



State of Illinois
PROPERTY TAX APPEAL BOARD

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Chairman

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**Minutes of the
Property Tax Appeal Board
November 10, 2020 – 10:00 a.m.
Springfield & Des Plaines, Illinois**

- 1. Roll Call:** Chairman Kevin L. Freeman, Jim Bilotta, Sarah Buckley, Dana D. Kinion, and Robert J. Steffen.
- Staff:** Michael I. O'Malley, Executive Director and General Counsel, James J. Moffat, Chief Fiscal Officer & Human Resources Manager, David Suarez, Chief Information Officer, Michael Bullock, Public Service Administrator, Dianne Lerman, Recording Secretary.
- Guests:** Three call-in connections that failed to identify themselves

Chairman Freeman convened the meeting at 10:00 a.m. and welcomed the Board Members and members of the Management Team to the Property Tax Appeal Board Meeting. The meeting was held via electronic means with Board Members present in each of the PTAB Offices.

2. Approval of Minutes from Previous Meeting

Mr. Steffen moved to approve the Board Minutes of October 10, 2020 as presented. Mr. Bilotta seconded the Motion and it carried 5-0.

3. Adoption or Amendments to the Agenda

Chairman Freeman moved to Adopt the Agenda as presented. Mrs. Kinion seconded the Motion and it carried 5-0.

BOARD MEMBERS

Jim Bilotta
Frankfort

Robert J. Steffen
South Barrington

Dana D. Kinion
Springfield

Sarah Buckley
Chicago

4. Executive Director's Report

Chairman Freeman welcomed Michael O'Malley, new Executive Director and General Counsel of the Property Tax Appeal Board. Mr. O'Malley thanked Chairman Freeman and the Board and reported on his observations from his first month as Executive Director.

Mr. O'Malley presented the Executive Directors Report. He reported on staffing, stating it will come as no surprise that the staffing levels of PTAB are insufficient to keep pace with the number of filings per year and to address our current backlog. Taking into consideration that the amount of appeals filed with PTAB on a yearly basis will continue to increase in the upcoming years, the backlog will continue to grow unless staffing levels are increased to meet the demand placed on PTAB's staff. While there maybe ways to streamline PTAB's operations with the implementation or use of technology, it won't be enough to keep pace with the increasing caseload on a per ALJ level. The only solution is increased funding for additional staff to address the current backlog.

Mr. O'Malley reported on the lack of communication between the Springfield and Des Plaines Offices. He stated the ALJs in the Springfield office peer review their case decisions to foster uniformity amongst the ALJs. Springfield also holds meetings to discuss legal issues, allowing for multiple viewpoints to be discussed. The Des Plaines office does not appear to have the same peer review process. Nor did the Des Plaines ALJs participate in a meeting the Springfield office held to discussion a novel legal issue. This lack of communication is likely caused by several factors including geographic distance between the two offices, the large caseload per ALJ, and the lack of direction at the Executive Director level. Ironically, the work environment created by COVID-19 creates an opportunity to improve communication between the two offices with the use of virtual meetings. The monthly staff meetings will also help in this area.

Mr. O'Malley reported on the Des Plaines work environment – There appears to be a rift between several factions in the Des Plaines office which has created a toxic work environment. The cause of this rift is not something Mr. O'Malley cares to investigate or spend much time on. Rather, fixing the environment will be his focus going forward.

Mr. O'Malley reported on conducting remote hearings. He stated effective December 1, 2020, PTAB will be conducting all its hearings remotely using WebEx. There will be some growing pains with the process and technology but the staff and ALJs are open to it. The IT staff will be putting together a training for the ALJs on how to run the hearings remotely using WebEx. The ALJs will be able to use the TVs setup in either Springfield or Des Plaines to conduct the hearings or in their homes if they prefer. We will continue to conduct our hearings remotely for the duration of the COVID-19 pandemic. We are going to start

with attorney represented cases first, in order to work out any problems. We will also have to address the pro se appellants who do not have access to the computer equipment or internet services to participate in remote hearings. This issue is on our radar and will be addressed after the “flu season.” Mr. O’Malley thanked the IT staff putting this together as well as other staff involved in setting things in place.

Chairman Freeman turned the meeting over to the Board Members for questions or comments regarding virtual hearings. Mr. Bilotta asked if staff are onboard with the virtual hearings. Mr. O’Malley explained while coordination may be a little different at the Des Plaines and Springfield Offices, he has received positive feedback from most staff. Mrs. Kinion asked about outstanding in-person hearings. Mr. O’Malley stated most in-person hearings are settling, there are some hearings set throughout November, but they are expected to be settled or rescheduled due to the latest Covid-19 Executive Orders. The Des Plaines Office will begin conducting virtual hearings beginning December 1, 2020 and the Springfield Offices will begin setting hearings beginning January 1, 2021.

Mr. O’Malley provided an update on the 2011-24443-C-3 appeal for 401 North Wabash Venture, LLC (Trump Tower). He reported the matter has been removed from the agenda and will be reporting on any developments in the Executive Director’s Report until the OEIG investigation is completed. Once the OEIG has completed its report, the case can be added to the agenda.

Chairman Freeman thanked Mr. O’Malley and proposed as soon as the results of the investigation is completed, and we have the results of the investigation, we can put it back on the Agenda and resolve it as expeditiously as possible.

Mr. O’Malley reported he has taken over the duties of Ethics Officer for PTAB, it is a better fit for the General Counsel and is more in-line with what other agencies in the State do. The Revolving Door function will now be completed by Beth Leet in HR, a better fit for HR.

Mr. O’Malley presented the HR and Fiscal Update. He reported we are looking into urgent staffing issues in both offices. Springfield has several openings which likely need to be addressed quickly and Des Plaines needs some clerical help as well to keep pace with the paper files.

Mr. Moffat concurred with Mr. O’Malley and reported we submitted our proposed budget for the next fiscal year in three versions. The first was a maintenance budget, the second included the requested 10% reduction, and the third was a budget needed to address our backlog and staffing issues.

Mr. Moffat further reported on the three budget scenarios that were submitted. He stated he will be meeting with GOMB this week to go over these budget scenarios.

Mr. O'Malley provided an IT Update. He reported the move to remote hearings required some IT upgrades including the purchase of portable web cameras because our laptops and desktop computers do not have built in web cameras. He further reported we continue to explore electronic filing vendors. We have looked at systems that other governmental agencies utilize to get an idea of what will work best for PTAB.

Chairman Freeman thanked Mr. O'Malley for his report and thanked the members of the Management Team for assisting Mr. O'Malley during the transition.

Dana Kinion moved to approve the Executive Director's Report. Mr. Bilotta seconded the Motion and it carried 5-0.

5. Discussion of Motions

- a. Anna Stachura: #19-29451-C-1 (Cook - Elk Grove)
Halina A Wikar: #19-29458-C-1 (Cook - Lakeview)

Mr. Bilotta moved to deny the request for a further extension of time in each appeal. Mr. Steffen seconded the Motion and it carried 5-0.

- b. Crandon Apartments LLC: #19-30803-C-1 (Cook - Hyde Park)
70 Constance LLC: #19-30805-I-1 (Cook - Hyde Park)

Mrs. Kinion moved to deny the request for a further extension of time in each appeal. Mr. Steffen seconded the Motion and it carried 4-0 with Chairman Freeman recusing.

- c. Kindred Healthcare LLC: #19-01326-C-3 (DeKalb)

Mr. Bilotta moved to grant the DeKalb County Board of Review a final 90-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

- d. Walgreens: #19-01731-C-2 (DeKalb)

Mr. Bilotta moved to grant the Dekalb County Board of Review a final 90-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

- e. Highland Park CVS, LLC: #19-01841-C-2 (DeKalb)

Mr. Bilotta moved to grant the DeKalb County Board of Review a final 90-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

- f. Heartland Bank and Trust Company: #19-02071-C-1 (DeKalb)
Heartland Bank and Trust Company fka American Midwest Bank: #19-02072-C-1 (DeKalb)
Heartland Bank and Trust Company: #19-02073-C-1 (DeKalb)
Heartland Bank and Trust Company Fka American Midwest Bank: #19-02074-C-2 (DeKalb)
Heartland Bank and Trust Company: #19-02075-C-2 (DeKalb)

Mr. Bilotta moved to grant the DeKalb County Board of Review a final 90-day extension in each appeal. Mr. Steffen seconded the Motion and it carried 5-0.

- g. John Mataitis: #19-02165-R-1 (DeKalb)
First Midwest Bank: #19-02226-C-2 (DeKalb)
First Midwest Bank: #19-02228-C-2 (DeKalb)
First Midwest Bank: #19-02229-C-1 (DeKalb)
John Lardas: #19-02237-C-1 (DeKalb)
Joseph Gibson: #19-02320-R-1 (DeKalb)

Mr. Bilotta moved to grant the DeKalb County Board of Review a final 90-day extension in each appeal. Mr. Steffen seconded the Motion and it carried 5-0.

- h. Eric Olson: #19-02390-R-1 (DeKalb)
Scott Morrow: #19-02453-R-1 (DeKalb)
Scott Morrow: #19-02454-R-1 (DeKalb)
Joan Tripp / Greenfeather LLC: #19-02455-R-1 (DeKalb)
Lawrence E. Brown: #19-02456-R-1 (DeKalb)

Mr. Bilotta moved to grant the DeKalb County Board of Review a final 90-day extension in each appeal. Mr. Steffen seconded the Motion and it carried 5-0.

- i. SCI Shared Resources LLC: #19-01301-C-2 (Peoria)
J C Penney Company Inc: #19-01308-C-3 (Peoria)

Mr. Steffen moved to grant the Peoria County Board of Review a final 60-day extension in each appeal. Mr. Bilotta seconded the Motion and it carried 5-0.

- j. LSH Investments, Ltd #19-01449-C-2 (Peoria)

Mrs. Kinion moved to grant the Peoria County Board of Review a final 60-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

- k. Patrick Brydon: #19-00670-R-1 (St. Clair)
Caliber Collision Centers: #19-01259-C-2 (St. Clair)

Mr. Bilotta moved to grant the St. Clair County Board of Review a final 30-day extension in the R-1 appeal and a final 60-day extension in the C-2 appeal. Mrs. Kinion seconded the Motion and it carried 5-0.

- l. Kohl's Illinois, Inc.: #19-00016-C-3 (Madison)
DRK Properties II, LLC: #19-00053-I-3 (Madison)

Mr. Bilotta moved to grant the Madison County Board of Review a final 60-day extension in each appeal. Mr. Steffen seconded the Motion and it carried 5-0.

- m. Sherwin Williams Company: #19-01694-C-1 (Kane)
Sandra Turek: #19-01716-R-1 (Kane)
Michael Brabeck: #19-01718-R-1 (Kane)
Kevin Braverman: #19-01719-R-1 (Kane)
Jaroslaw and Dorota Jozwiak: #19-01721-R-1 (Kane)
Peter Pluskwa: #19-01722-R-1 (Kane)
George Drake: #19-01723-R-1 (Kane)

Mr. Steffen moved to grant the Kane County Board of Review a final 30-day extension in each appeal. Mrs. Kinion seconded the Motion and it carried 5-0.

- n. Monterey Mushrooms Inc: #19-02538-I-3 (Bureau)

Mr. Bilotta moved to grant the Bureau County Board of Review a 90-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

- o. Michael Hasemann: #19-00083-R-1 (Kankakee)
Dustin Kooy Duncan Homes: #19-00084-R-1 (Kankakee)

Mrs. Kinion moved to grant the Kankakee County Board of Review a final 30-day extension in each appeal. Chairman Freeman seconded the Motion and it carried 5-0.

- p. S-K Green Oaks LLC: #19-00812-I-3 (Lake)

Mr. Bilotta moved to grant the Lake County Board of Review a final 90-day extension. Mrs. Kinion seconded the Motion and it carried 5-0.

- q. Heritage Place at Lakeshore, LP: #19-01818-C-3 (Macon)

Mrs. Kinion moved to grant the Macon County Board of Review a final 90-day extension. Mr. Steffen seconded the Motion and it carried 5-0.

- r. Fuyao Asset Management: #19-02001-I-3 (Macon)
J. Christopher Branham: #19-02011-R-1 (Macon)
Lakeview Hospitality LLC: #19-02012-C-3 (Macon)

Mr. Bilotta moved to grant the Macon County Board of Review a final 30-day extension in the R-1 appeal and a final 90-day extension in the I-3 and C-3 appeals. Mrs. Kinion seconded the Motion and it carried 5-0.

- s. Savoy Station, LLC: #19-00019-C-3 (Champaign)

Mrs. Kinion moved to grant the Champaign County Board of Review a final 60-day extension. Mr. Bilotta seconded the Motion and it carried 5-0.

- t. Robert Haiges: #19-01782-R-1 (Kane)
Jeffrey Heine: #19-01797-R-1 (Kane)
JPMorgan Chase Bank, N.A.: #19-01832-C-2 (Kane)
JP Morgan Chase Bank, N.A.: #19-01874-C-3 (Kane)
Terry Pappas: #19-01881-R-1 (Kane)
Jamil and Margaret Smadi: #19-01882-R-1 (Kane)
TDK Realty LLC: #19-01883-R-1 (Kane)
Jin Fen Huang: #19-01893-R-1 (Kane)
Old Second National Bank Of Aurora: #19-01895-C-2 (Kane)
JP Morgan Chase Bank NA: #19-01918-C-2 (Kane)

John Wilson: #19-01921-R-1 (Kane)
Shreeji Realty LLC: #19-01924-C-2 (Kane)
Angel Associates LP: #19-01925-C-2 (Kane)
Old Second National Bank: #19-01928-C-1 (Kane)
Old Second National Bank: #19-01929-C-2 (Kane)
Old Second National Bank: #19-01930-C-2 (Kane)
Mark Maiahazy-West: #19-01974-R-1 (Kane)
Joseph Sitarz: #19-01979-R-1 (Kane)

Mr. Bilotta moved to grant the Kane County Board of Review a final 30-day extension in each R-1 appeal and a final 60-day extension in each C-1, C-2 and C-3 appeals. Mr. Steffen seconded the Motion and it carried 5-0.

- u. Soy Capital Bank and Trust Company: #19-02292-C-2 (Macon)
J Gregory and Amy L.Scott: #19-02584-R-1 (Macon)

Mr. Steffen moved to grant the Macon County Board of Review a final 60-day extension in each appeal. Mrs. Kinion seconded the Motion and it carried 5-0.

6. Attachments

As to Attachment A, Mr. Steffen moved to approve the attachment. Mrs. Kinion seconded the Motion and it carried 5-0.

As to Attachment B, Mrs. Kinion moved to approve the attachment. Mr. Steffen seconded the Motion and it carried 5-0.

As to Attachment C, Mr. Steffen moved to approve the attachment. Mrs. Kinion seconded the Motion and it carried 4-0 with Chairman Freeman recusing.

As to Attachment D, Mrs. Kinion moved to approve the attachment. Mr. Steffen seconded the Motion and it carried 4-0 with Mr. Bilotta recusing.

As to Attachment E, Mr. Bilotta moved to approve the attachment. Mrs. Kinion seconded the Motion and it carried 4-0 with Mr. Steffen recusing.

As to Attachment F, Mr. Bilotta moved to approve the attachment. Mrs. Kinion seconded the Motion and it carried 4-0 with Ms. Buckley recusing.

As to Attachment Z, Mr. Bilotta moved to approve the attachment. Mr. Steffen seconded the Motion and it carried 5-0 with Chairman Freeman reusing on docket #2016-43474-R-1 (Hyde Park) and Ms. Buckley recusing on docket #17-29832 (West Chicago).

Workload Report

The PTAB closed 1,803 appeals for the month and the backlog count is 91,877 cases pending as of 11/2/20.

7. a. Other Business

Proposed 2021 PTAB meeting schedule (all start times at 10:00 a.m.).

Mrs. Kinion moved to change the calendar dates from year 2020 to 2021. Chairman Freeman seconded the Motion and it carried 5-0.

Mr. Steffen moved to change the August date from 8/10/21 to 8/17/21 to coincide with the dates of the Illinois State Fair. Mr. Bilotta seconded the Motion and it carried 5-0.

Revised 2021 PTAB Meeting Schedule (all starting at 10:00 a.m.)

January 12, 2021 (DPO)
February 9, 2021 (SPO)
March 9, 2021 (DPO)
April 13, 2021 (SPO) May 11, 2021 (DPO)
June 8, 2021 (SPO)
July 13, 2021 (DPO)
August 17, 2021 (SPO)
September 14, 2021 (DPO)
October 12, 2021 (SPO)
November 9, 2021 (DPO)
December 14, 2021 (SPO)

Chairman Freeman moved to accept the 2021 Meeting Schedule as amended. Mr. Steffen seconded the Motion and it carried 5-0.

8. Adjournment

Chairman Freeman thanked the Board and staff and reported the next meeting is scheduled for December 08, 2020, Tuesday at 10:00 a.m.

Ms. Kinion moved to adjourn the meeting at 11:10 a.m. Mr. Bilotta seconded the Motion, and it carried 5-0.

Respectfully Submitted,

Michael I. O'Malley
Executive Director and General Counsel

12/08/2020

MO/dl