



December 16, 2013
8:00 PM

MINUTES
President and Board of Trustees
Village of Arlington Heights

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE



- A. Presentation of the Colors by Cub Scout Pack #129 from Dryden School

III. ROLL CALL OF MEMBERS

The Village Clerk called the roll with President Hayes and the following Trustees responding: Blackwood, Sidor, Glasgow, Tinaglia, LaBedz and Farwell.

Trustees Scaletta and Rosenberg were absent.

Also present were Village Manager Bill Dixon, Assistant to the Village Manager Diana Mikula, Assistant Village Attorney Robin Ward, Director of Planning and Economic Development Charles Perkins and Village Clerk Becky Hume.

President Hayes reminded residents that in light of the hostage situation that occurred on Thursday, December 12 that no matter how safe our community is, something bad can happen. He said that he was in the Police Station most of that evening and that the Department was very prepared to handle these kinds of situations. He thanked the Police Department and all of the Village's public safety personnel for a job very well done. He recognized Deputy Fire Chief Ken Koeppen for his efforts. He said the thoughts and prayers of the Village are with Officer McEvoy during this difficult time.

IV. APPROVAL OF MINUTES



- A. Committee of the Whole 11/18/2013 Approved

Trustee Joe Farwell moved to approve. Trustee Robin LaBedz Seconded the Motion.
The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .



B. Village Board 12/02/2013

Approved

Trustee Carol Blackwood moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Abstain: Farwell .

Absent: Rosenberg , Scaletta .

V. APPROVAL OF ACCOUNTS PAYABLE



A. Warrant Register of 12/15/2013

Approved

Trustee Joe Farwell moved to approve the Warrant Register dated 12/15/2013 in the amount of \$1,459,012.03. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

IX. OLD BUSINESS



A. Report of the Committee-of-the-Whole Meeting of Dec. 9, 2013

Approved

Proposed Code Amendments of Chapter 13 of the Liquor Code

Trustee Scaletta moved, seconded by Trustee Tinaglia that the Committee-of-the-Whole recommend to the Village Board adoption of an Ordinance amending Sections 204b, 501c, and 607 of Chapter 13 of the Village Code.

The motion passed unanimously.

Trustee Jim Tinaglia moved to approve. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .



- B. Report of the Committee-of-the-Whole Meeting of Dec. 9, 2013 Approved

Target Store request for waiver from Section 13-608 of Liquor Code

Trustee Glasgow moved, seconded by Trustee Scaletta that the Committee-of-the-Whole recommend to the Village Board granting of the request from Target for a waiver from Section 13-608 of the Village Code, to permit the sale of alcohol within 100 feet of a school.

The motion passed unanimously.

Trustee Thomas Glasgow moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .



- C. Report of the Committee-of-the-Whole Meeting of Dec. 9, 2013 Approved

Continued Discussion of Bring Your Own Beverage (BYOB)

Trustee Glasgow moved, seconded by Trustee Scaletta that the Committee-of-the-Whole recommend to the Village Board that no action be taken by the Board and that staff advise persons inquiring about BYOB of applicable State law provisions.

The motion passed, with Trustees Glasgow, LaBedz, Scaletta, Sidor, Tinaglia, and Mayor Hayes voting aye and Trustees Farwell and Rosenberg voting no.

Trustee Glasgow said he is in favor of this motion because he does not believe BYOB establishments are a problem. Therefore, if the situation is not broken the Village should not fix it. He said he did not see a need over-regulate as there are not any

complaints on the issue.

Trustee Thomas Glasgow moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Nays: Farwell .

Absent: Rosenberg , Scaletta .



D. Report of the Committee-of-the-Whole Meeting of Dec. 9, 2013 Approved

Continued Discussion of Board of Trustee Policy:
Convenience-Type Food Marts and Drug Stores

Trustee Farwell moved, seconded by Trustee Tinaglia, that the Committee-of-the-Whole recommend to the Village Board that Board of Trustees Policy 1976-5 be amended to delete the references to "convenience-type food marts and/or drug stores" and insert "gas stations, with or without mini-mart-type stores" and that the Code be amended to require that the minimum store size for Class "B: and "BB" liquor license holders be 2500 square feet, with current Class "B" and "BB" licensed stores smaller than 2500 square feet excluded from this size limitation. Further that the definition of Food Store, Convenience (Chapter 28, section 3.2-95) be amended by deleting the reference to "non-alcoholic" beverages.

The motion passed unanimously.

Trustee Farwell said that the current definitions of a convenience store and a liquor store in the Liquor Code are too limited. Liquor stores cannot sell snacks and convenience stores cannot sell liquor. He said it is not a rational situation and needs to be amended.

Trustee Joe Farwell moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .



E. Report of the Committee-of-the-Whole Meeting of Dec. 16, 2013 regarding the interview of Joseph Selbka for Appointment to the Zoning Board of Appeals Approved

President Hayes administered the Oath of Office to Mr. Selbka.

Trustee Thomas Glasgow moved to concur with the Mayors appointment of Joseph Selbka to the Zoning Board of Appeals with a term ending 4/30/16. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .

X. CONSENT AGENDA

This Agenda consists of proposals and recommendations that, in the opinion of the Village Manager, will be acceptable to all members of the Board of Trustees. The purpose of this Agenda is to save time by taking only one roll call vote instead of separate votes on each item. Consideration of this Consent Agenda will be governed by the following rules and procedures prior to roll call vote:

1. Any Trustee who wishes to vote "no" or "pass" on any Consent Agenda items should so indicate.
2. Upon the request of any one Trustee, any item will be removed from the Consent Agenda and considered separately after adoption of the Consent Agenda.
3. Citizens in the audience may ask to remove any item on this Consent Agenda.
4. One roll call vote will be taken and will cover all remaining Consent Agenda items.

CONSENT APPROVAL OF BIDS



- A. 2013 Neighborhood Storm Sewer Improvements - Change Order #1 and Final Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .



- B. Annual Fees for NovusAGENDA Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .

CONSENT NEW BUSINESS



- A. Cash Contribution in Lieu of Land Dedication Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .

CONSENT LEGAL



- A. An Ordinance Amending Planned Unit Development Approved
Ordinance Number 02-005 and Granting a Variation from
Chapter 28 of the Arlington Heights Municipal Code
(St. Edna Church, 2525 N. Arlington Heights Road)

Trustee Thomas Glasgow moved to approve 13-072. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .



- B. An Ordinance Establishing the Speed Limit on a Certain Approved
Street in the Village of Arlington Heights
(Chestnut Avenue between Kingsbury Drive and Rand
Road)

Trustee Thomas Glasgow moved to approve 13-073. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor , Tinaglia .

Absent: Rosenberg , Scaletta .

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS



A. Circa '57 Restaurant
101 W. Campbell St.
DC#13-137

Approved

Trustee Tinaglia recused himself from this item because the petitioner is a client of his firm. He left the meeting at this time.

Kimberly Yarbough of White Way Sign and **Anthony Priola** of Circa '57 presented their request for a sign variation for the Circa '57 restaurant. They said they tried to keep with the existing style of the sign so as to stay in harmony with other signs in the area. Their request came with unanimous approval from the Design Commission.

Trustee Labeledz said that the change is not a great one and will not stick out into the street. She said the fin captures the essence of the '57 Chevy.

Trustee Glasgow asked why the sign needed to go outside of the previously approved variation. **Mr. Priola** said they worked extensively with the existing shape as the previous sign went through a lot of discussion when it was approved. To keep the sign within its current size, the fin would have had to shrink 8", the waitress moved inward and the effect of the fin was lost. As the fin is the icon of the business and the name of the restaurant, they would like to keep it appropriately sized. The variance is actually only for the tip of the fin. It's a very small detail, but in the overall design, makes a tremendous difference. Mr. Priola would take the sign down if the business does not succeed.

Trustee Farwell said he takes variances very seriously. He said that he wanted to make sure the hardship issue was met. He said that hardship cannot be self-created. As the fin represents the theme, the hardship is a little self-created. However, the petitioner did not create the drastic geometry of the fin itself. The '57 fin preexisted. So the 50's style and icon is not a creation of the petitioner. The attempt to bring the theme to the building sign is where the hardship lies.

Mr. Priola said he went to great lengths to conform to an existing sign as it was a landmark sign at the intersection. A code compliant sign would not serve the restaurant sufficiently because the theme could not be accurately represented. **Trustee Farwell** said the hardship criterion is a hard hurdle to hit, but it was the most important.

Trustee Blackwood said she liked the design of the sign and overall décor of the restaurant. She said it is a great landmark and wonderful restaurant.

President Hayes said he appreciated that the hardship issue was addressed. He agreed that the business was a great addition to community. He said the Village does all it can to make local businesses successful.

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor .

Absent: Rosenberg , Scaletta , Tinaglia .

XIII. LEGAL

XIV. APPOINTMENTS

XV. PETITIONS AND COMMUNICATIONS

Trustee Farwell said the Katie Project, which changes batteries in smoke detectors for those who cannot do it themselves, is staffed by volunteers. After their first day of going to residents' homes, 11 of 12 homes did not have working detectors at all. In some cases, the batteries had been disconnected and then corroded. The entire detector had to be replaced. He asked residents to please check their detectors or call 847-368-5000 to make an appointment to have Katie Project volunteers come to check it.

Batteries can be replaced or detectors replaced if necessary. He thanked Nancy Kluz and Lisa Farrington, Bernie Lyons and the Fire Department for their support. If you're interested in volunteering, please call the same number.

XVI. REPORT OF THE VILLAGE MANAGER



- A. Request for Closed Session per 5 ILCS 120/2(c)(21):
Discussion of minutes lawfully closed, whether for purposes of approval of the minutes or the semi-annual review of the minutes

- and -

5 ILCS 120/2(c)(1): Appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body or legal counsel

XVII. ADJOURNMENT

Trustee Thomas Glasgow moved to adjourn to Closed Session. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Hayes , LaBedz , Sidor .

Absent: Rosenberg , Scaletta , Tinaglia .

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington

Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.