



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

July 5, 2022

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: Grasse, LaBedz, Schwingbeck, Bertucci, Canty and Tinaglia. Trustees Scaletta and Baldino were absent.

Also present were: Randy Recklaus, Diana Mikula, Tom Kuehne, Breaden Lord, Cris Papierniak, Bill Enright and Becky Hume.

IV. APPROVAL OF MINUTES

A. Committee of the Whole 06/13/2022 Approved

Trustee Robin LaBedz moved to approve. Trustee Mary Beth Canty
Seconded the Motion.

The Motion: Passed

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

Abstain: Tinaglia

Absent: Baldino, Scaletta

B. Committee of the Whole 06/21/2022 Approved

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

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

C. Village Board 06/21/2022

Approved

Author's note: Trustee Tinaglia stated at the Board meeting on 7/18/22 that he meant to pass on the Village Board and Committee of the Whole minutes of 6/21 and approve the minutes of 6/13. He inadvertently got his dates wrong.

Trustee Tom Schwingbeck moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 06/30/2022

Approved

Keith Moens asked for an explanation on the TIF V reimbursement. Mr. Recklaus said in May the Board approved a TIF Agreement with RPS Capital to fill the former BIF Furniture space at Southpoint. The Agreement was not to exceed \$1.3 million. The location will be an At Home Furniture space. The costs were TIF eligible and included: asbestos removal, roof replacement and parking lot improvements. The project meets the standards for reimbursement.

Trustee James Bertucci moved to approve in the amount of \$2,238,546.29. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Sheila Cruz said she came to the meeting because she believes the Board is an influencer of the other taxing bodies in the Village. She said Kindergarten is an optional program and taxpayers cover ½ day kindergarten. School District 25 wants to be a solution to some parents' need for child care and have devised a program for full day kindergarten. A referendum was put forth, but she believes they are inserting themselves into a scheme that is not required. She questioned why a taxing body would redistribute wealth to subsidize all day child care. Kindergarten is

not required by the State and residents should not have to pay for something that is not required by the State. She asked the Board to have this discussion with D25.

President Hayes explained that D25 is a different taxing body than the Village. He said he was confident they will make the best decision for the community.

Melissa Cayer asked if landscapers have to get business license or permit. She also asked about the status of the TIF districts. Mr. Recklaus said he will find out the landscaper information and the TIF information is on the website. Ms. Cayer said people can buy their own extra education for their students.

Maryann Zaleski said there is a tax that's being used to silence people who can't come to the meeting because they have children at home. She said residents have questions that have been ignored and they are asking for accountability. She said she wanted to stay for the New Business of St. Anne's but couldn't because she needed to be home with her children.

Dr. Chanda Elam said her home has been burglarized and she expressed her frustration for the lack of response from the police. She has upgraded her home security, changed the locks, and installed cameras. Recently, her indoor WIFI was changed in her own home and she can no longer access it. She has contacted the FBI and is hiring a civil rights attorney. She believes the Police Department has received all her security alerts and notifications, and suggested they have not fully investigated her situation.

President Hayes thanked Dr. Elam for bringing it forward and Mr. Recklaus will follow up with her.

IX. OLD BUSINESS

- A. Report of the Committee of the Whole Meeting Approved
of June 27, 2022

Review of the 12-month Period Ending
December 31, 2021 Annual Comprehensive
Financial Report

Trustee Scaletta moved, seconded by Trustee
Canty that the Committee-of-the-Whole
recommend to the Village Board that the Board
accept the 12-month period ending December
31, 2021 annual comprehensive financial report.

Trustee Mary Beth Canty moved to approve. Trustee Tom Schwingbeck

Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

- B. Report of the Committee of the Whole meeting Approved
of June 27, 2022

Review of Proposed 2023-2027 Capital
Improvement Program

Trustee La Bedz moved, seconded by Trustee Schwingbeck, that the Committee-of-the Whole recommend to the Village Board that the Board approve the proposed 2023-2027 capital improvement program and that the first year of the program totaling \$41,574,200 be incorporated into the Village's proposed 2023 budget.

Trustee Robin LaBedz moved to approve. Trustee Tom Schwingbeck

Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

- C. Report of the Committee of the Whole Meeting Approved
of June 27, 2022

Operating Fund Overview/Recommended Budget
Ceilings 2023

Trustee Grasse moved, seconded by Trustee Canty, that the Committee-of-the-Whole recommend to the Village Board that the Board approve the 2023 budget ceilings of \$84,858,600 for the General Fund; and \$25,808,900 for the Water and Sewer Fund.

Trustee Nicolle Grasse moved to approve. Trustee Mary Beth Canty

Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

- D. Report of the Committee of the Whole Meeting Approved
of July 5, 2022

Consideration of recommending to the Liquor
Commissioner the issuance of a Class B and
Class T liquor license to Serko Mart, LLC dba
Serko Mart located at 922 W. Algonquin.

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

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

- E. Report of the Committee of the Whole Meeting Approved
of July 5, 2022

Consideration of recommending to the Liquor
Commissioner the issuance of a Class B and
Class T liquor license to Shirdi Sai, Inc dba
Hintz Liquors located at 1406-10 E. Hintz Road.

Trustee Robin LaBedz moved to approve. Trustee Mary Beth Canty
Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

X. CONSENT AGENDA

CONSENT APPROVAL OF BIDS

- A. Thermoplastic Lane Marking 2022 - Contract Approved
Extension

Trustee Jim Tinaglia moved to approve. Trustee Robin LaBedz Seconded
the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

CONSENT LEGAL

- A. An Ordinance Granting Variations from Chapter 30, Sign Variations, of the Municipal Code (85 W Algonquin Rd) Approved

Trustee Jim Tinaglia moved to approve 2022-041. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

- B. An Ordinance Amending Chapter 13 of the Arlington Heights Municipal Code (Making available 1 Class "B" and 1 Class "T" liquor license) Approved

Trustee Jim Tinaglia moved to approve 2022-042. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Mueller Lot Consolidation - 318 W. Mueller St. - Approved
PC#22-003
Plat of Subdivision to Consolidate, Variation

Christopher Filipi said he owns two adjacent plots of land; his home is on a 50 ft. lot and he purchased the second lot next door. He would like to consolidate the lots to meet the impervious space requirements. There is a water detention requirement when lots are merged and the Engineering Department requires onsite water detention or a fee in lieu of detention. He is adding 117 square feet for an entry way and only creating one lot. The project is small and they are bearing all the costs of permits. It's a 100-year-old house. These costs are adding to their personal costs. He didn't think the water detention rule was meant for a small project like his, and it creates an additional barrier.

Mr. Enright said the property is in a residentially zoned neighborhood. Staff is supportive of the addition as is the Plan Commission. The Filipis are

petitioning to not pay a fee in lieu. The improvements put them over the threshold for water detention. Their project complies with Code and they did not need to go to the ZBA. Prior to 2003, you could combine lots as long as Code was met. At that time, many McMansions were being built, so this process was created to make sure home sizes stayed relational to the neighborhood. This is not a large addition and nothing is being torn down, but it triggers a Code Variation. There has been some flooding in that neighborhood in basements. The Plan Commission approved of the subdivision but denied request to waive the fee in lieu of stormwater detention which is \$2,862. That is also staff's position.

President Hayes said there was some discussion to reduce the fee, and asked if the permit had been amended. Mr. Enright said they have not amended their permit. Mr. Filipi said they looked into a semi pervious covering, but it did not change the numbers.

Trustee Tinaglia said these rules were put into place when teardowns were going crazy as a way to control them. A house can be torn down, and a new 4,000 sq. ft. house built on this lot, and no fee would be assessed because the lots weren't being consolidated. This project is reasonable and not in the same category that would cause a bad engineering situation. It's a small addition. As far as the fee, its intent was for something else.

Trustee Bertucci asked if Trustee Tinaglia agreed with waiving the fee. Trustee Tinaglia said yes, explaining that if there were two-100-foot-wide lots, and they were putting a large house on each lot, that would change the nature of the groundwater. There should be a fee for that, but in this case, he doesn't see it.

Trustee Canty asked if they built a garage in the future, what happens then? She was not worried about the entryway addition per se. Mr. Enright said they have a detached garage, eventually they want to build an attached one, so there would be a one for one replacement. The driveway is long and goes to the back. With a new garage, the driveway would be shorter. As long as they keep to the 50% threshold, it would meet code. Trustee Canty asked what if they kept the old garage after building the new one? Mr. Enright said they would have to go before the Zoning Board of appeals if they were to exceed the impervious space threshold. Mr. Recklaus said they would still require permits meaning Engineering would look at its impacts. If it was going to be problematic, they would have to make adjustments.

Trustee Tinaglia added it would be the same if the house was torn down and a new home with a new attached garage was built, they would still have to stay under the threshold of impervious surface and setbacks.

Trustee LaBedz said she hears a lot of complaints about storm water when a neighbor does something, and someone gets water in their basement. Paying the fee doesn't stop that, but does help fund the overall problem in the combined sewer area. She asked if this decision would set a precedent.

Mr. Enright said no, every case is unique. Every variation is looked at independently. If this was a 75 ft. lot originally, we wouldn't need to have this conversation.

President Hayes said the reasoning is well supported and well justified.

Resident John Barusch said the Staff Development Committee was not supportive of the variation. He asked the Board to make their judgement based on the codes. This neighborhood floods. After a back door neighbor did an addition and a hardscape was installed on another lot, more water came into his property. On the west side of the 600 block of Chestnut, they had a lot of floods, and the homeowner put in a detention tank with the Village's help. That's where the fee-in-lieu-of money goes. All these hardscapes and additions don't help, the water just keeps getting moved around.

Trustee Tinaglia said there are rules. Landscapers cannot just come in and put in patios, fire pits and sidewalks without permits. The Building and Planning Departments are on top of what the calculations are and the requirements. Installations without permission, that is different.

Trustee Bertucci asked if the Village improvements in water detention will affect this neighborhood. Mr. Recklaus said no, not immediately. The best solution in the combined sewer area is the overhead sewer program which the Village subsidizes. The larger Village projects have addressed areas where there is road flooding over a foot and a half or when we see structure flooding. Mr. Recklaus said he would follow up with Mr. Barusch.

Trustee Grasse said even small changes can cause flooding. She wants the decision to make it equitable for all involved. She said she would be willing to reduce the amount of money.

Trustee Canty said she hears so much about water issues, that she was a little hesitant.

Resident Deborah Barusch said the Board really need to think about climate change. The rain fall has become different and plays into the flooding issue.

Mr. Recklaus said one of the reasons the Village did such an intensive flood study was because it rains more these days. The Village is trying to address what we have observed, but it is challenging because of the size of the Village and the differing systems and situations.

Trustee Nicolle Grasse moved to approve the Preliminary and Final Plat of Subdivision and amend the fee-in-lieu for onsite detention to \$1,431.

Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

- B. St. Anne Home Shelter for Girls - 800 N. Fernandez Ave. - PC#22-004 Approved
SUP for Sheltered Care Home, Variation

Kate Duncan, attorney for the project, said Maryville Academy is proposing a shelter care home in an R-3 zoning district at 800 N. Fernandez. Most recently, the building was operated by Sisters of the Living Word. Prior to that it was a Montessori school and a public elementary school. They are proposing to operate a program for 16 teenage girls. These girls come to the country unaccompanied. The shelter will be staffed 24 hours a day. There are a higher number of staff during the day. The existing 43 parking spaces will be far more than they need. The girls will not have cars so there is no adverse effect on traffic. They are seeking a variation to eliminate the requirement to provide a traffic and parking study.

Sister Catherine Ryan of Maryville described the mission they have been invited to support. The young ladies are not referred to them because they have behavior problems, they have been victims of violence in their own countries. St. Anne's would provide a home for them until family members are found to sponsor them. The building currently has 14 bedrooms and they need 16, so would like to add two bedrooms so the girls have their own rooms. No drastic changes will be made to the property. Most of the girls will be 15-16 years of age. After they turn 18, they will move to another program. While here, they will learn the customs and culture of our country and work to learn how to be good citizens. Staff constantly trains to stay up to date. The girls are required to go to school. Most will attend a District 214 school. St. Viator High School may take some as well. Maryville prides itself in being a good neighbor. They reach out and give back to the community.

Ms. Duncan explained the previous uses were more intense than this one in relation to traffic. There is an ongoing need for these services. The facility is ideal as it would be in a community, and there is little to no work for them to do. The site is already established as residential and educational use. Maryville agrees to the recommendations from the Plan Commission and Staff.

Mr. Enright said some parking spaces will be eliminated to create a fire lane. Staff is supportive of the request to waive traffic issue as the site will not be a traffic generator. The organization will integrate the girls into the network of community assets. The Plan Commission voted 6-0 in favor of the Special Use with conditions; two weeks of training for staff, the appropriate number of staff, internal screening procedures, and compliance with all Federal State and Village codes, regulations and policies.

President Hayes asked about the appropriate number of staff. Sister Ryan said it is based on the number of girls, they always have two staff, if there

are more girls, they add more staff. There is a minimum of two all day on every shift.

Trustee Schwingbeck asked about the number of residents and their make-up. Sister Ryan said they will not have more teenagers than bedrooms. There will be no boys. Outside of bedrooms, they will have rooms for homework, arts and crafts, staff offices, and a playroom for the babies. Trustee Schwingbeck asked about the search for family placement. Sister Ryan said the girls typically do not have family in the area. Maryville begins looking for extended family or family friends and then vet those situations before the girls are moved.

Mary McCann Sanchez, Program Director, said the girls come unaccompanied, not with their parents. They are designated to be in shelters until family members can be identified like grandparents, cousins, or family friends who might be willing to take care of them. A process is required to establish safety standards for the girls. Case managers work to see if the child can be placed. They have a few orphans from Afghanistan and Ukraine. It takes time for a safe place to be found. They only work with minors. If they will not be placed with a family member, Maryville works to identify other agencies who work with the next age group. They have 5-6 agencies they work with and the girls are transferred when they are 18.

Trustee Bertucci asked if a child turns 18 during the school year, what happens then? Ms. Sanchez explained if a child is in school, they will work with their sponsor or the subsequent agency to arrange for the continuation of their education. It would be unlikely that the children remain in Arlington Heights, usually the sponsors are in other parts of the country. They are not released into the community at 18 either. Trustee Bertucci asked if they intended to increase the population? Sister Ryan said no, it's better to have smaller homes for teens. Most of their homes have 6-9 residents and they have no desire to increase the number. Maryville does not have coed campuses or buildings. Trustee Bertucci asked if the current building paid taxes. The answer was no. Maryville will have to apply for their own tax-exempt status. Trustee Bertucci asked about the average turnover or length of stay. Sister Ryan said since these girls don't have a sponsor, they hope they can find them within a couple of years.

Trustee LaBedz asked about the new layout, it was explained that one bedroom on each floor would be subdivided. At full capacity, there could be 16 girls and 6 babies. Sister Ryan said the maximum number of teens who are pregnant or parenting is limited to 6. Child care is on site. The Staff will take the girls to the place of worship of their choice. The largest number are from south of the boarder, but they have been asked to take children from Afghanistan and Ukraine. They will hire staff who are bilingual to assist, but their program is primarily designed to assist those from south of the boarder. Most will need English language development. The Ukrainian children have good English. One of their strongest personal goals to become bilingual.

Trustee Tinaglia asked who does the screening. Ms. Sanchez said the children spend a few days at the boarder and are then sent to a refugee shelter. They are assessed by a refugee settlement agency there. Maryville reviews their history and interview the children with a team comprised of: clinician, therapist, case manager, and medical staff. The child must be a fit, if there are emotional problems or risk factors, they can be referred to another level of care. This home has a very specific niche and Maryville decides who their residents are. Mr. Enright said the site is zoned Institutional in the Comprehensive Plan. There were never houses there. The property is in the R-3 zone. Trustee Tinaglia said he wanted the ordinance written so that the property with this use can't be sold or transferred without Board approval.

Mr. Lord said relief could be granted to the operator only and not be transferred with the land. Trustee Tinaglia said he wanted to protect the neighborhood and he would not want the approval to go with the land. Mr. Enright said the Board has done this before where approval was tied to the applicant.

The following residents spoke in favor of the project: Heidi Graham (on behalf of the League of Women Voters), Jill Bergner, Cathy Ostendorf, Carol Gabrielsen, Paul Culhane, Janet McDonnell, Claudette Nowell-Phillip, Sandy Bourseau, Michael Phillip, Fr. Cory Brost, Wendy Dunnington, Joanna Zatorska and Sister Carrie Miller.

