's planned spending from \$115.9 million to \$116.8 million. **Niemeyer's** request comes as city council members expect to vote on the plan March 5.

**Niemeyer** cites a new staffing study the city commissioned. The study recommends five management positions in the city manager's office, while the city currently has three.

During budget talks, 3rd Ward Alderman Laura Murphy questioned whether **Niemeyer** was creating positions based on personalities. "I have organized the office around three people with multiple talents to save the city money," he wrote.

The new position isn't an unusual request for a city of Des Plaines' size, **Niemeyer** said. Mount Prospect has a deputy human resources director.

Murphy has no plans to reverse her opposition to the assistant human resources director. **Niemeyer's** suggestion led her to question why the positions he's willing to forego are even necessary. "Since they are bargaining positions, perhaps they're not needed," Murphy said. Such give-and-take is common during the budget process, he said.

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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
September 7, 2006

**Black sheep of TIF family Des Plaines tackles lone money- - loser**

Author: Ames Boykin

Des Plaines officials will reexamine how to pay off the debt from one of the city's newest special taxing districts to minimize the deficit that a study has projected. A financial report on the city's four taxing districts was mostly glowing, but one district will end up costing the city money in the long run. The tax increment financing district it created in 2000 at Wille and Mount Prospect roads is earning only about half, or \$530,000, of the annual debt the city must pay for the 47-acre district, or \$950,000. It is an industrial district, housing warehouse facilities.

City Manager **David Niemeyer** plans to meet with the city's debt adviser next week to begin making suggestions to try to minimize the debt. The suggestions will likely be included in next year's budget. The problem, however, is clear. As the city entered into a redevelopment agreement for the second phase of work, Des Plaines officials agreed to sell the land for \$6 per square foot, as that's what they paid for the land in the first phase. The city ended up shelling out \$16 per square foot for the land, but was locked into the price it had agreed on, Assistant City Attorney Ray Bartel said. "We didn't anticipate the rapid escalation of the land," Bartel said.

Fourth Ward Alderman Dick Sayad, who chairs the finance committee, asked the city's consultant for advice on a next step. Evanston-based consultant Leslie Murphy, whose firm did the study for Des Plaines, said Des Plaines could enter into another billboard deal for the area. A billboard pact for the area will bring the city a one-time payment of \$800,000 next year.

Restructuring the debt also is an option. Extending the life of the district, which expires in 2024, also could be done - although Murphy cautioned the city can't add more years to a district that already has problems.

Eighth Ward Alderman Rosemary Argus, who represents the area where the Wille Road district is located, is optimistic. By the time the district expires, the schools and park district will enjoy a boost in their tax revenue because of the redevelopment, she said. "We started with nothing much, and now we have something," Argus said.

**Niemeyer** also noted the study found that the city will boast a \$64 million profit when all four districts are added together.



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**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
April 5, 2006

**City could put stamp on investigation \$43,000 over budget, - Des Plaines wants to know why**

Author: Ames Boykin

Des Plaines wants to launch an investigation into how a deal to open a new downtown post office ended up costing the city more money than it bargained for. City officials also are considering filing a lawsuit to recoup some of the extra money spent on the new post office, which is expected to open by May 1. It's unclear whether the city would appoint a Des Plaines staffer to conduct an investigation, or hire a consultant. Aldermen are expected this spring to further discuss the proposed probe.

Wrangling between the city and the building's owners over cost overruns began last December. To date, the city has spent \$265,000 toward the project. That's \$43,000 more than the city originally agreed to pay two years ago. "I just want to know what went wrong," 3rd Ward Alderman Laura Murphy said.

In 2004, city officials decided to help pay for a new downtown post office after displacing its old location with the new Metropolitan Square project. If the new facility at 680-84 Lee St. doesn't open by May 1, the city last month agreed to pay the building owners a \$3,958 monthly fee for rent and taxes. The city would pay that amount until the post office opened. It was just the latest concession by the city to the building owners, who wanted the city to pay more money toward the project.

Robert Shambora, an owner of the building who sits on the city's economic development commission, didn't return phone calls Tuesday.

Shambora's Cheshire Cheese, LLC, Arlington Heights-based Charter Construction Co., FGM Architects Engineers of Oak Brook and the U.S. Postal Service in a deal the city proposed in February would have each paid about \$5,000. But the building owners refused, so the city last month agreed to pay the total tab for the cost overruns.

City Manager **David Niemeyer** said aldermen would make the decisions about how to proceed with any probe into the deal since he may be in a situation where he would be part of the investigation. "There's probably things that both the city as well as the other parties could have done differently," **Niemeyer** said.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
January 10, 2006

**Alderman fails to dispute claim on residency**

Author: Ames Boykin

Des Plaines 5th Ward Alderman Carla Brookman missed a deadline that the city set to provide a list of where she has lived since 2001, officials said Monday. Brookman, who has been accused of living outside the area she represents, had until Friday to provide the city with a chronological list of her residences. As of Monday, the city still had no list from Brookman.

Brookman agreed to the request the city's legal and licensing committee made in November, denying the allegations that she has lived outside her ward. Brookman, who first won the 5th Ward seat in 1997, didn't return phone calls seeking comment on Monday.

The committee plans to meet to discuss the issue but hasn't yet determined a date, said 3rd Ward Alderman Laura Murphy, who chairs the committee. "A deadline's a deadline," Murphy said. "It's not rocket science: Where did you live and when did you live there?"

City officials also plan to look into Brookman's accusations that City Manager **David Niemeyer** knew Brookman had moved to a rental home in the 5th Ward while renovation work continued on her primary residence. **Niemeyer** acknowledged that he signed change of address forms for her fire captain husband, but said that he signs numerous forms as city manager.

Brookman is accused of violating state law by living outside the 5th Ward, but state and county prosecutors have refused to investigate the city's claims, telling officials the city could pursue its own action. City water bills showed little or no water use at the Brookmans' home.

Brookman told a city worker in 2002 that she and her husband lived with her mother in the 3rd Ward, according to city records. She also has her city council packets delivered to her mother's home. But Brookman has said the packets are delivered there because her mother is home to receive them.

Some residents also have told the city they believe Brookman lived in a home in the 3rd Ward that her daughter once owned. Brookman has denied this, and accused her colleagues of unfairly targeting her for political reasons.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
January 10, 2006

**Des Plaines has no copy of settlement**

Author: Ames Boykin

Des Plaines city officials say they don't have a copy of the agreement to settle a sexual harassment lawsuit, and have no plans to make the terms public despite arguments made by the Illinois attorney general's office. Former paralegal Debra Lathom sued the city, saying 6th Ward Alderman Tom Becker sexually harassed her at city hall in December 2002 and accusing city officials of allowing a pattern of abuse. The lawsuit was settled in November, and Becker has denied the allegations.

Terry Mutchler, an assistant attorney general who serves as the office's public access counselor, in a letter last month told the city the document is public. But an attorney for the city disagrees, saying the city council never voted on the matter and there is no copy of the document at city hall.

City Manager **David Niemeyer** said Mutchler misunderstood that the city council had voted on the agreement with Lathom when she penned her letter to the city. Mutchler couldn't be reached for comment Monday.

An insurance pool handled the case and settlement on behalf of the city, and the city paid no money directly to Lathom to settle, said Paul N. Keller, an attorney who represents the insurance pool. Des Plaines this year has budgeted \$2.1 million in premiums to pay to Municipal Insurance Cooperative Agency to handle its legal cases.

While no Des Plaines officials have reviewed the settlement or have a copy, the terms were "verbally disclosed" to some officials, Keller said in a Dec. 22 letter to Mutchler. Both sides also agreed to keep the terms from the public, he said. "Ms. Lathom ... has indicated that she considers the terms of the settlement to be confidential information, and has directed the city not to disclose those terms unless required by law," Keller said.

Des Plaines city officials have denied the Daily Herald's request for the settlement information under the state's Freedom of Information Act. They also denied a separate request by the Des Plaines Journal newspaper.

State law allows certain exemptions to the Freedom of Information Act, including a choice to keep information decided by a third party or insurance pool from the public. However, the exemptions allowed under state law don't mandate the city to use them.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
November 10, 2005

**Des Plaines settles suit City doesn't reveal terms of sexual - harassment case filed against officials**

Author: Ames Boykin

Attorneys for Des Plaines have agreed to settle a lawsuit in which a former employee accused Alderman Tom Becker of sexual harassment. U.S. District Judge Morton Denlow, who recommended the settlement last month, is expected to formally sign off on the tentative agreement Tuesday. City officials have refused to disclose the cash amount, saying a municipal insurance pool will pay the costs, not Des Plaines.

Des Plaines pays an annual fee to the Municipal Insurance Cooperative Association to handle its civil rights and tort cases. City officials also say the deal would bar both sides from talking about the amount. Further, under terms of the agreement, no guilt is acknowledged.

Debra Lathom, a former paralegal for the city, has already agreed to the settlement, according to court documents. Last year, she filed a lawsuit accusing Becker of harassing her at a December 2002 city hall function while he was wearing a Santa Claus outfit. According to the lawsuit, Becker grabbed Lathom, wrapped a leg around her when she tried to pull away, kissed her lips and asked her to sit on his lap, referring to his "jingle bells." Later, Becker "asked if Santa Claus had embarrassed her," the suit says. After asking if she planned to sue over the incident, the suit said Becker told her: "You can't do anything to me, I'm an alderman." The suit accuses Mayor Tony Arredia of saying, "I hear you were attacked by Santa," the suit says. The suit then says Arredia laughed.

Lathom had sought \$500,000 in damages from the city, although city officials said she had since lowered her request to \$90,000. Lathom's attorney didn't return phone calls seeking comment.

The settlement wouldn't increase the \$1,000 in premiums paid to the insurance pool every year, city officials said. Legal fees and fees paid to the insurance pool have cost the city about \$5,000 in the case, City Manager **David Niemeyer** said. But **Niemeyer** refused to give the settlement amount that Lathom will get.

Becker has denied the allegations, acknowledging he did kiss Lathom on the cheek at city hall and said, "Mrs. Claus, it's about time you got here." Becker said he's looking forward to moving past the allegations, which he said have caused him public embarrassment. "It's bothered me an awful lot," he said. Lathom had sought an apology, which Becker said attorneys for the city refused to include in the settlement.

A 2003 letter from Jason Bajor, current assistant city manager and director of human resources, to Lathom said a city investigation found Becker had violated the city's sexual harassment policy.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
October 21, 2005

**Des Plaines has eye on Five Corners Business owners expect - litigation over their properties**

Author: Ames Boykin

Des Plaines city officials want to capitalize on the momentum of downtown redevelopment and declare the Five Corners area blighted so they can draw more development. Aldermen on Nov. 7 plan to discuss pursuing a feasibility study to decide whether to designate the area where River and Rand roads meet Lee/Mannheim as a special taxing district. Officials announced the city's intention a year ago.

But that idea apparently isn't sitting well with some business owners. They say they are forming a coalition to fend off the city's plans. The owners of Maine Scrap Metal, 1274 Rand Road, are leading the cause and have hired a Chicago law firm that specializes in representing property owners embroiled in eminent domain battles. On Thursday, they were funneling questions through the lawyers. Foran, O'Toole & Burke LLC representatives couldn't be reached for comment, though. The firm's Web site says the firm has built a reputation as "a champion of property owners' rights."

City Manager **David Niemeyer** said Des Plaines has used condemnation, or eminent domain, in the past to acquire property for the city's redevelopment plans. While the city may decide to use condemnation to acquire property for its plans, it's too early in the process and the decision hasn't been made yet, **Niemeyer** said. "We don't know at this point," **Niemeyer** said.

Another scenario would mean declaring the area as a tax increment financing district, but insisting on private developers to take charge of land acquisition, he said. Under that plan, the city wouldn't be involved in any land acquisition, **Niemeyer** said.

The city used eminent domain to acquire property for its downtown Metropolitan Square project, a mixed-used project that gave the downtown its first grocery store in decades.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
July 12, 2005

**Official wants to ease rules on hiring**

Author: Kwame Patterson

Des Plaines city officials are asking for changes in the city's residency requirements for department heads. The council was set to discuss the issue, which was presented by City Manager **David J. Niemeyer**, Monday night. However, residency requirements is such a "big deal," according to **Niemeyer**, the council decided to postpone dialogue on the subject until July 25. "After talking with some of the aldermen, they wanted to hold deeper discussions because it's a big issue," he said.

As city manager, **Niemeyer** is in control of hiring and firing all department heads, a power that was given to him in November. He said lifting the residency restriction would allow him to get the best department heads and staff who may live outside of city limits.

In 2001, voters decided to enact a rule that all department heads live or move into city limits. The benefit is that a resident would have the city's best interest in mind. A resident would also contribute money into the city through taxes and they would be closer to the issues facing the city, **Niemeyer** said. However, requiring an employee to relocate to the community would be a strain on his or her personal and financial lives, he added.

The average price for a house in Des Plaines has risen by about \$108,766 from 2000 to 2005, while the average sale price for a townhouse or condominium in the city has risen by about \$52,000 during the same period, **Niemeyer** said. He added the increase in housing costs is good for the city but bad when it comes to bringing in new city employees.

