

President and Board of Trustees
Village of Arlington Heights
Virtual Meeting
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
February 1, 2021
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: LaBedz, Scaletta, Rosenberg, Padovani, Tinaglia, Canty, Baldino, and Schwingbeck.

Also present were: Randy Recklaus, Scott Shirley, Charles Perkins and Kim Peterson

IV. APPROVAL OF MINUTES

A. Village Board 01/19/21

Approved

Trustee Bert Rosenberg moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

B. Committee of the Whole 01/25/21

Approved

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

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 01/30/21

Approved

Trustee Bert Rosenberg moved to approve in the amount of \$2,167,452.59.
Trustee John Scaletta Seconded the Motion.
The Motion: Passed
Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta,
Schwingbeck, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

A. Proclamation of Black History Month

President Hayes read the following Proclamation:

Village of Arlington Heights Proclamation In Recognition of Black History Month February 2021

WHEREAS, during Black History Month, we honor the extraordinary contributions made by African Americans throughout the history of our Republic, and we renew our commitment to liberty and justice for all;

WHEREAS, during Black History Month, we recognize the achievements of African Americans and their role in shaping history, along with the contributions they have made to enhance the economic, cultural, spiritual and political development of our country;

WHEREAS, this year's theme, "The Black Family: Representation, Identity and Diversity", offers a rich tapestry of images exploring African Americans past and present;

WHEREAS, the theme for this year focuses on the black family which has been a topic of study in many disciplines including history, literature, the visual arts and film studies, sociology, anthropology and social policy;

WHEREAS, during Black History Month, we recognize the essential role of African Americans in shaping the story of America and honor their courage and contributions to our country and communities.

NOW, THEREFORE, I, Thomas W. Hayes, Mayor of the Village of Arlington Heights, along with the Arlington Heights Village Board of Trustees, do hereby proclaim February 2021 as **Black History Month** in the Village of Arlington Heights, and urge all our citizens to observe this month with appropriate programs, ceremonies and activities.

President Hayes indicated there will be a display in Village Hall recognizing the life and contributions to Arlington Heights of a very prominent citizen, Frank White, who was the first African American resident of Arlington Heights and a charter member of the Village's original volunteer Fire Department.

Trustee Canty stated how proud she is that the Village Board is putting this Proclamation out, and the work they are doing with DEI. Trustee Canty believes this is a great way to kick off this month and make Arlington Heights a better place.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Nancy Eberhardt, Arlington Heights resident, submitted the following comment:

Arlington Heights strives to be a welcoming and inclusive place for all.

An ongoing DEI commission will help our leaders and police keep with best practices in dealing with increases in acts of racism and hate. In recognizing we all have implicit bias and our country was founded on systemic racism, we realize that one or two workshops, or a short-term study won't be enough. We need an ongoing commission to continually study our needs, guide us as our community strives to be a safer, vibrant, and more neighborly community. Having a more diverse group of village employees and police officers will also help communicate a commitment to provide a welcoming community and reflect our society. Being mindful of diversity, equity and inclusion, should also be something we reflect and take action upon on a regular basis.

Will the Board be looking at the hiring practices for the Village, the Police and Fire Departments? Will ongoing training be provided? How soon may we expect implementation?

Please form a DEI commission (not just take recommendations from a study) to help our village be the best we know it can be.

Thank you for your consideration and service to our community.

President Hayes spoke with Ms. Eberhardt earlier in the day and informed her that the Board will be hearing from the DEI consultant at the Committee-of-the-Whole (COW) meeting on February 8th and will be continuing their ongoing discussions about additional steps forward in the area of DEI at that time.

Mr. Recklaus indicated the DEI report will be released to the public this Friday on the Village's website. In addition, the consultants will be presenting the report,

including their recommendations, on Monday at the COW Meeting. Mr. Recklaus stated that the Village has already made some changes to their hiring practices, and discussed the upcoming virtual Law Enforcement recruitment event at Harper College on March 13th. The Arlington Heights Police Department will be participating in this event, along with other municipalities, with the goal of attracting more minority and female candidates.

Kasia, Arlington Heights resident, discussed the snow-covered sidewalks on Arlington Heights Road, between Golf Road and Pickwick Road, and the dangerous situation they pose, as individuals and children walking to school are forced to walk in the street because these sidewalks are unpassable. Kasia would like to find a resolution to this situation, whether it be an ordinance requiring property owners to shovel their sidewalks, or perhaps if someone can reach out to these property owners and ask them to clean the snow for safety reasons.

President Hayes thanked Kasia for bringing this concern to the Board's attention and advised that it will be looked into. President Hayes asked Scott Shirley, Director of Public Works, if he could offer further insight.

Mr. Shirley acknowledged that this is a village wide problem with no easy solution. Mr. Shirley is unsure if an ordinance requiring property owners to remove snow is a good idea, as it may create more problems when it comes to elderly home owners not being physically able to shovel their properties, or have the money to pay someone to do it. There are some communities that do have these ordinances, so it is not out of the question.

IX. OLD BUSINESS

- A. Report of Committee of the Whole Meeting of January 25, 2021 Approved
 - 1. Trustee Padovani moved, seconded by Trustee Tinaglia to direct Staff to make operational preparations and draft an amendment to the 2021 Budget to restart Arlington Alfresco for 2021 beginning mid-March, weather permitting and conclude November 2 (**or an earlier date if a downtown festival is to be planned post Alfresco**) as described in the Staff Memo, including the development of a security plan.
 - 2. Trustee Canty moved, seconded by Trustee LaBedz to waive the minimum parking requirements for outdoor dining for private property, and other code requirements, as needed, for the remainder of 2021 during the Coronavirus pandemic to assist businesses outside of the Arlington

Alfresco pedestrian area and encourage them to develop outdoor dining concepts and pursue cooperative ways to promote all businesses.

3. Trustee Scaletta moved, seconded by Trustee LaBedz to allow outdoor live music within the Alfresco zone subject to the Village Manager's approval and modifications. Staff will continue to monitor live music during the pandemic and if problems persist, pursue option B shall be required of restaurants. The Village Manager retains the authority granted by the Village Board last summer to halt music in a venue if it is deemed too loud and the operator is not in compliance with the Village's sound directives.
4. Trustee LaBedz moved, seconded by Trustee Canty to develop an operational plan and budget for a post pandemic annual Alfresco concept beginning 2022 commencing in May including criteria for live music, hours, security and other standards.
5. Trustee Scaletta moved, seconded by Trustee Baldino to direct staff to work with the Special Events Commission, Chamber of Commerce and other stakeholders on the development and cost and operational analysis of alternative downtown special event concepts to take place at the conclusion of Arlington Alfresco on an annual basis and, if possible, in 2021 for Board approval.

Trustee Schwingbeck stated that Arlington Alfresco was not only a huge success for the downtown restaurants but for the Village as well. Trustee Schwingbeck believes Mr. Recklaus and Staff did a great job putting it all together in such a short amount of time. Trustee Schwingbeck did acknowledge the numerous calls and emails he and the other Board members received in the early months of inception, regarding the amount of noise created by the music and all of the related activity, as well as health and safety concerns. Trustee Schwingbeck heard some of these same complaints at the January 25th COW Meeting and believes there will need to be a balance between the residents and the restaurants, as he does not want to get those same phone calls this summer. Trustee Schwingbeck suggested an action plan be developed and implemented with some enforcement measures included.

President Hayes stated that this message received at the January 25th COW meeting was loud and clear and acknowledged by the Village Manager and Staff.

Mr. Recklaus stated that this message was absolutely heard on the 25th and throughout the year and they are very sensitive to the quality of life of those residents living in the downtown area. Staff will be meeting with the downtown residents to discuss these issues, as well as the business owners to discuss what the expectations will be from them moving forward.

Trustee Padovani thanked the businesses, Village staff, residents and Village Manager Randy Recklaus who will be addressing the concerns of the residents.

1. Trustee Greg Padovani moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

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

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

3. Trustee John Scaletta moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

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

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

5. Trustee John Scaletta moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- B. Report of Committee of the Whole Meeting of February 1, 2021

Approved

Trustee Scaletta moved, seconded by Trustee Canty to recommend to the Liquor Commissioner the issuance of a Class A Liquor License to AVX Restaurant, Inc. doing business as Golden Brunch at 31 E. Golf Road.

Trustee John Scaletta moved to approve. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

CONSENT APPROVAL OF BIDS

- A. Stump Removal and Landscape Restoration – Contract Extension 2021 Approved

Trustee Jim Tinaglia moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- B. Water & Sewer Improvement Design Contract – Change Order Approved

Trustee Jim Tinaglia moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- C. HVAC Preventative Maintenance 2021 – Contract Extension Approved

Trustee Jim Tinaglia moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- D. Pavement Management Services 2021 Approved

Trustee Jim Tinaglia moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- E. Police Uniform Purchase Approved

Trustee Jim Tinaglia moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

CONSENT PETITIONS AND COMMUNICATIONS

A. Permit Fee Waiver – Arlington Heights Memorial Library Approved

Trustee Jim Tinaglia moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

A. Driven Car Wash – 2100 S. Arlington Heights Rd. Approved Sign Variation – DC#20-049

President Hayes advised that Driven Car Wash, located at 2100 S. Arlington Heights Road is requesting a sign variation and asked the owner/petitioner, Chris Jenks, who was present at the meeting, to inform the Board what he is looking do.

Mr. Jenks advised that he purchased the property in early 2020. Mr. Jenks is seeking a sign variance for the street facing signage on the building, as he attempting to create a more retro look. Mr. Jenks is not applying for a variance on the street signage, as that variance was already approved before the sale in 2018 and would be grandfathered in. It wasn't until he applied for the building sign variance in July or August of 2020, that the street sign became an issue.

Charles Perkins advised that the petitioner is seeking a variation for the two wall signs, as only one sign is allowed. Mr. Perkins showed a picture of the proposed rendering of the building, which is being completely renovated on both the inside and outside. The petitioner would need an increase of 20 sq. feet in the size of the sign. In regards to the street/ground sign, Mr. Perkins indicated there was no variation granted, which makes it a non-conforming sign. The Design Commission and Staff didn't have any issues with the wall sign variations, however, this non-conforming sign should be corrected, with the construction of a new sign. The sign is currently 96 sq. feet and only 66 sq. feet is allowed. In addition, the sign is only set back one foot from the property line, but is required to be set back three feet, and the sign sits within the visibility triangle. The Design Commission asked the petitioner to develop two additional exhibits, which they did, and shows their

proposed sign with the banner signage removed, as well perform a visibility study. The Design Commission did recommend approval of the wall sign variations and to allow the non-conforming ground sign to remain, with the condition that it be refaced, if the Board felt the visibility study was appropriate and shows that the sign does not impede traffic. Staff is not aware of traffic accidents recorded at this intersection. Staff did recommend the sign be removed and the non-conformity eliminated, and move the sign out of the vision triangle.

President Hayes asked if the petitioner has complied with the requests of the Design Commission, which Mr. Perkins stated they have. President Hayes asked Mr. Jenks if Driven Car Wash is a franchise, which Mr. Jenks replied they are family owned business.

Trustee Tinaglia stated that the building design looks fabulous. Trustee Tinaglia has no problem with the wall signs and asked Mr. Perkins what would need to be done to the street sign to make it code compliant. Mr. Perkins indicated the size would have to be reduced by about a third and would have to be moved further onto the property site. Trustee Tinaglia asked if what Mr. Jenks is proposing to do is just reface it with his new design but leave the structure there, which Mr. Perkins replied yes. Trustee Tinaglia asked how long the existing sign has been there, which Mr. Perkins stated at least 30 years, with no accidents reported within the last four years.

Trustee Scaletta is happy to see that Mr. Jenks is revitalizing this car wash, as there is definitely a need for a full-service car wash on the south side of town. Mr. Scaletta asked Mr. Perkins if he envisions this sign impeding any future developments in that corridor. Mr. Perkins stated that it's hard to say, but does believe the improvements to the car wash will enhance that corridor. Trustee Scaletta is trying to balance Village ordinances with petitioner's request, as well as what the Planning Department and Design Commission have to say. Trustee Scaletta asked Mr. Jenks if there will just be new landscaping at the bottom of the ground sign, which Mr. Jenks replied yes, as to provide visibility. In addition, Mr. Jenks advised that if he does not receive approval for the ground sign variation, the financial burden of replacing the existing sign would create a hardship and possibly delay the opening of the car wash.

Mr. Perkins indicated the Board in the past has granted a time period for a non-conforming sign to be removed and come into compliance, so that is always an option the Board can consider.

Trustee Scaletta asked if there is a way to develop a motion that would provide the petitioner an opportunity to move forward using the existing sign and replacing the graphics and then be given a time limit to become code compliant.

President Hayes advised that this something that is within the Board's rights to do.

Trustee Padovani thanked Mr. Jenks for taking the risk and sticking with this project. Trustee Padovani advised that this sign has been in place for a very long

time and would be in favor of approving the other variances, allowing the petitioner to update the ground sign with some new graphics and then putting some sort of condition on a time limit to eventually replace the sign altogether. This would allow the petitioner the opportunity to get the business up and running and get some revenue started. President Hayes asked Trustee Padovani if this is a motion, which Trustee Padovani stated yes.

Trustee Tinaglia stated he would second that motion.

Trustee LaBedz thanked Mr. Jenks for his efforts and advised him of her concerns when using ornamental grass in landscaping, as it can grow very tall and possibly obstruct the line of sight.

Trustee Baldino is very happy to support this project and asked Trustee Padovani if it was his intent to leave the replacement of the existing ground sign open-ended in the motion he made, which Trustee Padovani stated yes. Trustee Baldino stated he wants to do everything he can to support this business opening up but has a problem with leaving the sign replacement open-ended.

Trustee Canty stated she is also uncomfortable with leaving the sign replacement open-ended. Trustee Canty likes the idea of a time frame to bring the sign code compliant.

Trustee Rosenberg asked Mr. Perkins if any of the improvements that will be taking place on Arlington Heights Road near the car wash, interfere with the proximity of this sign only being a foot off the property. Mr. Perkins does not think the sign location being a foot off the private property would hinder any of the concepts that have been identified in the plan for the corridor on the east side. Trustee Rosenberg asked if the sign would interfere with the burying of utilities by Com Ed, should they decide to do that. Mr. Perkins stated that if Com Ed were to try to bury the utilities right away, this could potentially impact the sign.

Trustee Rosenberg asked about the cost associated with reducing the size of the current sign, which Mr. Jenks stated the sign would have to be completely demolished and a reconstruction of a new sign would be needed.

Trustee Rosenberg asked Mr. Jenks if there are any additional signs that are ground level, which Mr. Jenks stated no.

Trustee Schwingbeck thanked Mr. Jenks for fixing this car wash up. Trustee Schwingbeck likes Trustee Baldino's idea of having some type of an end where this sign has to be fixed up and code compliant.

Trustee Scaletta asked for some clarity on the motion. Trustee Padovani stated the motion is acceptance of the two variations that were requested and allowing the business owner to use the framework of his sign with the refacing, and if he made changes, make it code compliant. Trustee Scaletta asked if this pertains to the petitioner making changes and any future petitioner making changes, which Trustee

Padovani replied yes. Trustee Scaletta wants this project to succeed, but would like to see it at some point become code compliant.

Trustee Canty expressed the same concerns as her colleagues with the ground sign being problematic and moved to amend Trustee Padovani's motion to put a time limit on bringing it into code compliance and set that out at being four years from now.

President Hayes asked if there was a Second to that amendment, which Trustee Scaletta advised that the original motion needs to be voted on first.

Trustee Tinaglia asked Mr. Jenks, if given the opportunity, could he do something different in four years, or does it need to be longer. Mr. Jenks is unsure if four years is too aggressive, given the current economic climate, and proposes a 10-year time frame. Trustee Tinaglia asked Mr. Jenks if he has done any research into what a new sign might cost, which Mr. Jenks stated it could possibly cost anywhere from \$25,000 to \$50,000. Trustee Tinaglia believes five years might be a good time frame, or such time that more development in that corridor demands a quicker response. Trustee Tinaglia indicated that if Trustee Padovani is interested in amending his motion to five years and it pleases the rest of the Board, he would support that.

Trustee Padovani is willing to amend the motion and would like to know if Trustee Canty is okay with the five-year period, but first wanted some clarification on Trustee Tinaglia's request to have the motion include the possibility of replacing the sign before the five years is up, if the revitalization of Arlington Heights Road requires such. Trustee Tinaglia stated that if some outside influence, such as Com Ed, Nicor or IDOT, or anyone that causes a change to this neighboring area and that sign needs to be moved, modified, taken down or replaced, and that is before the five-year window expires, the Board does not see the same type go back up.

Mr. Recklaus stated that the Board today cannot bind the actions of future Boards. If a future Board wanted to provide relief to Mr. Jenks, regardless of what this Board's intention was, they would be able to do so.

Trustee Scaletta asked if the language of the motion indicates that if a utility would have to move or dig under the sign, the sign would have to be updated at that time and code compliant, which everyone agreed.

Trustee Padovani stated he would amend his original motion to include the time frame of five years to become code compliant, and if there is construction or any need to move or modify the sign, it needs to become code compliant. President Hayes asked Trustee Canty if she is okay with this, which she replied yes. President Hayes then asked Trustee Tinaglia if he is okay with this, which he replied yes.

Trustee Padovani moved, seconded by Trustee Tinaglia to approve the two variations that were requested and allow the petitioner to use the framework of the ground sign to update with some new graphics, with the understanding that

this sign must become code compliant in five years, unless there is construction or any need to move or modify the sign, it would need to become code complaint at that time.

Trustee Greg Padovani moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

B. LEGAL

C. REPORT OF THE VILLAGE MANAGER

D. APPOINTMENTS

E. PETITIONS AND COMMUNICATIONS

F. ADJOURNMENT

Trustee Bert Rosenberg moved to adjourn at 8:51. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia