



## MINUTES

President and Board of Trustees  
Village of Arlington Heights  
Board Room

Arlington Heights Village Hall  
33 S. Arlington Heights Road  
Arlington Heights, IL 60005

November 7, 2016

8:16 PM

### **I. CALL TO ORDER**

### **II. PLEDGE OF ALLEGIANCE**

### **III. ROLL CALL OF MEMBERS**

President Hayes and the following Trustees responded to roll: Scaletta, Glasgow, Farwell, LaBedz, Blackwood, Sidor, Tinaglia.

Trustee Rosenberg was absent.

Also in attendance were: Randy Recklaus, Diana Mikula, Charles Perkins, Scott Shirley, Mark Burkland, Robin Ward and Becky Hume.

### **IV. APPROVAL OF MINUTES**

A. Committee of the Whole 10/10/2016 Approved

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

The Motion: Passed

Ayes: Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor

Abstain: Farwell, Tinaglia

Absent: Rosenberg

B. Committee of the Whole 10/17/2016 Approved

Trustee Joe Farwell moved to approve. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

C. Village Board 10/17/16 Approved

Trustee Robin LaBedz moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

D. Committee of the Whole 10/24/16 Approved

Trustee Joe Farwell moved to approve. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

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

Abstain: Tinaglia

Absent: Rosenberg

## **V. APPROVAL OF ACCOUNTS PAYABLE**

A. Warrant Register 10/30/16 Approved

Trustee Joe Farwell moved to approve the Warrant of 10/30/16 in the amount of \$3,045,798.21. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

## **VI. RECOGNITIONS AND PRESENTATIONS**

A. Presentation of the 2016 Arlington Heights Cultural Arts Award to Linda Daniels McDonald by the Arts Commission

President Hayes recognized the Chicago Cubs World Series victory over the Cleveland Indians.

President Hayes announced the Arts Commission Award being presented.

Toni Higgins-Thrash on behalf of the Arts Commission awarded the Cultural Arts Award to Linda McDonald for her work in dance, her founding of the McDonald Dance Studio, and her numerous contributions to the arts.

## **VII. PUBLIC HEARINGS**

## **VIII. CITIZENS TO BE HEARD**

Keith Moens said the Village should not opt out of the Cook County Ordinance increasing the minimum wage. Many workers rely on this wage to support their family. There are very few people under 25 who are working at this rate. Raising the minimum wage helps the economy. Unemployment declines in states that raise minimum wage. Today, the economy is in a secular stagnation. A boost in wages would help the community because it would give residents more spending power.

President Hayes said the Board is researching this issue and it is undetermined what the Board's position will be.

## **IX. OLD BUSINESS**

- A. Report of the Committee-of-the-Whole Meeting of Approved October 24, 2016

Downtown Streets - Pedestrian Crossing Study

Trustee Scaletta moved to recommend that the Village Board accept the Downtown Streets Pedestrian Crossing Study. Trustee LaBedz seconded the motion. The motion passed.

Trustee John Scaletta moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

- B. Report of the Committee-of-the-Whole Meeting of Approved October 24, 2016

Possible Amendment to Section 13-610d of the Liquor Code

Trustee Farwell moved to delete Section 13-610d from the Village of Arlington Heights Municipal Code. Trustee LaBedz seconded the motion. The motion passed.

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

The Motion: Passed

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

Absent: Rosenberg

- C. Report of the Committee-of-the-Whole Meeting of Approved October 24, 2016

Possible Expansion of Administrative Adjudication Process

Trustee Glasgow moved to direct staff to prepare the appropriate Code Amendment for the expansion of Administrative Adjudication. Trustee Farwell seconded the motion. The motion passed.

Trustee Thomas Glasgow moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

- D. Report of the Committee-of-the-Whole Meeting of Approved November 7, 2016

Interview of Max Schraeder for Appointment to the Youth Commission - Term Ending: 4/30/17

President Hayes administered the Oath of Office to Max Schraeder.

Trustee Robin LaBedz moved to approve. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

- E. Report of the Committee-of-the-Whole Meeting of Approved November 7, 2016

Consideration of recommending to the Liquor Commissioner the issuance of a Class "AA" Liquor

License to F&F Management, Inc., dba Paragon Theaters, located at 53 S. Evergreen Avenue upon surrender of current liquor license issued to this address.

