



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
May 15, 2017
8:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: LaBedz, Scaletta, Sidor, Tinaglia, Baldino and Rosenberg.

Absent were Trustees Glasgow and Blackwood.

Also in attendance were: Randy Recklaus, Tom Kuehne, Scott Shirley, Diana Mikula, Charles Perkins, Mark Burkland, Robin Ward and Becky Hume.

IV. APPROVAL OF MINUTES

A. Village Board 05/01/2017 Approved

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

B. Committee of the Whole 05/08/2017 Approved

Trustee John Scaletta moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Abstain: Baldino

Absent: Blackwood, Glasgow

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 05/15/2017

Approved

Trustee Bert Rosenberg moved to approve the Warrant Register dated 5/15/17 in the amount of \$1,783,421.71. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

VI. RECOGNITIONS AND PRESENTATIONS

A. Memorial Day 2017 Preview from Greg Padovani, Chairman - Veterans Memorial Committee

Greg Padovani, Chairman of the Memorial Day Committee, announced the 98th annual Memorial Day Parade and Ceremony on May 29th, 2017. The ceremony is at Memorial Park, one block west of the Memorial Library at 11:00 a.m. Contact Mr. Padovani at greg.padovani@gmail.com with questions.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

IX. OLD BUSINESS

A. Report of the Committee-of-the-Whole Meeting of May 8, 2017

Approved

Election of President Pro Tem

Trustee Sidor moved, seconded by Trustee Tinaglia, that the Committee-of-the-Whole recommend to the Village Board the Election of Trustee Carol Blackwood as President Pro Tem. The motion passed unanimously.

Trustee Mike Sidor moved to elect Trustee Carol Blackwood as President Pro Tem. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- B. Report of the Committee-of-the-Whole Meeting Approved
of May 8, 2017

Proposed Change From a Self-Insurance
Program to IRMA

Trustee Tinaglia moved, seconded by Trustee Scaletta, that the Committee-of-the-Whole recommend to the Village Board to enter into an agreement with IRMA to provide all of the Village's General Liability and Workers' Compensation Insurance needs as of June 1, 2017. This includes the establishment of a \$540,038 Village Reserve Fund at IRMA using existing reserves from the General Liability and Workers' Compensation Insurance Funds. The motion passed unanimously.

Trustee Rosenberg said by changing over the Village will save almost \$350,000 in insurance costs in a calendar year. He said he was happy with the change and think it will make a big difference in saving a significant amount of money.

Trustee Jim Tinaglia moved to approve. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- C. Report of the Committee-of-the-Whole Meeting Approved
of May 15, 2017

Consideration of recommending to the Liquor
Commissioner the issuance of a Class "A"
Liquor License to Shakou LLC Series Arlington
Heights, dba Shakou, located at 70 N. Vail

Trustee Jim Tinaglia moved to recommend to the Liquor Commissioner the approval of a Class "A" Liquor License to Shakou LLC, dba Shakou. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- D. Report of the Committee-of-the-Whole Meeting Approved
of May 15, 2017

Consideration of recommending to the Liquor
Commissioner the issuance of a Class "E" Liquor
License to Raul's Kitchen Corp., dba Raul's
Kitchen, located at 2200 W. Euclide Ave.
(Backstretch Kitchen)

Trustee John Scaletta moved to recommend to the Liquor Commissioner
the issuance of a Class "E" Liquor License to Raul's Kitchen Corp. dba
Rau'ls Kitchen. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- E. Report of the Committee-of-the-Whole Meeting Approved
of May 15, 2017

Interview of Scott Rowader for Appointment to
the Special Events Commission - Term Ending:
4/30/21

President Hayes administered the Oath of Office to Mr. Rowader.

Trustee Jim Tinaglia moved to approve. Trustee John Scaletta Seconded
the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

- A. Asphalt Cold Patch 2017 Approved

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- B. Police Station Pre-Cast and Structural Steel Bid Approved
Package #3B

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- C. Rand Road Corridor Identification Enhancement Approved
- RFP

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- D. Pavement Rejuvenation Contract Approved

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- E. Northwest Highway/Wilke Road Improvements; Approved
Construction Engineering Services Addendum
No. 1

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

- F. 2017 MFT Street Reconstruction Program Approved

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

CONSENT LEGAL

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| A. | A Resolution Accepting an Illinois Criminal Justice Information Authority Grant (Victim Services Coordinator Program) | Approved |
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Trustee Jim Tinaglia moved to approve R17-033. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| B. | An Ordinance Amending Chapter 13 of the Arlington Heights Municipal Code (Making available a Class "A" liquor license) | Approved |
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Trustee Jim Tinaglia moved to approve 17-021. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| C. | A Resolution Approving an Intergovernmental Agreement with the City of Rolling Meadows (Use of Rolling Meadows' jail facility during construction of police building) | Approved |
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Trustee Jim Tinaglia moved to approve R17-034/A17-033. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| D. | A Resolution Approving an Intergovernmental Agreement with Elk Grove Village (Use of Elk Grove Village's jail facility during | Approved |
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construction of police building)

Trustee Jim Tinaglia moved to approve R17-085/A17-034. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| E. | A Resolution Approving an Intergovernmental Agreement with the Village of Buffalo Grove
(Use of Buffalo Grove's jail facility during construction of police building) | Approved |
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Trustee Jim Tinaglia moved to approve R17-036/A17-035. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| F. | A Resolution Approving an Intergovernmental Agreement with the Village of Palatine
(Use of Palatine's jail facility during construction of police building) | Approved |
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Trustee Jim Tinaglia moved to approve R17-037/A17-036. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| G. | A Resolution Approving an Intergovernmental Agreement with the Village of Mount Prospect
(Use of Mt. Prospect's jail facility during construction of police building) | Approved |
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Trustee Jim Tinaglia moved to approve R17-038/A17-037. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

CONSENT REPORT OF THE VILLAGE MANAGER

A. Boards & Commissions
Appointments/Reappointments

Absent: Blackwood, Glasgow

A. Bond Waiver - Arlington Heights Historical Society

Absent: Blackwood, Glasgow

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

A. Ordinance Authorizing the Village of Arlington Heights to Join the Intergovernmental Risk Management Agency
(Intergovernmental joint risk pool)

Absent: Blackwood, Glasgow

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| B. | A Resolution Appointing a Delegate and
Alternate Delegate to the Intergovernmental
Risk Management Agency
(Thomas Kuehne, Delegate and Mary Rath,
Alternate Delegate) | Approved |
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Trustee Bert Rosenberg moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

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| C. | 2214 E. Palatine Rd. Subdivision - PC#17-002
Preliminary Plat of Subdivision, Rezoning from
R-1 to R-2 | Approved |
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Mr. Recklaus said that Staff's recommendation differs from the Plan Commission's recommendation. The basic difference is whether the cost of improvements should be put forth upfront as is typically done, or after the second lot is developed. The Village's model is for improvements to be installed by the petitioner up front so costs can be paid for by the proceeds of the sale of multiple lots, alleviating the cost pressure on just one owner installing improvements at a later date. Pushing the installation of improvements later would also be harder for staff to enforce and would more disruptive to homeowners in the adjacent lot.

Mr. Perkins said the request is to subdivide the property it into two lots. The petitioner is asking for two major variations. The first is to not be required to put in a sidewalk and the second is to delay the water main installation along the western edge of the property until the home on the southern lot is demolished/rebuilt or expanded. This lot is unusual in that it is very deep and is serviced by a private service line connecting to Lilac. Because this is a subdivision request, Village Code requires a sidewalk. By adding one on this lot, the sidewalk network in the neighborhood would be closer to completion. The Plan Commission waived the requirement for a sidewalk. They also voted to defer the water main installation until the original home was redeveloped. Staff recommends installation of the water main and sidewalk now.

Richard Laubenstein, attorney for the petitioner, said this is the Hogreve homestead and the house has been there since 1955. The subdivisions grew up around it. They would like to change the zoning to make it R-2 which is consistent with the west edge of the property. A new home is to being proposed on the northern side of the property. They have 2 potential

buyers for this property and had no luck in selling the property to one buyer. It has been on the market since 2015.

There are no sidewalks on their side of Lilac Terrace so there would be nothing for the proposed sidewalk to connect to. The Plan Commission said it didn't make sense to have a sidewalk go in that wasn't connected to anything. The Village Ordinance is a one size fits all and doesn't take into account the specialness of this situation. There is a provision in the Code which would permit subdivision approval with non-conformities as long as it is noted in the ordinance approving the subdivision. Installing the sidewalk would cost \$1,940. The petitioner would like this condition deferred or delayed until the sidewalk connects to something.

The existing home presently is serviced with water, waste and fire protection from existing lines. The buyer of lot 2 is willing to allow for a private easement up the east side of the lot to allow for continued access by lot 1 for water and waste lines. They are proposing an easement be put in place along the west end of the property to allow for future installation of a new water line/main in the event of the existing home on lot 1 is taken down and a new residence constructed on lot 1. The cost of new hydrant and water main is \$48,771.25. The sale price of the existing residence is \$235,000. The property is currently mortgaged. There are no funds available to pay for a water main.

Mr. Laubenstein concluded that a water main which only serves one home will have a lot of non-moving water and more sediment problems. The line from the house is the homeowner's responsibility, not the Village's. The language in the subdivision document provides for the land to be restored after the new water main is installed or repaired.

Trustee Comments

Trustee Tinaglia said he was okay holding off on the sidewalk until things are done. He asked the buyer of lot 2 if he was okay with the easement scenario recognizing that if landscaping is put in, it could be torn up in the future. John Kee stepped forward and said the lot is so large, that he can afford to take 10 feet on either side. He has plans already with that accommodation.

Trustee Scaletta asked how the water will work. Mr. Perkins said a new public line would be installed on the west side. The sewer line will remain on the east and serves multiple households in the neighborhood. The existing water supply line is on the east also. The new home's water line would connect to Lilac. Engineering and Public Works are concerned with water line disruption in the future and pressure on the line to the existing line. The proposed main would give 6" service versus 1" service. Trustee Scaletta asked if the concern is the water pressure, why not require the new owner have a new line to his house. Mr. Perkins said the concern is that it wouldn't comply with Code. Trustee Scaletta said he agreed that if the house is knocked down or added on to, that is a good time to add the

fire hydrant and water line. He said he appreciated the Village's position on the sidewalk, but didn't necessarily agree. This area doesn't have sidewalks everywhere and people seem to like it. Mr. Perkins said if it isn't required, it will never get done. Trustee Scaletta said if the Village is going to require that Mr. Kee have a sidewalk, the Village should be responsible for building the sidewalk on the corner lot. If the Village is not willing to do it, it is not appropriate to require the new owner to do so.

Trustee LaBedz said there is no compelling reason to require the sidewalk as it would be building a sidewalk to nowhere. She said the water main is more troublesome. Twenty years from now, whoever is working this property will ask why the Village didn't do something when they had the chance. Mr. Perkins said if and when the private line fails, Public Works is called even if it is a private line because the house has no water service. Even though it is not the Village's responsibility, the Village ends up helping out.

Mr. Burkland said it is much more functional to do it the right way.

Mr. Perkins said currently the lot has a private service that takes in Village water. Private lines can be 1 ½ to 2-3 inches in size. A Public water main is 4-6 inches. Mr. Recklaus said it isn't just the size, it is the ownership. If the line fails, one property owner could be responsible for damages to another property owner. Ideally if house 2 is built, they get their own water line. If house 1 is rehabbed, they would have to run a new line all the way to Lilac. The water lines will be completely independent.

Trustee Rosenberg asked if construction occurs in 10 years on house 1, would a fire hydrant be required. The answer was yes. Mr. Laubenstein said the purchaser of lot 1 knows this could cost them \$48,000 and that this is a condition. Ms. Ward said the easements and ordinance will be recorded. It is unusual to have a future condition like this and with a change of ownership, things can develop.

Mr. Perkins said with the thousands of permits a year it would be challenging for staff to catch. There is nothing in Village's system that would flag the property as having a condition like this if the property was being improved.

Mr. Laubenstein said in a transfer, the buyer's attorney would have the information. No lender will make a loan without all copies of documents. The Plat will have a notation. It would be a civil law matter, not a Village matter. Trustee Rosenberg said the new owner could be forced to be saddled with a large bill to accomplish these things which is why staff is encouraging it to be done now. Mr. Laubenstein said the new main may never be needed. If this can't be done, the property deals will go away and the lot will be unoccupied. The owners are now living at the Lutheran Home.

Mr. Burkland said that lot 2 will be a construction site, so there is no better time to lay a pipe than now. If house 2 sits there for 60 more years, it makes it harder still.

Trustee Sidor asked about the condition of moving the shed 3". Mr. Laubenstein said it will be moved. Trustee Sidor said he was struggling, but concurs with the Plan Commission's decision. It makes sense now. One can't predict the future.

Trustee Tinaglia said he'd like to look at the problem differently. Right now it is a 1" line that goes 300 feet. If this was a new house set this far back and they wanted a 3" line, the Village wouldn't put a water main there, and only a service line would be put in. Trustee Tinaglia said it didn't make sense to put in a big line that serves one house and dead ends to a hydrant. He asked if the Village truly wanted a 6" line owned by the Village with a hydrant on the end that has stagnant water which requires flushing and holds sediment. Trustee Tinaglia said he did not want to put in a giant line servicing one house just because Code says to. He said it would be better to have a 2" line or whatever is necessary for that lot.

Mr. Recklaus said staff's job is to present the Code and the consequences. Sometimes there are judgement calls. This is a challenge as the subdivision is unique. Mr. Recklaus said that is what the Code requires. It is a one size fits all. When Public Works looks at how we do things, like flushing hydrants, it helps to have standardization. The more one-offs that exist, the more difficult it is.

Trustee Tinaglia said if he's building a home; he doesn't want that large of a main with stagnant water sitting on his lot which only gets used when someone takes a shower. He would rather have one nice service line that flows every time the faucet is turned on. Unless it connects to a loop, it doesn't make sense. Unless the Fire Department requires the hydrant, he will not advocate putting it in.

Trustee Baldino said Trustee Tinaglia summed up what he was thinking. The large water main dead ending into a fire hydrant is overkill for one property. He said it is correct that the water will sit in there and get stuck in the pipe and be stagnant.

President Hayes said traditionally he is one who strictly complies with Code, but this is a unique situation. The Board is not looking at a large subdivision so is not in danger of setting a precedent. He said he agreed with the Plan Commission since it was unanimous. He said he had more concern regarding with the sidewalk. The majority of the neighborhood has sidewalks. He said he would like to see both sidewalks filled in at some point to be consistent with policy set in the 90's.

Trustee Scaletta said if the Board doesn't waive requirement for sidewalk, there has to be something there that the Village is responsible for

connecting the sidewalk to Birchwood. It doesn't make sense for the property owner to have to put one in just because another property was sold and is being redeveloped on the back part.

Ms. Ward said that would be a separate motion from this Subdivision approval which would direct staff to put a sidewalk in at the neighboring property at a given time. Trustee Scaletta said if lot 2 is being required to put in a sidewalk, when they come in for permit, the Village should put in a sidewalk next door at the same time.

Mr. Perkins said in the 1990's there were many hearings and discussion regarding sidewalks and who would pay for them. There is a policy that the Board adopted. The Board should look at the policy before making that decision so the consequences are fully known.

Trustee Scaletta asked what if staff comes back and does not recommend the sidewalk be installed by the Village on the corner. He does not want require a sidewalk on lot 2 if the Village decides not to put one in connecting to Birchwood. Ms. Ward said the variation could be granted subsequent to staff researching what the policy is. There will be factual reporting back on the sidewalk issue before the final Ordinance comes back.

Mr. Laubenstein said there could be a variation to postpone construction of sidewalk until permits are received for lot 2.

Trustee Sidor said it seemed silly to require moving the shed 3". The petitioner said he was willing to do it.

Trustee Tinaglia asked if everyone was okay abandoning the Fire Hydrant. Mr. Perkins said according to the Fire Chief, the Department would want a hydrant if a large house was constructed on lot 1.

Trustee Tinaglia said this will give the petitioners the go ahead to divide the lot. It can be looked at down the road if the lot 1 owner wants to expand the home. He would want the fire department to weigh in at a later date. Modifications can be requested down the road.

Mr. Burkland said staff has the understanding that they need to research this. No motion is necessary. Mr. Recklaus said staff will put something in writing. Trustee Scaletta asked that the information come with time to ask questions prior to the next meeting.

Trustee Rosenberg asked if combining the lots into one line made sense. Trustee Tinaglia said no, each house has its own line.

Trustee John Scaletta moved to approve a preliminary plat of subdivision to subdivide one single-family lot into two single-family lots; a Rezoning from R-1 One-Family Dwelling District to R-2 One-Family Dwelling District; a Variation from Section 29-501(b), to postpone the construction of the

sidewalk along Lilac Lane until a building permit is received for Lot 2; a Variation from Section 29-501(c) and (d), to postpone the construction of the water main and fire hydrant until such time as the home on Lot 1 is demolished and a new home is built or an addition of at least 50 percent of the size of the existing home is proposed; and a Variation from Section 29-503(a), (b), and (c), to postpone the provision of the maintenance and public improvement bond for the water main and fire hydrant until such time as the existing home on Lot 1 is demolished and a new home is built or an addition of at least 50 percent of the size of the existing home is proposed. Said development is conditioned upon the following: 1. Approval of the Final Plat of Subdivision. 2. The existing shed on the proposed Lot 1 shall be moved three inches to the south in order to comply with the required five-foot rear yard setback or shall be removed. 3. Land contribution fees for Lot 2 shall be paid for park, school, and library, per Chapter 29 of the Municipal Code. 4. A fee in lieu of detention in the amount of \$9,476 shall be required as per the requirements of the Engineering Department. 5. The application shall comply with all applicable federal, state and Village codes, regulations, and policies. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow

XIII. LEGAL

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

XVII. ADJOURNMENT

Trustee Jim Tinaglia moved to adjourn at 9:57 p.m. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

Absent: Blackwood, Glasgow