**Niemeyer** would like to eliminate the statute or at least offer an alternative to the rule. He asks the city either extend the hiring radius to 15 to 25 miles from the city's border, lengthen the existing 9-month move in period or create economic incentives for department heads. The city now only offers moving expenses.

So far, the city requirement has not affected most of the city's department heads, as a most of them are grandfathered. But **Niemeyer** said he wants to address this issue now before it becomes a problem.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)  
May 5, 2004

**Des Plaines hopes to keep information from leaking out**

Author: Amy McLaughlin

Des Plaines city officials say they want to plug a leak of information to the public about things discussed in closed-door city meetings. A complaint many aldermen have had for years has resurfaced again, city officials said.

City Manager **Dave Niemeyer** said information has gotten out about labor negotiations with a police union. Also, details that **Niemeyer** called inaccurate about what the city is offering as a severance package to William J. Schneider Jr. have gotten out to the public. Schneider agreed to resign last month after officials learned he'd pleaded guilty 10 years ago to mail fraud. **Niemeyer** said they are still negotiating the terms.

**Niemeyer** said he plans to look into the leaks and report back to aldermen. He said everyone who has been in the closed-door meetings, including staff and city council members, need to do a better job policing themselves. "The bottom line is I'm going to do what I can to find this out," **Niemeyer** said. "Obviously, the city manager can only do so much. But the aldermen are going to have to control themselves."

City officials say when information gets out about negotiations - particularly those about buying land or labor issues - it can hurt the city's bargaining power. "It's not a question of not wanting people to know," First Ward Alderman Patricia K. Beauvais said. "But it has all to do with saving the city money and not compromising its position."

Fourth Ward Alderman Dick Sayad also asked **Niemeyer** to come up with a procedure to prevent future leaks. "I want him to do whatever in his power to stop the leakage of information," Sayad said.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Daily Herald (Arlington Heights, IL)

June 17, 2003

**New city manager in job for long run Niemeyer hopes to bring - stability to Des Plaines**

Author: Amy McLaughlin

**David J. Niemeyer**, the newly appointed Des Plaines city manager, said Monday he plans to stick around for a while. **Niemeyer**, now village manager in South suburban Homewood, said he's aware of the city's recent history with managers and not fazed by it. His predecessor, Scott Miller, left after about a year with Des Plaines. Miller said it was difficult to do his job because of interference from some of the aldermen. Some residents now are looking for changes in city government to keep that from happening again. Several aldermen will meet next week to evaluate the city manager position.

**Niemeyer**, who was introduced to the public Monday during an afternoon news conference and later during a city council meeting, said he's not worried about the past. "I think my goal is to bring some stability into the organization," he said. "There are challenges that will keep me busy for years and years here." **Niemeyer** agreed with Des Plaines Mayor Tony Arredia, who said it's not uncommon to have personality clashes, on occasion, in city management. "It goes along with the territory," Arredia said.

**Niemeyer** said there's plenty happening in Des Plaines, including several upcoming development projects downtown and elsewhere throughout town. He said he's looking forward to learning what priorities other officials have for the town. "It's a good, solid community," **Niemeyer** said. "Des Plaines is really on the cusp of a lot of exciting issues."

**Niemeyer** said he was aware of the current debate about the city manager job. Seventh Ward Alderman Don Smith, who will chair the meeting on the topic next week, said he'd eventually like to get **Niemeyer's** input. The issue came up after one resident questioned whether the city was having a hard time keeping managers because the job lacked authority. Among the topics to be discussed next week are whether the city should adopt a managerial form of government by referendum or simply beef up the city's own laws regarding the city manager. The legal and licensing committee meeting is set for 9 a.m. June 26 at city hall, 1420 Miner St.

Selected from a group of 42 applicants, **Niemeyer** said he plans to move from Homewood to Des Plaines soon, a requirement for city managers and new department heads. "I'm sure that commute from home will start to get really old," he said. Arredia said he liked **Niemeyer's** background working with developers and unions. Sixth Ward Alderman Tom Becker said he liked **Niemeyer's** emphasis on customer service. "His resume rose to the top," Becker said.

**Niemeyer** has been manager of Homewood, a town of about 20,000, since 1998. Prior to that he was manager of South suburban Richton Park for five years. He's also been an administrator in South suburban Orland Hills and Northwest suburban Harvard. He will start the \$115,000-per-year job July 21.



**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Sun-Times (IL)  
November 5, 1993

**Steering Creates Suburb 'Black Belt,' Study Finds**

Author: Maudlyne Ihejirika

Black families seeking subsidized housing in suburban Cook County have been steered to a handful of poor south suburban communities, effectively creating a "black belt," according to a new study to be released today.

The study found that 70 percent of the families in the Cook County Housing Authority's subsidized Section 8 program are concentrated in the south suburbs, compared with 2 percent in the southwest suburbs. More than 90 percent of the Section 8 voucher recipients are black, according to the study conducted by Dr. Paul B. Fischer, a political science professor at Lake Forest College. The study was funded by the MacArthur Foundation.

"We have always said there seems to be a disproportionate amount of Section 8 housing out in the south suburbs, and not enough spread through the other suburbs of Chicago," said Richton Park Village Manager **David Niemeyer**.

The Section 8 program, administered by the county but underwritten with federal funds, is designed to expand housing opportunities for low income residents by granting them vouchers to cover 70 percent of their rent regardless of where they choose to live.

The yearlong study concluded the program had failed to achieve its goal. "The bottom line is the authority needs to change its administrative practices, and there needs to be aggressive fair housing activity in the suburbs, particularly in the southwest suburbs, which is a desert in subsidized housing and blacks," said Fischer.

**Internet – Newspaper Archives Searches**  
**David J. Niemeyer**  
*(Articles are in reverse chronological order)*

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Chicago Sun-Times (IL)  
September 11, 1992

**In Orland Hills, Bureaucracy Is A One-Man Band**

Author: Rebecca Carr

Want to build a commercial center in Orland Hills? Have a question about village finances? When do they pick up garbage? Go to the one man with all the answers. Ask **Dave Niemeyer**. **Niemeyer** is the village manager in the rapidly growing southwestern Cook County community of 6,000. He's also the finance director, planning director, personnel director, health director, economic development director and public relations manager.

Operating a one-stop shop in what once was the master bedroom of a converted sky-blue ranch house overlooking hundreds of acres of corn, **Niemeyer** doesn't just run the bureaucracy in Orland Hills. He is the bureaucracy. "**Dave** juggles an awful lot of balls in the air at the same time," said Village President Lorin L. Schab. On one recent day alone, 40 telephone messages were awaiting the 31-year-old native of the south suburbs.

Administrators like **Niemeyer** who wear a number of hats are fast becoming endangered species in the suburbs. As populations and commercial developments expand, many municipalities are being forced to keep pace by hiring more personnel and opening specialized service departments such as planning, health, finance and sanitation. And that means they quickly outgrow such modest office facilities as the ranch house in Orland Hills, acquired by the village in the 1960s when a homeowner defaulted on a loan. "The trend toward professional city managers is seen in communities that want to experience more growth," said Karen Jaworsky, program specialist for the 38-member South Suburban Mayors and Managers Association. "It's tough to be a one-man band."

Next door to Orland Hills, the community of Orland Park - where the population has jumped from just over 6,000 in 1970 to 37,320 last year - has built a multimillion-dollar prairie-style village hall to house its eight departments. It is also erecting a new \$3 million home for its public works agencies. But such developments also pose a dilemma. Although fast-growing suburbs must hire more personnel and add more departments, most want to preserve the quaint atmosphere of a village operation like **Niemeyer's**.

"We are one of the largest southwest suburban communities . . . but when there's a disaster the mayor and I are right there," said Orland Park Village Manager James L. Smithberg. For instance, Smithberg explained, both he and acting Mayor Richard F. Noyal personally hit the streets as the ad hoc village "flood control" team when the town was soaked by a major deluge on Wednesday. But keeping the "hometown" feel can be tricky for boom towns. "One thing we have consistently tried to do, regardless of growth, is to hold down the number of (village) employees," said Tinley Park Village Manager Dennis A. Kallsen, who has seen the population double in the 16 years he has been the village's chief operating officer. Communities where one person performs virtually all the municipal tasks are rapidly becoming extinct while more and

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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more suburbs add sophisticated service-oriented departments, said Charles Tokar, village clerk in Chicago Ridge. Instead of offering just garbage pickup, for example, most suburban municipalities have added recycling. "The whole effort is to bring in professional managers, financial officers and trained individuals," Tokar said. "You have to run it like a business."

With maps of planned developments stacked near his desk, **Niemeyer** said he knows his days as a one-man band are numbered. On the drawing board are plans to replace the cornfield ranch house with a modern village hall on 159th Street. Even so, **Niemeyer** says moving into more spacious surroundings and hiring some help won't change his hands-on style of management. "We try to give them all of the answers right away," he said. "When we have a resident with a building problem, we will go out to the site and talk to him. The key is personal contact."