Trustee Scaletta abstained to avoid the appearance of impropriety.

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

The Motion: Passed

Abstain: Scaletta

Absent: Rosenberg

F. Report of the Committee-of-the-Whole Meeting of November 7, 2016 Approved

Continued consideration of recommending to the Liquor Commissioner the issuance of a Class "L" Liquor License to Arlington Ale House Ltd., dba Arlington Ale House, located at 111 W. Campbell Street, Suite 300.

Trustee Glasgow said Mr. McCaskey has taken a leap of faith. He trusts that Mr. McCaskey will remain the good citizen he has presented himself to be and he has been asked to reinvest in this community. The Board has spent several meetings working through several concerns.

John Gilmore said there are a number of different bars in town that close earlier than their stated hours. Big Shots closes around 10:30. Cortland's sometimes closes around 11 p.m. even though its hours are until 1:00 a.m. Some of the main suppliers of food to the Ale House are not open as late as the Ale House is open. The Liquor License is dependent on food service from Mugs Pizza from Central and Wolf which is an incredible stretch. He said he can't believe that this was the intent. He said many homeowners are asked to reinvest in the village when renovating a property, so it is not a big stretch to ask this business owner to pay for the security door.

President Hayes explained that food must be served as long as the Ale House is serving alcohol.

Trustee Farwell said Mugs has a location on Rand Road in Arlington Heights.

Trustee Joe Farwell moved to approve conditioned upon the unilateral determination by the administration of the need for a security door on the second floor. The petitioner shall enter into a cost sharing agreement for the installation and said agreement will be acceptable to the administration. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

- G. An Ordinance Amending Chapter 13 of the Arlington Heights Municipal Code (Making available a Class "L" liquor license) Approved

Trustee Thomas Glasgow moved to take the Liquor License Ordinance under Legal A out of order. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

Trustee Thomas Glasgow moved to approve 16-050. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

## **X. CONSENT AGENDA**

### **CONSENT OLD BUSINESS**

### **CONSENT APPROVAL OF BIDS**

- A. HVAC Preventative Maintenance for Small Municipal Buildings Approved

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

The Motion: Passed

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

Absent: Rosenberg

- B. Dump Trucks - Public Works Approved

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

The Motion: Passed

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

Absent: Rosenberg

- C. Multimedia Technology/Infrastructure Upgrade (Phase 1) Approved

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

The Motion: Passed

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

Absent: Rosenberg

- D. Building Asset Reserve Study Approved

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

The Motion: Passed

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

Absent: Rosenberg

### **CONSENT LEGAL**

- A. A Resolution Approving Renewal of Industrial Real Estate Tax Incentive for Certain Real Estate in the Village of Arlington Heights, Cook County, Illinois (3933 N. Ventura Drive) Approved

Trustee Thomas Glasgow moved to approve R16-029. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

- B. A Resolution Approving an Agreement with the Chamber of Commerce (Small business development initiative) Approved

Trustee Thomas Glasgow moved to approve R16-030/A16-047. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

- |    |                                                                                                                                                        |          |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| C. | An Ordinance Amending Chapter 8 of the<br>Arlington Heights Municipal Code<br>(Sections 8-525 Gang Loitering and 8-526<br>Narcotics Related Loitering) | Approved |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------|

Trustee Thomas Glasgow moved to approve 16-051. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

#### **CONSENT REPORT OF THE VILLAGE MANAGER**

#### **CONSENT PETITIONS AND COMMUNICATIONS**

- |    |                                 |          |
|----|---------------------------------|----------|
| A. | Bond Waiver - ABC/25 Foundation | Approved |
|----|---------------------------------|----------|

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

The Motion: Passed

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

Absent: Rosenberg

#### **XI. APPROVAL OF BIDS**

#### **XII. NEW BUSINESS**

- |    |                                                                                            |          |
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| A. | Esplanade at Arlington Heights - 2920-3020 W.<br>Euclid Ave. - DC#16-124<br>Sign Variation | Approved |
|----|--------------------------------------------------------------------------------------------|----------|

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

The Motion: Passed

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

Absent: Rosenberg

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|----|---------------------------------------------------------------------------------------------------------|--------|
| B. | Marathon Gas Station - 1706 W. Northwest<br>Highway - PC#16-016<br>Special Use for Auto Service Station | Tabled |
|----|---------------------------------------------------------------------------------------------------------|--------|

Mr. Perkins said this service station never had a Special Use, even though it has been there for a long time. The petitioner is looking to convert a service bay into a convenience mart and upgrade the site. Landscaping will be added and the façade will be improved. A fence will be constructed at the rear of the property to screen the neighborhood. In the future if the alley is vacated, it will be improved as well. One concern was raised as the business wants to be a 24 hour operation. A petition was submitted by residents on Friday voicing objections. The station is adjacent to a residential neighborhood. The Plan Commission did approve of the Special Use.

Steven Chacko said their franchise agreement with BP requires them to be open for 24 hours. If the hours are denied, he would not be able to honor his franchise agreement. Trustee Scaletta asked if they are not open 24 hours, would they lose their agreement. Mr. Chacko said he did not know. Other operations that are open 24 hours in the village do not have residential surrounding them.

Trustee Tinaglia said he was not comfortable with a 24 hour operation next to homes. He said he wanted the petitioner to have their business and to do well but it is hard to imagine 24 hours on this site. He asked for the petitioner to check into if they could modify the hours and come back.

Trustee Sidor asked if only the ownership changed, without the change in use, would they be able to change their hours without coming before the Board. The answer was yes.

President Hayes asked if under the current proposal, there was something planned to lower the intensity of use during sleeping hours in regards to lighting and noise. Maqbool Kahn said there is a lighting plan with the site plan which will go through the Building Department for approval. President Hayes said his concern is that the lower the lighting might be less safe, but lower lighting would be better for the residents. It's a catch 22. He said there was not a lot of favor for 24 hours.

Ms. Ward said it would be best for the petitioners to figure out what they can do within their agreement, or what can be done to change it. Mr. Recklaus said staff would need to receive the update by November 14 if it is to come back November 21.

Trustee Sidor said the village has made variances to allow other corporate rules to override village rules, and he wanted to be mindful of precedent.

Tom DiGiovanni of Race Avenue said this business is directly northeast of his home. Having a 24 hour schedule so close to a single family home neighborhood is not okay. They are entitled to peace just like any other neighborhood. The previous business had more reasonable hours and this change would negatively impact the community. He cited noise, hours, lighting and a potential criminal element. The other service station open 24 hours is on Northwest Highway and was there before the condominium building was constructed, so people chose to live there knowing it was already there. He said Trustees are concerned with noise from the Ale House; a gas station is an open air facility with voices, car doors, radio and other noises. The residents request that the Board apply the same standards of consideration. An overnight situation presents itself to the potential thieves who can easily rob it and go up the highway to Route 53 and be gone.

Harvey Bruning said it opens the possibility of disreputable people going through the neighborhood. Two overnight gas stations have been robbed recently in the village.

Trustee Jim Tinaglia moved to continue consideration to the next Village Board meeting of 11/21/16. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

- C. Egg Harbor Restaurant - 140 E. Wing St. - PC#16- Approved 006  
Amendment of Special Use

Mr. Stapleton said they are expanding by 6-8 tables and moving into the space next door. Trustee Scaletta asked where employees will park. Mr. Stapleton said all employees park in the parking garage and do not use parking on the street or in the parking lot in the front of the restaurant.

Trustee John Scaletta moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg

### **XIII.LEGAL**

#### **XIV. REPORT OF THE VILLAGE MANAGER**

#### **XV. APPOINTMENTS**

#### **XVI. PETITIONS AND COMMUNICATIONS**

President Hayes thanked Village Clerk Becky Hume, Danielle Gross and all the staff for their efforts during Early Voting.

Trustee Farwell thanked the 12 volunteers for the last Katie project. They were able to serve 28 homes. He thanked the Fire Department, Nancy Kluz, Lt. Larson and Division Chief Wood for their support.

- 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)(11): Litigation, when an action against, affecting or on behalf of the Village has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent

- and -

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

#### **XVIIADJOURNMENT**

Trustee John Scaletta moved to adjourn to Closed Session at 9:17 p.m.

Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

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

Absent: Rosenberg