



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

September 4, 2018

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, Tinaglia, Rosenberg, Sidor and Baldino.

Trustees Glasgow, Scaletta and Blackwood were absent.

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

IV. APPROVAL OF MINUTES

A. Committee of the Whole 08/20/2018 Approved

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Sidor

Abstain: Tinaglia

Absent: Blackwood, Glasgow, Scaletta

B. Village Board 08/20/2018 Approved

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

The Motion: Passed

Ayes: Baldino, Hayes, LaBedz, Rosenberg, Sidor

Abstain: Tinaglia

Absent: Blackwood, Glasgow, Scaletta

C. Committee of the Whole 08/27/2018 Approved

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

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 08/30/2018 Approved

Trustee Bert Rosenberg moved to approve the Warrant Register in the amount of \$4,354,601.06. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

VI. RECOGNITIONS AND PRESENTATIONS

A. Retirement of Police Canine Max

President Hayes read the proclamation for Max. Officer Butler was grateful for the recognition. Max served as a public ambassador as well as a police canine, badge 254K.

B. Presentation of "One Book, One Village"
Community Reading Event by Mary Hastings,
Director of Communications and Marketing,
Arlington Heights Memorial Library

Mary Hastings, Director of Communications and Marketing for the Arlington Heights Memorial Library, announced the Library's "One Book One Village" book *Every Note Played* by Lisa Genova. The author will visit the Village on October 18th. The Piano Project is happening in conjunction with the program. There will be 6 pianos, which have been decorated by local artists, placed in public places in the Village and she invited residents to play them.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

President Hayes acknowledged people were planning to speak on the Cook

County Minimum Wage and Sick Leave Ordinances which the Village opted out of last year. He said he did not wish to reopen the issue. The Board had a full and complete discussion of the issue a year ago. In his opinion, there is nothing new to call for a reopening of the discussion or vote.

Melissa Lee-Litowitz she said she has worked minimum wage since she graduated. She works with veterans and young people. She said she is 25 and never taken a sick day in her life, because she was not allowed to. She told stories of sick people who were not allowed to take care of themselves. She said not increasing minimum wages prioritizes businesses versus prioritizing the young people. She asked the Board to reconsider the sick leave and minimum wage ordinances.

Geri Wasserman said there is a great deal of public support for increasing the minimum wage. It will improve the quality of life of residents. She asked the Board to reconsider their earlier vote. Wilmette and Willow Springs recently reversed their earlier opt out votes. She said 65% of Arlington Heights voters support an increase to the minimum wage. Wages remain flat, but the cost of living has risen significantly. Increasing wages increases people's quality of life.

Tom Mussar said there has been a year of data on cities who have and have not opted in. He would like the Board to research and see if their decision was right. The Board recently increased campaign contribution limits because of inflation, it should admit that inflation has occurred for residents too.

Keith Moens said there were good thoughts when the vote was taken. As conditions change, things can be reconsidered. He referenced other projects that took more than one time to get passed by the Board. The economy is different now, but wages have stagnated or declined. Income inequality has worsened. Other towns have opted back in as a result of new data. These issues deserves a new hearing. Any voting member on the Board has the right to introduce new business to the agenda.

Peg Lane said poverty in the suburbs has surpassed poverty in cities. The stories of families living on part time jobs are heartbreaking. She questioned the Board's consideration of public input. She said the Chamber of Commerce runs the Board. She stated that M.I.T. says minimum the wage should be \$12.45.

President Hayes said this Board went above and beyond taking public input, especially compared with other communities. There were discussions at more than two Village Board meetings where public input was taken. The Board had a thoughtful discussion. The issue to him is not whether the minimum wage should be increased, but if a municipality should increase it. He believes the State is the body that should take up the issue and this is the wrong issue for the Village Board.

IX. OLD BUSINESS

A. Report of the Committee-of-the-Whole Meeting Approved
of August 27, 2018

Proposed Code Amendments for Truancy

Mr. Recklaus said staff proposed an updated Truancy Ordinance at a Committee of the Whole meeting on July 16, it was publicly discussed again on August 27th. It allows a parent to be cited if a child is absent from school. The code currently grants the ability to cite the children themselves, but not the parents. All four school boards support this measure. Citation of the parent is only be used as a last resort once a school district has exhausted every other resource and the Police Department has exhausted every other option. Citing a parent will only occur as a last resort when a family is uncooperative. These hearings will take place in an administrative adjudication hearing at Village Hall and not at a Cook County Courthouse.

President Hayes said this is just one more tool to help our children to be in school. It came as a request from the schools through the Police Department. This is not a revenue maker, nor a village initiative. The occasions when this might occur are few and far between.

Trustee Sidor said he agreed with the Mayor, even though he is a 'no' vote. This is a delicate situation. The Board had a vigorous and respectful discussion. He said he hoped we keep these matters as private as possible. There are a myriad of issues at play in these situations.

Trustee Baldino said he has the utmost respect for the school districts and Police Department, but will vote no for two reasons. First, if you cite a child, you are already citing a family, and he doesn't think it is okay to cite twice. Second, after talking with people in the field, they say this is a mental or behavioral health issue. This situation requires treatment or counseling, the truancy is a symptom. If we cite these children and assess penalties, it will increase the fear and resentment and possibly make the situation worse.

Trustee Tinaglia said he listened to the superintendents from District 25 and District 214, and to village police officers. They try so hard, picking students up, providing food, anything they can to get these few cases solved. Prior to this, the children could be cited, but the parents couldn't. His hope is this tool will help get those who are being kept at home, or those who are choosing not to go, to school. It is a reasonable tool for them to have. The change to bring the truancy cases to Village Hall, will make it so much better. This is a win/win.

Trustee LaBedz said she will vote in favor. She said it was important for her to hear from the superintendents and Police Department how hard they work to get children back in school and all the avenues they currently use. When they are begging for one important opportunity to get a child back in

the classroom, she said she believes it's important to support their request. Moving to the adjudication process will give an important amount of privacy to the child and family.

Lisa Rottenberg said she is in opposition of the ordinance. Chronic truancy is a symptom of an underlying problem. School is stressful for many children. Schools should work with families to solve the problem of stress based truancy. It is the parent's decision when a child should be allowed to stay home. Ticketing parents is not the right tool and inserts a wedge between a child and their parent.

President Hayes said there are many services and counseling that are used first. There will be a lot of discretion by the school and Police Department. It will only be used as a last resort. He said Ms. Rottenberg raised very good points.

Trustee Rosenberg said this is in consideration because the schools asked for the Board to enact it. This is not for an occasional day off. They have coached the student, worked with the student, when the student hasn't responded, this is a tool to help the parent go along and help the child get to school. In the last 3-5 years they have had approximately a dozen times where this could be used. The hearing location was moved to a private one to protect the children.

Peg Lane said she has a special education degree. She asked about the data gathering, to see if research proves the effectiveness. She asked what percentage of these children are special education students.

Mr. Recklaus said the village does not have access to that information. Our officers have found that in the rare instance where this occurs, and everything else has failed, when they have issued a citation, it is effective. Currently, when it is an adult that is keeping the child home, the police have to cease trying to help the child get to school. They have already deployed the social workers, counseled the family, helped with food, care and access. Ms. Lane said there is an obvious stress issue there. To provide another punishment does not point toward effectiveness.

Mr. Musssar said he was concerned about the punishment of the parents. If they have been trying these other things, if the parent isn't involved with the child and not helpful, would the parent turn abusive toward the child? That would be worse than truancy.

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

The Motion: Passed

Ayes: Hayes, LaBedz, Rosenberg, Tinaglia

Nays: Baldino, Sidor

Absent: Blackwood, Glasgow, Scaletta

- B. An Ordinance Amending Chapter 8 of the Arlington Heights Municipal Code (Section 8-524, Truancy) Approved

Trustee Bert Rosenberg moved to take up the Ordinance out of order and vote on it under New Business. Trustee Jim Tinaglia Seconded the Motion.
The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

Trustee Bert Rosenberg moved to approve 18-031. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Hayes, LaBedz, Rosenberg, Tinaglia

Nays: Baldino, Sidor

Absent: Blackwood, Glasgow, Scaletta

- C. Report of the Committee-of-the-Whole Meeting of August 27, 2018 Approved

Review of Metropolis Theater Governance

Trustee Rosenberg explained that this change to the operating agreement increased the Board size from 7-9 and removed the restriction that all village appointed members of the Metropolis Board had to be residents of Arlington Heights. It also clarified the financial language.

Trustee Bert Rosenberg moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

- A. Motor Fuel Purchase for Village Vehicles & Equipment 2018

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

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

B. Police Utility Vehicles Purchase Approved

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

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

C. Arlington Heights Police Station Security Systems Approved

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

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

CONSENT LEGAL

A. An Ordinance Amending Chapter 1 of the Arlington Heights Municipal Code (Campaign Contributions) Approved

Trustee Jim Tinaglia moved to approve 18-032. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

B. An Ordinance Granting a Land Use Variation and Approved Variations from Chapter 28 of the Arlington Heights Municipal Code (Napleton/Arlington Lanes Parking Lot - 3435 N Kennicott Ave)

Trustee Jim Tinaglia moved to approve 18-033. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

CONSENT REPORT OF THE VILLAGE MANAGER

CONSENT APPOINTMENTS

- A. Reappointment of Steve Daday to a three-year term as Performing Arts at Metropolis Board President Approved

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

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Chapter 28 Text Amendments - R-7 District - PC#17-005 Approved

Mr. Recklaus said staff had been reviewing and updating Chapter 28 over the past year.

Mr. Perkins said the proposed changes to R-7 zoning were held back from earlier approval because CA Ventures was going through the hearing process on block 425, and staff did not want the consideration of the update to be construed as favoring the developer. The recommended changes reflect past practices. He showed the current R-7 properties and the potential properties that could move to R-7. There is no change to the 60' height limit. There are proposed changes to the spacing requirements between buildings and the elimination of additional setbacks currently required for buildings over 40'. Also recommended is updating the maximum building coverage from 45% to 55%. The Plan Commission recommends these updates.

Trustee Rosenberg asked if there was an option to not require water detention. Mr. Perkins said no. On site detention is required. That has no bearing on the zoning code however, as detention is in a different section of the code. Trustee Rosenberg asked if there was a way around it. Mr. Recklaus said staff's recommendation in the downtown is that the development must provide their own detention because anything else will interfere with the modeling the village has done.

Trustee Tinaglia said as one who uses these codes in his work in many different municipalities, Arlington Heights' zoning code is difficult. He thanked staff for cleaning it up. The proposed changes make it more logical and easy to understand.

Trustee LaBedz said now that we are simplifying the code, she wants staff to make sure developers adhere to it. She doesn't want to see a lot of variations coming in. Developers need to work hard to work within it.

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

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

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| B. | Arlington Downs - 3400 W. Euclid Ave. -
PC#18-010
PUD Amendment, Plat of Subdivision,
Amendment to SUP,
Land Use Variation, Variations | Approved |
|----|--|----------|

David Trandell of Arlington Devco and Mark Kluemper of OKW Architects presented the Amendments to the PUD. Mr. Trandell said there has been a sea change in the retail industry and with people's desire for serviceability and walk-ability. They are presenting an evolved plan of what this site really wants to be.

Mr. Kluemper delineated the hotel, proposed retail buildings and apartment building on the plans. Mr. Trandell said they have an agreement with General Hotels to build a Vibe branded boutique hotel. They will close on that deal within 30 days of the PUD's approval. Construction of the residential building will begin November 1. First Ascent is taking the space of the former water park. There will be \$130 Million in construction.

Mr. Perkins said he is confident that the hotel will move forward. Some of the retail buildings from the previous submission have been removed. There will be 263 apartments in the residential building. Some lots are being held for future residential uses. The original PUD had a parking deficit of 498 spaces, but the revision has a 435 space deficit. Future phases will come before the Board for approval.

Mr. Perkins said the Board wanted affordable units included, versus paying a fee in lieu of such units. He presented the following information:

- Cost of providing an affordable unit is \$157,500-\$252,000
- Financial impact on the developer is an estimated loss of \$140,000 annually
- The amount of Fee in Lieu of providing affordable units is \$25,000 per

- unit not built
- 9 units are being provided at a cost of \$1.49 Million over an 8-10 year period
- Rent is \$2,300 a month, an affordable unit rent is \$1,076 a month.
- The developer must provide a report annually to prove that the rents are going to the income levels that are appropriate.

Trustee Rosenberg asked if the building went condo, what would happen. Mr. Perkins said there is a condition that they must seek Board approval. Trustee Rosenberg asked why a larger hotel couldn't be landed. Mr. Trandell said there is a shortage of brand flags available. In 2011, Hampton went to Randhurst, and a new hotel was built in Schaumburg which took another brand away. Full service hotels in the suburbs don't operate profitably. They tried every major brand and this is where they ended up.

Trustee Rosenberg asked about the parking deficit in the ADR-II phase. Steve Corcoran of Eriksson Engineering said the lot is for multifamily apartments. The village calls for 2 spaces per unit, but their experience and research says the number of cars are dropping over the last decade. They project 1.45 spaces per unit. Currently at the One Arlington building there are 1.31 cars per unit. The 1.5 ratio was negotiated with staff.

Trustee Rosenberg asked about the U-turn on the southbound Rohlwing Road. Mr. Corcoran said if the volume is high enough to merit a traffic signal, then the developer will install it. Right now, the traffic volume does not meet the Cook County minimums. He explained the traffic patterns.

Trustee Rosenberg asked about the next phase that has Age Restricted apartments. It is anticipated there will be 180 units. Mr. Trandell said it will be for people 55 and older and will probably be a little higher end than typical apartments. It will be 4-5 stories with a smaller footprint than the first building.

Trustee Tinaglia noted that things have changed and they have adjusted to the market. The old design was heroic. He said whatever does get built needs to be high quality and as awesome it can possibly be. He didn't want to see a typical highway hotel and hopes it is as cool and hip as they say.

Trustee Tinaglia said 9 units will be affordable, which is less than 3%, this Board has been critical of the lack of affordable housing. This topic will be addressed in each phase.

Trustee Tinaglia said he wanted the gateway signage on corner of Euclid and Rohlwing to move ahead first and be fabulous. Mr. Perkins said variations would be needed for some of the lighting features. Mr. Trandell said his goal is to jump on it right away. Trustee Tinaglia said he wants to see the corner looking good sooner rather than later and for permitting to occur. Mr. Perkins said the PUD is approved, they can begin permitting. The Board won't see the project again. The Design Commission has reviewed the residential building and the Vibe hotel buildings. Mr. Trandell said they

want to make the corner dramatic, but it's a little chicken and egg and signs are tricky. He said he will begin in earnest to clean up the corner and work on the sign. Mr. Perkins said it is a requirement that the developer prepare plans for a gateway sign. Trustee Tinaglia reiterated he did not want the corner to sit. Mr. Perkins said staff needs to see detailed signage drawings and a time line. Trustee Tinaglia said to make the sign as heroic as was originally proposed and not to let a small set of language in a code deter their ability to be fantastic. Mr. Trandell agreed as it will bring in a better class of retailers as well. He said he would like to submit in the next 6 months.

Trustee LaBedz said she was glad to see this moving forward. It is a drop in the bucket far as affordable housing. But if we hadn't had the discussion a few weeks ago, there wouldn't be any. So, she is pleased that some were added. Mr. Trandell said he is an advocate for affordable housing, but they have to be able to finance it. The sooner we get out of the ground, then the rents can go higher, and they can hopefully add more. Trustee LaBedz said the age restricted population needs affordable housing too. Mr. Trandell said that is a different operating model, and that building will look more like a condo development.

Trustee Sidor clarified that nothing voted upon tonight deals with First Ascent. The answer was no. He said he was glad to move the needle on affordable housing and thanked them for the 9 units. He said he will hold the developer to more units on the other sites. He asked them to clean up the temporary netting and signs to help the site look good.

Trustee Baldino thanked the developer for adding the affordable housing. He was encouraged we are making this happen. He would like to see some affordable units in the age restricted.

Rob Horne spoke on behalf of the City of Rolling Meadows. He said they had offered to defer the right hand turn lane to a future phase if the developer had a traffic study. He said it was put back to Rolling Meadows to do a land acquisition and traffic study. He said they would like the setback requirement on Rohlwing to be 30' versus 15' so the hotel wasn't so close to the right of way. Thirty feet would have the same setback as Euclid. They would like to make sure that there is only one curb cut onto Rohlwing Road ever. As long as there is a street light and there are no other curb cuts they will be okay with the project.

Mr. Perkins said the developer has had discussions with Rolling Meadows. The details of what is required on the right of way issues are detailed on page 6 of his report. The southbound turn lanes is one of the requirements the developer has to work with. The property is zoned B-2 which does not require a setback, but the overlay district requires a 15 foot setback. This will allow for nice landscaping and accommodate parking interior to the site. Originally there were 2-3 additional curb cuts, now there is only one, with a street light. Staff will work with developer to ensure it is acceptably illuminated.

Mr. Trandell said they envisioned a craft brewery and a quick service restaurant on the site. There is space for a drive-thru lane behind one of the buildings. Deliveries will occur interior to the site.

President Hayes said he was comfortable with 15 foot setback. He asked for staff, the developer and Rolling Meadows to have conversations to work these issues out. Mr. Perkins said there would be further conversations. There are conditions and agreements the still require implementation as the project moves forward. The concerns were heard and staff will be sensitive to them. There are still negotiable items after tonight.

President Hayes said this can still be an exciting corner for the village. The quality must be high, he asked for them to make as exciting and creative as possible.

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

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta

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) (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)(11): Litigation, when an action against, affecting or on behalf of the Village has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent

XVII. ADJOURNMENT

Trustee Bert Rosenberg moved to adjourn to Closed Session at 10:08 p.m.

Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

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

Absent: Blackwood, Glasgow, Scaletta