



MINUTES

President and Board of Trustees
Village of Arlington Heights
Virtual Meeting

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005

August 3, 2020

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, Robin Ward, Charles Perkins and Becky Hume.

President Hayes denounced the recent vandalism at the Lutheran Church of the Cross. This was the second vandalism act this summer. The first vandal was caught and from another community. President Hayes said the language was disgusting, unfortunate and sad. Hate has no home here and the Village is taking the matter very seriously. This criminal will be sought and brought to the full extent of the law. He said the Board will not tolerate this behavior in the Village of Arlington Heights.

IV. APPROVAL OF MINUTES

A. Committee of the Whole 07/13/2020

Approved

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

The Motion: Passed

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

B. Village Board 07/20/2020

Approved

Trustee Richard Baldino moved to approve. Trustee Greg Padovani
Seconded the Motion.

The Motion: Passed

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

Abstain: Tinaglia

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 07/30/2020

Approved

Trustee Bert Rosenberg moved to approve in the amount of \$1,800,980.27.
Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

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

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Melissa Cayer had two questions:

1. At the 2020 June 15 Village Board Meeting, you voted to create a TIF District around the Arlington Heights Road, Algonquin Road, Seeger Road, Tonne Drive area where for 23 years that area gets to keep the property tax money and use it for their property improvements. That means the taxing bodies will not receive the property tax revenue from this TIF district for 23 years.

Mr. Recklaus said all of the taxing bodies receive all of the property taxes that they currently receive for the next 23 years. Any increase in property tax revenue goes into a TIF fund that is controlled by the Village that can only be used to facilitate development in that area. The Village controls this money. Any money left over is remitted to the other taxing bodies and these bodies also enjoy the enhanced revenue moving forward.

2. Does the Board of Trustees for the Firefighter's Pension Fund

receive the Annual Report and Semiannual Report for their individual funds or do they get a summarized version from the Pension Fund Manager? Likewise, what about the Board of Trustees for the Police Pension Fund?

Mr. Recklaus said they do receive a variety of reports. They also receive actuarial studies for each of the pension funds.

Keith Moens asked when the Board returns to in person, will a remote participation be available?

President Hayes said it is not prudent for the Village Board to meet in person yet. Mr. Recklaus said if we are able to have in person meetings again during pandemic, we would provide means to participate electronically. These meetings are not perfect. Remote participation will have limitations. Other board and commission meetings would be handled the same way.

Wendy Dunnington said the vandalism shows that the Village needs a diversity and inclusion committee. It is important that our children live in a diverse community so they are successful in their future and prepared for a diverse world. Her children never had a person of color as a homeroom teacher.

President Hayes explained that the school district is a separate governmental body. There are many interest groups and governmental bodies who also have a responsibility to address diversity. A plan will be coming forward about having a community conversation on diversity.

William Boodro said the Village has over 19% affordable housing. The State requirement is 10%. Tear-downs won't change based on the Affordable Housing Ordinance. It appears that staff wants to keep this going. It took 2 years to draft it, so will be hard to be flexible. We don't know what will happen in the future. Within 60 days of that meeting, the economy locked down and the budget is compromised. The population is decreasing in the Village. He thinks this will negatively impact future development. He thinks the prudent thing to do is nothing. He prefers guidelines versus an ordinance. He asked the Board to not pass the ordinance.

Allison Anderson said the vandalism appeared to her to be racial hatred. She believes in a diverse community. Children need to be prepared to live and work in a diverse world. Anything we can do to make that so, would be a good thing.

IX. OLD BUSINESS

- A. Report of Committee of the Whole Meeting of August 3, 2020 Approved

Interview of Roberto Cataldo for Appointment to
the Fire and Police Commission - term ending
4/30/21

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

Trustee John Scaletta moved to concur in the Mayor's appointment. 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 Approved
August 3, 2020

Interview of Jennifer Sweis for Appointment to
the Housing Commission - term ending 4/30/23

President Hayes administered the Oath of Office to Ms. Sweis.

Trustee Mary Beth Canty moved to concur in the Mayor's appointment.
Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

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

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

A. Stryker Power-Pro Hydraulic Ambulance Cots Approved

Trustee Mary Beth Canty moved to approve. Trustee Greg Padovani
Seconded the Motion.

The Motion: Passed

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

CONSENT LEGAL

- A. An Ordinance Designating Two-Way Stop Streets (Pioneer Park) Approved

Trustee Mary Beth Canty moved to approve 2020-024. Trustee Greg Padovani Seconded the Motion.

The Motion: Passed

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

- B. An Ordinance Amending Chapter 7 of the Arlington Heights Municipal Code (Inclusionary Housing Ordinance) Approved

Trustee Mary Beth Canty moved to approve 2020-025. Trustee Greg Padovani Seconded the Motion.

The Motion: Passed

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

- C. A Resolution Accepting an Illinois Justice Information Authority Grant (CARE Program Funding) Approved

Trustee Mary Beth Canty moved to approve R2020-016. Trustee Greg Padovani Seconded the Motion.

The Motion: Passed

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

CONSENT REPORT OF THE VILLAGE MANAGER

CONSENT PETITIONS AND COMMUNICATIONS

- A. Hickory Kensington Apartments - Request for Extension - PC#18-005 Request for Extension Approved

Trustee Mary Beth Canty moved to approve. Trustee Greg Padovani Seconded the Motion.

The Motion: Passed

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

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Mariano's Gas Station - 406 E. Northwest Hwy. Disapproved
- PC#20-009
Special Use Permit for Auto Service Station,
Variations

President Hayes explained that the Park District and Village are separate governmental bodies and have their own elected boards and executive directors. The Village Board can consider the Special Use request only. The discussion and vote will be limited to that topic.

Mr. Recklaus introduced the petition for a Special Use permit for an auto service station at this location. The Park District had an interest in purchasing this property. The owner has the right to sell their property to whomever they wish. The property is zoned B3 and the petitioner has the right to build on the site based on the Village's zoning code. The only reason the matter is before the Board is because an auto service station requires a Special Use. They can only be denied if the proposed use is not desirable or necessary, or harmonious or compatible to the location. If the Board were to deny the request the property owner could sell the property to any other commercial developer. The applicant has the right for due process under the law. The property would not automatically revert to the Park District.

Tim Kratz of Mariano's said they hope to build a fuel center on the site. They propose 5 dispensers and a small convenience kiosk. The fuel station should not have more traffic than Grandt's does today. They plan to bolster the landscaping and provide screening to the north. Lighting is downward facing so minimal light will go into the neighborhood. The station will look like the store with nice materials of high quality. The sign will be in the center of the property.

Dan Farrell, real estate manager for Roundy's, said the goal is for a network of fuel stations to support their stores. They have a partnership with BP. Fuel points can be earned and redeemed either at BP or Mariano's. This location adds to their customer convenience. They are aware of Recreation Park and want to partner with them. He said they would be happy to work as neighbors and improve the character of Northwest Highway.

Mr. Kratz explained the traffic plan. Most traffic would come from Northwest Highway. There is room to circulate around the dispensers. It is easy to navigate onto Northwest Highway or turn left on Belmont and exit onto Northwest Highway. Tankers would take the same route. There is no mandated traffic pattern.

Mr. Perkins said the B-3 district is primarily for motor vehicle retail and wholesale. A minor variation is asked for to provide additional screening. The properties contiguous to the site are owned by the Park District. The new station eliminates 2 curb cuts to improve traffic circulation. The Village's Comprehensive Plan shows the site as commercial and it has been this way since 1984 if not before. The petitioner has asked for a 6 foot fence versus a 3 foot for screening but visibility will remain for turning. The renovation would increase traffic less than 1% based on the traffic consultant. Mariano's agreed to reduce the hours to 6 a.m.-10 p.m.

President Hayes asked if the rewards program required people to redeem their rewards on certain days of the month, impacting traffic on those days. Mr. Farrell said the rewards are earned throughout the month and are good for that month and the next. The best value is to use the points when you can fill your tank. They do not see a large jump in usage at the end of the month.

Shaun Nelson said the station is busy when the store is busy. Most customers are already aware of how the program works. New discount users may defer to the end of the month, but as they get used to the program, the usage spreads out. The stores and pumps are typically busier at the end of the month when it happens on the weekend.

President Hayes said this is a no win decision. The intensity of the use is important to him. There will only be 2 more fueling stations than there are today and no auto service. The convenience kiosk will have fewer items than what is there now.

Trustee Tinaglia said this is a wonderful project but was concerned that it was not the right location. If this proposal is a victim, he hopes the petitioner finds an alternate site that works better. He asked if this proposal is something that will be desirable or necessary and harmonious and compatible to the adjacent properties which is what a Special Use must consider. The current station is iconic. It's the epitome of a neighborhood filling station. Neighbors on Belmont may see more traffic as people cut through the neighborhood. The fuel station doesn't look like Mayberry anymore, this is a destination gas station.

Trustee Scaletta asked for the average fuel sales at Grandt's station. The Mariano's team did not know. Their consultant KOA did studies on what the expected volume would be compared to what it should be now. Trustee Scaletta asked if they didn't know what the fuel sales are at Grandt's how they can compare the numbers. Mr. Kratz said they used International

Traffic centers data. Trustee Scaletta said the study is not helpful.

Trustee Scaletta said the fuel station and rewards program is vastly different from Mr. Grandt's business. There is no other Mariano's station disjointed from the store. Lake Zurich might be comparable, but this is a more residential location. Trustee Scaletta saw 1.3 vehicles per minute at Lake Zurich and said there will be more traffic than anyone wants to admit. Not many people bought fuel at Grandt's because their prices were higher. He compared the location to the Shell station on Central where it is too easy to take cross streets home versus trying to get back on to a busy road. He said he was concerned that the location will not be harmonious with the neighborhood.

Mr. Nelson said the pricing is expected to be competitive to the market. The peak time for fuel sales are during the morning rush and afternoon rush hour times.

Trustee Canty said she has seen how crowded the Costco station can get, and this seems similar. The traffic backs up, and they have a lot of pumps. She said she is a big fan of Mariano's and would like them to expand their footprint in the Village, just maybe not at this location.

Trustee LaBedz said the reduction in hours to 6 a.m.-10 p.m. from 24 hours was an important concession. She would want to add this condition. President Hayes agreed.

Trustee Rosenberg agreed with Trustee Scaletta on volume. It's difficult to make a decision without true and accurate statistics. He said you can't tell what the affect would be at this site locally. If the numbers go up 10-15%, that is a lot of cars. He would like some restrictions on the use of turns onto Belmont. Is there no way to put it in the Mariano's parking lot? Mr. Farrell said no, with the bio filtration and parking stalls, it cannot fit on the existing site. Because of Covid, they could not use real traffic counts. Their projection was in line with their expectations and looked in line with their 4 other stations. They want their customers to be happy and are confident that the site will circulate correctly. They would not chose this site if there would be backups like Costco. Mr. Farrell said the numbers were based on what Grandt's should be doing based on industry standards, not on what it is doing. Trustee Rosenberg said he has a hard time accepting those numbers. There are no statistics from the existing operator.

Mr. Perkins said Mariano's used correct methodology using industry standards which tracks hundreds of cases. Grandt Shell does not generate the level of sales (1,700 day visits) the industry expects, but because of the Covid situation, they weren't able to get real traffic data.

Trustee Schwingbeck researched local operators and they do not have anywhere near 1,700 daily visits. He asked if Mariano's could share how many gallons a day they thought they would sell. Dan Farrell said they

expect to sell 30,000 gallons per week for about 250-300 daily visits.

Trustee Padovani said either 300 or 1,700 is above what is happening at Grandt's Shell right now. He worried about how much traffic would go north on Belmont. Could the traffic be encouraged onto Northwest Highway? Mr. Perkins said Mariano's closed a curb cut so people would leave the station further to the north to allow more stacking onto Northwest Highway.

Trustee Baldino said this is a great project with a great partner at potentially the wrong place. He uses this station and if his family needs to go east on Northwest Highway, they exit on Belmont.

Trustee Schwingbeck asked about having a no-right-hand-turn sign on Belmont. Dan Farrell said he would support that. He wants to do what is right for the neighborhood.

Resident Comments

- Mary Fran Leno, Park Board President, presented the Park District's case. She said the proposed high volume fueling station will bring challenges to the area. Is it desirable or necessary? No, there are numerous gas stations in the immediate area. There is not an outcry for more gas stations in the community. Is it harmonious? No, the Grandt Shell is a low volume gas and service station. The current operator sells an average 1,246 gallons per day. That's only 125 vehicles currently. The new station is projecting 1,720 vehicles per day. This will be a significant increase in traffic adjacent to Recreation Park and residential homes and the future maker space of the library. Rec. Park and this site has been master planned for over 30 years. The use is not compatible with the Park and the hundreds of daily users. The Park District put out a survey last week and 93% of users close to the Park indicated they wanted the Park District to pursue more open space. She said they would work for a fair and equitable price for the land if it became available. She asked the Village Board to not grant the Special Use on behalf of the Park Board.

Craig Grandt said his family has owned the property since 1965. His father worked there from 1950 on. They have worked and been good neighbors. The people who will be buying gas are Mariano's customers, this is not Thornton's. He said he did not think the Park District has been a good neighbor. They set up a survey, sent out false information and torpedoed his dream of retirement. They insulted him during the negotiation and didn't care. This location has been a fuel station since 1928. The majority of the traffic goes onto Northwest Highway. There are times you can't, but there are a lot of stations in town like this. This is being torpedoed by people who don't want it here because they want it to be park. If the Park District wanted it so badly, they should have wanted it and they did not. This is an insult to businesses having to worry about everyone else when all they want to do is help. Who will pay the taxes when this is park? The

Village is losing businesses all over the place. Vote in favor of the proposal. Mariano's will be a great business and will give you great tax revenue, and it will be a good looking location.

Rob Nesvacil, Park Board member, said the Park District's initial offer was based on market prices. They tried to negotiate and the last conversation ended at \$935,000 with the Park District paying for environmental remediation. The counter was asked for in writing. They never got the offer in writing. He said the Park Board acted in the best interest of the tax payers.

The following residents were opposed to the Mariano's Fuel station: Paul Culhane, John Castenoli, Doug Reed, John Schroeder, Kip Ottolino, Mark Sporchich, Tim Gelinas, Brian Owen, Tom Drake, Andi Ruhl, Gregg Hansen, Matt Healy, Delores Georg, Mark Sporchich, Ann Marie Flaherty, Julianne Hennington, Cathy McQuillan, Madeline McCarren, Regina Gomez, Mary Anne O'Toole, Linda Smoucha, Elaine Schreck, Patrick Schreck, Bonnie Cimo, Ron Cimo, Pete Landwehr, Patricia Healy, Adam Eichorn, Diane Adam, Robert Smith, Jim Potsch, Therese Coughlin, Teresa O'Neil and Pat O'Neil. They cited these reasons:

- park would be the best use of the land
- a fuel station would be inconvenient
- traffic will back up
- traffic will increase in the neighborhood
- people are attracted to parks/real estate values
- safety of pedestrians and cyclists
- people will cut through the neighborhood
- gas stations will be less used in the future
- all inclusive play ground and maker space on Belmont will increase traffic already
- to continue to offer great programming, the Park District needs the space
- beautify the Village
- population density demands more park space
- increased noise and exhaust

The following residents were in favor of the Special Use: Heidi Graham, Jim Bertucci, Tom Sarikas. They cited these reasons:

- not a change from the current use
- won't be as busy as a Costco fuel station
- Park District had time to make a deal and they didn't
- Park District low balled their offer
- keep the property on the tax roles
- Park District trying to take advantage of Mr. Grandt
- few people cut through the neighborhood
- it is the Grandt's right to sell to whomever they please

Village Board Discussion

President Hayes reiterated that the question is for a Special Use. He

accepted the request that they not be a 24 hour operation. The other concession is to restrict or prohibit right turns onto Belmont. Mr. Perkins said it could force traffic to a different street (Pine) and could bring unintended consequences. The Village could allow additional evaluation and the petitioner could make restrictions or modifications later. President Hayes asked if an updated traffic study could address this. Mr. Perkins said it could. Northwest Highway sees 16,000 vehicles a day.

Trustee Tinaglia said the Board's perspective is strictly predicated on whether or not this deserves a Special Use permit. The Village is not a negotiator for the Park District. He said he supported Mariano's and would be in full support, just not here. This project might generate three times the amount Grandt's has been selling, and 17,000 cars. There is a lot going in this neighborhood. Sometimes you can't have it all. It just doesn't all fit here. If we can't keep Craig Grandt, then it shouldn't be three times as big. He moved to deny the petition.

Trustee Scaletta seconded the motion. There is no guarantee this will be park property. We cannot force the property owner to sell the property to the Park District. Based on the specifics of the petition, he is voting no. There are lots of questions on what the real traffic issues will be. He said he never heard so much about a project when the opinions were different than the question that was before the Board.

Trustee Canty said the Park District conversation is irrelevant. The traffic volume and flow and the numbers suggest a 10 fold increase. She said she supported Mariano's and the Grandt family, but not the Special Use permit for this property at this time.

Trustee Padovani said it is most disturbing that we don't have a good feeling for the traffic patterns now and what might be. All we know is it is going to be more. He said he would be okay if there was some way to make sure traffic didn't go through the neighborhood. Mariano's needs to have this additional feature and he supports them if they can find another place as long as it fits. If the station was reconfigured with the real numbers and studies, he would revisit it. He said he can't support it now because of the safety issue.

Trustee Schwingbeck said Belmont could be a one-way street, and perhaps Pine too, to make it work. This petition would add 3 times the amount of traffic. If we could create a scenario where we keep the traffic out, he would support it.

President Hayes said initially, he was thinking he would vote in favor, but he kept an open mind. His criteria was the intensity of the use. Mariano's could have made a very good case, but unfortunately they didn't make that case tonight. The Park District position on this property over the past 30 years has been inconsistent at best. He said he understands their desire to acquire it. Having said that, Mariano's did not meet the criteria as to the

impact of traffic into the area. He did not think the project would negatively affect the use of the Rec. Park at all but could have an adverse impact on the residents. The traffic study was either incomplete or invalid.

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

The Motion: Passed

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

XIII. LEGAL

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

XVII. ADJOURNMENT

Trustee Jim Tinaglia moved to adjourn at 11 p.m. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

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