



May 20 2013
8:00 PM

MINUTES
President and Board of Trustees
Village of Arlington Heights

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Trustee Glasgow moved, seconded by Trustee Farwell to amend the Agenda and move item XIV Appointments to this time.



- A. Appointment of Robin LaBedz by Mayor Hayes to fill unexpired term of former Trustee Thomas W. Hayes

President Hayes formally recommended the appointment of Robin LaBedz to fill the unexpired Village Board seat he vacated upon his election to Village President. Ms. LaBedz has served on the Library Board for six years, two as president; she served on the Housing Commission four years and has served as a Plan Commissioner for the past twelve years.

Trustee Glasgow moved, seconded by Trustee Rosenberg, to appoint Robin LaBedz to the position of Village Trustee to fill the unexpired term of Thomas Hayes.

Ayes: Blackwood, Farwell, Glasgow, Hayes, Rosenberg, Sidor, Tinaglia

Absent: Scaletta

President Hayes administered the Oath of Office to Robin LaBedz.

Trustee LaBedz thanked her husband for his support as well as her neighbors and friends. She said she will do the best she can to serve the village and the residents of the village.

III. ROLL CALL OF MEMBERS

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

Also present were Village Manager Bill Dixon, Village Attorney Jack Siegel, Deputy Director of Planning and Community Development Bill Enright, Public Works Director Scott Shirley and Village Clerk Becky Hume.

IV. APPROVAL OF MINUTES

- A. Village Board Minutes of 5/6/2013

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

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

Abstain: LaBedz.

Absent: Scaletta.

V. APPROVAL OF ACCOUNTS PAYABLE

- A. Warrant Register of 5/15/2013

Approved

Trustee Joe Farwell moved to approve the Warrant Register of 5/15/2013 in the amount of \$2,074,272.92. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

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

Abstain: LaBedz.

Absent: Scaletta.

VI. RECOGNITIONS AND PRESENTATIONS



- A. Recognition of Paula Ulreich for 19 years of service to the Special Events Commission

Paula Ulreich was honored by **President Hayes** and the Board. She served the Village as a Special Events Commissioner for 19 years and as Wheeling Township Clerk for 28 years. She served the community in many organizations and entities. President Hayes read the proclamation in her honor.

Ms. Ulreich said it had been her pleasure to serve and that she had a lot of fun working for the Village. She said Special Events was the best Commission on which to serve and was full of fun and resourceful people.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Regent Park Street Conditions

Shelia Du Perow spoke on behalf of **Julie Lisack** and **Marge Deveau**, all Regent Park Board Members. Ms. Du Perow described their neighborhood and said that the street conditions are very poor. Regency Drive West was recently redone and was done very nicely. She said that the Regent Park Board has been trying to get other streets repaired for over a year. She noted some safety concerns and large holes that are trip hazards. She said people are falling as they step out of their cars. Asphalt has been put down on top of concrete in some places, but is crumbling and causing tripping hazards as well. She noted that many seniors live in the neighborhood and asked the Board for their help to repair their streets.

Orchard Church Parking Lot

President Hayes recused himself and asked Trustee Rosenberg to conduct the meeting at this time.

Nabil Quafisheh of 510 E. Olive Street said the Haddow Court and Douglas Street residents will be evicted by May 31. In eleven days the neighborhood will have half a block of vacant homes. He said this was a tactic so that the neighborhood would accept the fact that a parking lot was coming. He noted that a formal application had still not been submitted and so the outcome of the properties will not be determined for a few months. He said it is a maneuver that threatens the neighborhood. He asked that the Village be proactive in law enforcement as there will be many homes vacant in a dead end street. He suggested that the vacancies will solicit criminal activities such as vandalism. He said these illegal activities will affect the entire neighborhood. He asked for the frequency of the patrols to be communicated to the neighbors. Mr. Quafisheh asked for proactive code enforcement as the neighborhood is under threat of devaluing. He said the church has a history of neglecting these homes. He asked the Village to keep the neighborhood safe and desirable.

David Peterson of 1435 North Haddow, said he is concerned by the precedent of allowing the Orchard Evangelical Free Church to turn an adjoining set of properties into a parking lot. He said he is a close neighbor of the church and that he was not offered a meeting regarding the changes being proposed. He asked why the church would want to rob eight families of the opportunity of being a part of the community and sending their children to the great schools in the area. He asked why the church is making plans to destroy their neighborhood for the benefit of a few hours on a Sunday before seeking approval of the Board. He said ample parking is available on the street. He said there are 20 cul de sacs in the general area. He asked if all boarder neighborhoods are at risk of commercial or other entities buying up properties, annexing them and then ultimately destroying them.

Mark Fuller of 1400 North Douglas said thank you to the Park District and McDonald Dance Academy for the wonderful dance recitals over the past weekend. He noted that the Village is a recipient of the Tree City USA Growth Award for its programs addressing Emerald Ash Borer. He reminded residents to attend the program at the Arlington Heights Memorial Library with Village Forester Dru Sabatello at 7 p.m. on May 23. He said the Village has a new "Living Green" exhibit in the downtown train station, which addresses landscaping and transportation. He said the razing of homes for a parking lot, hardly seems in line with the "Living Green" program, nor does it reflect the efforts to save trees by the Village Forester. Noise pollution will increase with the reduction of old growth trees. The Orchard Church claims that the shuttle service to/from remote lots was not popular enough to be cost effective, yet the church is willing to spend \$3 million to demolish homes and spend an additional \$1 million in construction costs for unnecessary parking at a campus that the Orchard states has seen reduced attendance due to their changed focus to satellite campuses. He asked the Orchard to get in line with Village's "Living Green" program and keep the shuttle service. It is green and reduces the number of cars flying down the neighborhood streets during the mad rush on Sunday mornings.

IX. OLD BUSINESS



- A. Report of the Committee-of-the-Whole Meeting of May 13, 2013 re: Liquor License Application - **Approved**
 Danny's Pizzeria

Trustee Glasgow moved, seconded by Trustee Tinaglia, to recommend that the Village Board of Trustees recommend to the Liquor Commissioner the issuance of a Class "A" Liquor License to Danny's Pizzeria, LLC, dba Danny's Pizzeria, located at 4216 N. Arlington Heights Road. The motion passed unanimously.

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

The Motion: Passed

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

Abstain: LaBedz.
Absent: Scaletta.



- B. Report of the Committee-of-the-Whole Meeting of May 13, 2013 re: Liquor License Application - Jinmi Ok Approved

Trustee Glasgow moved, seconded by Trustee Rosenberg, to recommend that the Village Board of Trustees recommend to the Liquor Commissioner the issuance of a Class "E" Liquor License to Jinmi Ok, Inc., dba Jinmi Ok, located at 1918 S. Arlington Heights Road subject to the Liquor Commissioner's approval of the second Manager who is to be hired. The motion passed unanimously.

President Hayes said that the petitioner had moved quickly to hire the second manager and an interview will occur on May 21, 2013.

Trustee Thomas Glasgow moved to approve. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

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

Abstain: LaBedz.
Absent: Scaletta.



- C. Report of the Committee-of-the-Whole Meeting of May 13, 2013 re: Election of President Pro Tem Approved

Trustee Scaletta moved, seconded by Trustee Rosenberg, that the Committee-of-the-Whole recommend to the Village Board the election of Trustee Thomas Glasgow as President Pro Tem. The motion passed unanimously.

President Hayes stated that under Municipal Code Section 2-104 it is his duty to appoint a President Pro-Tem after the municipal election. At the Committee of the Whole meeting of May 13, President Hayes recommended Trustee Thomas Glasgow as President Pro-Tem.

Trustee Bert Rosenberg moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Hayes, Rosenberg, Sidor, Tinaglia.

Abstain: Glasgow, LaBedz.
Absent: Scaletta.



- D. Report of the Committee-of-the-Whole Meeting of May 13, 2013 re: Proposed Code Amendments to Chapters 1, 2, 12, & 14 Approved

Trustee Scaletta moved, seconded by Trustee Rosenberg, that the Committee-of-the-Whole recommend to the Village Board adoption of the proposed changes to Chapters 1, 2, 12, & 14 of the Arlington Heights Municipal Code including a provision in Chapter 1 that the Legal Department has responsibility for maintaining the Code. The motion passed unanimously.

Trustee Bert Rosenberg moved to approve. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

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

Abstain: LaBedz.
Absent: Scaletta.



- E. Report of the Committee-of-the-Whole Meeting of May 13, 2013 re: Combined Sewer Study Approved

Trustee Rosenberg moved, seconded by Trustee Scaletta, that the Committee-of-the-Whole recommend to the Village Board that the Combined Sewer Tributary Area Flood Study be awarded to CDM Smith for a total project cost not to exceed \$285,781 and that \$160,000 come from SW1303 for the modeling and the balance of \$125,781 from SW1302 for the study. The motion passed unanimously.

Mr. Dixon explained that the Sewer study proposed this evening covers the combined sewer area of the Village roughly bounded by Central Road to the south and Palatine Road to the north. The study will take six months and covers seven aspects. **Mr. Shirley** said that the entire area will be modeled and is a tributary to the Deep Tunnel. This area is prone to sewer backups. The study will come forth with recommendations as to how the Village might improve its sewer system to accommodate larger rain fall events than it does today. Hopefully, steps can be taken to lessen the severity and frequency of basement backups.

Mr. Dixon said the Village is still recommending that residents take advantage of the Overhead Sewer Rebate Program as it is the best way a resident can avoid sewer backups. Under this program, the Village will share ½ of the cost of an overhead sewer system up to \$7,500.

Trustee Bert Rosenberg moved to approve. Trustee Carol Blackwood Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, Rosenberg, Tinaglia.

Abstain: LaBedz, Sidor.
Absent: Scaletta.

X. APPROVAL OF BIDS

XI. 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 APPROVAL OF BIDS

A. Defibrillator

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Absent: Scaletta.

B. One Type I Fire Department Ambulance

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Absent: Scaletta.

C. Municipal Building Custodial Services

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Absent: Scaletta.

D. Pick Up Truck Purchase

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Absent: Scaletta.

E. Purchase of AEDs for squad cars

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Absent: Scaletta.

F. Maintenance Fees for ID Networks DataNet Records Management System - Police

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Absent: Scaletta.

G. Salt Slurry Generator

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Absent: Scaletta.

H. Water Meter and Backflow Device Service Contract - Divisions A & B

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed

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

Absent: Scaletta.

CONSENT LEGAL

A. Resolution for Improvement by Municipality Under the Illinois Highway Code
(2013 Street Reconstruction Program)

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed

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

Absent: Scaletta.

B. An Ordinance Amending Chapter 13 of the Arlington Heights Municipal Code
(Surrender of a Class "B" and Class "T" liquor license - Harvest Fresh, 100 East Rand Road)

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed

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

Absent: Scaletta.

CONSENT PETITIONS AND COMMUNICATIONS

A. Waiver of Bond Fee Requirement - Elyssas Mission Raffle

Approved

Trustee Joe Farwell moved to approve. Trustee Bert Rosenberg Seconded the Motion.
The Motion: Passed

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

Absent: Scaletta.

Cynthia Jones of 702 E. Marion asked for an Ordinance Amending Chapter 28 of the Arlington Heights Municipal Code be removed from the Consent Agenda for Discussion.

A. An Ordinance Amending Chapter 28 of the Arlington Heights Municipal Code
(Section 5.5-1 Permitted Use Table, Recreation Facilities Commercial; Section 6.12, Traffic Engineering Approval)

Approved

President Hayes took up the Legal XIII at this time to discuss An Ordinance Amending Chapter 28.

Mr. Dixon explained that the Code was being amended to allow small businesses to expedite the development process by not requiring a traffic engineering study to be completed in all cases. Petitioners often ask for and receive waivers for this requirement.

Mr. Enright said this proposed change permits the waiver of the traffic engineering requirement in more zoning districts for smaller use businesses (less than 5,000 square feet) so that these businesses do not have to obtain traffic studies unless the Planning Department thinks it necessary.

Ms. Jones asked if this would this affect Orchard Church petition.

Mr. Enright said, no, Orchard Church would be required to submit a full traffic and parking analysis.

Trustee Rosenberg said that this change allows for discretion and that a traffic analysis could still be required based on staff consideration.

Trustee Thomas Glasgow moved to approve. Trustee Mike Sidor Seconded the Motion.
The Motion: Passed

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

Absent: Scaletta.

XII. NEW BUSINESS



- A. Xilin Adult Day Care
145 E. Algonquin Rd.
P.C.13-006

Approved

John Cleary, attorney for the petitioner, presented the Land Use Variation request for Xilin Adult Day Care. He said their application was filed in late March and that staff members Mr. Enright and Mr. Dabrowski were helpful throughout the process. Their contract for the property is contingent upon receiving these variations. The site has been for sale or lease since 2007. Mr. Cleary said the proposed use is compatible with surrounding uses of buildings and will not alter the character of area. He stated the business will provide adult day care complete with health monitoring, medical supervision, and food service. Xilin picks up patients from their homes, cares for them during the day, and returns them home at night. They are hoping that their presence will bring in more tenants to property. Mr. Cleary stated that they will purchase food locally and will not apply for a property tax exemption. The Plan Commission and Staff recommend approval.

Trustee Rosenberg asked about the security of the residents **Ms. Linda Yang**, the business owner said the doors are locked and monitored at all times. Any visitors must log in and receive a visitor's badge. There are no outdoor activities. Field trips are bussed. Staff ratio is 1-7 and is legislated by the State.

Trustee Farwell said this is a new industry for Village. He clarified that in order to be eligible for adult day care; each patient is evaluated by Catholic Charities and must meet specific criteria to qualify. He said the Board solicited the input of Senior Center Manager, Karen Hansen. **Ms. Yang** said there is a nurse present to remind clients to take their medications and administer their care plan. **Trustee Farwell** confirmed that Xilin agreed to the conditions put forth by staff and the Plan Commission.

Trustee Glasgow said that Xilin had a good reputation in industry. He asked if they needed to sell the property would future owners be able to comply with restrictions. **Mr. Dixon** said that more information would come forth when the ordinance comes forward, and that subsequent purchasers will know of the restrictions.

Trustee Joe Farwell moved to approve a Land Use Variation to allow a 13,012 square foot adult day care facility in an M-2, Limited Heavy Manufacturing District. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

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

Absent: Scaletta.

XIII. LEGAL

XIV. APPOINTMENTS

XV. PETITIONS AND COMMUNICATIONS

President Hayes sadly announced the passing of Tom Oas, who was the Village Health Department Director for 15 years. He said Mr. Oas had a caring, servants heart, and he served the community very well. He said the community and Village family will sorely miss him. A moment of silence was observed in Mr. Oas' honor.

Trustee Farwell stated that there is pending legislation in Springfield that would keep tax dollars that are dedicated to municipalities to pay for some of the State's debts. He said this will put an undue burden on the all cities and villages by taking away money that is owed to them. The vote is scheduled prior to the May 31 adjournment of the legislative session. He asked for citizens to contact their State Senators and Representatives and ask them not to divert funds that are intended for municipalities. Information is on the Village website, vah.com.

Trustee Farwell said that Senate bill 1739, the gaming bill, is also coming to a vote this week. He urged residents to voice their opinion soon. He said the Arlington Park Race Track is vital part of our community and he urged residents to reach out and communicate their opinions.

Trustee Farwell said there is a virus circulating that is affecting ash trees in addition to the Emerald Ash Borer. He recommended residents contact the Village Forestry Division for questions on this issue.

Trustee Farwell thanked Trustee Scaletta for all his hard work during the campaign.

Trustee Glasgow said there is an EAB Forum at the Arlington Heights Memorial Library on May 23, from 7-9 p.m. register at ahml.info.

President Hayes said a Memorial Day concert is being held at Metropolis at 3:00 on Saturday, May 25. The Salute Run is Sunday, May 26 at 8:00 a.m., and the Memorial Day Parade begins Monday at 9:30 a.m. May 27 and ends at Veterans Memorial Park with ceremonies 11:00 a.m.

XVI. REPORT OF THE VILLAGE MANAGER



- A. Early Review - Autumn Leaves
Northeast Corner of Arlington Heights Road & Council Trail

Mr. Dixon explained that Early Review is a non-binding opportunity for potential businesses to approach the Board and ask for feed-back. The Board is making no commitments, and the regular process of Public Hearings, Commission approvals and reviews is required.

Ronald Cope, attorney for Autumn Leaves, and **Matthew Krummick**, Regional Director for Development at the LaSalle Group, presented their request for Early Review. They said they were asking for Board feedback because site is under the ownership control of bank which is nervous about a purchase by Autumn Leaves because the land use is not approved. The bank has been unsuccessful selling the property for office use as there is an overabundance of office space. He said their facility supports Alzheimer's and memory care patients. They currently operate a facility in Vernon Hills. The Plat and Subdivision Committee gave them a favorable review. As the site is near a residential area, the project fits in beautifully as it is a low rise, one story, building built to look like a home.

Trustee Glasgow said that he had concerns regarding drainage on the site. **Mr. Krummick** said that the project is in a TIF district which will extend storm water service to the site. The land is low and marshy and not draining well. **Trustee Glasgow** said he was generally supportive, providing that the drainage was addressed and the screening to surrounding homes was appropriate. **Mr. Krummick** said there were extensive landscape requirements. **Trustee Glasgow** clarified that neighborhood meetings would need to occur, and the full review process will need to occur prior to any decision on zoning.

Mr. Siegel said no decisions will occur tonight. Zoning changes would need to go through the Planning and Development Department and process. As flooding is an issue for this area, engineering will be critical.

Trustee LaBedz, as member of the Plat and Subdivision Committee, recommended moving forward. She said at least 1-2 other previous projects that would have come under current zoning never progressed. She said it was reasonable to change the zoning for the site.

Trustee Tinaglia said it was a difficult site and has been vacant for years. He said if the storm water detention can be handled it is a good use of the site. He said a one story facility with limited accessibility, limited traffic, and controlled usage should appeal to the neighbors.

Trustee Rosenberg clarified that expansion would not be reasonable on the property. He said the property has been vacant too long and it would be good to get it on the tax rolls. He said it was a great project, and there is a need for what the business does.

Trustee Blackwood remembered that at one time there was a similar project in similar area that did not receive a favorable response. She asked if **Mr. Enright** recalled why. **Mr. Enright** said a previous proposal requested a change in zoning, created a three story facility, and was denser. He said this proposal is less dense, and as things aren't happening in this corridor the Village needs development there. He said over the years many projects have fallen through and it was good to stimulate development in area. **Trustee Blackwood** expressed concern for residents' safety. **Mr. Krummick** said the project exceeded State standards and had fenced in wandering gardens. Doors are on 15 second delay and staff responds to door signals. **Trustee Blackwood** said she agreed with her colleagues as long as things are in place well done.

Trustee Sidor clarified that only memory care and Alzheimer's patients would be clients.

President Hayes said he concurred with his fellow Board members, and said it was a good project. He noted the lower density fits nicely on the parcel and near a residential neighborhood. He said as long as questions are properly answered in process he would like the project to move forward.

XVII. ADJOURNMENT

Trustee Thomas Glasgow moved to adjourn the meeting at 9:40 p.m. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

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

Absent: Scaletta.

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.