



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

November 20, 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, Shirley, Grasse, Tinaglia, Dunnington, Baldino, and Schwingbeck. Trustee Bertucci was absent.

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

IV. APPROVAL OF MINUTES

A. Committee of the Whole Minutes 11/06/2023 Approved

Trustee Nicolle Grasse moved to approve. Trustee Richard Baldino

Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley

Abstain: Tinaglia

Absent: Bertucci

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 11/15/2023 Approved

Trustee Richard Baldino moved to approve in the amount of \$8,170,193.49.
Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Absent: Bertucci

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Melissa Cayer reminded residents that the second installment of the property tax bill is due next week. She asked what the status of the former racetrack site. Mr. Recklaus said that the demolition is still occurring. Ms. Cayer asked if the Village Manager should make more than the Federal Reserve Chairman.

Jay Schoot, a resident of Surrey Ridge, addressed the proposed Full Circle development at South Arlington Heights Road. Some of the neighbors have visited Full Circle's existing facilities and said they are not very heartening. Putting the development on South Arlington Heights Road doesn't really fit. It would change the look of the area. They are proposing a giant building with 25 units. If it goes to pass, there will be more crime in the area. Drug dealers will live there because the ADA definition of disabilities is so vague. The neighbors don't want crime to increase. President Hayes said the item will come before the Board on a future Agenda. There is an email list whereby residents can receive the dates when the item will be on an agenda. The Village's website will also be updated under the Planning Department page under upcoming projects.

Selena Micko asked to be on the email list on for the project. There are issues with the project and she is concerned.

Ms. Louie, who lives across the street from the project, said she is against it.

Michella Schoot said there was some confusion regarding email messages. Mr. Recklaus said individual commissioners or board members can be emailed, or if a resident wishes, an email can be forwarded by staff to an entire Board or Commission. Ms. Schoot asked if there was a 300-word limit, which she heard was applied to incoming emails. Mr. Recklaus said that restriction might only apply if a letter was to be read into the record. He will clarify this issue and report back to Ms. Schoot. Regular communications do not have any restrictions if they are not being read into the record.

President Hayes noted a word limit is not meant to limit free speech, it's a procedural issue.

IX. OLD BUSINESS

- A. Report of the Committee of the Whole Meeting of November 20, 2023 Approved

Consideration of recommending to the Liquor Commissioner the issuance of a Class E liquor license to Daze Restaurant Group Corp dba Gumrai Thai located at 170 N. Arlington Heights Road.

Trustee Robin LaBedz moved to approve. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Absent: Bertucci

X. CONSENT AGENDA

CONSENT APPROVAL OF BIDS

Trustee Jim Tinaglia moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Absent: Bertucci

- A. Water Station #17 Tank - Demolition Project - Award Approved
- B. Water Station #17 Tank - Painting & Pipe Modifications Project - Award Approved
- C. Sodium Chloride (Road Salt) Purchase 2023-2024 - State Contract Approved
- D. Budget Amendment Ordinance Approval and Demolition of Structures - Contract Award Approved

Trustee Jim Tinaglia moved to approve 2023-76. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Absent: Bertucci

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Golf VX - 622, 626 & 644 E. Rand Rd. - PC#23- Approved 013
Special Use Permit for Amusement Facility,
Large and Restaurant, Variation

Gina Choi presented the Golf VX project, a golf simulator facility. They will offer food along with cutting edge technology to provide a simulated golf course entertainment experience. The bar is tended by Makr Shkr which offers a selection of juices for mixing via a robotic arm.

Mr. Perkins said the project seeks a Special Use permit for a large amusement facility in a B-1 zoning site, it is in the Southpoint PUD. There are no issues with the parking. The parking lot in front of the space is in disrepair, as there are multiple owners of the shopping center, staff is reaching out to have that addressed. The issue of bike racks was raised and staff recommends there be room for two bikes to be parked. There are not bike paths in the area, but employees may need those spaces.

President Hayes said the business is unique and a great opportunity for our community. Ms. Choi said this will be their first location. They are planning to make spaces throughout the world. Their simulators are installed in other businesses.

Trustee Grasse asked how the simulators work. Ms. Choi said there is a place where the ball drops down into a hold. There are radars that track the ball and rotation after it is hit. It will be open to all ages.

Trustee LaBedz asked if there will there be leagues. Ms. Choi said yes, they will also host camps for kids in summer and offer lessons. There is one bay that is ADA accessible. It will be the first facility to have that accommodation. The Makr Shaker makes nonalcoholic drinks as well. There will be a person ID-ing people for alcoholic beverages.

Trustee Shirley clarified that the staff proposal suggested one small bike rack that allows 2 spaces, not two bike racks.

Trustee Nicolle Grasse moved to approve the staff recommendation which

includes 2 bicycle parking spaces. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Absent: Bertucci

XIII. LEGAL

- A. Resolution Approving an Memorandum of Understanding with Urban Street Group, LLC Approved

Mr. Perkins explained the history of the property which is in TIF IV. Urban Street is proposing to redevelop International Plaza and some of the lots on Arlington Heights Road. The TIF was established in 2002 and extended in 2014 for 12 additional years. The Village has acquired 5 properties to help assemble the property. There were multiple impediments to development including the recession, multiple property owners, difficulty getting the shopping center under contract and difficulty acquiring land. The Village has tried to negotiate with 6 other development companies over the years without success. In 2022 Urban Street came forward.

Since the Early Review, Village staff, Village attorneys, and financial consultants have been negotiating with Urban Street, a non-binding Memorandum of Understanding (MOU) that will set the stage for negotiating the final Redevelopment Agreement (RDA). After approval of the MOU, Urban Street will engage with their consultants to proceed forward with the necessary plans and documents to commence the zoning and entitlement process. During the same time the RDA will be negotiated and the final terms, conditions and timelines will be refined. The MOU consists of the following key components:

1. Designates Urban Street as the exclusive developer for a period of 180 days, which may be extended by written consent of the Village Manager and Urban Street.
2. Provides for a financial gap TIF assistance incentive for Urban Street's development, which has a total project cost of approximately \$100M, setting forth a maximum internal rate of return.
3. Provides up to \$3.3M cash payment to Urban Street from the existing TIF fund balance.
4. Sets forth provisions for a revenue bond, currently estimated to generate \$5.3M, to be paid off by TIF increment from portions of the existing TIF and new TIF revenue generated from the development.
5. Outlines requirements of a one-time pay-as-you-go junior note or development note, currently estimated at approximately \$2.79M, to be paid off by TIF increment from portions of the existing TIF and new

TIF revenue generated from the development.

6. Generally, outlines the flow of funds with the TIF incentive to be placed in escrow with the developer's first draw down on its private equity of approximately \$31.5M, second draw down on the TIF incentive, so long as the construction lender has confirmed the construction loan is in balance and ready for distribution, and third drawing down on the construction loan of approximately \$60.1M.
7. To incentivize Urban Street and develop the TIF district the Village owned property will be transferred to Urban Street under certain conditions. If Urban Street fails to commence construction on the project when required, the purchase and sale agreement will grant the Village right to reconveyance (take back) the Village parcels. The Village cost of acquisition and assemblage of the properties was \$3,570,000 and the current estimate of value is around approximately \$2,350,000.
8. With respect to the senior affordable housing component, Urban Street is currently negotiating with an affordable developer. If that developer does not proceed, Urban Street will use good faith efforts to secure another affordable developer for the development. If Urban Street commences construction of the broader project, but has not conveyed the property to the affordable senior developer and they are unable to proceed with that component then the purchase and sale agreement will grant the Village the right to reconveyance (take back) of the affordable housing site. However, under such a scenario Urban Street would still have to expend funds to put the parcel in a pad ready condition for the Village to find its own affordable housing developer. Pad ready means that the site would be graded and general site infrastructure installed so that the affordable site is ready for construction. TIF increment from the affordable senior component would be retained by the Village to facilitate an affordable housing developer. Urban Street has agreed that residents of the affordable senior component will have access to exterior amenities of the market rate component with some limitations and restrictions and subject to lender approvals.
9. The revenue bond and junior lean developer note will be paid only from pledges of incremental property taxes generated by the existing TIF district during the remaining term, along with 33% of the 1% Village local sales tax generated by the project, also during the term of the existing TIF district. With respect to pledging the 33% of the 1% local sales tax, the Village has intergovernmental agreements with the taxing districts, agreeing to pledging such sales taxes in any future RDA's.

The total net proceeds of the TIF incentives that could be received by the developer are currently estimated to be \$13.75 million (including land estimate) towards the proposed \$100.2 million development. This is

subject to change and adjustment as the development is finalized, driven by such factors as project schedule, changing interest rates, assessment values, final project costs and other variables all subject to and capped not to exceed the target IRR.

The next step is for the details of the project with be fully vetted. Neither the Village nor Urban Street is implying or guaranteeing approval of the project until a complete analysis is conducted. The project is subject to changes and adjustments as the development is finalized. There are 266 market rate units, affordable senior living units in a separate building and 1-4 commercial out lots. Urban Street is partnering with Northpointe for Federal tax credit financing for the affordable senior building. The other units will be not age restricted. There is a great need for affordable senior housing units and the existing units in the Village have long wait lists.

President Hayes said this project provides 37 affordable housing units for seniors. He asked for assurance that a developer has been identified and that they were actively working on the senior housing component. There is a dire need for senior affordable housing units. He is encouraged that we can help solve this need.

Jon Dennis, of Urban Street, said this is the final form and they are in agreement. Northpointe is excited and committed to the project. Affordable senior housing is needed in the Village, and they believe they will be successful in getting the affordable tax credits.

Trustee Tinaglia said this property has been an embarrassment for the past 20 years. He said he is very excited that that the property is going to be redeveloped. This needs to be done. He said there seems to be a lot of asphalt on the site plan. He asked if there was an opportunity for more green space. Mr. Dennis said they are parked where they need to be and cannot give up any spaces. There will be less asphalt than there is now. Trustee Tinaglia suggested softening it up where possible.

Trustee Schwingbeck asked if the affordable housing doesn't get built, does the Village take the property back again? Mr. Perkins said yes. In the MOU there is a requirement to continue good faith efforts to find a developer for affordable housing. If it falls apart, the lot goes back to the Village. The Village can then develop it. Trustee Schwingbeck said he hoped the developer really commits to building the affordable housing. Mr. Perkins explained it takes a long time to get the affordable tax credits, the hope is the MOU will allow them to move forward with a greater success rate in obtaining those funds. Trustee Schwingbeck asked if the developer would consider incorporating affordable units within the other buildings if the funding fell through. Mr. Dennis said if that happens, they intend to find another developer and if that doesn't work, the property will revert back to the Village in its improved state. The Village would be in the best position to obtain the tax credits. He said their goal is to make it happen and make every effort to do it.

Trustee Baldino asked if the worst comes to happen and the property reverts to the Village, what is the implication for the rest of the development as they would then not be in compliance with our Affordable Housing Ordinance. Mr. Recklaus said the Ordinance provides flexibility to the Board, and the Board can engage in other creative ways to solve the issue. If there was ever a project that required creativity, it is this one, but the intention is for it to proceed as planned. If they can't get the credits, they will provide the land in a pad-ready format for us to find a partner to do it with it. They will also forgo any TIF money for that site, that the Village could then use. It is not the intent, it is a "what if" clause. Trustee Baldino summarized the intent is for them to develop the property as planned or the property goes back to the Village, the intent is not to decouple the properties. The building would get built, in a different manner.

President Hayes asked if the senior residents have access to the other buildings' amenities. Mr. Dennis said yes, with whatever building comes to be, those residents will have access to the development's amenities unless the same amenities are available in their building. Mr. Recklaus said the project still has to go through the zoning process, and a formal redevelopment agreement will come forward too. This MOU is to establish the working terms. Mr. Perkins said with cross access easements for pedestrians and drivers, the project will be intertwined. We will be able to evaluate the amenities in a future presentation.

Trustee Dunnington asked when the property will be demolished. Mr. Recklaus said we don't know. The owners have not proceeded with demolition and we have begun to fine them again. We will continue to fine them until they begin demolition. The MOU has the developer doing their own demolition in case the current owner does not do it. We are not relying on the existing owner to get it done. There is no timeline from the existing owner.

Trustee Dunnington asked why senior housing was chosen for this development when there are four groups identified for affordable housing by the Village. Mr. Dennis said the overwhelming sentiment from the Village that there was a strong need for senior affordable housing. It is common for seniors to have their own building and amenities, so the plan lent itself for a senior building. It's a good solution as it exceeds the number of units required by the ordinance. This is not assisted living, but rather independent age restricted affordable housing.

Trustee Dunnington asked if the MOU is approved, will the project go to the Housing Commission. Mr. Perkins said it did go to the Housing Commission on a preliminary basis, and the project will go to the Commission when it goes through the normal review process. Trustee Dunnington asked if the Housing Commission will be able to make recommendations to the project. Mr. Perkins said they can review and provide recommendations as they see fit. Mr. Recklaus said the process is similar to when a petitioner comes for Early Review, the Board may say what it likes/doesn't like. The other commissions can make their own

recommendation knowing it will come back to the Village Board.

Trustee Dunnington asked if there is any liability if we violate our current Ordinance since the proposed units are segregated and built at different times. Mr. Passman said there is no liability, as the Ordinance is the Board's own creation, it is the discretion of the Board, and it is our own rule as a Home Rule authority. Trustee Dunnington said she was concerned with the precedent.

Trustee Dunnington moved to approve the MOU, but amend it to provide that Section 2b (market rate units) must comply with the Inclusionary Housing Ordinance, and Section 2c be removed. Trustee Grasse seconded the motion.

Trustee Grasse said this project needs to be done. She is a strong believer in the Inclusionary Housing Ordinance and the need for it. She believes in compromise and creative solutions for the greater good. This is our Ordinance and our strategic priority to have affordable inclusionary housing. The biggest need is for rental assistance. Crescent Place just opened and they are already full. There is a need for senior affordable housing. This project proposes a separate, not inclusive, senior building that is not being built at the same time. She heard that most amenities are shared, but she didn't like "most" and "some sharing" language regarding the amenities. It's either inclusionary or it's not. That is a concern. She said she is concerned about not honoring the Ordinance and the precedent this may set.

Trustee LaBedz asked what the ramifications would be if 'c' was struck. Would there be 6 buildings, and the 7th building would not be built? Mr. Perkins said the whole economics of the project would change if the units are spread within the other buildings. If that is the will of the Board, the project should be tabled and we would go back to the drawing board.

Trustee LaBedz said if there are comparable amenities in the senior building, those residents will be most likely to use the amenities in their building. To her it seems that if there is a senior building and it has a work out room, and the other buildings have a work out room, then the senior residents will go to the one in their building. Just because we are saying some of the amenities may not be reciprocal doesn't mean they will be different. Mr. Dennis said if it goes forward as a senior building, they would not be in control of those amenities, the other developer would be. The exterior amenities will be shared. There are liabilities of sharing amenities on the interior of buildings, it is complex. Urban Street is trying to be inclusionary and also trying to exceed what the Code requires. If section 'c' is struck, then they cannot do it, it is not feasible, and they won't be able to do it. They are trying to find a solution to develop this property and this is the creative solution they came up with.

Trustee LaBedz asked if senior housing is more able to get financing because there is an overwhelming need. Mr. Dennis said the tax credits

process is very competitive, but because there is such an overwhelming need, the likelihood of getting credits improves. Trustee LaBedz said she did not want to be the enemy of the good and also understands that seniors often prefer their own building. She said she would not be in favor of the motion.

President Hayes said he is not in favor of the motion either, this is our Ordinance and there are very few ordinances to which Board hasn't granted variations. You have to look at each development on a case-by-case basis. The Ordinance sets forth a model, but we don't have to follow it to the letter. Given the uniqueness of the property, the number of units for seniors, and the dire need for senior housing, he believes the Board needs to look at the history.

Mr. Recklaus said there doesn't have to be a modification of the Ordinance. The Ordinance says the Board may grant relief due to specific circumstances. This language gives the Board clear authority to look at unique circumstances. President Hayes said the developer is not trying to run away from the Ordinance, they are trying to meet the spirit of the Ordinance, he does not want them to walk away.

Trustee Schwingbeck said he liked the project and wants to see it happen with the affordable housing. He believes the developer will make every effort. He is not in favor of the motion. Some of the amenities will be similar. This is affordable housing, in life, there are places that are more affordable than others. He does not think everyone will necessarily have everything the same.

Resident Comments

Heidi Graham said her mother would rather be in something inclusive versus exclusive. Affordable Housing rent should not exceed 30% of income, Affordable Housing is not Section 8. Many elders have been priced out of their communities. Businesses need employees we must be forward thinking and make sure we have affordable housing for many income levels and many community types. Housing is a basic need. We must hold developers to guaranteed affordable housing.

Linda Waycie asked if the Board will allow Urban Street to go ahead with the project which is not in step with the Affordable Housing Ordinance by setting up a separate building. These buildings take longer to build. This is in opposition of the Ordinance. Bradford Allen is putting up integrated units in their project. If Bradford Allen follows the rules, why is Urban Street not? Perhaps another developer can support your vision?

Keith Moens said aside from the multiple violations, it looks like 2 projects because of the segregation of the two buildings. There are 266 market rate units without any affordable units. It's two separate projects. It is unclear how including affordable units in a separate project fulfills the Affordable Housing requirement. It is feasible, other developers seem to be getting it

done.

Janice Phares read a letter from her friend which said the MOU ignores the intent of the Affordable Housing Ordinance. She is deeply concerned that the senior affordable building is separate with separate amenities. She called on the Board to hold the high standards of the Ordinance.

Christina Crusius asked the Board to support the amendment proposed or vote no on the MOU. The inclusionary housing ordinance was passed because residents of the Village have repeatedly shared concerns about the need for affordable housing. If you value diversity, equity, and inclusion the affordable units must be integrated with the same access and available at the same time. Residents spoke about their concerns when the project came forward during Early Review. Please send a message about the values and expectations.

George Motto said he represents the Senior Citizens Commission which wants the senior affordable units. The building is the lynchpin. He is afraid that we will end up with no affordable housing. There should be some guarantee that those affordable units will be built. The number of affordable units is the most important element, the rest can be negotiated. If the developer can't do it, can we do a better job? What will happen then? They will be able to build a big project and avoid the Ordinance and we get nothing.

Shannon Silverman of the League of Women Voters said she was proud that the Board adopted the Inclusionary Housing Ordinance. She appreciated the motion that was made by Trustee Dunnington and would like to see the spirit of the Ordinance followed through upon. If the integration and the concurrent development happened with the 6 other buildings, she hoped milestones and benchmarks are built into the final agreement.

President Hayes said affordable housing is one of the Board's strategic priorities. It was unanimous when the Inclusionary Ordinance was voted upon. He wants to make it happen whatever way it can and does not want to see 37 units, which exceeds the requirement, walk away when the need is dire. President Hayes said he was willing to go outside the letter of the Ordinance to go with the spirit of it. He will vote against the motion.

Trustee Tinaglia said this is a good example of how every project is different based on land, location, finances and a dozen different things. For decades this property has been a challenge. It is not perfect, it helps us get to the next level, and we will get some good things out of it. He said he would take this proposal over what we have, any day of the week. The Village will get 37 affordable units it doesn't have. The building won't be left out, it will be every bit as attractive as the others. He expects it will be built, if not by this developer, then by someone else. He is not in favor of the motion and is in favor of the project.

Trustee LaBedz said she is supportive of affordable housing in the community. Senior housing is an affordable housing need. One of the things we wrestled with was senior housing, it's difficult to include senior housing in developments that are assisted living, and the Board, after much deliberation, decided it wasn't doable. The Senior Commission has asked the Board to continue to consider affordable senior housing that is not assisted living. This does meet the spirit of our Inclusionary Ordinance, it is not perfect, but no project is perfect. We have got to do something on this site. She would like to move forward with the original proposal.

Trustee Grasse said she understood the need to move forward with the property and is grateful we are allowing this very important conversation to be had in public. There is great need for affordable housing, and we are showing it is a priority for us. There may be exceptions because of the complexity.

The Motion was voted upon.

Ayes: Dunnington, Grasse

Nays: Schwingbeck, LaBedz, Baldino, Tinaglia, Shirley, Hayes

The Motion: Failed

Trustee Dunnington moved to approve the MOU but amend 5b to add that if building 7 did not move forward, the market rate component would be added to comply with the Village's Inclusionary Housing Ordinance.

Trustee Grasse seconded the motion.

Trustee Tinaglia said the motion is a dagger to the heart. There is no way they can agree to that. He hopes the Board will stay involved, he wants to see this happen, and is not afraid the senior housing won't get built, the Village has good stewards. We all want the same thing. He really believes we will find a way to make it happen. If all falls apart, we have a housing fund we can draw upon to help make it happen.

Keith Moens said he is very concerned nothing is going to happen. There will be 266 units with no affordable ones. There is a very good chance building #7 will never happen. If you vote for it, put some kind of mechanism in.

Ayes: Dunnington, Grasse

Nays: Shirley, Tinaglia, Baldino, Tinaglia, Schwingbeck, Hayes

The Motion: Failed

Trustee Grasse said she will support the original MOU with the hope and plan that we can insert benchmarks and milestones into the final agreement. This is important to her.

Mr. Passman clarified that this agreement is not binding on the Village. This MOU is not a grant for any kind of relief, it has not been evaluated for zoning or variations. No one has evaluated if any standards have been met,

at the staff level or through the several commissions. This is a preliminary table setting exercise. It does reflect some expectations for the formal processes moving forward. The substantive items can be considered at the hearings and meetings in the future.

Trustee Jim Tinaglia moved to approve R2023-36/A2023-64. Trustee Tom Schwingbeck Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Nays: Dunnington

Absent: Bertucci

- B. Ordinance Adopting the Village's Current Paid Leave and Benefits Policy and Opting out of the Illinois Paid Leave for All Act Approved

The State of Illinois has passed the Paid Leave for All Workers Act, which sets paid leave and notice standards for Illinois employers, including paid leave for part-time employees. Park District and School District employees are exempted from the Act, and the State chose not to preempt municipal home rule authority in the law, meaning home-rule communities such as Arlington Heights have the ability to opt out and create their own rules for employees. The law requires that employers provide at least one week of paid leave to all full-time employees, and the equivalent of one-week paid leave for all part time employees, including temporary employees. Employers cannot deny approval of the leave regardless of the reason for the leave or impact on operations. The law goes into effect on January 1, 2024.

All full-time Village employees currently receive sick, vacation, and personal leave that accrues at levels beyond the minimum required in the Act. In light of the new law, there are plans to reinstitute proportional leave for permanent part-time employees in 2024 to keep benefits competitive. However, Staff believes that lack of the ability to deny leave for any reason is not compatible with municipal service, given the types of 24/7 unpredictable emergency work that the Village does, particularly in the Public Works, Fire, and Police Departments. Therefore, Staff recommends approval of the attached ordinance which opts the Village Government out of the law.

Mr. Passman said the Ordinance proposes that our personnel policies and Code set the paid leave requirements for the Village. We can update them as the Village deems necessary. The scope is to define the Village's paid leave policies that will be and remain how we regulate our employees. This only affects Village employees, not other Village businesses.

Mr. Recklaus said these rules would not apply to collective bargaining employees which number approximately 200 people. As of January 1, the Village will be updating our benefits regarding part time employees.

President Hayes said he supports the mission and the need to provide 24/7 service.

Trustee Grasse said having good benefits means we will have good employees providing good service. She said in healthcare, they have to have to respond 24/7 as well. Hospitals will have to abide by this new Act. There are always a few outliers who take advantage of policies. She said she did not want to opt out of the Act for the fear of a few who might take advantage. That is a manager issue. The Village should be a model for our local businesses, and do what they have to do.

Trustee Dunnington said she agrees our policies should be updated, but not opt out of the paid leave Act. This really applies to office staff and Public Works. We should follow the Act so our employees have the same benefits as other organizations in the State.

Mr. Moens said the Board gushes over its Public Works employees, we have an opportunity to give these employees a right they deserve. The Village policy is not as good as the State's. Give credit to the nonunion working people. Do not opt out for these Public Works employees.

Trustee Tom Schwingbeck moved to approve 2023-77. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Nays: Baldino, Dunnington, Grasse

Absent: Bertucci

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

A. Closed Session

Request for Closed Session per 5 ILCS 120/2(c) (21): Discussion of minutes lawfully closed, whether for purposes of approval of the minutes or the semi-annual review of the minutes

- and -

5 ILCS120/2(c)(1): Appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body or legal counsel

XVII. ADJOURNMENT

President Hayes invited residents to the Tree Lighting at North School Park on Friday, November 24th at 4:30 p.m. and wished all residents a Happy Thanksgiving.

Trustee Jim Tinaglia moved to adjourn to Closed Session at 9:55 p.m.

Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

Absent: Bertucci