



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

January 17, 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: Glasgow, LaBedz, Tinaglia, Rosenberg, Scaletta, Sidor.

Trustees Blackwood and Farwell were absent.

Also present were: Randy Recklaus, Mark Burkland, Robin Ward, Diana Mikula, Charles Perkins and Becky Hume.

IV. APPROVAL OF MINUTES

A. Village Board 1/3/2017

Approved

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

The Motion: Passed

Ayes: Glasgow, Hayes, Rosenberg, Scaletta, Sidor

Abstain: LaBedz, Tinaglia

Absent: Blackwood, Farwell

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 1/15/17

Approved

Trustee Bert Rosenberg moved to approve the Warrant Register dated

1/15/17 in the amount of \$1,089,566.68. Trustee Thomas Glasgow
Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Linda Yang of the Xilin Association announced that they are bringing Chinese Performing Arts to Arlington Heights. The Bamboo Symphony from Beijing will perform on February 4th at 7:00 p.m. at Hersey High School. She invited the community to come and enjoy this event.

President Hayes thanked Ms. Yang for all the work they do in the community and said he and his wife plan to attend.

Tatyana Cervjakova said she lives in the Frenchman's Cove condominiums. They used to have free parking and are now being asked to pay \$600 per year. Assessments are approximately \$400 a year. She asked if the Village could intervene or help provide other options.

Mr. Recklaus said staff has looked at the situation and unfortunately the Village cannot get involved, it is a private matter between the condominium association and the residents. The Village can provide information, but there is nothing identified that is a violation of Code.

Keith Moens said there are no opponents in the Village Election for President and Trustee. As a resident, this makes him sad. He said he is not blaming anyone here, but local election turnout has fallen 13% since 1995. People believe that local issues do not matter and are not motivated to get involved in the process. The Board should generally promote involvement in local offices. Mr. Moens challenged local officials to change the local election laws to allow local elections to occur at the same time as national elections. He also said laws should be changed to make it easier to get on the ballot. He asked the Board members to volunteer to step down every couple of years saying institutional knowledge is not a good reason to run. He said not to bother to come to the polls on April 4th. He urged residents to get involved in the democratic process.

President Hayes said there have been uncontested elections in the past. He could not speak to why there were not more candidates; it could be apathy or it could be because residents are satisfied. This community is very involved in a number of things, but involvement doesn't have to be an elected office. There are many volunteers on Boards and Commissions,

Frontier Days and the Senior Center. There are many opportunities to serve other than as an elected official. President Hayes thanked those who have served, who are serving now and those volunteering the community. Many good ideas are brought to the Board from these community volunteers, including ideas from Mr. Moens which are appreciated.

Trustee Labedz said there are many contested races in the upcoming election including the school boards and Library Board, she urged people to vote on April 4.

IX. OLD BUSINESS

- A. Report of the Committee-of-the-Whole Meeting Approved
of January 17, 2017

Interview of Tom Hutchison for Appointment to
the Electrical Commission - Term Ending:
4/30/20

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

Trustee John Scaletta moved to concur in the Mayor's appointment. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

- A. Conducted Electrical Taser Weapons Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

- B. New Fire Engine Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

CONSENT LEGAL

- A. A Resolution Approving an Intergovernmental Agreement for "Euclid Avenue" Bikepath (Bikepath along Euclid Avenue between Rohlwing Road and Arlington Heights branch of Salt Creek) Approved

Trustee Thomas Glasgow moved to approve R17-003/A17-004. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

- B. An Ordinance Amending Chapter 13 of the Arlington Heights Municipal Code (Making available a Class "A" liquor license) Approved

Trustee Thomas Glasgow moved to approve 17-003. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

- C. An Ordinance Granting a Land Use Variation, Amending Ordinance Number 92-009 and Granting Certain Variations from Chapter 28 of the Arlington Heights Municipal Code (Arlington Heights Animal Hospital, 412 W. Algonquin Road) Approved

Trustee Thomas Glasgow moved to approve 17-004. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

- D. An Ordinance Designating a Certain Intersection as a Yield Right-of-Way Intersection Approved

(Evergreen Avenue to yield for Cedar Street)

Trustee Thomas Glasgow moved to approve 17-005. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

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| E. | A Resolution Approving an Intergovernmental Agreement with the Northeastern Illinois Regional Crime Laboratory | Approved |
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Trustee Thomas Glasgow moved to approve R17-004/A17-005. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

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| A. | Medical Office -1519 S. Arlington Heights Rd. -
PC#16-022
Rezoning, Subdivision, PUD, Amendment to PUD | Approved |
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Mr. Perkins said the property owner proposes a rezoning the property to OT (some of it is R-1) for a 26,000 square foot medical office building north of Autumn Leaves. It meets/exceeds parking by 3 spaces. There is a combined ingress/egress, shared detention, some permeable pavers and underground detention. A single lane drive aisle will connect to Emerson Street at the rear of the site, which will be restricted to emergency vehicles only and will be blocked with bollards to restrict access. Code requires that a cul-du-sac be constructed. The petitioner objects to the condition of paying their share of the cul-du-sac. Staff provided three possible options: 1. Either install the cul-du- sac, or put money in escrow, 2. Place a condition in the final PUD that the petitioner that they would agree to pay their fair share of the cul-du-sac or execute an Estoppel Agreement that they would not object to a special assessment 3. Establish a special assessment if and when construction of the cul-du-sac is deemed necessary.

Mr. Kosich said one half of building has tenant. The other part of the building is being built on speculation. They created a large set back at rear of property and have a significant landscaping budget over \$300,000. He said he does not believe there is any benefit of the cul-du-sac to their property. He said it was pushed by Engineering that most of the cul-du-sac is unfairly on their property. It is not a major thorough fare and he would like the cul-du-sac to go away. They will donate the land for the Village to do what it needs to do.

Trustee Rosenberg asked why can't things stay the way they are. Mr. Perkins said the cul-du-sac would not be built until Emerson was fully redeveloped and improved. It is unlikely that the neighboring property owners would wish to have a special assessment. The creation of a subdivision triggers this improvement. The problem is if any large vehicles go down Emerson, they would have to back up. The dedicated land would remain as a green space until the cul-du sac was built. Crushed stone is not an option. Trustee Rosenberg asked if the Easement Agreement has been signed with Autumn Leaves. Mr. Kosich said yes.

Trustee Rosenberg asked about the fence. Mr. Kosich said he would like to do away with the fence entirely. Mr. Perkins said the fence is not a Village requirement. Staff recommended moving the fence back so that it did not encroach on the front yard, but said if the petitioner wants to remove the fence; it's the petitioner's choice. Mr. Kosich said he will take it off the plan.

Trustee Sidor asked what the cost of the cul-du-sac would be. Mr. Kosich said \$100,000. Trustee Sidor asked if they were okay with the dedication of land and not putting in cul-du-sac. Mr. Kosich said it is a burden he would like to eliminate as it could impede the future sale of the land or incur large costs for them. He said the placement seemed unfair.

Trustee Scaletta asked what the purpose of the retaining wall was. Mr. Kosich said it was to adjust the site so that the water goes where it should. Paying for the connection to Emerson does not benefit the site; it is only for a temporary access for emergency vehicles. If the cul-du-sac cost was shared by everyone then it would be fair. Mr. Kosich said they preferred option 3, and they are willing to donate land now. That way it is not in the documentation of the property like an Estoppel would be.

Trustee Scaletta asked about adding a light on Council Trail and if this development would be responsible for the costs if it was added. Mr. Perkins said IDOT would have jurisdiction and that this property would not have a financial contribution as it is not an adjacent property owner. Autumn Leaves and this property have shared access and have a cost sharing agreement, the shared property will be owned by this new office property.

Trustee Tinaglia proposed connecting Emerson to Haven. Mr. Perkins said it's possible, but street looping takes more of the land than a cul-du-sac. The current road is substandard so it does not meet that requirement. He

said he was in favor of dedicating the land and working this out later.

Trustee Scaletta said he didn't think property owners on Haven would want a new street behind them. He asked if the west elevation could be made more interesting. Mr. Kosich said the rendering does not do it justice and that it will look like two separate buildings. They are planning to have a ground sign on the north and south sides, but have not submitted for a variation yet. They will only have one tenant on each sign.

Trustee LaBedz asked if the cul-du-sac connected to the residences. Mr. Perkins said it does touch their driveways. The cul-du-sac would be for turn arounds for emergency vehicles, snow plows refuse trucks. Those vehicles have to back down street or turn in a driveway now. Mr. Kasich said they could go through our property.

President Hayes said he had no problem with option 3. He was also okay with removing the fence and the subsequent variation. Yes.

Mr. Recklaus said that if option 2 were to occur, the petitioner would not be able to oppose it. Option 3 allows for the applicant to oppose a special assessment. If option #3 were chosen and 50% of the adjacent property owners oppose the assessment, it would not occur. Is it possible to just have an estoppel. Mr. Perkins said the Village would be in favor of Estoppel versus #3. Mr. Kosich said an Estoppel has to be disclosed and that has a cost value to them significantly over time. Mr. Recklaus said this is something the developer is required to do by Code. Both options #2 and #3 give them relief.

President Hayes said he did not see an Estoppel as a burden.

Trustee Scaletta asked if the petitioner knew of this requirement when they purchased the property. Mr. Kosich said no.

Trustee Rosenberg asked if the cul-du-sac or estoppel was mentioned in their purchase agreement. Mr. Kosich said no, there is no estoppel on the property now. Mr. Perkins said the issue came as a function of how the development is laid out. Subdivision Code requires public improvements so when the plat of subdivision was submitted, engineering made their comments and that is when the petitioner was made aware.

Trustee John Scaletta moved to approve with the removal of the 4' fence on the north side of the property negating the need for the variation from Section 6.13 and requiring the subject property owner to enter into an Estoppel Agreement with the Villlage, which agreement would state that the petitioner will not object to the establishment of a Special Assessment for construction of the cul-du-sac. Trustee Jim Tinaglia Seconded the Motion. The Motion: Passed

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

Absent: Blackwood, Farwell

XIII. LEGAL

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

- A. Request for Closed Session per 5 ILCS 120/2(c) Approved (21): Discussion of minutes lawfully closed, whether for purposes of approval of the minutes or the semi-annual review of the minutes

- and -

5 ILCS 120/2(c)(5): Purchase or lease of real property for the use of the public body, including discussing whether a particular parcel should be acquired

XVII. ADJOURNMENT

Trustee John Scaletta moved to adjourn to Closed Session at 9:11 p.m.

Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Farwell