



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

October 16, 2023

7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: Bertucci, Schwingbeck, Grasse, Baldino, and LaBedz. Trustees Tinaglia, Shirley and Dunnington were absent.

Also present were: Randy Recklaus, Hart Passman, Tom Kuehne, Charles Perkins, Diana Mikula and Becky Hume.

IV. APPROVAL OF MINUTES

A. Committee of the Whole 10/02/2023 Approved

Trustee Nicolle Grasse moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

B. Village Board 10/02/2023 Approved

Trustee Tom Schwingbeck moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 10/15/2023

Approved

Trustee James Bertucci moved to approve in the amount of \$3,812,428.79.
Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

A. Presentation of the 2023 Disability Employment
Award to Gerry's Cafe by the Commission for
Citizens with Disabilities

President Hayes announced the Village's 2023 Disability Employment Award winner. Gerry's Café received 27 nominations, the most of any organization in the history of the Award. Cheryl Letwat, Chair of the Citizens with Disabilities Commission, spoke of the value those employed provide to their organizations. Natalie Griffin and Amy Philpott accepted the award and described their motive to provide a place for those who struggled to find work. They have hired 45 adults with disabilities to work in the Café.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Martin Bauer addressed the Village Board's discussion regarding Paragon Mechanical on October 2nd. He said he saw a lot of common sense on the issue and at the end, only one item stood in the way, a flower bed at the south east corner. That particular piece is not really necessary. There are traffic signs, light poles and other infrastructure on the spot. The lack of landscaping is not really the issue. Mr. Bauer said the property is not truly a gateway property as you can't really see it until you are past it. The property across the street is unincorporated Cook County, not the proposed new development, so there will not really be any asymmetry. He said in the context of an ordinance, he is not sure it is worth it to compel a resident and business owner to spend this additional money. The piece is truly separate from the Village and is closer to Elk Grove Village.

Julianna Cucci presented a letter to the Board which summarized their trials in trying to renovate their property at 415 N. Haddow. It was their dream to remodel a home, with modern updates in their neighborhood. A contractor left them with a home that is not complete. The home was gutted, and left

with the roof undone and without proper tarping. This has resulted in a legal battle with the contractor. It is draining them financially, emotionally and physically. They have had related issues to permits and inspections and it has been an agonizing journey. They have communicated with the Building Department and have taken legal action against the contractor. They have paid for revisions to the plans, have explored grants and other options, and have considered selling the property they hoped to return to.

Ms. Cucci continued saying they are in a horrible situation. The current appearance of the home may not reflect to their wishes. They want to move back to this home. Recently, they were given notice about pending litigation and hundreds of thousands of dollars in fines. They paid a private investigator, and have served the contractor with a certified demand letter. The Village Attorney offered to try and help them settle the issue out of court. She asked the Village to please work with them outside of the court system.

Chris Salituro spoke in support of the Sporciches. Their children have grown up together. The Salituros love the neighborhood and their neighbors, the Sporciches. He enumerated their good works in the community, reiterating that Mr. Sporcich is a good neighbor. The family wants to invest in the neighborhood. This situation is not their fault. He asked the board to represent the neighbors with kindness and empathy. They are at risk of losing their life savings.

Sophia Salituro said she has lived here for 20 years and is a local business owner. These people have been victimized. The complaining neighbors have made this an issue larger than it needs to be. Most of the neighbors have been okay and would like to support the Sporciches.

President Hayes said the Board has been briefed on the situation and the staff is actively working on the situation. He assured them that the Board will read their letter.

IX. OLD BUSINESS

- A. Report of the Committee of the Whole Meeting Approved
of October 10, 2023

Metropolis Theater Request for Restricted Contribution Funds

Mr. Recklaus said Metropolis Theater has requested monies from the restricted fund dedicated to the Theater. The Board discussed the issue at length at the Committee of the Whole meeting on October 10th. Since 2015 there has been a retooling of the Theater's finances and Board. The Village has been working very closely with them and the Theater has been operating under a plan developed jointly which has been mostly successful. Like theaters around the country, the pandemic threw them for a loop. The Theater sought grants and is undertaking a new campaign to strengthen its

financial future. The Village established a reserve fund to help Metropolis weather unforeseen capital expenses and unexpected downturns in the economy, but Metropolis cannot access this without Board approval. They are requesting to access \$200,000. Staff is recommending approval.

President Hayes said he supported the motion to approve.

Keith Moens said the money is taxpayer money, he asked the Board to accept a big check that created so that people with high income can enjoy theater at the public's expense. He said this decision was made at the COW meeting last Tuesday to advance this money to Metropolis. Mr. Moens said this is a rubber stamp meeting. He asked any Board member to abstain for a possible ethics violation, conflict of interest, if they are a patron, or could derive any financial gain from this passage.

President Hayes said the Board heard testimony that the ticket prices have been kept reasonable, at \$45 per ticket. The money comes from reserve funds, not taxpayer pockets.

Trustee Bertucci said the reserve fund's money comes from the Food and Beverage Tax, through the A&E Fund. He is a donor to Metropolis, and has been involved long before he was on the Village Board. As a past board member of Metropolis, he will always support it. He asked Mr. Passman if his being a donor, sponsor, or past board member is a conflict of interest.

Mr. Passman said he did not believe it was a conflict.

Trustee Schwingbeck said he had a lot of questions last week at the meeting, and they were answered by the Metropolis Board.

Trustee Richard Baldino moved to approve. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

X. CONSENT AGENDA

CONSENT APPROVAL OF BIDS

- A. Berkley-Hintz Infrastructure Improvement Project / Engineering - Final Balancing Change Order

Trustee Richard Baldino moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

CONSENT LEGAL

- A. Ordinance - Code Amendment - Chapter 13 - Alcohol Liquor Dealers Approved

Trustee Richard Baldino moved to approve 2023-66. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

- B. Ordinance - Patton School Gym Addition - 1616 N. Patton Ave. Approved

Trustee Richard Baldino moved to approve A2023-61/R2023-30. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

- C. Euclid Avenue Resurfacing - Phase 1 IGA (City of Rolling Meadows) Approved

Trustee Richard Baldino moved to approve 2023-67. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

- D. Euclid Avenue Resurfacing - Phase 1 IGA (CCDPOTH) Approved

Trustee Richard Baldino moved to approve A2023-62/R2023-31. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

- E. Ordinance - Budget Amendment for Restricted Contribution Funds Approved

Trustee Richard Baldino moved to approve 2023-68. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

CONSENT REPORT OF THE VILLAGE MANAGER

CONSENT PETITIONS AND COMMUNICATIONS

- A. Bond Waiver - St Edna Church Approved

Trustee Richard Baldino moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Arlington Downs Plat Amendment - 3400 W. Stonegate Blvd. - PC#23-009
Plat of Resubdivision, Variations

XIII. LEGAL

- A. Ordinance - Arlington Downs Plat Amendment - 3400 W. Stonegate Blvd. Approved

Mike Firsell, Attorney for Arlington Downs, explained that the subdivision was originally 5-lots. Over the years, different owners have purchased these lots and some have been modified. They would like to take the private road and make it a separate lot as it is used as a common area roadway. Each property owner would be vested in a Master Association of the Subdivision which will maintain the road. They have agreed to all the staff recommendations.

Mr. Perkins said the request is for a Plat of Subdivision with two variations

on lots that do not have direct access to a public street. The conditions that were included by Staff are changes recommended to the Declaration and Covenant that cover the properties to make sure this new Plat is consistent with the Ordinance that was approved in 2012. The conditions are not changes. Staff and the Plan Commission recommended approval.

Trustee LaBedz asked how the tax burden might be affected and how will the Master Association pay for it. Mr. Firsel said there will be an agreed payment schedule for each owner to the Master Association to pay the expenses of the Association which includes maintenance, upkeep and repair of the roads. That agreement between the lot owners exists already. Now each lot owner will pay into a Master Association versus paying the owner of lot 1A. The taxes should be reduced as the road will be owned as a not-for-profit maintenance entity without a building on it. The assessment should be lowered significantly.

Trustee LaBedz asked about the right turn lane. Mr. Perkins said one of the conditions is if there are traffic needs demonstrated by a study that triggers the expansion of a turn lane of Rohlwing Road, Arlington Downs would pay for that improvement as well as the studies if needed. All of the property owners would contribute to this if it becomes necessary. A future traffic light at Euclid/Stonegate would fall under this as well.

JoEllen Charleton, Assistant Public Works Director in Rolling Meadows, said RM has been involved as the Rohlwing Road right of way is in their jurisdiction. When the covenants were being amended, they read them and made comments, which have been incorporated and are acceptable. Their interests were heard and followed through upon.

Trustee Nicolle Grasse moved to approve 2023-69. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia

XIV. REPORT OF THE VILLAGE MANAGER

- A. Consideration for Creation of a New Liquor Classification for Limited On-Premise Consumption

Ms. Mikula presented an opportunity for the Board to allow for limited on-premise Liquor consumption at Package Liquor establishments. A business came forward with a Cocktail Kit/Cocktail Boutique concept which would sell liquor and cocktail fixings in addition to hosting mixology classes. They plan to charge \$50 per class and light food may be served. Currently the Village's Code mandates any business serving alcohol for on-premise consumption must also have a kitchen to provide food service and have at least 25 seats at tables. A Cocktail Boutique could fall under a Class B or

BB to sell packaged liquor. The business model does not qualify as restaurant.

Years back, Robert Owings of Vintages Wine Shop, asked if his business could have samplings and classes on wine and champagne. He does not want to be a restaurant but would gain other benefits from possessing an additional on-premise license allowing him to serve samplings of wines. He believes this option would make his business stronger and more profitable.

Ms. Mikula summarized recent changes to the liquor code including licenses for: Salons, Catering, Hotels (for room liquor), and Breweries. Staff is supportive of adding this kind of liquor license option. People are looking for experience based entertainment. There is also an opportunity to welcome more different kinds of businesses. She presented a list of possible requirements and guidelines for the Board to consider. Staff is looking for feedback from the Board on the option of offering on-premise consumption for Class B & BB licenses.

President Hayes said he was consulted on the options for this kind of business. The guidelines suggested by staff were amenable to him and answered some of his possible concerns.

Trustee Baldino liked the recommendations and conditions presented. He expressed concern that Class B & BB includes convenience stores and retailers. He didn't think it appropriate for traditional retailers (Walgreens, Target, Jewel, etc.) to develop this kind of offering. He would not want these kinds of operators to have this option. Trustee Baldino said there are tastings in grocery stores, with no food, they hand it out and he didn't want that to expand. Those kinds of businesses do not offer food and are not private. He said he would be interested in limiting the breadth of the classification.

Ms. Mikula said a supplemental license could be created which would restrict classes to certain hours, require a minimum of one hour per class, and require them to be in a semi private space. She added the Village could also mandate the class offer limited food and limit the number of drinks to three.

Mr. Passman said as an alternative to a supplemental license, the Village could create a new classification. It could be written in a way that is clearly targeted to this Boutique kind of operation. The license could be crafted to fit this business.

Trustee Schwingbeck asked if the food must be in the space, or is it just available by order? Ms. Mikula said the Board could decide. Neither of these owners want to be in the restaurant business. If the Board wanted to add something further, staff would like these recommendations. Trustee Schwingbeck asked if Vintages or a tasting business be included in this kind of license.

Mr. Owings explained that State law allows him to provide 1 oz of 3 wines which is enough to give people an idea if they like a wine. He is looking to accommodate a group who want to celebrate an occasion with a champagne tasting of multiple varieties. These are planned events requiring him to schedule staff. He imagines an event might be to offer three nice champagnes with descriptions and stories. Today, all he can offer is three ounces, and that is not really an event. He recommends a baseline of one hour for an event. This is an activity people might do to start the evening, and they typically occur before 6 p.m. His tastings end by 5 p.m. He's a package store, not a bar. The Code limits tastings to 8 p.m. Those limits work for him, they may not work for other establishments.

Ms. Mikula said the intent is for a class to be at a minimum, one hour.

Trustee Bertucci said he liked the idea conceptually. From a procedural standpoint, would this fall under the Arlington Economic Alliance's purview? It might be nice to run this through them for their perspective. Mr. Recklaus said the AEA has not typically been included when the Village has made liquor changes. There is a little bit of a timing issue with this particular business. But in general, we could do that.

Trustee Bertucci asked when do we use the AEA. Mr. Recklaus replied whenever the Board requests their input. Some of the advisory commissions like the Senior Citizens and Disability Commissions take on tasks at the request of the Board. These commissions are not the same as the Design or Plan Commissions. Trustee Bertucci said there are great ideas within the Alliance and he thinks they may be underused.

Trustee LaBedz asked if a local business like Thrown Elements, could use this new license designation. Ms. Mikula said Thrown Elements is looking at liquor sales as part of their business model. The Village doesn't have a liquor classification for experience based businesses today like art studios or craft making stores. Some of these businesses encourage BYOB. Staff could revisit this issue. Thrown Elements would not fit the definition being proposed tonight, as it is not a package store. Trustee LaBedz suggested that Thrown Elements might qualify for the same kind of license as a salon.

Trustee Grasse said she is in support of new license categories to support our businesses in creative ways. She said she was also in support of future opportunities that might come forward.

Mr. Recklaus said all of these ideas can be considered, if that is the will of the Board. The item tonight was brought forward to address a specific ask by a business and a potential new business. Existing businesses can bring their own ideas. Whenever a new concept comes forward, we research it and bring it to the Board. Staff suggests not bundling this request with other items, but if the Board wants us to research other kinds of licenses we can.

Trustee LaBedz said she is in support of this tonight and she did not want

to hold anything up but would like to have the other ideas explored.

Janine Urban said during Covid she spent a lot of time mixing cocktails. Since June, she and her partner developed a concept where customers can buy what they need to host a memorable, fun cocktail party. Their intent is to reinvigorate at-home celebrations. Their location would be 157 N. Evergreen. As part of their offerings, they would like to have classes where customers would learn to make specific cocktails. These classes would typically be 2 hours. If they create 3 drinks, it might take a longer time to go through the history and ingredients. They plan to partner with restaurants to co-market and create special events.

Ms. Mikula asked the Board if they want to require light food/appetizers. President Hayes said he would like there to be something available. Ms. Urban said with 2 cocktails, they would not anticipate serving food. For a 3-cocktail class, she imagines offering a charcuterie board or something so people are not just drinking. She would prefer to partner with other establishments for food offerings.

Mr. Owings agreed, saying he did not want to be a restaurant, but would purchase food from a neighboring business to offer with his classes.

Ms. Mikula asked the Board if they would be comfortable with a retailer like Target having this kind of license?

Mr. Passman said based on the Board's responses, allowing all of these businesses to do this seemed to be a bridge too far. He heard the Board wanting a unique license type. The Board agreed.

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

XVII. ADJOURNMENT

Trustee Richard Baldino moved to adjourn at 9:23 p.m. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck

Absent: Dunnington, Shirley, Tinaglia