



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 1, 2015
8:00 PM

VIDEO I. CALL TO ORDER

VIDEO II. PLEDGE OF ALLEGIANCE

VIDEO III. ROLL CALL OF MEMBERS

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

Also in attendance were: Randy Recklaus, Robin Ward, Diana Mikula, Charles Perkins, Jim Massarelli and Becky Hume.

VIDEO IV. APPROVAL OF MINUTES

VIDEO V. APPROVAL OF ACCOUNTS PAYABLE

VIDEO A. Warrant Register of 5/30/2015 Approved

Trustee Joe Farwell moved to moved to approve the Warrant Register of 5/30/2015 in the amount of \$825,029.96. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

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

Absent: Hayes.

VIDEO VI. RECOGNITIONS AND PRESENTATIONS

VIDEO VII. PUBLIC HEARINGS

VIDEO VIII.CITIZENS TO BE HEARD

Joe Keefe, Executive Director of Metropolis, apologized for not being at the Village Board Meeting of May 26. He said he intended to but there was a misunderstanding and a conflict with the Metropolis Board Meeting. He thanked the Village Board and the Oversight Committee for their hard work. He also thanked the Metropolis Staff and the PAM Board and the Patrons for their work and support.

VIDEO IX. OLD BUSINESS

VIDEO X. CONSENT AGENDA

CONSENT OLD BUSINESS

VIDEO CONSENT APPROVAL OF BIDS

VIDEO	A. Defibrillator - Fire Dept.	Approved
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Trustee John Scaletta moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

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

Absent: Hayes.

VIDEO	B.	Computer Replacement Program	Approved
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Trustee John Scaletta moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

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

Absent: Hayes.

VIDEO **CONSENT LEGAL**

VIDEO	A.	An Ordinance Amending Chapter 13 of the Arlington Heights Municipal Code	Approved
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(Surrender of two Class "A" liquor licenses)

Trustee John Scaletta moved to approve 15-015. Trustee Mike Sidor
Seconded the Motion.

The Motion: Passed

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

Absent: Hayes.

VIDEO **CONSENT PETITIONS AND COMMUNICATIONS**

VIDEO A. Bond Waiver-St. Edna Bingo Raffle Approved

Trustee John Scaletta moved to approve. Trustee Mike Sidor Seconded the
Motion.

The Motion: Passed

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

Absent: Hayes.

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

VIDEO **XII. NEW BUSINESS**

VIDEO A. PC#15-001 - Christina Court Subdivision - 1306 & Approved
1310 E. Olive St.
Preliminary Plat of Subdivision

Jon Isherwood of K. Hovnanian Homes presented the Christina Court
Subdivision plan. The developer is asking for a single variance to allow for
double frontage lots on lots 9-13 as well as a potential out lot. Because the
site backs onto Williams Way in Prospect Heights. There will be a landscape
buffer along the Williams right of way which will serve as a privacy screen
for the residents. There have been no objections to this part of the plan.
President Pro Tem Glasgow asked how many trees will be kept. Mr.
Isherwood said that there are over 1,000 trees on the site, but only 84 are
in good condition. Many of those are of an undesirable species such as
buckthorn. There are 104 new trees planned for the site.

Mr. Isherwood described the water retention pond which is planned for the southeast part of the development to tie into the storm sewer at the lowest part of the property.

Trustee Rosenberg said that in the long term, when properties are re-landscaped, sometimes storm sewer entrances are blocked. Mr. Isherwood said the drainage easements are in the back and the Village can maintain them. Mr. Massarelli said that the project meets the Code for detention. He said that as the detailed plans come in, Engineering will review them even more closely. Complicating the project is the wetland area to the west side. The plan includes drainage from potential overflow. If necessary, changes can be recommended to the property development to the west of Christina Court.

Trustee Blackwood addressed resident concerns regarding changing the neighborhood. The development meets the tree replacement requirements. The Village can't mandate a wildlife preserve there. Mr. Perkins said it is impossible to develop the property without removing the trees. By the time the street is put in, the utilities are laid out and the homes built, the trees need to be removed. Also, in order to properly grade the site, the trees must go. After the Village's Code formula is applied, 63 new trees are required to be planted. The developer is putting in 104. The Village owns the wetland to the west which will not be disturbed. That area will be fenced off to make sure there is no impact. Trustee Blackwood asked how long the Village has owned the wetland property. Mr. Perkins answered Phase 1 since 1990 and Phase 2 was approved in 1999. Trustee Blackwood asked how tall the newly planted trees will be. Mr. Karl Krogstad, the landscape architect, said there will be a variety of trees between 8-10 feet tall. There is no berm surrounding the detention pond.