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Chicago Sun-Times (IL)

May 24, 1992

**Birds, home buyers flock to Orland**

Author: Gary S. Meyers

Every spring and fall, Orland Park and Orland Hills residents can watch thousands of migrating birds fly to McGinnis Slough, a wildlife sanctuary northwest of the two south suburbs. All told, 15,000 expansive acres of natural resources hedge the towns on three sides.

Orland Park, 26 miles southwest of the Loop, has a residential flavor, but it's also home to several manufacturing, research and office facilities. Industrial areas include Advanced Pulver, Appleknoll Industrial Park, Glen Oaks, Midwest Business Park and Voss Industrial Park. Construction is also under way on Park Point shopping plaza, which will include a Target store. Orland Park is proud of its new Village Center Complex, which houses a village hall, recreation center and a civic center with an exhibition hall for cultural events and trade shows.

A smaller, younger community, Orland Hills draws many young families with its more affordable housing. Though working to keep its growth in check, the community's population has nearly doubled since 1980, expanding from 2,800 to 5,510. Village administrator **David Niemeyer** predicts it will peak at 8,000 in about 10 years.

Orland Hills is basically residential but shows potential for commercial growth. Until six years ago, the village had little sales tax revenue to offer relief from high property taxes. Then a hotel and a car dealership opened, followed by Orland Town Center with a Wal-Mart in October, 1991. Additions of an Eagle Foods, Phar-Mor and fast food chains are being planned. Village officials say these businesses will ease property owners' tax burden.

Orland Park has numerous recreational facilities at its 25 park sites. The 192-acre Centennial Park opens this weekend to commemorate the community's 100th anniversary. It currently includes a pool, tennis and basketball courts and baseball diamonds.

Residents in Orland Hills enjoy more than 60 acres of park land, with a fishing lake, a jogging trail and baseball diamonds. A new recreation department was recently created and a new recreational facility is being planned. Plans for construction of a village hall in Orland Town Center are under way in Orland Hills.

Housing. Homes in Orland Park and Orland Hills reflect the area's dynamic growth in recent years. While quaint, country charm may still be found in Old Orland, site of the area's oldest homes, most of the housing stock is in new, upscale subdivisions. Prices in Orland Park range between \$100,000 and \$650,000, while most are in the \$150,000 to \$200,000 range. The average home sold for \$174,366 in 1991. A new subdivision is being built near the Silver Lakes golf course where homes will be priced between \$249,000 to \$266,900.

**Internet – Newspaper Archives Searches**

**David J. Niemeyer**

*(Articles are in reverse chronological order)*

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Orland Park has an extensive condominium market. Condos and town houses range from \$54,000 to \$300,000. Orland Hills housing prices range from \$80,000 to \$150,000, with an average of \$107,031 in 1991. New single-family homes, with prices starting at \$148,500, are going up in the Ashbourne Hills subdivision. Apartments are abundant in the area. One-bedroom units rent for \$450 to \$640, while two bedrooms go for \$500 to \$745 a month.

Schools. Orland Park elementary students are served by four districts: Orland School District 135, Palos School District 118, Kirby School District 140 and Tinley School District 146. Orland Hills primary students attend Fernway School District 140 and Orland School District 135. High school students from both villages attend District 230's Carl Sandburg High School in Orland Park, which won the Excellence in Education Award in 1985. The average ACT score in 1990 was 22.4. (The state average was 20.9.)

Transportation. Interstate 80 is five minutes from Orland Hills and links up with the Tri-State Tollway (I-294), I-57 and the Stevenson Expy. (I-55).

Shopping. Orland Park offers some of the best shopping opportunities in greater Chicago, including Orland Park Place, Lakeview Plaza and Orland Square, which features Chicago's Big Four: Sears, Marshall Field's, J.C. Penney and Carson Pirie Scott, plus 150 stores, a food court and dining terrace. There also are antiques shops, arts and craft stores and women's clothing stores in town.

Hospitals. Palos Community Hospital, in nearby Palos Heights, is a 500-bed facility. The Palos Community Hospital Primary Care Center in Orland Park treats minor illnesses and injuries.

The 1992 edition of *Living in Greater Chicago* includes 310 suburban and city community profiles. It's available for \$5.95 in bookstores or \$7.95 by mail. For more information, call (312) 642-9000.

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