

President and Board of Trustees
Village of Arlington Heights
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
November 7, 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, Bertucci, Grasse, Scaletta, Tinaglia, Schwingbeck, LaBedz, and Canty.

Also present were: Randy Recklaus, Charles Perkins, Hart Passman and Becky Hume.

IV. APPROVAL OF MINUTES

A. Village Board 10/17/2022

Trustee LaBedz moved to approve. Trustee Schwingbeck Seconded the Motion.
The Motion: Passed

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

B. Committee of the Whole 10/10/2022

Trustee Grasse moved to approve. Trustee LaBedz Seconded the Motion.
The Motion: Passed

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

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 10/30/2022

Trustee Jim Bertucci moved to approve in the amount of \$1,785,150.68. Trustee Scaletta Seconded the Motion.

The Motion: Passed

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

VI. RECOGNITIONS AND PRESENTATIONS

A. Illinois Traffic Safety Challenge Award 2022

Scott Christensen of the Illinois Traffic Safety Challenge presented the 2022 award to Arlington Heights. This statewide competition honors agencies that have implemented comprehensive successful traffic programs with data driven enforcement. AHPD was recognized with the First Place Championship and received two other specialty awards; distracted driving and speed awareness.

President Hayes highlighted the importance of correct protection via seatbelts, child seats and helmets for residents. Safe Driving Awards were awarded to two citizens by IDOT. The Saved by the Belt Award was presented by the Mayor to Andrew Martin. The Helmet Award was presented to Ariana Ray.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

President Hayes thanked Greg Padovani for the Veteran's breakfast held last Saturday. Mr. Padovani serves as chairman of the Veteran Memorial Committee. Friday, November 11th is Veterans Day. All the schools are doing something to celebrate. There is a ceremony at VFW Post 208. He asked residents to say "welcome home" to Viet Nam veterans in particular.

Peter Romano asked if anything been addressed regarding the potential of Airbnb's in the Village. Mr. Recklaus said the topic has been raised. We are very far off from any approval or construction of the stadium. Staff is exploring and what the dynamic might be and will be addressing the issue.

Lee Adelson said there is an issue regarding drag races down Wilke. He asked if the Village could partner with Rolling Meadows to increase patrols. These races have flaggers and car burn outs. He said a motorcycle drove through their buildings. The issue seems to get kicked to Rolling Meadows because that's where the drivers live. Those going north do not see a speed limit sign. There are multiple vehicles with loud mufflers. President Hayes said staff would follow up.

Melissa Cayer said the Arlington Heights Park District preparing a tax increase and to increase their bond debt. She asked residents contact them to let them know what you think.

IX. OLD BUSINESS

- A. Report of the Committee of the Whole Meeting of November 7, 2022
Interview with Erika Cutlip for Appointment to the Arts Commission-term ending April 30, 2026.

Trustee Schwingbeck moved to concur in the Mayor's appointment. Trustee Grasse seconded the motion.

The Motion: Passed

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

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

- B. Report of the Committee of the Whole Meeting of November 7, 2022
Interview with John Toliopoulos for Appointment to the Arlington Economic Alliance (Commercial Real Estate)-term ending April 30, 2025.

Trustee Baldino moved to concur in the Mayor's appointment. Trustee Scaletta seconded the motion.

The Motion: Passed

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

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

- C. A Resolution Approving a Pre-Development Agreement with CBFC Development, LLC (former Arlington International Racecourse property)

Trustee LaBedz moved to move New Business item A and Legal item A to this point in the agenda. Trustee Bertucci seconded the motion.

The Motion: Passed

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

President Hayes said this is the second presentation of the Pre-Development Agreement. This is a preliminary step. There is a long way to go. A pre-development agreement is a nonbinding agreement that states the goals and intentions of the Village and the Chicago Bears Football Club (CBFC) in moving forward. Cliff Stein of the Chicago Bears said this is not a binding obligation but rather a good faith agreement to work together and cooperate in the exploration of redeveloping the property.

Nicole Evans, architect of the Master Plan Vision, said the 326 acres are naturally divided by the Salt Creek corridor and have .85 miles of frontage on Northwest Highway. She described the context of the neighborhoods around the site with commercial and single-family residential uses. They are also keeping in mind the

walkability to the train station from potential residential locations on the site. They want to leverage the train station by creating a pedestrian friendly environment. The stadium placement seems best on the west side of the site near the commercial uses and close to the highway. She presented the masterplan which is a vision, or framework, for development. It will evolve over time. They imagine a Salt Creek greenbelt will incorporate open spaces and a series of ponds. There are not details for the stadium yet. A mixed-use neighborhood might connect to it. Restaurants, hotels, retail and residential uses were plotted on the plan. Building heights will transition from taller (closer to Northwest Highway) to lower near existing residential neighborhoods. There are streets and open spaces plotted. The ponds will allow for stormwater detention and give residents the ability to connect to nature. She showed an artist's depiction of the plan.

Mr. Recklaus said this is an exciting project and could provide opportunities for the region, the team and the residents. We still have many questions and there are not specific answers yet. Tonight, we are laying out how we will address the issues together. This is a significant undertaking, and we are moving forward with purpose and great faith. The Village is committed to taking time to collect all the information for consideration and make sure it is one of the best projects in the State, not just the largest. Staff has been working with CBFC on a roadmap document. He summarized the steps that led to the Pre-Development Agreement. The property is under contract and not yet sold. CBFC is doing their due diligence to determine whether or not to purchase the property. Preliminary concepts have been developed by the CBFC and a community meeting was held on 9/8/22, then a Village public meeting was held on 9/12/22. Most recently a Committee of the Whole meeting occurred on 10/10/22 where the Pre-Development Agreement was discussed. Tonight, it is up for a vote. Mr. Recklaus presented a graphic showing a flow chart highlighting the process and he explained the Recitals, Statement of Cooperation, Purpose and Impact of the Agreement.

Mr. Recklaus highlighted Section 4 which addresses the community challenges the project will entail and tasks both parties with incorporating community benefits into a future agreement. This Agreement does not bless the exact site plan presented tonight but rather reflects the broad goals of the project. Before there is any approval, more work needs to be done on identifying the impacts on schools, businesses and the community at large. The Board will not bless any plan until the studies are complete. Talking about taxes, schools, services, and things of this nature is getting a little ahead. There will be a time and place to dive in publicly. It is not time yet as we do not have the information.

Mr. Perkins described Section 5, the Conceptual Site Plan, which will be reviewed. Staff is anticipating studies on: traffic and transportation, economic feasibility of project, economic impacts and benefits of the project to the Village, other local governments that serve the Village, and other impacts on the community. Stakeholder and public input will be sought. He enumerated the many other stakeholders like: Cook County, MWRD, IDOT, and the School Districts. The

Comprehensive Plan needs to be amended to consider a stadium project; this applies to Section 6. In Section 7, the adoption of Village Zoning Regulations is addressed. An overlay district was approved last June related to this section. Creating a new district is the right approach with Special Uses and permissions to be identified. The anticipated community meetings were summarized which include the Plan Commission, the Village Board, Community Meetings, and the Ordinance Review Sub Committee. Section 8 is where the application for zoning approvals can occur. This is when public private partnerships will begin to be contemplated.

Mr. Recklaus addressed Section 9 where the exploration of public-private partnerships is outlined: CBFC intends to request public-private participation in funding a portion of certain infrastructure and other development costs allowed under State law. CBFC will not seek Village money for the stadium construction. The Village will not use project generated revenue to support public financing except upon determination that:

- a) but for the provision of public private partnership the project would not be feasible.
- b) project will generate a net fiscal benefit, whereby the project results in an increase in revenues for the Village and surrounding community above current levels even after factoring in new costs incurred.

CBFC acknowledges the Agreement is not deemed as a promise or obligation in any way for the Village to provide or promote any public financing. It is common for developers in any project to ask for financial tools. Other potential developers would be asking these same questions, but it does not mean the Village will agree to incentives. They will seek support from other entities, and we will assist them in these endeavors.

Section 11 explains the cost reimbursement structure to the Village.

Next, the CBFC needs to decide if they will purchase the property. They will be preparing plans and studies. Staff will review the documents and seek input from stakeholders. Each step entails input from public at various public meetings and public hearings. It is possible there may be no information for a long time as the Bears consider their way forward.

Attorney for the CBFC Paul Shadle, of DL Piper Law, reiterated his concurrence that the Agreement reflects the discussions.

President Hayes said this Agreement represents the first Agreement the Board has voted on with respect to the redevelopment.

Keith Moens said he has been misled. Approval of the Predevelopment Agreement was already decided at the Committee of the Whole meeting. Two votes were taken one was to recommend the vote to be taken here tonight. The Board has never changed their minds from the COW meeting. The Agenda on October 17th, the item

was on the agenda and no vote was taken. We were told it is too early. However, we have given the Bears everything they have asked for. The Village has had four consecutive years of no tax increases. Will taxes go up like they did when the downtown was redeveloped? They do not need our piggy bank. Please be more inclusive and transparent.

President Hayes disagreed with the accusation that the Board has not been transparent. It is very clear what is happening with the redevelopment. President Hayes said Mr. Moens in particular understands our processes as he is a frequent attendee of the meetings. The Committee of the Whole is a recommending body and cannot take official action. At a Committee of the Whole meeting the Board always makes recommendations for the Village Board to take action.

Brian Costin referenced Section 9 of the Agreement. NFL success depends on fair applications of the rules. The NFL and the Bears should play by the same rules as everyone else. Developers should pay for all infrastructure and impact fees and pay the same tax rates of all other businesses. He is not opposed to them coming here, but they are here to change the laws for their own benefit and profit. He asked the Board to create broad based policies to ensure fairness and not subsidize billionaires. The Board should reject Section 9.

Martin Bauer thanked the Village for the website links and information on the front page of the website. It still seems that the Village is too eager to jump into the project and plans to subsidize infrastructure. We are a long way past the previous statement that any taxpayer funding would be a last resort. The Agreement identifies a variety of stakeholders. All of them are other units of government. What is missing that the Village residents are the most important stakeholders. Please speak in detail how residents will be included. Be more specific. Will it be beyond 3 minutes which does not afford the public true participation? Make a strong effort to have representation and concerns from skeptics as well as supporters.

Trustee Bertucci noted the public is the primary stakeholder as listed in Section 10. Mr. Recklaus added that Section 10 A. states "the parties agree to: (1) cooperate in good faith to ensure that the general public receives regular and timely information concerning the status of the Project." He continued to say, we're all residents. We are constantly talking to the public. There will be other mechanisms that are different than typical public meetings to make sure we are capturing all of the sentiments. This project hits people in different ways. President Hayes agreed saying we all live in the community. He receives constant comments and asked for residents to continue to have face to face interactions with him and the Board in addition to, email, text, and phone calls. He asked for residents to let the Board know their thoughts and ideas.

Trustee Scaletta said when discussing the issues about the Village the organizational chart shows the citizens are #1, the Board is #2. Residents are #1, the Board always make decisions with the best interest of the residents in mind. This is a framework to move forward.

Jim Elgas said the information coming out should be totally transparent. In the news he saw that the Bears did some bonds over \$650 million and they still owe on them. Will that happen here, what happens if they don't pay for them?

Chris Hiebert said no place is quite like Arlington Heights. He has serious concerns regarding a stadium and sports book in the Village. He worried that residents will see minimal benefit while dealing with headaches of a changed town. It's more about the many events beyond the 9-10 football games a year. He said this would be fine for Indy or Chicago, but is it right for the Village? How will the money be spent? Where will it be going? Additional revenue is only half the equation. Aside from tax revenue and rent, the money will end up with out-of-town business people and the ownership family. He said he was worried about crime increasing. He didn't see a pressing need to bring more of the city here. He said no vote in and of itself is consequential, but there will be a place where we cross over to a place of no return.

Melissa Cayer listed all of the taxing bodies that would be affected by a TIF.

Trustee Scaletta reiterated his comments from the October 10th meeting saying he's excited and anxious. The impact is going to be large and that is why it will be a long process. We will have to address the positive and negative impacts. There is a lot of rumor about this project. October 10th was the first time Trustee Scaletta met Mr. Stein, the CBFC's attorney, tonight is the second night. He said it's hard to make a backroom deal when they have only met twice, and those times were both in person and in public. There is no TIF district in place. Trustee Scaletta asked Mr. Stein if he understood there is no commitment that the Board has agreed to, to provide any incentives. Mr. Stein said yes. Trustee Scaletta said there will be lots of traffic and parking issues. Mr. Stein said he understands this as they may be doubling the capacity from the track. The traffic issue has been expressed in every meeting since the process began and they will continue to address these issues. He said he was glad to hear the concerns early in the process.

Trustee Scaletta said his reaction to the Master Plan Vision is that it is too dense and there is too much going on near the train station. Resident's concerns are not lost on the Trustees. The Board is committed to getting it right. This will be a long journey and it will not be easy. The residents are the Board's bosses. We have lots of concerns, and the CBFC is looking for answers. Mr. Stein said this an important step. They have not made a decision to develop the property yet. Trustee Scaletta said we want a development that compliments the Downtown, but does not detract from it. He asked if there was anything the CBFC has learned about the property that we should know. Mr. Stein said the storm stormwater, there is a valley in the center that has softer soil and cannot be built upon, so that is why they have created the ponds and greenspace in the center. Trustee Scaletta said this is a marathon, not a sprint and many questions are still to be answered.

Trustee Bertucci stated that in Section 5 regarding the conceptual site plan "the parties acknowledge and agree that the Conceptual Site Plan has not been, and must be, carefully and fully evaluated to ascertain the feasibility and impacts of the

Proposed Project.” We are on this. Nothing is being decided. We are agreeing to fairly negotiate and address all of the issues listed.

Trustee Schwingbeck said he is keeping an open mind and will work with the CBFC through this process. Everybody has an opinion on this topic. This is what people are talking about locally, in the State and nationally. There is a lot of misinformation out there. He shared some of the misnomers he has heard. The Board hasn’t even started discussing the project yet. When details start coming, then the Board can make decisions. Listening to our residents is key. He is spending months walking the Village talking to neighbors to listen to their concerns.

Trustee LaBedz said it’s upsetting when she hears people say it’s a done deal. That is not how this Board works. This presentation was a vision, not a plan. She said the plan needs to also address bad weather. She hopes there will be market studies to see if the density is necessary. She said she recognizes the CBFC wants residents on the site, but the level of density needs to be studied. The Village has an Affordable Housing Inclusion Ordinance, so the residential pieces can’t be all be high end, she doesn’t want most people priced out of the market. We also don’t want to harm our Downtown. There’s a Metra station there, but she is concerned there may be an overreliance on it as people in the suburbs still have cars.

Trustee Tinaglia said yes, he’s excited, but he’s also really concerned about some of the details. He is not interested in AH West nor a concept that has a level of density that will rival or compete our town and have negative impacts for the residents. He cautioned people to not be married to this site plan. If this is the design you will end up with, he will vote no. More than 2/3’s of it should not be another basic downtown. He’s looking for more of a destination like before, but better. You will build a stadium, but who is going to build the rest of it? He doesn’t want to pay for it. He wants something we can be proud of year-round, not an average transit-oriented development because we don’t need it. He loves what we have.

Trustee Bertucci moved to approve A Resolution Approving a Pre-Development Agreement with CBFC Development, LLC (R2022-030/A2022-057). Trustee LaBedz seconded the motion.

The Motion: Passed

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

Chapter 28 Overlay Zone Amendment-Arlington International Racecourse – PC #22-011 (moved from New Business A & Legal A)

Mr. Perkins said in July, 2021 the Village Board adopted Ordinance 21-024, establishing the Arlington International Race Course Overlay Zoning District. The overlay zone establishes additional zoning and subdivision standards for redevelopment of the former race course site including a requirement that any development shall be part of an approved Planned Unit Development. In addition, the Overlay encourages Transit Oriented Development near the Metra Rail Station.

The Chicago Bears Football Club have indicated that they intend to include a Sports Wagering Facility as part of their master plan for the property. Currently a Sports Wagering Facility is not a permitted use or Special Use in the B-3 district nor the Overlay Zone. At this time, the Village is proposing adding to the Overlay Zone as a Special Use a Sports Wagering Facility. It is important to note that this Ordinance does not approve a Sports Wagering Facility.

President Hayes said the Board is not approving a wagering use this evening. He asked "what is the state of the industry?" Mr. Stein said sports betting will be integral to a stadium. It is legal. There are sports betting facilities in every stadium where it is legal. The Cubs have built one at Wrigley and there is one at the United Center. He listed all the other stadiums where they exist. President Hayes wanted the public to know this is state of the art, and it is standard practice across the industry. Mr. Stein said it would be done tastefully and align with their brand.

Melissa Cayer said she thought Churchill Downs was not going to sell it to another betting facility. Churchill Downs is the owner. Staff said there was no restriction on the property. Churchill Downs said they were not inclined to sell to an entity that would operate a race track.

Trustee Bertucci noted the Plan Commission unanimously recommended approval as did Staff.

Trustee Bertucci moved to approve the Ordinance to amend Chapter 28 Overlay Zone Amendment-Arlington International Racecourse (2022-058). Trustee Schwingbeck seconded the motion.

The Motion: Passed

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

X. CONSENT AGENDA

CONSENT APPROVAL OF BIDS

A. 2022 MFT Street Reconstruction Project – Change Order #2 – Project Suspension & Extension

CONSENT PETITIONS AND COMMUNICATIONS

A. Bond Waiver – St Edna Church

Trustee Tinaglia moved to approve the Consent Agenda. Trustee Baldino Seconded the motion.

The Motion: Passed

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

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

A. Orchard Evangelical Free Church – 1330 N. Douglas Ave., PC #22-007. Plat of Subdivision to Consolidate.

President Hayes recused himself from this agenda item as he is a member of Orchard Church.

President Pro Tem LaBedz introduced the item. Caitlyn Csuk said the church's Arlington Heights campus is comprised of 10 parcels which were acquired over time. They would like to unify the property and consolidate the parcels. No changes to the function or operation of the church are planned. They are requesting an amendment to the Comprehensive Plan to reflect the site is institutional.

Mr. Perkins said the consolidation does not change anything on the property. Staff recommended two lots change zoning from Single Family to Institutional. The remaining lots should remain R-3. If the church changed and it was necessary to subdivide, these lots would revert to Single Family zoning status. Staff recommends approval, the Plan Commission made the same recommendation. This is not in anticipation of any changes to the property.

Trustee Scaletta asked if there are redevelopment plans in relation to this change. Ms. Csuk there are no plans to redevelop the property.

Trustee Scaletta moved to approve the Plat of Subdivision to consolidate 1330 N. Douglas, the Orchard Evangelical Free Church, as per the Plan Commission's recommendation. Trustee Baldino seconded the motion.

The Motion: Passed

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

Abstain: Hayes

B. Ecole 360 Childcare Center – 1515-1519 W. Dundee Rd. -PC #22-008, Special Use Permit to allow a Day Care Center, Variations

Meg Birgun said they have been operating in Palatine and Schaumburg. They hope to have 130 children from 6 weeks old to 5 years old. There are 8 classrooms, 22 staff members, two playgrounds on the southwest side of the building and a fence around the building to maintain the safety of children. They require a Special Use, and a Variation to allow an accessory structure.

Mr. Perkins said this is a good reuse of the building which has been vacant for a while. They need variations for the play equipment and the fence. They have agreed to shifting the location slightly of the play equipment.

Trustee Scaletta asked if the petitioner agreed to all the conditions. Yes, Ms. Birgun responded, they have no problems with the conditions.

Trustee Tinaglia noted there is a lot of parking. Is there anything the petitioner might do down the road? Mr. Perkins said there are 47 extra spaces. There is a shared parking area with the hotel and a cross access easement agreement. Ms. Birgun said she was aware of that. Trustee Tinaglia said he hoped there was reciprocal maintenance.

Trustee Scaletta moved to approve the Special Use Permit to allow a Day Care Center and the variations as outlined in PC#22-008. Trustee Tinaglia seconded the motion.

The Motion: Passed

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

XIII. LEGAL

A. A Resolution Accepting Public Improvements (Walnut Park Subdivision)

This item was pulled from the Consent Agenda by Brian Costin.

Mr. Recklaus said this was a 4-lot subdivision approved in 2016 with 3 homes, the 4th lot was for stormwater detention. The project is done and the improvements meet our standards so the bond can be released. The Village is ready to accept the public improvements and move on.

Brian Costin said Section 29-503 states upon final approval, the owner and subdivider shall enter into an agreement that they install at their own expense. He asked if that was the case. Mr. Recklaus said the developer was required to pay for public improvements. Mr. Costin said it is customary for developers to pay for installation of required improvements. They are supposed to pay for roads, alleys, water supply, sewers, street lighting and the like. He wants this to be the consistent policy to protect the tax payers.

Trustee Scaletta moved to approve A Resolution Accepting Public Improvements (Walnut Park Subdivision) R2022-031. Trustee Grasse seconded the motion.

The motion: Passed

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

XIII. REPORT OF THE VILLAGE MANAGER

Mr. Recklaus requested a Closed Session meeting per ILCS 120/2(c) (21) Minutes and 5 ILCS 120/2 (c) (11) Litigation.

XIV. APPOINTMENTS

XV. PETITIONS AND COMMUNICATIONS

Village Hall will be closed Friday for Veterans Day.

President Hayes said the Fire Department is conducting the coat drive and the Police Department is hosting Toys for Tots. Bring your coats to our Fire Stations, and toys to the Police Station or Village Hall.

XVI. ADJOURNMENT

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

Trustee LaBedz seconded the motion.

The Motion: Passed

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