They cited the following reasons: supports immigration and DEI, gives support and community to those in need, continues the good work of Maryville, allows Village residents to live into their values, people seeking asylum were chased away-they are not bad children, 12 girls will not affect the school system negatively, this program offers compassionate reform, Maryville will keep the property in good shape.

Jane Sullivan, who lives across the street, said the concerns of the near neighbors are different than the ones we've heard tonight. She said the public convenience standard for this location was not well supported. She said she sees how the facility is ideal for them, but case has not been made for public convenience. The prior use was educational, the proposed use, as a shelter, is very different than daytime day care. She asked the Board to tease apart the mission and the code standards, and listen to the near neighbors as they will be most affected.

Mike Zaleski said he was concerned that after asking, he had not received a response on the school placement situation. He said the felt the supporters were drowning the voices of the direct neighbors. For the commitment we are going to make, these 16 girls will need extra support. He worried that Maryville couldn't produce the date/contact or names of their contact at D214. There are 10 families with children under the age of 6 and they want concrete answers. If no one has spoken to the principal, or superintendent, then how do we know it's going to happen. The appraisal was supplied by

the Maryville's contractor and was not contested or checked. What can we do to make sure everyone feels comfortable? He said he has very concrete questions and would like some better responses. We want to be supportive, but want our questions answered.

Justin Jandrisits supports the project, but said it would be nice if St. Viator could guarantee a couple of spots. He encouraged Maryville to not gate the western part, and grass that area to encourage and allow the residents to use that area.

President Hayes said no one disputes the value of Maryville's purpose. The question is whether it's appropriate for this neighborhood. Based on this Hearing, he thinks it is. It has had an institutional use for its lifetime, with no decrease in property values. He said he couldn't think of a more appropriate use. St. Anne's will meet a dire need for our community and our surrounding communities. Many people, even in our town, are in need. When we can, we need to address those needs. He is in favor of the Plan Commission recommendation and its conditions.

Trustee Grasse said the world is not how it used to be and the only thing we can control is how we respond. This is the kind of time where, as a community, we can choose to positively respond in this world. It's an important time to say who we are, what we believe, and who's included.

Trustee Tinaglia said we take for granted groups that do good works, and here is a group that wants to come here, and put these children on the same playing field. He went to the former Ridge Elementary School where this program will be located and encouraged St. Anne's to engage with the neighborhood. He stressed his desire to keep the variation linked with the organization, and not with the land.

Trustee LaBedz acknowledged change is difficult and scary. She said she is confident this will be an extraordinary space for these young people and hoped the new neighbors will be assimilated like the sisters were before them. She said she was not concerned about the school situation as there are not enough students to impact Hersey, especially if some go to Viator.

Trustee Bertucci said the Board did drill down on the Special Use Permit and reviewed 15-20 documents on its justification. We have taken everything into consideration. The School District is a separate Board and tax paying organization, the Village Board is not over them, so cannot answer for them. He researched the appraiser, who has a long career in the field and Trustee Bertucci called some of his peers. He has a good reputation. The staff and Board did their due diligence.

Trustee Schwingbeck said not all of Mr. Zaleski's questions have been answered. He asked the petitioner to connect with him to answer his questions. He wants the neighbors to be comfortable with this.

Trustee Canty said she read every email and took every call. There are

concerns. Does this fit with what is already there? Are we doing something drastically different? To her, the request is not so drastically different. She asked Maryville to be good neighbors and reach out to the residents.

Sister Ryan said they have been in contact with D25 and D214. Specifically, they have spoken to: Asst. Superintendent Marty Johnson, Associate Superintendent Lopez (who said they can accommodate the girls), and the Coordinator of Multi-lingual learners Shab Boloz who also said the girls would be welcome and provided for. A few others were contacted, but those people were out of the office. Sister Ryan said she spoke directly to Dan Leyden at St. Viators.

Trustee Jim Tinaglia moved to grant the Special Use conditional on the acceptance of the Plan Commission conditions and waive the requirement for a traffic and parking study. The approvals are specific to the applicant, and do not transfer with the property. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta

XIII. LEGAL

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

XVII. ADJOURNMENT

Trustee James Bertucci moved to adjourn at 10:14 p.m. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Canty, Grasse, Hayes, LaBedz, Schwingbeck, Tinaglia

Absent: Baldino, Scaletta