

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 February 6, 2023 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, Bertucci, Grassi, Tinaglia, Baldino and Schwingbeck. Trustee Canty was absent.

Also Present were: Randy Recklaus, Hart Passman, Charles Perkins, Diana Mikula, Cris Papierniak and Becky Hume.

# IV. APPROVAL OF MINUTES

A. Village Board 01/17/2023 Approved

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

The Motion: Passed

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

Absent: Canty

# V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 01/30/2023 Approved

Trustee James Bertucci moved to approve in the amount of \$3,831,740.75.

Trustee Nicolle Grasse Seconded the Motion. The Motion: Passed Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

Absent: Canty

### VI. RECOGNITIONS AND PRESENTATIONS

### VII. PUBLIC HEARINGS

### VIII. CITIZENS TO BE HEARD

Debbie Fisher said she does not believe it is in the Village's best interest for the Bears to come here, saying the Village does not have the capacity to accommodate something of this magnitude. Traffic would be a nightmare. She called into question the motives of the move and asked if it has to do with money. She said the residents should be allowed to vote on the matter. How can the Board know what residents want when they haven't asked? She asked the Board to reconsider the move and abandon the project.

Roberta Fisher said she was concerned about the stadium as well. The vision presented is a small portion of what will be built. It seems like the stadium plan isn't full enough. They're going to build another village which seems overwhelming. There are no parking lots or infrastructure shown making it seem ill planned. She asked if the stadium been on the agenda. She asked for the citizens to be notified about what is planned and said she would like to see another rendering. She asked if the residents will we have to pay for it.

President Hayes said the plans are very preliminary and nothing has been approved. The only plan voted upon was a roadmap which was approved in the fall. The Village is still early in the process and the Bears have not closed on the property. Even if they do, it doesn't mean there will be a stadium. The Board and residents will have input on all of the issues. That is the way representative democracy works. No decision will be made without informing the public and the public will have many and fair opportunities to weigh in.

Keith Moens said there is an epidemic of traffic speeding on neighborhood streets. It is happening on Cleveland, Buffalo Grove Road and Brighton. Staff has offered to install striping on Cleveland. However, before it can be installed, the Village has asked residents to vote upon it. He alleged that the letter with this information was sent to the male head of household in single family homes. Non returned ballots count as a no vote. He said this method biases the outcome to fail. He asked when the Board's policy started this unfair voting situation.

President Hayes disagreed with Mr. Moens saying the Board cares about

speeding and has directed staff to investigate many different areas in the community. Safety is one of their primary concerns.

Melissa Cayer asked the Board to abolish the zero-interest loan program and give the money back to the taxpayers. She also asked for the Board to ask Cook County to put the Village's website on the tax bills. She asked if the Police Pension is over invested. She asked for TIF districts to be abolished. She read the Joint Review Board intent and purpose and asked for more information on this group be added to the website.

### IX. OLD BUSINESS

### X. CONSENT AGENDA

### CONSENT APPROVAL OF BIDS

Trustee Jim Tinaglia moved to approve. Trustee Tom Schwingbeck Seconded the Motion. The Motion: Passed Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

#### Absent: Canty

- A. Parkway Tree Removal & Emergency Tree Work Approved Contract Extension 2023
- B. Wilke-Kirchhoff HSIP-Funded Barrier Safety Approved Project and 2023 Budget Amendment
- C. Stump Removal and Landscape Restoration Approved Contract Extension 2023
- D. 2023 Material Testing Services Approved
- E. Station #13 North Water Tank Painting & Approved Maintenance - Change Order #1

#### CONSENT LEGAL

A. An Ordinance Amending Chapter 13 of the Approved Arlington Heights Municipal Code (surrender of 1 class AA liquor license)

Trustee Jim Tinaglia moved to approve 2023-05. Trustee Tom Schwingbeck

Seconded the Motion. The Motion: Passed Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

Absent: Canty

B. Amended Agreement for the Village's Retiree Approved Health Savings Plan

Trustee Jim Tinaglia moved to approve R2023-05/A2023-08. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

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

### Absent: Canty

C. A Resolution Accepting a Plat of Dedication for Approved Public Right-of-Way (Crescent Place, 310 W. Rand Road)

Trustee Jim Tinaglia moved to approve R2023-06. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

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

#### Absent: Canty

D. Resolution- Agreement re Harmony Fest Approved Featuring the Taste of Arlington Heights

Trustee Jim Tinaglia moved to Approve R2023-070/A2023-09. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

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

#### Absent: Canty

E. Ordinance - Land Use Variation - Clearbrook Approved Adult Day Care, 1815-1865 W. Central Rd.

Trustee Jim Tinaglia moved to approve 2023-06. Trustee Tom Schwingbeck Seconded the Motion.

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

Absent: Canty

### CONSENT REPORT OF THE VILLAGE MANAGER

### XI. APPROVAL OF BIDS

### XII. NEW BUSINESS

A. Seasons Office Center - 129-151 W. Rand Rd. Approved Amendment to LUV Ordinance 13-005 to allow parking variation

A dental business in Seasons Park is looking to expand into the space next door. The space is now zoned Office so the parking needs to be amended to allow for Medical zoning which triggers a higher parking space count.

Mr. Perkins said the property has 88 parking spaces and shares parking with the adjacent restaurant. The restaurant is not open at lunch. A parking count was performed and a total of 139 spaces would be required. The current site has 88 spaces, so there is a 51-space deficit. Seasons has arranged for a parking sharing agreement with the restaurant to accommodate the shortage. The agreement is not in perpetuity and can be terminated within 30 days. Staff believes this is an excellent shared parking situation. If this agreement were to go away, there are additional off-site parking options behind and next to the building. The Plan Commission recommended approval subject to a number of conditions. Staff amended the Plan Commission's condition #1, eliminating the administrative review by the Village if the parking agreement is terminated, to simplify the conditions.

Jim Platt spoke on behalf of the petitioner. He worried the revision of the condition allows the Village to terminate the variation, but does not give more direction. Mr. Passman said if they are short on parking because the Sun Shui agreement goes away, there is no need for another administrative review. The business will have to find additional parking off site or create another agreement. This change to the condition does not cancel the authority for the property owner to seek relief.

Trustee Tinaglia asked how the Village would react if the parking agreement goes away. If the Medical build out happens and there is not enough parking what happens? Mr. Perkins said the business would have to notify the Village and then we would have discussions on how to address the problem. Ultimately, they will want to have enough parking for their clients. Trustee Tinaglia asked Mr. Platt what they would do and if they really need the parking. Mr. Platt said the Seasons Office Park sees there is a need for additional parking. That is why they have had an ongoing agreement with Sun Shui. They are in ongoing talks to have a first right of refusal to purchase the property. The expansion is not yet built out. Mr. Recklaus said the recommendations give some discretion to the Village. The petitioner has to secure a substantially similar parking agreement if the current one goes away. The Village can make a determination in the future if the situation is not tenable and it has the authority to terminate the variation. Mr. Platt explained the parking study assumed office usage which is 8 spaces. The doctor is not increasing staff or hours. The main reason for expansion is to allow for Covid protocols for examination. The clients are now staggered and the expansion will allow for 4 new patients. They believe there will be little to no impact to the numbers already there.

Trustee Bertucci asked when was the change in the recommendation was made. Mr. Perkins said a week ago. Trustee Bertucci asked why was this not shared with the petitioner. Mr. Perkins said it was an error on our part. Trustee Bertucci asked about the length of the lease and the adequacy of the parking. Mr. Platt said the agreement is month to month as they don't want it to be abused. The doctor is comfortable with the amount of parking. Mr. Platt said the HOA has committed to keeping the parking issue on their agenda and are engaged in conversations with the neighboring properties. They are in agreement with the Plan Commission recommendations, including the strike out on Condition #1. The parking agreement is for one year but can be canceled with 30 days' notice.

Trustee Scaletta questioned the history of the parking and said he is nervous that another business might come in and claim a hardship because of the parking situation. Mr. Perkins explained that there was a prior written agreement with Sun Shui but staff does not have a copy of it. There are ingress easements on the property and they included the 19 spaces. The easement is still on the plat, but there is no reference to shared parking. The HOA's right of first refusal for the restaurant site is not in the agreement.

Mr. Platt said the HOA is in negotiations to potentially purchase nearby land. Mr. Perkins said any other use coming forward would be General Office, so it has been accounted for in the suggested recommendation. Trustee Scaletta stated that the HOA could only lease to an office. Mr. Perkins said yes, unless they came back for a variation. Mr. Passman said the Board can't presuppose any future relief, the applicant would need to bring evidence that the spaces were not needed or underused. The owner of the center must demonstrate that they can't find parking or don't need it. Mr. Recklaus added that the situation is complex because it is a condo association.

Trustee Scaletta asked how are the employees being managed with their parking. Mr. Platt said the owners encourage employees to park further away because they don't want patient complaints. Currently employees are

doing that. Condition #1 puts them all on notice to look for a permanent solution.

Trustee LaBedz asked if the HOA's bylaws state the businesses have equal use of the parking lot, and how allotted spaces are communicated to an owner. Mr. Platt did not know. Mr. Recklaus said the ratios are there to make sure there is enough parking. The minutia is not something the Village can enforce.

Trustee Tinaglia said there is a big difference residential versus commercial. For commercial it's a calculation on square feet and the usage. Office is one calculation, Medical is another. In practice they can vary. It's a best guess. We are giving a variance so long it does not negatively impact the other owners and the customers. Mr. Perkins said the center was built as Office, not Medical, but most of the businesses in the center are medical. Trustee Tinaglia said there is a building on Arlington Heights Road that has the same situation. They engaged a shuttle to bring their employees to their site to solve the problem. If it becomes an issue, there are other ways to solve the problem. What is most important is the expansion is not bringing in more people. Mr. Platt said there may be more patients, but still fewer than an office use.

Trustee James Bertucci moved to approve the Plan Commission's recommendation with the staff modification on Condition #1. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

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

#### Absent: Canty

 B. Westgate School Building Expansion - 500 S. Approved Dwyer Ave. - PC#22-016
Special Use Permit to allow a Public School on subject property, Amendment to Comprehensive Plan to re-classify the Single-Family Detached portion of the site to Schools, Various Variations

Ryan Schulz, Director of Facilities Management for School District 25, explained they are adding full day kindergarten to their schools. Westgate is currently at capacity. This school also hosts Integrated Services (IS) students. The district is anticipating a slight enrollment increase at Westgate. The school needs a larger gym space as well. They are hoping to begin construction in the spring of 2023. He described the addition and parking lot reconfigurations. Underground water storage will be added underneath the greenspace behind the school. There will be a net increase of 10 classrooms. With the parking lot modifications, they will be able to stack 53 cars in their lots versus 35 today. Stormwater currently flows to the Sunset Meadows basin. They will be building underground detention to accommodate the additional water. They will implement LED lighting, permeable pavers and other "green" features.

Mr. Perkins explained the zoning changes required including a small change to the land use in the Comprehensive Plan from Residential to Educational. The landscape variation request has staff support. They are adding landscape along the street on Grove and also preserving other trees on the property. Perimeter landscaping along the frontage on Dwyer and shade trees in the corners will be planted. Having a hedge row adjacent to the parking lot in front of the soccer fields doesn't make sense for the southern lot. The Plan Commission recommends approval with conditions to address any future parking, pickup and drop-off issues.

President Hayes asked what the capacity ratios were. Mr. Schulz said they are anticipating 661. The intent is to not go to the 700-900 students as they do not believe the school or neighborhood would support that size.

Trustee Bertucci asked if they agreed to the conditions. Mr. Schulz said yes.

Trustee Grasse asked if some plantings be put on the west side of the south lot. Mr. Schulz said it would be a challenge because of the snow removal. They are keeping the hedge on the street side of the lot so residents across the street are buffered.

Trustee LaBedz asked how many students ride the bus. The district did not have the numbers at the meeting.

Trustee Scaletta asked who did the engineering review. Mr. Perkins said the stormwater detention review was done in house and the district meets our requirements. They will have to submit to MWRD for approval as well. There are 5 full classrooms of kindergartners now. Westgate is at 100% capacity. By adding full day kindergarten, they will need 4-5 extra classrooms. IS has been at Westgate over 20 years. Trustee Scaletta said when Block 425 came for review, the district said there was room at Westgate for the additional students.

School Superintendent Dr. Lori Bein said she did not recall the estimate for Block 425. They are currently using the teacher's lounge for a classroom. They may have space to add a few students in classrooms, but they do not have extra classrooms. Mr. Schulz said the new drive will be right in/right out. The South lot is for staff. Trustee Scaletta asked if 4 trees will really fit in the island in the front, and if they will survive. Mr. Schulz said they are committed to making that work.

Trustee Schwingbeck said the traffic studies were done in September and don't show when it is raining or snowing. The traffic would be different as fewer children would be walking. Mr. Schulz said the pick-up video shows a cold day, there just wasn't snow this year to show, but there is potential for more cars on those days. Trustee Schwingbeck said he is more concerned about safety, not the number of cars. Mr. Perkins said that is why conditions #1 and #2 were added.

Trustee Baldino said he heard it said it was not feasible to add islands in the parking lots. Why is that? Mr. Perkins explained to do that, you would have to expand the parking lot into the green space. The district is trying to work within the existing footprint of the lot. Trustee Baldino said we hold people's feet to the fire with the islands, so he wanted to understand why there might be a different standard here. Mr. Perkins said this is an existing non-conforming lot and we try to get them to be more compliant. We don't always get every lot to be completely compliant, and look at other improvements in other areas to compensate. As they are adding more landscaping around the perimeter, it offsets the lack of an island. Trustee Baldino said that makes more sense.

Melissa Cayer said there are holes in Arlington Heights where topsoil is missing. We may turn into a swamp.

Trustee James Bertucci moved to approve. Trustee Nicolle Grasse Seconded the Motion. The Motion: Passed Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia

Absent: Canty

C. Dryden School Building Expansion - 722 S. Approved Dryden Pl. - PC#22-017 Special Use Permit to allow a Public Elementary School on the subject property, Various Variations

Mr. Schulz said they are expanding the gym and adding classrooms as they are anticipating some enrollment increases in addition to the added kindergarten classrooms. Construction is anticipated to begin in the spring/summer of 2023.They are looking to omit the landscaping in the island in the south parking lot. He explained the setback, lot coverage, sport court, increased parking spaces, and building height variations they are seeking. They do not have enough parking on site, but they have an agreement with Southminster Church for additional spaces. They have several years left of their agreement and they intend to renew it when it comes due. Four classrooms will be added, the office expanded and additional storage created for equipment.

The district is anticipating 526 students and Dryden has 478 today. They will be installing a StormTech system to detain the storm water. They will be adding LED lighting, high efficiency HVAC, low flow plumbing fixtures, green space, bike storage and are exploring solar panels.

Mr. Perkins explained the added trees on the north lot to compensate for the request to not install the islands mid lot and they are planning to add trees at the entrance of the school. The Plan Commission recommended approval with conditions. There is concern with traffic on Rockwell as it is a narrow street. If needed, additional measures may need to be taken to accommodate peak traffic demand.

Trustee Schwingbeck asked if there was a plan to widen Rockwell. Mr. Perkins said he was not aware of one. If it is widened in the long term, that would help the situation.

Trustee Scaletta asked if Engineering looked at the water retention. Mr. Perkins said yes, there were a lot of meetings on this. The school district plan has been reviewed by Public Works and Engineering many times. The Village has to sign any application before it goes to MWRD. It must meet our requirements and MWRD's. What is being proposed will not increase flooding in the neighborhood, but it won't solve any existing problems.

Mr. Recklaus said the Village executed a land swap with the Park District in preparation of addressing the broader flooding issues. The lot we bought is grass, and is not improved. Mr. Schulz confirmed the Ballpark is on the Park District property. That field could be impacted by the construction project. The district has looked at moving the asphalt, but it is difficult because of the narrow site. The playground will remain. They are in conversations with the Park District as to whether the ball field will remain. Trustee Scaletta said to make sure there is an answer. Dr. Bien said their intent is to keep the ballfield, but it may not be in the same location.

President Hayes asked if the contractor was the same for both projects. Mr. Schulz said the construction manager will be the same, but there may be different subcontractors.

Ellen Placek-Zimmerman said traffic for drop off and pick up is not working well now. Southbound on Dryden people double park and children are waking in between cars. It is dangerous. She implored the Board to take another look at the drop off/pick up situation at Dryden. She suggested moving the busses to allow for a different traffic flow, and asked for them to please look for answers.

Robert Backess said he's lived on Roosevelt since 1999. Their street began flooding began after the Dryden expansion in 2007. His home experienced ground flooding in the yard and into his home. He's concerned the addition will cause more flooding.

President Hayes said no development is allowed to make a flooding situation worse. He is confident the proposed detention will not make the situation worse. Mr. Recklaus said the Village is looking to add some regional detention in this area and hopefully will be able to make improvements to the situation. In recent years, we have seen more flooding situations community wide. Parts of the stormwater fund are being used to improve the situation. It is not a backburner item and hopefully will bring some relief to the residents. Trustee Scaletta asked if there are restrictors in the area. Mr. Recklaus explained restrictors keep water on the streets to keep it from backflowing into homes. There are a lot of restrictors in the Village's system, but he was not sure if they were on this street. The water typically dissipates within a few hours of the storm.

Jon Elliot said his house is immediately south of the school. The stormwater is worse in the school parking lot. He asked if the courtyard space was calculated within the building coverage. He thinks it should be calculated into the building size. Mr. Perkins said stormwater detention is a paved calculation. The building size is only square footage of the building, so it does not include the courtyard. With regard to parking, Mr. Elliot proposed the parking should be handled at the staff level. He asked the Board to require the school district to come to the Board for approval for a certain student population threshold.

William Boodro said he is concerned with flooding. There were additions in 1986, 1992-93 and again in 2007. After the last one, the flooding began on Roosevelt and Beverly. There was 7 feet of water in some of the homes. The school has more than doubled in size and neighbors never had to worry about storm water before. The detention only takes care of the new addition. They created the problems in the past, but it seems they are not responsible for those prior years, and now the Board is giving them a variance. He asked the Board to make them have more detention and tie in the detention from the previous additions. The school created the problem by expanding on a small plot of land, they should correct it and pay for it so the residents don't have these issues.

Trustee Tinaglia said the queuing at Dryden is 100% on the street because of the busses. He asked why the district is not making lot improvements for this. Most of the other schools have some on-site queuing. Steve Corcoran (traffic engineer) said Westgate has two drop off lots. Because of the width of Dryden's property, there isn't an opportunity to add a second drop off. In the morning the lot is accessible for drop off. The busses take the drive and it is blocked off in the afternoon. Most people park on Dryden, some park in the church lot. Trustee Tinaglia said he didn't understand why the district is allowing this pick-up situation to continue. It seems this issue is being ignored. Mr. Recklaus noted that Westgate has 600 students and Dryden has less than 500. Dryden has 5 busses and Westgate has 2. There is a bit of an offset. There are more cars at Westgate.

Trustee Scaletta suggested that the district put in pavers to allow better in/out of cars along Dryden. One big problem is when it snows or is muddy, the grass area is a barrier rather than an available outlet from the cars. He said he has witnessed the double-parked situation. Some parents keep the child in the car until they get to the entrance of the lot. If they want to really address the safety of the car line, come up with a solution where kids can exit while people are parked on the street and not wait until the driveway. Trustee Grasse noted the addition of a retention pond in her neighborhood which eased backyard flooding. She asked if this stormwater detention will help with some of the existing flooding. Mr. Recklaus said it might help, but it could not be promised, it is designed to address the water from the new addition. He said it will not hurt. Trustee Grasse asked where is the area priority wise. Mr. Recklaus said the water plan is currently being designed and is part of a supplemental study, but was not part of the 2013 study. Trustee Grasse said the flooding is concerning.

Trustee Scaletta asked if they could make the underground detention vault bigger and also do some kind of paver system for the proposed sport court. He asked what mitigation existed in 2007. Josh Cap of Eriksson Engineering, the project manager, said in 2007, the parking lot was designated for surface water detention. They are proposing to keep the water storage on the lot. You could move the water in the underground detention but it is an additional expense. Trustee Scaletta pointed out that residents think the flooding began in 2007. The school district says there were other dynamics in play and it wasn't just the school expansion. Trustee Scaletta advised staff and the district to look at it closely to make sure they are doing everything they can to mitigate flooding.

President Hayes said it is difficult to judge what is causing the flooding in the neighborhood. Our charge is to make sure the proposed building does make anything worse.

Mr. Recklaus said over the years the neighborhood's culvert system used to mitigate water has been compromised by landscaping changes. There have been large homes built and there has been a dramatic increase in extreme storm events because the weather is changing. There are a lot of contributing factors and the issue is very complex. We will talk with the school district to see if there is more that can be done. We don't know that the previous school additions in fact created the problem wholesale.

Trustee Bertucci suggested a cut out on Dryden for the busses to help organize the pickup. Mr. Perkins said there are a number of options. That would be a lot of work on the road/curb/drainage/inlets. Mr. Perkins noted if that occurred, kids would be traversing driveways and parking lots. It might be more of a safety issue.

Trustee Tinaglia offered that instead of children going across lanes, what if the busses moved to the southern edge of the parking lot. They could shorten the length of the parking lot by a few stalls, aim the busses to the street and allow cars to use the drive. The idea is to get the drop off into the lot and off the street if possible.

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

The Motion: Passed

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

Tinaglia

Absent: Canty

XIII. LEGAL

### XIV. REPORT OF THE VILLAGE MANAGER

### XV. APPOINTMENTS

## XVI. PETITIONS AND COMMUNICATIONS

Permit Fee Waiver - Arlington Heights Park District

Melissa Cayer asked for this item to be removed from the Consent Agenda. She said the Park District should show their expenses and report this as a cost as should the village.

Mr. Recklaus said the Park District is replacing windows, as they are a governmental taxing body, the Village is asking to waive the permit fees.

Trustee Scaletta moved to approve. Trustee LaBedz seconded the motion. The motion: Passed Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck, Tinaglia Absent: Canty

# XVII. ADJOURNMENT

Trustee Jim Tinaglia moved to adjourn at 10:24. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Canty