

President and Board of Trustees
Village of Arlington Heights
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
March 3, 2025
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: Baldino, Bertucci, Dunnington, Grasse, LaBedz, Schwingbeck, Shirley, Tinaglia

Also present were: Randy Recklaus, Diana Mikula, Hart Passman, Cris Papierniak, Emily Rodman, Melissa Gallagher and Kim Peterson

IV. APPROVAL OF MINUTES

A. Village Board 02/18/25 Approved

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

The Motion: Passed

Ayes: Baldino, Dunnington, Hayes, LaBedz, Shirley, Tinaglia

Passed: Grasse, Schwingbeck

B. Joint Village Park District 02/28/25 Approved

Trustee Nicolle Grasse moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz

Passed: Dunnington, Schwingbeck, Shirley

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 02/28/25 Approved

Trustee Jim Bertucci moved to approve in the amount of \$1,745,287.10. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

A. Recognition of 37-year Public Works & Engineering Employee – Recipient of the Public Works Association’s Professional Manager of the Year – Right of Way Award

President Hayes advised that Steve Mullany, Services Coordinator, for the Public Works & Engineering Department was recently the recipient of the Public Works Association’s Professional Manager of the Year – Right of Way Award. Mr. Mullany is a 37-year employee and was recognized with this national award for outstanding effort and performance in the area of Public Right of Way Management and innovations developed in the management of utility permits and processes. President Hayes stated that this award is a reflection of Mr. Mullany’s outstanding service over the years and congratulated him on behalf of the Village Board.

VII. CITIZENS TO BE HEARD

Ronald Stolberg, Arlington Heights resident, expressed his concern with vaccine usage and the dangers associated with it. Mr. Stolberg stated that the Cook County Health Department is unhealthy and abusive and would like them fired. President Hayes encouraged Mr. Stolberg’s to voice his concerns with Cook County and their elected officials.

VIII. CONSENT AGENDA

President Hayes asked if any members of the Board or audience would like to remove any items from the Consent Agenda and there was no response.

CONSENT APPROVAL OF BIDS

- | | |
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| A. Destruction of Closed Session Recordings | Approved |
| B. Ordinance Approving the 2024 to 2025 Budget
Encumbrance Carryover | Approved |
| C. Resolution Approving the Purchase of Ford Pickup Trucks
for Public Works | Approved |
| D. Resolution Approving the Fire Station Phones Upgrade
Contract | Approved |
| E. Ordinance Approving Special Use Permits and a Parking
Variation for Urban Air at Arlington Plaza – 30 W. Rand Rd. | Approved |
| F. Resolution Approving Agreement for Professional
Engineering Services for IEPA Water Service Line
Replacement Plan Updates | Approved |

G. Resolution Approving the 2025 Parkway Tree Pruning Contract Award Approved

H. Resolution Approving the Purchase of Extrication Equipment Approved

Trustee Robin LaBedz moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

XI. NEW BUSINESS

A. Consideration of a Report – Campaign Contributions Ordinance Complaint

President Hayes stated that pursuant to Village Code, all of the procedures were followed once the formal complaint was received.

Mr. Passman advised that Arlington Heights has a unique ordinance that involves campaign contribution regulations and this agenda item was prompted by this ordinance. Mr. Passman stated that in the ordinance there are maximum contribution limits applicable to those who are seeking an elected Village office. The maximum contribution for a given cycle by an individual is \$500, and by an organization is \$1,000. Mr. Passman explained that if someone files a complaint with the Village Manager of an alleged violation of the Campaign Contributions Ordinance, it is then forwarded to his office. Once the attorney investigates the allegations and complaint, a report is then issued to the Village Board. The Village Board can then determine whether or not any action should be taken based upon the determination if there was a violation of this Ordinance.

Mr. Passman stated that the Village did receive a report filed by Mr. Keith Moens on January 31, 2025. Mr. Moens filed a complaint, alleging violations by the campaign of current Trustee candidate, Michele Hunter, concerning in-kind contributions by the Illinois Republican Party. Mr. Passman received the complaint from the Village Manager and reached out to both Mr. Moens and Ms. Hunter. Mr. Moens filed an amended complaint on February 4, 2025, adding allegations regarding a \$1,000 contribution made to Ms. Hunter's campaign by Ms. Barbara Blye. Mr. Passman offered Mr. Moens the opportunity to present additional information, which he did, and offered Ms. Hunter the opportunity to provide documentation, which she did as well. Mr. Passman stated that after reviewing the information presented to him and doing some of his own research on the Illinois State Board of Elections (ISBE) website, he does not believe there has been a violation of the Campaign Contributions Ordinance. The campaign contributions by the Illinois Republican Party were made while Ms. Hunter was running for State Representative, which was prior to the Trustee

race that she is currently in, and the check contribution made by Ms. Blye, also included her husband, which is permissible under federal election law. Mr. Passman advised that it is for these reasons that he determined the complaint is not sustained, although he does agree with Mr. Moen's suggestion in that it would be beneficial for Ms. Hunter's campaign to take all steps practical to correct the reporting on the State Board of Elections website, which he stated in his report's recommendation.

President Hayes stated that he does concur with Mr. Passman's analysis and recommendation and determination that there was no violation of the Village's Campaign Contribution Ordinance. President Hayes advised that he does agree that there should be corrective action taken to filing an amended report to correct any problems the State may have in regards to reporting. President Hayes asked Ms. Hunter to update the Board regarding any corrective action she has taken thus far.

Ms. Hunter stated that as an attorney of 23 years, she would never do anything to jeopardize her law license. Ms. Hunter advised that after she received notice of Mr. Moen's complaints, she sent responses on February 7th from the Illinois GOP attorney that explained that these in-kind donations related to her State Representative race and not her Trustee race and also sent Mr. Passman a letter from Mr. & Mrs. Blye, attesting that their contributions were \$500 each on a joint account. Ms. Hunter stated that after approximately two weeks, she reached out to Mr. Passman asking for an update and then the very next day, received a 25-page report from Mr. Passman finding that the complaint was not sustained. Ms. Hunter advised that in regards to Mr. Passman's recommendations of filing amended reports with the ISBE, she did make the necessary changes with Mr. & Mrs. Blye's contribution, however she objects to the amendment of the Illinois GOP in-kind donations. Ms. Hunter explained how she filed the proper paperwork when switching from running for State Representative to Trustee and received notification from John Fogarty, Attorney with the Illinois GOP, that the in-kind donations were only for the State Representative campaign and not for the Trustee campaign and that the donations were reported in a timely manner. Ms. Hunter stated that she complied with all requirements of the ISBE and as a result there was no mistake or violation of the ISBE requirements or Village Ordinance, therefore there is no remedy.

President Hayes stated that he believes that Ms. Hunter has taken corrective action in respect to the Blye donation and concurs with the Village Attorney's recommendation and determination that there was no violation and the complaint is not sustained, therefore no further action is necessary.

Trustee LaBedz asked about the party contribution and if it's normally delayed like that, which Ms. Hunter stated no and she is unsure why it was so late. Ms. Hunter advised that she reported it when she received it.

Trustee Schwingbeck asked Ms. Hunter if there was any money left in her prior fund that she will be using for the current race. Ms. Hunter advised that there was approximately \$1,900 left and that she will be using it on this race, which is allowable.

Trustee Dunnington asked Ms. Hunter when she updated the donation information on the website, which Ms. Hunter advised her Treasurer did it immediately after the Blye's submitted the letter attesting to the \$500 individual donations. Trustee

Dunnington asked why she didn't update the mailer explaining that the donation was for her State Representative race, which Ms. Hunter stated she could have, but didn't need to because she wasn't in violation.

Trustee Grasse stated that public trust in our local government depends on honesty, transparency and commitment to following the laws that they are entrusted to uphold, although mistakes do happen. When mistakes are made responsible candidates correct them swiftly and she is thankful that Ms. Hunter did correct that for the Blye's. However, when campaign violations remain unaddressed, even after notice, it does raise concerns, which Trustee Grasse believes that's what is happening here. Trustee Grasse stated that the appearances of this is what brought it to this point, which is unfortunate. Compliance with campaign laws is a reflection of respect for the process and the people they serve. Trustee Grasse urged Ms. Hunter to put a note in the GOP donation, as it still has the appearance of being incorrect and violating the municipal code.

President Hayes stated that he is not an expert on campaign finance disclosure reporting laws and doesn't know if anyone else is qualified to say that Ms. Hunter needs to make the corrections. President Hayes advised that the Village Board is not there to argue this, as the Village Attorney has determined that the complaint is not sustained and there is no violation.

Trustee Grasse asked Mr. Passman if there was no mistake because it was corrected, or was there no mistake in general, which Mr. Passman advised that he cannot speak to what the State law requirements are for reporting, as his prevue is the Village Code. The Village Code is concerned with whether there was a donation made in excess of the amounts for a Trustee/Mayoral campaign and the donations that were made in this case were not in excess of the amounts in the Code.

Trustee LaBedz advised that the Board did have a robust debate some time ago about whether to increase the rates from \$250 to \$500 for an individual donation and \$500 to \$1,000 for a donation from an organization, which they ended up doing. Trustee LaBedz stated that it is unusual that our community has a cap on campaign contributions.

Trustee Tinaglia asked what the State cap is for campaign contributions, which Mr. Passman stated that he doesn't know the exact amount, although it is quite higher than what the Village allows. Trustee Tinaglia stated that it is understandable that when you have one campaign going on and switch to another, these things can happen.

President Hayes advised that the Code does require the Board to vote on this and asked if there is a motion.

Trustee Jim Tinaglia moved to accept the recommendation of the Village Attorney Hart Passman with regard to his determination of the complaint and no further action is necessary. Trustee Scott Shirley Seconded the Motion.

President Hayes offered those in the audience who submitted blue cards to speak on this agenda item the opportunity, beginning with Mr. Keith Moens.

Keith Moens, Arlington Heights resident, stated that the Village Attorney's recommendation is that there is no violation but also to correct the candidate's committee filing records, therefore if the Board accepts his recommendation, the candidate has to go back and fix the ISBE reporting to show not just the Blye contribution, but the Illinois GOP in-kind contribution. Mr. Moen's stated that he is happy to hear that Ms. Hunter fixed the Blye contribution, although he has not seen it yet, as it is still there and looks like she is violating the Village's code. Mr. Moen's stated that it is concerning to him that it took a resident's complaint to get any clarity about these obvious campaign violations. Mr. Moens stated that he doesn't understand why it is so difficult for Ms. Hunter to amend the reporting with the ISBE and advised that if the Board allows these to stay on there for perpetuity, anyone can go back and see that the Board of Trustees allowed someone to violate the Village's Code. These mistakes need to be corrected and a timeline issued for when it should be done.

President Hayes stated that to correct what Mr. Moens said, the recommendation from the Village Attorney is that Ms. Hunter file amended reports with the ISBE as necessary.

Renee Schlenhardt, Arlington Heights resident, stated that part of the reason she and her family moved to Arlington Heights is because they wanted more balance, although unfortunately they are now seeing a lack of balance because of situations like this. Ms. Schlenhardt has seen other cases where attempts have been made to pull people off ballots and believes this has a chilling effect.

Christina Crusius, Arlington Heights resident, advised that the Village Campaign Contribution Ordinance was written with a goal of minimizing both the actual and appearance of impropriety and doesn't believe that has been sufficiently fulfilled yet here. Ms. Crusius stated that Ms. Hunter needs to be held accountable and both contributions need to be corrected on the ISBE website so that there is not even the appearance of impropriety. Ms. Crusius stated that on a procedural note, she would like some clarity as to why Ms. Hunter was given an unlimited amount of time to speak and respond and the complainant, Mr. Moens, was not.

Trustee Bertucci asked Mr. Passman about the motion and taking his recommendation and if it means Ms. Hunter has to do something. Mr. Passman advised that the motion was to accept the report and concur and direct that no further action be taken. Mr. Passman stated that it is his determination that there is no violation and if the Board finds that there was no violation, then there is no remedy to be imposed. President Hayes advised that he believes the motion supports that Ms. Hunter has taken remedial actions as necessary and he is satisfied with her explanation. Trustee Tinaglia advised that he has no opinion on this and is relying fully on Mr. Passman's recommendation and his review on this. Mr. Passman advised that he has no opinion what should be done at the State level. Trustee Tinaglia stated that Mr. Moens complaint is understandable, as he was quite shocked at first glance when he read it, but sometimes things are not always exactly as how they appear.

Trustee Grasse stated that she doesn't believe that anything was done intentionally, although by appearances, it looked to be incorrect and wrong.

Trustee Bertucci advised that there are two different ways Ms. Hunter can approach this and she is comfortable with the way she is doing it and the Board should leave it at that.

Trustee Dunnington stated that she is concerned that if someone looks back at this record on the website, they're not going to look at the Board's minutes and realize what the situation is, therefore if it is not corrected on the ISBE website, it is going to look like the Ordinance was violated.

Trustee Wendy Dunnington moved to amend the motion that Ms. Hunter's committee correct they're filing records with the ISBE by March 10th. Trustee Nicole Grasse Seconded the Motion.

The Motion: Rejected

Ayes: Baldino, Dunnington, Grasse

Nays: Bertucci, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

President Hayes asked for the Board to vote on the original motion.

Trustee Jim Tinaglia moved to accept the recommendation of the Village Attorney Hart Passman with regard to his determination of the complaint and no further action is necessary. Trustee Scott Shirley Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Nays: Dunnington

B. Golf VX – 644 E. Rand Rd. / Sign Variation – DC#24-092

President Hayes advised that Golf VX, located at 644 E. Rand Road, is requesting a variation from Chapter 30, Section 30-402.a, Number, to allow three wall signs where only two wall signs are allowed and variation from Chapter 30, Section 30-403.a, Dimensions, to allow a wall sign that is larger than the 0 sf allowance.

Gina Choi, representing Golf VX, advised that they already have two signs up on the business, however the business is on an angle and the main sign is on the corner of the building where it can only be seen by those traveling on Rand Road and not Palatine Road. The Petitioner is requesting a third sign so that those traveling on Palatine Road know they are there and that it's no longer a vacant building.

Ms. Rodman advised that the Petitioner is present for consideration of two variations from the zoning code for the property that is located at 644 E. Rand Rd. Golf VX is located in the South Point Shopping Center and the two current signs are situated on the south and southwest walls. The Petitioner is seeking to put a sign on the west wall, which is currently blank. Ms. Rodman advised that Golf VX currently has less wall sign surface than they are allowed by code for the two signs that are permitted

by the current code, and if third sign was permissible, it is still smaller than the code would allow. The Design Commission considered this application at the February 3rd meeting and it was unanimously recommended approval of these two sign variations. The motion that is before the Board is to direct Staff and the Village Attorney to prepare final documents approving this request.

President Hayes stated that this request makes a lot of sense, as this is a very unique building and the Village wants to make sure they are as successful as possible. President Hayes stated that he supports this recommendation and the Design Commission motion.

Trustee Tinaglia advised that this space and entire center has been a challenge from day one and expressed his excitement with this business being there.

Trustee Grasse thanked the Petitioner for bringing their business here and thinks the third sign makes perfect sense.

Trustee Jim Tinaglia moved to direct Staff and the Village Attorney to prepare final documents approving the requested relief for consideration at a future Board meeting for DC #24-092 approval to allow the following sign variations from Chapter 30 of the Municipal Code:

1. A variation from Chapter 30, Section 30-402.a, Number, to allow three wall signs where only two wall signs are allowed.
2. A variation from Chapter 30, Section 30-403.a, Dimensions, to allow a 44.54 sf wall sign on the west wall of the building, where 0 sf is allowed.

Subject to including the following conditions as recommended by the Design Commission:

1. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.
2. This review deals with architectural design only and should not be construed to be an approval of, or to have any other impact on, any other zoning and/or land use issues or decisions that stem from zoning, building, signage or any other reviews. In addition to the normal technical review, permit drawings will be reviewed for consistency with the Design Commission and any other Commission or Board approval conditions. It is the architect/homeowner/builder's responsibility to comply with the Design Commission approval and ensure that building permit plans comply with all zoning code, building permit and signage requirements.

Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

C. Resolution Approving the First Amendment to Agreement with T.Y. Lin Great Lakes, Inc. (formerly Sam Schwarz) for Vehicular Traffic and Parking Analytical Services for the

Redevelopment of the Arlington International Racecourse Property.

Mr. Recklaus explained how back in September of 2022, the Village Board approved an agreement with Sam Schwartz, LLC to conduct reviews of traffic and parking studies to be submitted by the Chicago Bears Football Club for their proposal for a new sports and entertainment district, including an NFL stadium on the former Arlington Park site. While those studies were started, the Bears paused them in 2023, due to the disputes over the short- and long-term property taxes for the site. In December of 2024, the Village Board, School Districts 15, 211 and 214 and the Bears all executed a memorandum of understanding that resolved the issues related to the property taxes. On February 13th, the Cook County Board of Review certified the assessment of the property and a week later the Bears sent the Village a letter indicating that they have resumed their traffic and economic impact studies and begun developing an updated concept plan for the Arlington Park site. Staff believes it is now necessary to re-engage with their consulting team so that all of this information can be properly vetted and evaluated. These studies will be crucial to determine the financial and economic viability of the project and identify a plan for the infrastructure needed to support it. As per the 2022, Pre-Development Agreement the Club entered into with the Village, the Club will be reimbursing the Village for its expenses for these studies. Since 2022, Sam Schwartz has been purchased by T. Y. Lin Great Lakes, so an updated agreement is needed with them to move forward. While the Village continues to work with the Chicago Bears Football Club on these issues, there is still much work to be done to determine if an NFL stadium and sports and entertainment district is feasible, desirable and beneficial to the community on this site. These studies are a very important step in that process and Staff recommends approval of a resolution authorizing execution of the first amendment with the TY Lin Group, LLC for vehicular traffic and parking and analytical services for the redevelopment of the Arlington International Racecourse property.

President Hayes advised that this is just another step, but a very important one, that will allow the Village to get a little bit further down the road to its own exploration of this possibility. President Hayes stated that he is very happy to begin with these studies to make a determination on behalf of the residents if a Chicago Bears stadium would be a good thing for everyone and is in favor of this Staff recommendation.

Trustee Tinaglia asked Mr. Recklaus who is paying for this, which Mr. Recklaus advised that the Village will be reimbursed for these studies by the Chicago Bears Football Club.

Trustee Bertucci asked about the timeline for the Village's study and the Bear's study, which Mr. Recklaus advised that if this agreement is approved and they receive the traffic studies, the Village will begin working on reviewing them to see if the Village's consultants agree with the methodology and if any supplemental studies need to be done, to make sure that the infrastructure created can manage traffic and parking. There isn't really a timeline, but more so what will it take to get it right.

Trustee Tom Schwingbeck moved to approve a resolution authorizing execution of the first amendment with the TY Lin Great Lakes, Inc. (formerly Sam Schwarz) for vehicular traffic and parking and analytical services for the

redevelopment of the Arlington International Racecourse property. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Trustee LaBedz asked if there would be something similar coming along with regard to the other consultant, which Mr. Recklaus stated yes, that the other element of this is looking at the financial economic impact, which is important and will be coming soon.

Trustee Grasse stated that as she is approaching the end of her four-year term as a Village Trustee, she wanted to express how thankful and honored she is to have served the people and businesses in this community. Trustee Grasse advised that in the very beginning of her term in 2021 and again in 2023 she urged the Board to consider adopting a code of ethics and conduct for elected and appointed officials. Trustee Grasse stated that she would like the Board to, once again, consider having a conversation about putting place a code of conduct and ethics for the elected leaders and appointed commissioners.

Trustee Bertucci advised that the Village put out the Sounds of Summer schedule today and encouraged everyone to look at the schedule and put some dates on the calendar.

Trustee Dunnington stated that she completely agrees with an ethics statement for the Board and Commissioners.

President Hayes stated that he disagrees, as it implies that they need one and the history of the Board does not reflect the need for a code of ethics. President Hayes stated that the Village Board has a reputation of honesty, sincerity and transparency and they enforce their conduct internally amongst themselves.

Trustee Schwingbeck asked Trustee Grasse if she is implying that there are issues with the current Board's conduct or ethics, which Trustee Grasse stated absolutely not. Trustee Grasse advised that a code of conduct and ethics is a common code that a number of cities and villages have throughout the country to ensure that those who are elected or appointed are promising to prioritize the common good versus personal agendas. Trustee Schwingbeck advised he wouldn't mind discussing this.

Trustee Shirley stated that he doesn't understand who would judge if someone's intentions are personal or for the common good. Trustee Shirley stated that he wouldn't mind having the discussion, but doesn't want to get involved in policing people's thoughts or judging others actions.

XII. ADJOURNMENT

Trustee Robin LaBedz moved to adjourn at 8:42 p.m. Trustee Jim Tinaglia
Seconded the Motion.
The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia