



## 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

March 21, 2022

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, Canty, Bertucci, LaBedz, Schwingbeck, Grasse, Tinaglia, and Scaletta.

Also present were: Diana Mikula, Tom Kuehne, Charles Perkins, Hart Passman and Becky Hume.

### **IV. APPROVAL OF MINUTES**

A. Committee of the Whole 03/07/2022 Approved

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

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

B. Village Board 03/07/2022 Approved

Trustee Robin LaBedz moved to approve. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

C. Committee of the Whole 03/14/2022

Approved

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

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta,  
Schwingbeck, Tinaglia

## **V. APPROVAL OF ACCOUNTS PAYABLE**

A. Warrant Register 03/15/2022

Approved

Trustee James Bertucci moved to approve in the amount of \$1,445,475.85.  
Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta,  
Schwingbeck, Tinaglia

## **VI. RECOGNITIONS AND PRESENTATIONS**

A. Presentation of Women's History Month  
Proclamation

President Hayes read the proclamation.

## **VII. PUBLIC HEARINGS**

## **VIII. CITIZENS TO BE HEARD**

Resident Melissa Cayer said on the recent Property Tax bill, Harper  
College's pension and health care costs showed a zero percent contribution.  
She asked that people not refer students to Harper until they fix that  
problem.

## **IX. OLD BUSINESS**

A. Report of the Committee of the Whole Meeting      Approved  
of March 14, 2022

Proposed 2021 General Fund Surplus Transfer.

Trustee Schwingbeck moved to approve the proposed 2021 General Fund surplus transfers, and to amend the 2021 and 2022 budgets to reflect these transfers. Trustee Baldino seconded the motion. Motion passed.

President Hayes said the 7.5 million surplus was good news. After careful thought and analysis, the funds have been divvied up in a fiscally prudent way.

Trustee Tom Schwingbeck moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

B. Report of the Committee of the Whole Meeting Approved  
of March 21, 2022

Consideration of recommending to the Liquor Commissioner the issuance of a Class AA Liquor License to Honey Jam Cafe LLC dba Honey-Jam Cafe located at 2944 W. Euclid Avenue, upon the surrender of the existing license issued to that address.

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

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

**X. CONSENT AGENDA**

**CONSENT APPROVAL OF BIDS**

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

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

- |    |  |          |
|----|--|----------|
| A. | Water System Improvements 2022 - Award   | Approved |
| B. | Galls Uniform - Contract Extension 2022  | Approved |
| C. | Municipal Buildings Floor Maintenance 2022 -<br>Contract Extension                   | Approved |
| D. | Log Loader Equipment Purchase - Public Works   | Approved |
| E. | MFT Street Reconstruction Project 2022 - Award                                       | Approved |
| F. | Sounds of Summer 2022 Stage & Sound<br>Production Contract                           | Approved |
| G. | Engineering Plan Reviewer/Private Development<br>Inspector Services - Contract Award | Approved |

#### **CONSENT LEGAL**

- |    |  |          |
|----|--|----------|
| A. | A Resolution Accepting Required Public<br>Improvements<br>(Sigwalt 16 Subdivision) | Approved |
|----|--|----------|

Trustee John Scaletta moved to approve R2022-013. Trustee Jim Tinaglia  
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta,  
Schwingbeck, Tinaglia

- |    |   |          |
|----|---|----------|
| B. | An Ordinance Designating an All Way Stop<br>Street<br>(N. Vail Ave and W. Wing St./W Davis St.) | Approved |
|----|---|----------|

Trustee John Scaletta moved to approve 2022-017. Trustee Jim Tinaglia  
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta,  
Schwingbeck, Tinaglia

- |    |  |          |
|----|--|----------|
| C. | An Ordinance Designating an All Way Stop | Approved |
|----|--|----------|

Street  
(N. Belmont Street and E. Miner Street)

Trustee John Scaletta moved to approve 2022-018. Trustee Jim Tinaglia  
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta,  
Schwingbeck, Tinaglia

- D. An Ordinance Designating Two Way and All Way Approved  
Stop Streets  
(Grove Street Corridor)

Trustee John Scaletta moved to approve 2022-019. Trustee Jim Tinaglia  
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta,  
Schwingbeck, Tinaglia

#### **CONSENT REPORT OF THE VILLAGE MANAGER**

- A. Ordinance Amending the Annual Budget of the Village of Arlington Heights, County of Cook, State of Illinois, for the Fiscal Year Beginning January 1, 2021 and Ending December 31, 2021 (2021 General Fund Surplus Transfers) Approved

Trustee John Scaletta moved to approve 2022-020. Trustee Jim Tinaglia  
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta,  
Schwingbeck, Tinaglia

- B. Ordinance Amending the Annual Budget of the Village of Arlington Heights, County of Cook, State of Illinois, for the Fiscal Year Beginning January 1, 2022 and Ending December 31, 2022 (2022 Budget Amendments - 2021 General Fund Surplus Transfers) Approved

Trustee John Scaletta moved to approve 2022-021. Trustee Jim Tinaglia

Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

## **XI. APPROVAL OF BIDS**

### **A. An Ordinance Extending the Adult Use Cannabis Approved Dispensing Organization Pilot Program**

Trustee Scaletta moved to move Legal D to this point in the Agenda.

Trustee LaBedz seconded the motion.

The Motion: Passed

Ayes: Scaletta, LaBedz, Tinaglia, Baldino, Canty, Bertucci, Schwingbeck, Grasse, Hayes.

Ms. Mikula said the proposed Ordinance extends the pilot program which is set to expire March 31. The new expiration date is June 30, 2022. The extension allows staff to draft an updated ordinance as directed by the Board at the February 21st meeting. The updated ordinance will be coming back to the Board for a final vote.

Resident Ron Stobeck said Cannabis is still illegal federally. Medical use is okay because it is controlled by a doctor. When used for recreation, people can use every day what should be used in a week. They can get as much as they can afford. There may be problems that the community has to address down the road.

Resident Mark Skierkiewicz said he was in favor of recreational cannabis sales. He asked the Board to look for creative ways to find tax revenues. Other communities have successfully implemented cannabis shops and have reaped the gains. Cannabis is not illegal in the Village or State. Fliers have been going around with misinformation. The statistics were spun and rough correlations of facts were misrepresented. He asked the Board to extend the dispensary ordinance and look at expanding it. He said he wanted tax revenue to come into the community versus other towns. The Federal regulation comes from racism and some other nefarious reasons. There are medical benefits. Heroin and cocaine are a lower class of drug based on old assumptions and prejudices. Keeping a family friendly village does not conflict with allowing dispensaries.

Trustee Scaletta said he received a lot of emails and phone calls after the second flier. Some people were not aware we had a dispensary in town. It started as medical dispensary and now also sells to recreational users. The tax revenues are significant. A lot of misinformation was spread because of the flier. He received more comments in support of cannabis sales than not.

The efforts by those who sent out the fliers did not work the way the sender thought.

President Hayes clarified that tonight's vote is just an extension of the pilot program while staff drafts a more permanent situation. Ms. Mikula said the development timetable will be known in a couple of weeks.

Trustee Mary Beth Canty moved to approve. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, LaBedz, Scaletta, Schwingbeck, Tinaglia

Nays: Hayes

## **XII. NEW BUSINESS**

- A. Guidepost Montessori - 1000 W. Northwest Hwy. Approved  
- PC#21-021  
Special Use Permit for Day Care, Land Use  
Variation to allow a Day Care Center within the  
R-3 District, Land Use Variation to allow a  
Private School in the B-2 and R-3 Districts,  
Repeal of Special Use Permit Ordinance 12-059,  
Variations

Diane Menza represented Olympia Acquisitions. Tom Siebert is the architect. They propose taking a currently vacant building on Northwest highway and turning it into a Montessori school. Ms. Menza described the building improvements, the added playground which will be fenced in, the fencing around the building, and the landscape improvements.

Mr. Siebert showed photos of the existing building and described the proposed changes. The asbestos shingles will be abated. The garbage enclosure will be fenced in at the rear of the parking lot. The site has drainage at the north side of the site. There will be trees at the ends of the parking lot, landscaping along the fence on Kennicott and shade structures over the play structures.

Mr. Perkins explained the Special Use and Land Use variations required. The site is all pavement right now, so removing the back parking and adding a playground is an improvement. More parkway will be restored too. All the parking is contained in the lot with access on Northwest Highway. The play structures need a variation as they encroach on the Kennicott side of the property. The fence at the rear will be maintained as it is in good shape and the residents like it. Traffic back up is self-contained on the site. The Plan Commission recommended support.

President Hayes asked if this unique school model was commonly used. Ms.

Menza showed the tuition ranges for day care and the primary grades. Mr. Perkins said the Village used to have a Montessori school, but it is no longer there. This proposal is for the standard Montessori model with day care for the little ones and a few classrooms for the primary school children. A Montessori education moves from infant through primary school with the ages working together. Their school is accredited, so children can move into the regular school system. They are licensed appropriately.

Trustee Scaletta asked for clarification on the ownership. Ms. Mensa said Olympia is purchasing the property, Guidepost is the tenant. It's a partnership and they have done over 10 projects together in the area. Trustee Scaletta said he was glad to see more day care and that the building is being improved. A lot of people look for stability and consistency in a private situation. He told the petitioners that they would be members of the community and that they should be good neighbors. If something isn't working and traffic is backing up, you'll need to figure out a new plan. He wants to make sure the neighborhood is better than when they found it. If there are any problems, they will be expected to be a good neighbor. Scott Heguy, Construction Development Manager for Guidepost, said they have a hand book with regulations, parking, and traffic rules. They hold their parents accountable.

Trustee Tinaglia said this will be a big improvement. Mr. Heguy said they just opened their 97th school in the country. They have locations in Deerfield, Schaumburg, 2 in Naperville, Kildeer and Downers Grove. Ms. Menza said the neighbors have been very supportive. They had community meetings and many discussions. Olympia has tried to address all the concerns. Ms. Menza said they will start once they receive the sidewalk permit from IDOT which is expected in 6-8 months. Trustee Tinaglia asked for them to try and find a way where that was not necessary and expressed his frustration that IDOT would slow the project down when the curb cuts were not changing. Ms. Menza said they would look at it again, but didn't see an alternative at this point.

Trustee LaBedz said she was thrilled that the petitioner is working with the neighbors. She asked about the drainage and curbing on north side. Ms. Menza said the water goes to the combined sewer and they are taking out the concrete curb. Everything has to flow to the manhole cover. She will make sure that the drainage works. There will also be a maintenance contract to address the concern. The materials are pervious so there is seepage into the ground. Trustee LaBedz asked about the utility poles. Ms. Menza said ComEd has an easement, so the pole will stay, it's outside of their property line. Their building was designed around it. Trustee LaBedz asked if physical education was part of the curriculum. She worried the play area was not big enough for the older children. Mr. Siebert said they use the playground and the older kids have access to all of the spaces, including the spaces for smaller children. If the weather is inclement, they use bikes and motor activities are planned. Trustee LaBedz asked about the cars parked in the lot now. Ms. Menza said the seller holds the lease for now, they do not have control of that.



Trustee Canty asked about the hours. Ms. Menza said it opens at 7 a.m. closes at 6 p.m. There is no bussing option to the public schools.

Resident Carole Theesfeld asked about the electric pole that serves the building. Ms. Menza said it has to be reworked and the new electrical service will move down to the addition. Ms. Theesfeld said she was glad to see the fencing stay. She asked about a buffer zone and if a second fence will be put in. Mr. Siebert said the only fence will be the existing fence. They are relocating the fence on the adjacent property which was their fence on our property. Ms. Theesfeld is worried the garbage cans would be insufficient and she is worried garbage pick-up would be disruptive. Mr. Heguy said they have a facilities team that coordinates garbage. They may need multiple pick-ups as the need demands.

Resident Jim Winkelman said he has been there 48 years and the project is a godsend. He is looking forward to having it done.

Trustee John Scaletta moved to concur with the Plan Commission's Recommendation. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

B. Liquor Code modification for earlier Sunday liquor sales      Approved

Ms. Mikula said Staff is requesting direction regarding changing the Sunday liquor sales for liquor license holders. The Village has three classifications for establishments designated as restaurants which can start selling liquor at 10 or 11 a.m. Scratchboard Kitchen, Egg Harbor, Honey Jam, Hey Nonny and a former breakfast/lunch restaurant in the Northpoint Shopping Center have inquired about an earlier service time for Sunday. Egg Harbor indicated that 24% of their weekly sales are on Sundays and not being allowed to serve alcohol until eleven in the morning does not allow them to capture many sales. They have requested a 7 a.m. start. Scratchboard would like an 8 a.m. liquor service start. The businesses said a change would benefit the customers, help them be more marketable and allow them to host special events like showers and baptisms.

Ms. Mikula surveyed the neighboring communities and out of 21 responses, 10 have an alcohol start time earlier than 8 a.m. Staff thinks an 8 a.m. is reasonable. This change would be appreciated by the restaurants and consistent with the other days of the week. This suggestion would apply to Classes A, AA and E. If the Board wishes, it can adjust the other license classifications as well.

President Hayes said he had no problem with the recommendation of 8

a.m. He asked if any of the other license categories have requested a change? Ms. Mikula said no.

Trustee Scaletta said there has been an evolution in liquor licenses and dining. There are more breakfast and brunch places that serve alcohol today, whereas in past years, no breakfast places used to have liquor. He said it doesn't matter to him if liquor is served on Sunday and this restriction sets our businesses on an unlevel playing field. He would like to allow the business to have the same time frame they have on Monday - Thursday. Morning diners typically do not over-do it. He's not okay with an anytime community, but is okay with an 8 a.m. community.

Trustee Tinaglia said it makes sense to allow people to spend money in our town for their Bloody-Mary or mimosa.

Trustee Grasse said she is in full support. It is best to support our businesses and restaurants and be more aligned with surrounding communities.

Trustee Grasse moved to direct staff to craft an ordinance for all liquor license categories to have alcohol service hours beginning at 8:00 a.m. Sunday – Thursday and deleting the Sunday hour column. Trustee Canty Seconded the motion.

Trustee Grasse explained by making a motion, the conversation can begin and the motion be amended through discussion.

Trustee Bertucci asked if there was a history on why some licenses have an 8 a.m. start. Ms. Mikula said no.

Ms. Mikula pointed out that the Sunday column was important for the ending time also, the end times are not all the same. She said instituting an 8 a.m. start is easy; however, the end times would need further analysis. Not all of the license categories serve food. The Brewery category is new, and the Second-Floor category license has different hours. The Coffee Shop license has different start and end times but there aren't any takers right now.

Trustee Bertucci said the Board might need to let staff investigate more. They may give us reasons why we wouldn't want some to start at 8. He said it appears that prohibition may have led to the idea of no alcohol until after church. He said he was in favor of the 8 a.m. start and would like staff to have another shot at why some shouldn't start at 8.

President Hayes said he had the same concerns and didn't think one size fits all.

Trustee Canty said she was in favor of the motion, because the majority of these licenses have an 8 a.m. start. The end times, except for breweries, are identical. Only 2 are not in conformity, the Coffee Shop/Brewery

licenses. They might agree they should be able to take advantage of lunch time hours. She saw no difference between Sunday and Monday and the motion would only impact 2 licenses which are not in play. She said those could be readjusted if it is an issue in the future. The motion makes the Code cleaner.

Trustee Schwingbeck agreed with the 8 am start. He asked if there any restaurants that open before 8 that would want to open service earlier. Ms. Mikula said Egg Harbor would like a 7 a.m. start as that is when they open.

President Hayes said 8 a.m. is a good compromise for him.

Trustee LaBedz said she liked the consistency of 8 a.m., Sunday-Thursday.

Ms. Mikula summarized that the Sunday hours can be adjusted easily to the 8 a.m. start time. She recommended leaving the end times as they are. The outliers are Coffee Shop and Brewery. The Village has never had a Wine Café. She said the Salon license might need more consideration. They could all change all to 8 or leave those specialty ones alone.

Trustee Baldino said he concurred with the notion to have the start time be 8 a.m. across the board.

Trustee Bertucci said he was good with an 8 a.m. start. He asked about staff's comfort level. Ms. Mikula said she was okay with 8 a.m. except for the Coffee and Brewery classifications, they are the oddballs. The brewery hours were agreed to based on the applicant's submission at that time. We will have to have a broader conversation as their business model may be changing. Mr. Perkins said the times were also related to not selling food. If the business is adjacent to a residential area, limited hours may be a condition as well.

Trustee LaBedz recalled the brewery petitioner wanted it that way, they weren't planning on opening earlier than 3 p.m.

Mr. Passman said if that entity was subject to the zoning approval, it would still be subject to the liquor license laws. He said he was not worried about the license change. It's a policy question, not a legal problem.

Trustee Canty cautioned the Board against drafting licenses around an applicant and their needs. She said it was better to design a license for the community and let an applicant ask for relief if it is needed.

The license costs remain the same and existing operators would not need to take any action.

Trustee John Scaletta moved to amended the motion with the condition that Classes M and K not be included. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

Nays: Baldino, Canty, Grasse

Trustee Nicolle Grasse moved to direct staff to amend the Liquor Code to allow all License categories the option to begin selling alcohol at 8:00 a.m. with the exception of Class M and Class K License holders. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

### **XIII. LEGAL**

### **XIV. REPORT OF THE VILLAGE MANAGER**

### **XV. APPOINTMENTS**

### **XVI. PETITIONS AND COMMUNICATIONS**

### **XVII. ADJOURNMENT**

Trustee John Scaletta moved to adjourn at 9:18 p.m. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia