



## 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

October 3, 2022

7:30 PM

### **I. CALL TO ORDER**

### **II. PLEDGE OF ALLEGIANCE**

- A. Presentation of the Colors by VFW Arlington  
Post 981 Color Guard

### **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: Randy Recklaus, Charles Perkins, Cris Papierniak, Diana Mikula, Hart Passman and Becky Hume.

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

- A. Committee of the Whole 09/12/2022 Approved

Trustee Richard Baldino moved to approve. Trustee Mary Beth Canty  
Seconded the Motion.

The Motion: Passed

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

- B. Village Board 09/19/2022 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

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

A. Warrant Register 09/30/2022

Approved

Trustee James Bertucci moved to approve in the amount of \$1,316,334.08. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

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

## **VI. RECOGNITIONS AND PRESENTATIONS**

A. Proclamation Recognizing VFW Post 981 Centennial

President Hayes said he appreciated the values of patriotism, military service and serving the community which the VFW embodies. He read the Proclamation honoring the 100<sup>th</sup> anniversary of Post 981.

## **VII. PUBLIC HEARINGS**

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

Seth Goldberg promoted the Sunday October 30<sup>th</sup> Wrestling Competition Show at 4:30 p.m. The event will be at the Arlington Ridge Center and supports the Chicago Adaptive Sports Association. Costumes are welcome and there will be a costume contest at intermission. Contact Seth at Seth1982@aol.com for more information.

Paul LoPiccolo complained that volunteer organizations and their politicians are ignoring the local sign ordinance. He said the political signs are unsightly. Politicians and their proxies place their signs using public property and against Village Code. They should be held responsible. He has contacted the Village and those in charge and asked them to respect the citizens and follow the guidelines of the Villages they hope to serve. Palatine Road, Golf Road, and the entrance to Route 53 are the worst. He asked for the Village to enforce the rules.

President Hayes said he shared Mr. LoPiccolo's concerns, especially for signs placed on the public right of way. Signs are allowed on private

property. The Village educates its local candidates. The problem is with enforcement. The Village periodically sends teams out to pick them up but can't enforce the rule 24 hours a day. Mr. Recklaus said Public Works is going to take care of the signs which were reported. It's a workforce bandwidth issue. Staff is trying to finish construction projects before the weather turns. The Village tries to do sweeps where all signs are collected at once. We are aware of the issue, and it is a problem.

Trustee Tinaglia noted that the street side of the sidewalk is public property and not a homeowner's private property. A number of people notice signs on the public side of their property and are afraid of taking them down. Those signs don't belong there. If there is a sign in front of your home or business, you can take it down.

Melissa Cayer said the Cook County 2<sup>nd</sup> installment tax bills have not been sent yet. Hopefully the schools are teaching the children how to fix the property tax system and to abolish TIF Districts as she said they divert tax dollars from the schools.

## **IX. OLD BUSINESS**

## **X. CONSENT AGENDA**

### **CONSENT APPROVAL OF BIDS**

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

- |    |  |          |
|----|--|----------|
| A. | 2022 MFT Street Reconstruction Project -<br>Change Order #1 - Time Extension     | Approved |
| B. | Ford Van Vehicle Purchase - Fire Department<br>Command                           | Approved |
| C. | Professional Engineering Services Agreement for<br>Lead Service Line Replacement | Approved |
| D. | Vactor Truck Emergency Repairs - Public Works<br>Department                      | Approved |
| E. | Aerial Truck Purchase - Fire Department  | Approved |

- F. Chevrolet Bolt Vehicle Purchase - Building Department Approved

### **CONSENT LEGAL**

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

Trustee John Scaletta moved to approve 2022-056. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

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

### **CONSENT PETITIONS AND COMMUNICATIONS**

- A. Bond Waiver - St. Edna Church - Bingo Events 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

## **XI. APPROVAL OF BIDS**

## **XII. NEW BUSINESS**

- A. 155 E. Algonquin Rd. / Sign Variation - DC#22-049 Approved

Lisa Staszek of Parvin-Clauss Sign asked to allow for two banners at the top of the former Daily Herald building. The building will become medical office space.

Mr. Perkins explained the Village would not typically support a request for this amount of signage, but this building does not have frontage on Arlington Heights Road or Algonquin Road. The nearest viewpoint is 500

feet away. Seeing as Bradford-Allen, the property owner, is going to reinvest in it, staff has recommended approval. The temporary banners are only allowed for 2 years or until the property is leased to 50%. The Design Commission also recommended approval with some modifications to shrink the size. The petitioner has agreed to that change.

Trustee Baldino appreciated the two-year stipulation, but asked what criteria staff used. Mr. Perkins said there was a similar request at the former Motorola facility where this approach was used and two years seemed appropriate in the marketplace. There is nothing magic about 2 years. It is a temporary sign, so we didn't want it to be there forever.

Trustee James Bertucci moved to approve a variation from Chapter 30, section 30-601a to allow two temporary signs of 420 square feet for a total of 1,260 square feet where the total square footage allowed for temporary signs shall not exceed 64 square feet with no individual sign exceeding 32 square feet. Signs must also be in compliance with the conditions set forth by the Design Commission at their meeting of September 13, 2022. Trustee Tom Schwingbeck 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**

- |    |   |          |
|----|---|----------|
| A. | An Ordinance Banning Corporate Incentives<br>Anti-Corporate Welfare Ordinance | Approved |
|----|---|----------|

Mr. Recklaus said the Village received additional signatures on September 22<sup>nd</sup> for the Anti Corporate Welfare Ordinance. Of the 30 signatures received, 8 were not registered to vote and 1 signature did not match. Combined with the 544 valid signatures submitted previously, they made the threshold to appear on the agenda. The ordinance, if enacted, would prevent the Village from offering any financial incentive to any business or corporation. The circulators tried to tie the ordinance to the Chicago Bears project. But the proposed ordinance is not written to that project. It would prevent the Village from providing any incentives on any project including: Funding for Alfresco, Class 6b and 7c Tax Abatements, Small Business Zero Interest Loans, Covid Small Business Assistance Programs, Retail Sales Tax Rebates/Abatements, Tax Increment Financing, Village provided public parking, Industrial Revenue Bonds, Use of the Affordable Housing Trust

Fund, and Inclusionary Housing Ordinance Programs.

To help the public understand the implications of the proposed ordinance, staff provided a presentation at the September 19<sup>th</sup> Village Board meeting. A number of residents and local groups spoke against it. Some people who signed the original petition asked for their signatures to be removed as they were misled when they signed it. Mr. Recklaus read a resident email as follows: *"I would like to request my name/signature as well as my wife's name and signature be REMOVED from the petition that was circulated by the organization named "Americans for Prosperity". We were approached by this group at the July 4th Arlington Heights Parade on Dunton avenue. We now realize we were misled by their comments and claim "Do you want Your property Tax Dollars to build the Chicago Bears Stadium in Arlington Heights" While we thought that was what we were signing, we were MISLED by the individual as were many of those around us also providing signatures. We are NOT anti-corporate growth for A.H. and support TIF money for surrounding infrastructure for the New AH complex at the Racetrack."*

Mr. Recklaus continued the Bears have not already indicated that if they move forward, they are not asking for any Village funds for the construction of a stadium. They have indicated that they may ask for assistance for public improvements elsewhere on the site. the Village has not agreed to pay for any such improvements at this time. The Village will treat any request from the Bears or any development entity the same way haw have treated any request in the past. The three questions are asked:

1. Can they prove it will not be feasible without a public private partnership?
2. Will the tax dollars from the project generate enough revenue to cover all expenses?
3. Can we realize a net fiscal benefit from the project?

Any incentive approval must occur in an open meeting with opportunities for public comment. There are examples of well-done stadiums, and those that are poorly done. We want to have a good one, and have hired experts to advise us along the way. This ordinance is not about the Bears. But it would hinder the Village's efforts in any development at all, and diminish our tax base. The residents of the community would have to face the consequences, the organization promoting the ordinance would not.

President Hayes said it is the Board's obligation to consider what has been legally submitted to us. We have done that over the past few weeks. It's also our obligation to accurately educate our residents about the big picture implications and the severe economic impact it would have on our community. He said he was moved by the number of individuals who have come forward to say they were misled and would like to see their names removed from the petition. He encouraged the Board to unanimously reject the ordinance.

Trustee Scaletta said this Board is honest, has integrity and is transparent. Over the years, we have rejected incentives and approved some. TIF has been a good tool for us. It's ironic that we are being accused of backroom deals, when the people who signed it feel they have been misled. In regards to hypocrisy, 20% of signatures were rejected because the signers were not registered or didn't live in the Village. Trustee Scaletta said he believes this organization is using this as an opportunity for 15 minutes of fame and it is inappropriate. If this is not the end of it, it is wasting the Board's time. He urged them to talk to municipalities who do not use incentives properly. He asked for details on the recent FOIA request to the Village.

The Village Clerk summarized the FOIA request from September 15<sup>th</sup> from Mr. Costin which asked for all records regarding TIFS, financial incentives, IRB's, all FOIA's regarding the Bears and 28,000 emails. 159 records were provided to him. Trustee Scaletta told Mr. Costin that the Board has a lot of work to do and he is wasting their time.

Trustee Tinaglia said the Village is fortunate to have what we have. Over the years the Board has used good thinking, good action, and good research. Without these kinds of tools which are usual and customary in the entire state, we would be at an extreme disadvantage.

Trustee Grasse said she believes in democratic institutions and trusts the people and who they elect; past, present and future. Responsible decisions should be made on a case-by-case basis. Trustees have made fiscally responsible decisions on behalf of the residents. She trusts the future residents and who they elect on future boards. She does not support a restrictive ordinance which would prevent us from making decisions for the common good. She will vote no.

Trustee Baldino said the proposed ordinance is aimed at the Bears, but the ordinance as proposed wipes out our entire tool box. The Board and staff review and look at the details and represent our constituents in allowing any kind of economic assistance. He cannot support it as proposed.

Trustee Canty said this Board works extremely hard to make sure what we are delivering is right for the community and that is fiscally responsible. There are some communities that may not take the same level of care. This Board should not tie future Boards' hands full stop. The ordinance is overly broad and nearly impossible.

Trustee LaBedz concurred with her fellow Trustees and Mayor Hayes. She had a number of people speak to her saying they were being misled as to what the ordinance was truly about. Tying our hands is the most inappropriate thing we could do. It would be reckless and irresponsible. The Board operates with integrity, honesty and transparency. She will reject the ordinance.

Brian Costin, of Americans for Prosperity, said the core question is do you believe businesses should be treated equally. The ordinance does not ban Arlington Al Fresco, restaurants could rent space. It doesn't prevent nonprofits from receiving money, only for-profit organizations are affected. It could prevent taxpayer money for parking garages for corporations. How much could taxes be reduced if the programs were eliminated? The Village is silent and purposely so. The Village should have to file that information, it should be on line every day. It could reduce \$26 million if TIF districts were abolished. The ordinance would enable a tax reduction. His organization is looking for equality before the law and will continue to fight for equal rights before the law and the corporate welfare ordinance.

President Hayes disagreed saying property taxes are not adversely affected. We have a good track record with a 0% tax levy for 4 consecutive years. This is a direct result of the success of our businesses. Incentives are open to all businesses; they can afford themselves to these benefits equally.

Laurie Taylor said special kinds of tax relief packages are given by every town. Regarding the race track land, what taxes are they talking about? Did the people sign the petition knowing what it was for, its purposes, and its repercussions? With a TIF, taxes are frozen for 23 years. How much revenue do you see being generated by 320 acres of dirt and grass? Why was the Village targeted? What is the end game? No one likes to pay taxes, but this kind of initiative should be addressed at the state level.

Eddie Burke said he heard on the radio that the Village was voting on money for the Bears. He went to the website and looked up last Board meeting to get educated. He said people should know the facts before they react. The Board is doing a great job, and needs to keep the tools they have.

Seth Goldberg said he has lived here 40 years. For an outside group to come and attack our town is shameful. This town has given him so much, it's inclusive and respectful. It's a hard job sitting on the dais. You make sure the citizens are heard and respected. He is proud of what the Village has become. He is almost in tears to hear that an outside group would come in and do this. Vote no.

Richard Latimer said the Board has generally done a great job. He is concerned about the amount of money we might give to the Bears and asked the Board to have a referendum and let the people decide if money should go to them. President Hayes said the Bears stadium is a separate issue. The public will have ample opportunity and many public hearings. The Bears have not asked and we have not promised any money. Residents will have an opportunity to provide input.

Melissa Cayer told the Board to set the pace for the State and vote for the ordinance.



Mr. Costin asked to speak again.

Mr. Recklaus said Mr. Costin is the circulator of the petition. He is not the petitioner. The petitioners are the residents. He was not chosen to represent them. He does not have a special standing because he circulated the petition. As a nonresident he does not have an extra ability to speak for the public.

Michael Feinstein said it does seem reasonable to amend the ordinance and make it specific to the Bears. It could be the people don't want money coming out of their pockets. Could you amend the petition?

Mr. Passman said the petitioners are the voters who signed the petition. The Board, having received the petition, has to act on the ordinance as it was presented. The Board could adopt a different ordinance but has an obligation to vote on this one. Mr. Feinstein asked if the ordinance could be amended to be specific. Mr. Passman said it is not known if that was the intent of the voters because that is not what they signed. Mr. Passman noted that Jack Siegel, a former Village Attorney, opined that under the Village Code, a petition could not be specific to one project. It may not be possible under this code provision.

Trustee Bertucci said as a financial advisor, it would be short sighted to not look at an investment and its possible returns. He recalled the Pines Motel and a dilapidated billboard on Rand Road where the Annex of Arlington is now. That area was part of TIF III. Mr. Perkins said the Village acquired the motel, created stormwater detention and conducted environmental cleanup which allowed for the expansion of the shopping center where Panera is now. Sales tax revenue from the stores and everything there has more than repaid the citizens. Trustee Bertucci said Town and Country Mall was a mish mash and became an eyesore. Now its reinvigorated with Amazon, Sporting Goods, and Raising Canes. This is also a TIF district. His office is across from Southpoint, which has been an eyesore for decades. Now there is activity with 4-5 development sites. Southpoint is being revitalized with a TIF district.

Arlen Gould said the definition is wrong, this is not corporate welfare. That would be billionaires not paying their taxes, or congress not taxing corporations. This ordinance is about restricting community development, which you and previous Boards, have done well. We have what every community would love to have. We have it because development in Downtown was created.

Andrew Mikolajczyk, organizer of Festival Polonaise and a resident, said this is an unprecedented opportunity for the community. He asked the Board to set high standards and said he thinks the ordinance is too broad and does not support the community. He complimented the Village for their support of the festival.

Ryan Bowers a Buffalo Grove resident said it was wrong for someone who

is not a resident to come here to try and destroy what you have.

Bob Arnold addressed the rumors that there were closed door meetings and private deals being made. He said he knows many of the Board personally, knows many of your predecessors and members of the management. All are honest and act with integrity. You do not deserve to be treated this way and he expressed that he was upset by the allegations. He said he has confidence that as the Board moves forward the process will be open, honest and fair.

**Trustee Scaletta moved to reject the Corporate Welfare Ordinance. Trustee Baldino seconded the motion.**

**Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia**  
**The Motion: Passed and the Ordinance was denied.**

President Hayes noted that Harmony Fest closed out the summer and festival Alfresco season. He congratulated staff, Public Works, the Special Events Commission and the Chamber of Commerce. Trustee Bertucci added the Fire and Police Departments for acknowledgement.

## **XVII. ADJOURNMENT**

Trustee John Scaletta moved to adjourn at 8:50 p.m. Trustee Jim Tinaglia Seconded the Motion.  
The Motion: Passed  
Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia