



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
June 2, 2014
8:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

The Village Clerk called the roll with President Pro Tem Glasgow and the following Trustees responding: Sidor, Tinaglia, LaBedz, Farwell, Rosenberg, and Scaletta.

Mayor Hayes and Trustee Blackwood were absent.

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

IV. APPROVAL OF MINUTES



A. Committee of the Whole 05/12/2014

Approved

Trustee Joe Farwell moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Scaletta , Sidor , Tinaglia .

Abstain: Rosenberg .

Absent: Blackwood , Hayes .



B. Committee of the Whole 05/19/2014

Approved

Trustee Bert Rosenberg moved to approve. Trustee Robin LaBedz Seconded the

Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Sidor , Tinaglia .

Abstain: Scaletta .

Absent: Blackwood , Hayes .



C. Village Board 05/19/2014

Approved

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

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Sidor , Tinaglia .

Abstain: Scaletta .

Absent: Blackwood , Hayes .

V. APPROVAL OF ACCOUNTS PAYABLE



A. Warrant Register of 05/30/2014

Approved

Trustee Joe Farwell moved to approve the Warrant Register dated 5/30/2014 in the amount of \$1,562,872.71. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .

VI. RECOGNITIONS AND PRESENTATIONS



A. Recognition of Buffalo Grove H.S. Girls Badminton Team -
2nd Place at IHSA State Tournament

Buffalo Grove High School Badminton Team was honored for their second place finish in the State Tournament. President Pro Tem Glasgow passed out Certificates of Achievement to the team and coaches.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Michael Hopkins 314 W. Miner St. said that the homeless should have a permanent shelter in Arlington Heights. In the summer, the sheltering system of churches closes down. He suggested that a Village that can spend \$38,000 a year on holiday lights should be able to provide shelter for the homeless.

President Pro Tem Glasgow said the Village supports Journeys which runs the PADS

system for the homeless. Police officers are also trained to help the Village's homeless population.

Trustee Farwell clarified that the PADS sites operate from October through April. The Journeys organization is very active in providing nightly housing for the homeless. There is a need for a long term solution. The truly homeless end up in forest preserves in the summer. He said that municipalities provide basic services, and money for long term shelter is not the purview of the Village.

Jay Kallas 6 W. Fairview said that many residents allow their dogs to go to the bathroom on people's private property. He said under Village Code Chapter 16 section 401 this is illegal, but the law is not enforced. He suggested that residents be made aware that dogs should not go to the bathroom on people's property and asked if it is possible to include this information in the dog license renewal forms. He said letting residents know might be helpful.

Mr. Dixon said if the Board would like, staff could pursue adding this language to the dog license renewal forms to educate residents.

Anita Klimek 224 W. Victoria said that he Arlington Heights Garden Club is celebrating its 60th anniversary in the Village. Their annual Garden Walk & Boutique fundraiser is scheduled for June 22. The event starts at the Historical Society grounds. It's a great chance to see neighbors' gardens and get ideas for your own lawns and yards. Go to ahgardenwalk.com for more information. Tickets are available at Village Bank and the Farmer's Market in advance for \$10. Tickets are \$15 the day of the event.

IX. OLD BUSINESS



- A. Report of the Committee-of-the-Whole Meeting of June 2, 2014 Approved

Consideration of recommending to the Liquor Commissioner the issuance of a Class "E" Liquor License to LBJ LLC, dba Lou's Pizza Factory, located at 719 E. Dundee Road

Trustee John Scaletta moved to approve. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .

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 OLD BUSINESS

CONSENT APPROVAL OF BIDS



A. Replacement Defibrillator

Approved

Trustee John Scaletta moved to waive formal bidding and authorize the purchase of a Lifepak 15 defibrillator from Physio-Control, Inc. for \$33,166.20. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .



B. Pavement Crack Sealing Program

Approved

Trustee John Scaletta moved to award contract to Denler Inc. in an amount not to exceed \$100,000. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .



C. Thermoplastic Pavement Marking

Approved

Trustee John Scaletta moved to accept contract extension from Superior Road Striping not to exceed \$43,500. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .



D. 2014 Resurfacing Program & Sidewalk Program

Approved

Trustee John Scaletta moved to authorize execution of contract with Arrow Road Construction for \$3,826,603.31. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .

CONSENT LEGAL



A. A Resolution to Accept Planning Assistance Services
Delivered by the Chicago Metropolitan Agency for Planning
(Bicycle and Pedestrian Plan)

Approved

Trustee John Scaletta moved to approve R14-016/A14-031. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .



B. A Resolution Establishing Prevailing Wages
(2014 prevailing wages for Trades)

Approved

Trustee John Scaletta moved to approve R14-017. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , Hayes , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , LaBedz .



C. Resolution for Improvement by Municipality Under the
Illinois Highway Code
(2014 MFT Street Reconstruction Program)

Approved

Trustee John Scaletta moved to approve R14-018. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .



- D. A Resolution Accepting an Illinois Criminal Justice
Information Authority Grant
(Victim Services Coordinator Program)

Approved

Trustee John Scaletta moved to approve R14-019/A14-032. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS



- A. Toscana Restaurant
1859 W. Central Rd.
PC#14-004

Approved

Mr. Murat Murati of Toscana Restaurant, 1859 W. Central requested an amendment to the Special Use Ordinances 10-035 and 08-041 to allow for an increase to the total seating area from 114 to 157 seats. Mr. Murati said that there is an excess of 52 parking spaces for the shopping center according to Village Code. The parking lot is busiest on Wednesdays during the lunch hour. **Mr. Dixon** explained that staff recommended continuing the Public Hearing in order for a more thorough analysis to be conducted regarding parking at the center as a whole. The Plan Commission recommendation is before the Board this evening which recommends that the request for seating be granted. He said that Mr. Perkins tried to balance the desires of a growing business with some complaints from another business in the center. Staff asked the petitioner to provide parking counts and uses, so the Village can determine the frequency of parking shortages.

Trustees expressed disapproval at the restaurant's previous Code violations in 2008 (when they installed outdoor dining without approval), in 2009 (when a dining room was built out without a permit) and in 2011 (when they converted a storage room into a food prep center). **Mr. Dixon** said that since a letter from the Village Prosecutor was written to Toscana there have not been any violations of which the Village is aware.

Trustees discussed the history of parking problems in the shopping center. **Mr. Perkins** said that the parking lot is not up to Code as there are some landscape islands

missing. There are 52 surplus spaces according to Code. Mr. Perkins explained that there is not much the Village can do to require the center improve its parking situation. Two options have been presented to the landlord. They have acknowledged the options and are evaluating them, although their initial response was that the options are too expensive. **Mr. Dixon** said the landlord could take a more active role. **Trustees** asked staff if there was a way to require the landlord to correct the situation. Staff said not with this request for an amended Special Use.

Trustee Labedz said that to impose anything that would make Toscana increase parking, when there is already a surplus, seems not appropriate in light of other approvals the Board gives when issues don't meet Code. **Trustee Sidor** said that with a history of doing things without permission, he was reluctant to approve the amendment and reward a business that has not followed the Village rules. He said he was voting no and will count the seats when he eats there to make sure the business is compliant. **Trustee Rosenberg** reiterated his wish that the landlord could be held responsible for the parking situation. **Trustee Tinaglia** said the business is currently in compliance, and petitioning to amend the Special Use. He said that is all the Board should do with this petition. The parking lot management is the landlord's and the business owner's problem, and they need to solve it themselves. The Village can give ideas and suggestions, but the interested parties need to work this out. **Trustee Scaletta** challenged the petitioner to not violate the Code ever again. He suggested that he call the Building Department and Planning Department before he builds anything more. **Mr. Murati** said "absolutely" and expressed remorse. **Trustee Farwell** called on Mr. Murati to treat his neighbor as he would like to be treated and suggested that Valet parking service could be added. He clarified that only more chairs would be added for the outdoor dining and not more tables. The space will remain inside the fencing which allows for a 5 foot pedestrian walkway. **President Pro-Tem Glasgow** said that Code violators don't stay in business in this Village. He said he would keep his decision objective and as the request was Code compliant and no variance was needed he would vote in favor of the proposal. He expressed concern that any parking mandate would be paid for by the tenants.

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

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Tinaglia .

Nays: Sidor .

Absent: Blackwood , Hayes .



B. Chapter 28 Text Amendment
Acupuncture & Foot Massage
PC#14-009

Approved

Mr. Dixon explained that Foot Massage is not a currently permitted use. The Village has received many requests for Foot Massage establishments. Acupuncture is also not defined in the Code, but is proposed to be considered as a medical procedure. On May

14, the Plan Commission voted 6-1 to recommend the amendment of Chapter 28 to include define Foot Massage as permitted in the B-1, B-2, B-3, B-4 and B-5 districts.

Trustee Rosenberg asked if acupuncture required a license. **Mr. Perkins** explained that there is a State license and it would be a condition upon the issuance of permits for the operator to have one. **Mr. Perkins** said that the definition of foot massage was created by looking at other communities' codes that do allow them. In addition staff wanted to make sure they were conducted in an open room. **Trustee Farwell** said that he had a problem with codifying a service business on the first floor of the Downtown as this was in conflict with the recommendation from the Redevelopment Commission to encourage retail and discourage service businesses on the first floor of Downtown. He said he would be okay if the Village continued to require a Special Use for Zone 5. Mr. Perkins agreed. **Trustee Tinaglia** said the change made good sense.

Trustee Joe Farwell moved to amend Chapter 28 to add a new definition for Acupunture and for Foot Massage Establishment, and to amend the Permitted Use Table to allow Foot Massage Establishment in B-1, B-2, B-3, B-4 Zoning Districts. In District B-5, a Special Use would be required for a Foot Massage Establishment. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .

XIII. LEGAL

XIV. APPOINTMENTS

XV. PETITIONS AND COMMUNICATIONS

XVI. REPORT OF THE VILLAGE MANAGER

XVII. ADJOURNMENT

Trustee John Scaletta moved to adjourn at 9:43 p.m. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Farwell , Glasgow , LaBedz , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Blackwood , Hayes .

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.