Trustee Tinaglia asked if the corner detention was the best location. Mr. Perkins said Engineering thought it was because it is the lowest part of the parcel. The current aesthetic on Olive is natural, and this detention pond helps to keep a natural look. Trustee Tinaglia pointed out that another parcel in the Village was rejected in part because of a corner detention pond. Trustee Tinaglia had questions regarding the basin. Mr. Isherwood said It is 5 feet deep and designed to hold a small amount of water that meets the current standards of filtration. Under normal conditions it will hold 4 inches of water to maintain plantings and enhance the water quality. Trustee Tinaglia said it was costly to give up two lots for detention and said he preferred an underground water storage system making those two lots sale-able.

Mr. Recklaus said the Campbell Street development was rejected for multiple issues which included the detention pond on the corner. That site was not master planned to the level the Board wanted to see. In this case, there are not many variations being sought. The values which are expressed in the Code can be obtained and justified with what the petitioner is asking.

Trustee Tinaglia said he thinks the cost of putting the water underground would be offset by what the developer could capture in sales. Visually, he would rather see an underground sewer system versus above ground detention. Mr. Isherwood said the water quality filtration standards have been met.

Mr. Ron Adams of Pearson, Brown and Assoc. said the detention facility is using state of the art of storm water management. A water vault won't work because the fixed outlet elevation and storage height would be too deep to cross the street to get to the lots. It isn't desirable to have a water main on both sides of the street. Other services couldn't be underneath the vault. A vault doesn't improve water quality and can't hold as much water. Today's standards require the first inch of run off be stored in an infiltration facility before it goes into the ground. The detention pond is at the lowest point on property. The detention is ideally situated, storing more water than required. The development must follow the Metropolitan Water Reclamation District requirements and Village requirements.

President Pro Tem Glasgow asked if this detention pond would cause a mosquito problem. Mr. Adams said the pond will not retain water year round. It is designed to store the first inch of storm water, then 3 inches of water that will be below the outlets to keep native plants moist, it will be dry parts of the year.

Trustee Scaletta asked if the Village was relying on the developer calculations for storm water. Mr. Massarelli said that the Village uses the developer's numbers, the MWRD numbers and will use their own calculations as well to verify that the Village's sewers are large enough. MWRD will review the numbers as well. Trustee Scaletta asked if there were flooding issues in this area. Mr. Massarelli said not that the Village was aware of. Mr. Massarelli explained that each lot has access to a storm drain. The Village will maintain these drains to make sure they are clear. Trustee Scaletta asked who maintains the detention pond. Mr. Massarelli said the Village would and it would be similar to managing a wetland area like the one behind Somerset Court. Mr. Perkins said this costs the Village between \$6,000 and \$8,000 every year or two years. The detention property would be transferred to the Village. Trustee Scaletta said the developer is giving the Village something that will cost it money. He asked if there are assessed fees. Mr. Perkins said the Code does not require a fee, but the developer of Somerset Courts was required to pay \$2,000 per lot to the Village which was held in escrow to help defer the cost of maintenance.

Trustee LaBedz said there are currently two lots on the tax rolls. Mr. Perkins said both lots have homes on them; this subdivision will bring 13 lots onto the tax rolls. There will be a substantial increase in the Equalized Assessed Value.

Maria Pietrini said she lives on Somerset Court 1. She said there has been flooding twice. She said she appreciated the work the Plan Commission has done. She said the detention pond was lower 23 years ago and it is at a high level right now. In speaking with Mike Pagones of the Village's Engineering Department, she learned that Burke Engineering did a personal assessment of the property. In her opinion, the storm water detention system does not operate properly. She said the grading plan is from 1998. She said the water does not drain off and the excess spills onto Olive. She agreed that the out lot is truly where the low point of the property exists. She said her sons used to ice skate on the wetland area, but that's not possible anymore. She said she had concerns regarding the retention wall on lot 8, that a relying on a resident to maintain a drainage situation may not be a good idea.

Susan Carsello said she lives near lots 7 and 8. She asked to see the design of where the new trees will go and is worried about losing the nice, wooded view. She asked for clarification on whether a fence can be built outside the lot lines to shield the residents view from Marion Street or would fencing go inside the trees.

Mr. Isherwood said screening trees are planned for on lots 7 and 8. There is also additional landscaping on lots 8 and 9. Both areas will have a landscape screen. There was no recommendation related to a fence. President Pro Tem Glasgow suggested putting fencing interior to the landscape buffer. Mr. Isherwood said there was some disagreement on that issue at the Plan Commission meeting. If the landscape buffer is outside of the fencing, it is difficult to maintain for the property owner. There was no restriction on the fence requirement from the Plan Commission.

Trustee Rosenberg asked residents to please call the Village in future if there is flooding as the Village cannot fix what it does not know. Sometimes staff can provide a remedy. Also, the information is added to the database for future projects. Trustee Rosenberg asked if the wetlands receive drainage from Somerset Courts. Mr. Perkins said yes. He said he would talk to the homeowners in Somerset to make sure the flooding issues are addressed in relation to this plan.

Trustee Scaletta noted that there will still be substantial landscaping on the western boundary with 35-50 feet of vegetation between the developments. He said his concern is that the Village is taking responsibility for detention before the taxes are coming in. He said he would like a fee introduced with approval of the variation. Mr. Isherwood said the upfront costs and acquisition costs are born by the developer. He said they will turn over the property after a punch list is completed, the homes completed and occupied, and the properties are on the tax rolls. Trustee Scaletta said he wanted the developer to provide some contribution. Mr. Isherwood said they would work with staff to make sure that concern is addressed.

Trustee Sidor asked that the water levels of the wetland pond be looked at. Mr. Massarelli said he would make sure the outlet structure that controls elevation is not clogged nor has any issues. Trustee Sidor said he agreed that some type of maintenance contribution is preferable moving forward.

Trustee Farwell asked that Burke be questioned and make sure in the future the water level is included. Mr. Massarelli said he did not know that the water level was rising; he will review with Public Works and go back to Burke to make sure this information is addressed in future reports. Trustee Farwell asked what the procedure would be if the retaining wall was not maintained properly. Mr. Perkins said a complaint would need to be filed; Engineering would inspect the site and seek correction from the homeowner. Trustee Farwell said he was in favor of a contribution to maintain the wall if it eventually needed to be rebuilt. He said a hedgerow needs to be maintained on the outside of any fence and perhaps a deed restriction could be added for lot 8. Mr. Isherwood said a split rail fence is planned for the lot. Plantings will be on top of the wall and at the base of the wall. Trustee Farwell said either a deed restriction or a homeowners association, recorded against all the properties, could address the retaining wall and landscaping restrictions. Mr. Isherwood said they could add a homeowner's association for the properties for the perimeter landscaping and maintenance of the retaining wall.

Mr. Recklaus said in the absence of an association, retaining wall maintenance is Code enforceable and the Village can take the property owner to court to make sure the wall is sound. Ms. Ward said this is private property not common property, so a homeowners association may be troublesome. Since a retaining wall serves a purpose, perhaps the Village would hear about problems earlier rather than later. Trustee Farwell said he didn't want to bank on hope. He said an easement can be created for the homeowners association to maintain the retaining wall. He would also like cost of detention to be included in some way into this proposed association.

Mr. Recklaus said that this should be researched fully, if the Board would like to direct staff to research this issue. Trustee Farwell said he would like these issues addressed in the Final Plat of Subdivision.

Trustee Scaletta said he is not in favor of homeowner's association in this area. The detention wall is not the Village's worry. If someone is spending \$800,000 on house, they will maintain the wall. He said he was interested in some level of protection for the Village so the Village is not out of pocket on the detention pond. He said the Board may be creating problems if they are pushing for a homeowner's association. Common area fees deter people from wanting to buy properties.

President Pro Tem Glasgow said that this property is unique and just because the Board approves a detention pond here, doesn't mean others will be approved. He agreed that it was hard to believe that a retaining wall

would not be maintained with an \$850,000 house on the property. He said just because the Board has the ability to add conditions doesn't mean it should. A homeowner's fee amounts to another tax on a property. He said he agreed that a contribution for maintenance of the pond until property is on tax rolls is appropriate. This had the unanimous approval from the Plan Commission. He said he would like something to be structured without the Village Board's interference.

Trustee Tinaglia said this is a good project, but he will be voting no because the detention basin looks like it should be next to a larger project. He said he would rather see one similar to Mariano's, or bio-swales, or underground detention. For a single family home project, such a large basin is a mistake.

Trustee Farwell said he did not want to force a homeowner's association, but at same time wants to take care of the concerns of the Marion Street constituents and outlying costs in future.

Trustee Farwell moved to approve the subdivision, with the conditions set forth by the Plan Commission. Additionally direct the developer to report back and include in the Final Plat either an owner contribution or the establishment of homeowner's association, at their discretion, for the proper sustained maintenance of the detention area and the maintaining wall.

President Pro Tem Glasgow asked if the owner contribution/HOA would be finite or indefinite. Trustee Farwell said it should be to staff's satisfaction and he wanted to let staff determine what would be proper. Mr. Recklaus said there may be a other ways to accomplish these objectives.

Trustee Farwell amended his motion and add a tenth condition that the developer work with staff to create an agreement to develop a contribution or HOA or other method as suggested and approved by the administration for maintenance of the retention wall and water detention.

There was no second. The motion failed.

Trustee John Scaletta moved to moved approval of the Christina Court Preliminary Plat of Subdivision including the nine Plan Commission conditions and adding a tenth condition for staff to work with the developer to come to an agreement on a developer subsidy to the Village to cover the ongoing maintenance of the water detention pond. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Glasgow, LaBedz, Rosenberg, Scaletta, Sidor.

Nays: Farwell, Tinaglia.

Absent: Hayes.

VIDEO

B. Northwest Crossings - 1421/1501 W. Shure Dr. - Approved
PC#15-007
Preliminary Plat of Subdivision

Al Frank, attorney for the project, said the property owner is requesting an amendment to the PUD on 1421 and 1501 Shure Drive. This proposal comes with a positive recommendation from Plan Commission. Bob Horn of Torburn Partners said they would like to divide the property between the two buildings. They have already demolished a few buildings on the property. The plan is to add parking to meet market requirements and increase the volume of the water detention facility to meet Village and Metropolitan Water Reclamation District requirements. The connection between the two buildings is being removed. These actions will help the developer position the 1421 building for a large corporate user. They are currently in active discussions with several users in the market for that building. The other building has some interest, but no one is ready to make a proposal as yet. Mr. Frank said they agree to all eight recommendations from the Plan Commission. Mr. Frank said the Ordinance needed to reflect that the plans were drawn by the engineering firm and not the development company. Ms. Ward said the Ordinance would be amended.

Trustee Scaletta asked why they wanted to separate the property only to redevelop one parcel. Mr. Horn said the subdivision will allow them to move forward with financing on the first building, and they are further along in the development of that building. Trustee Scaletta asked what the pitfalls might be. Mr. Perkins said there is a condition that an easement agreement needs to be provided. Shared parking would no longer be allowed and the building at 1501 would need to add parking to meet Code. Trustee Scaletta said that this subdivision cannot be used as a hardship later.

Trustee Rosenberg said there are an excess of parking spaces for the 1421 building. Mr. Horn said they expect that those spaces will all be used. They are prepared to add structured parking or use some of the building footprint for parking in 1501, depending on the need. Trustee Rosenberg asked as to the necessity of the easement agreement. Mr. Perkins said it is for storm water detention, access to the private Cellular Drive, utility access and for the storm sewers. Mr. Horn said the easement agreement would be recorded document that would run with the property. Mr. Perkins said the storm water capacity is sufficient, bringing the development 19.75 cubic feet above the Village's requirement.

President Pro Tem Glasgow said that if a variance is granted and if the developer then came back and used the variance as a hardship, it would not be well received. Mr. Horn said he understood.

Trustee John Scaletta moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

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

Absent: Hayes.

VIDEO XIII.LEGAL

VIDEO	A.	An Ordinance Approving an Amendment to Planned Unit Development Ordinance Numbers 88-060 and 14-002, Granting a Preliminary Plat of Subdivision and Certain Variations from Chapter 28 of the Arlington Heights Municipal Code (Northwest Crossings, 1501 and 1422 West Shure Drive)	Approved
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Trustee Joe Farwell moved to approve 15-016 as amended. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Hayes.

VIDEO XIV. APPOINTMENTS

VIDEO XV. PETITIONS AND COMMUNICATIONS

Trustee Farwell said Unplugged Thursdays start this week. The Promenade of Art is this weekend and the Picnic in the Park is Friday afternoon.

VIDEO XVI. REPORT OF THE VILLAGE MANAGER

VIDEO XVII ADJOURNMENT

Trustee Bert Rosenberg moved to adjourn. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

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

Absent: Hayes.