



## 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 20, 2024

7:30 PM

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

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

- A. Presentation of the Colors by Girl Scout Troop  
47375 from Juliette Low Elementary School.

### **III. ROLL CALL OF MEMBERS**

President Hayes and the following Trustees responded to roll: Dunnington, Bertucci, Tinaglia, Grasse, and LaBedz. Trustees Schwingbeck, Shirley and Baldino were absent.

Also present were: Randy Recklaus, Diana Mikula, Hart Passman, and Becky Hume.

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

- A. Committee of the Whole Meeting 2/5/2024                      Approved

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

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

- B. Village Board 02/05/2024                      Approved

Trustee Jim Tinaglia moved to approve. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

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

A. Warrant Register 02/15/2024

Approved

Trustee James Bertucci moved to approve in the amount of \$2,360,881.31.

Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

## **VI. RECOGNITIONS AND PRESENTATIONS**

## **VII. PUBLIC HEARINGS**

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

Keith Moens said people do not move to Arlington Heights because of Metropolis or Alfresco, but because of the quality education. It's disappointing to hear and read in the Daily Herald an article that said the Board is "trying to make it happen" in regards to the Bears Stadium. Mr. Moens asserted that the Village Board and staff are pressuring the school districts to accept a lower tax bill with the Bears. In his opinion, the school districts are standing up for the tax payers. He asked President Hayes to pass along to the Bears' Chairman that we welcome them, but they need to pay for their fair share just like all taxpayers. If they are not willing to pay their own load, then they should stay in the city.

President Hayes agreed that quality education is a primary reason people move here. About 65% of the taxes go to the schools and our taxpayers are willing to pay for education. We do not want to do anything to diminish it. He countered that there was no pressure exerted on the school districts, but the Village has encouraged all sides to talk and will continue to do so.

## **IX. OLD BUSINESS**

A. Report of the Committee of the Whole Meeting      Approved  
February 12, 2024

Discussion of Updated Noise Ordinance

Trustee Baldino moved, seconded by Trustee  
Schwingbeck, that the Board of Trustees

recommend that the Village Board approve an Ordinance amending Chapter 19 of the Municipal Code regarding noise regulations at an upcoming meeting.

Mr. Recklaus said that Chief Pecora presented a new Noise Ordinance at the Committee of the Whole meeting of February 12th. This issue came up because of dissatisfaction over our current standards which were adopted from the State of Illinois Noise Pollution Control Regulations (Noise Pollution Act). The Village has found that the rules are extremely subjective. Perceptions of sound can vary widely and using equipment or consultants in a timely manner when an alleged violation is underway presents many challenges.

In practice, the Village has employed a far more subjective "reasonable" test when noise complaints are reported. Police Officers attempt to get voluntary compliance to resolve neighbor complaints. In many instances, one neighbor may find a noise objectionable, while others may have no issue with it. Each individual Officer may also have different standards on what is or isn't reasonable. Because of the subjectivity, factors like duration, location, and time of day make a difference. This subjective 'reasonableness' test has been insufficient. In response, objective standards were developed regarding noise, while allowing for officer discretion.

A list of specific prohibitions such as but not limited to:

- General prohibitions on harsh, prolonged, unnatural, noises that interfere with peace and comfort of residences or places of business,
- Non-emergency signaling devices such as car alarms for periods of longer than one minute,
- Radios, televisions, portable speakers, etc. that are plainly audible at a distance of 75 feet from the source property,
- Amplified loudspeakers, public address systems during the hours between 10pm and 7am on weekdays excepted as permitted elsewhere in the code and between 10pm and 10am on weekends and holidays when it is within residential (zoned in the "R" categories) or noise sensitive areas, or within a public space. (Downtown is not zoned an "R" district.)
- Loading unloading noises between 10pm and 7am- except downtown during the Alfresco season, where 6am deliveries would be allowed.
- Yelling and shouting in residential, noise sensitive areas, or in public places between 10pm and 7am (including the Alfresco zone).
- Animal and bird noises
- Construction noises for activity outside of approved construction hours
- Use of blowers or combustion engines in residential areas (defined by the "R" zoning districts) between 7am and 7pm.
- General Noise in residential areas (again "R" Districts, not the downtown) and areas adjacent to residential areas between 10pm and 7am.

There are also exemptions to the rules including:

- Repairs of utility systems and Village infrastructure
- Sirens on emergency vehicles
- Outdoor school and playground activities
- Outdoor events including athletic events approved by the Village
- Village or Park District managed events
- Church activities that cannot be heard more than 100 feet beyond the church property boundaries between 10pm and 6am. Church bells are also exempted

The preferred penalty is compliance, however a warning ticket can be given for minor infractions. The first violation is \$25 - \$40 the second violation in a 12-month period is \$500-\$750.

Mr. Recklaus noted some of the changes made since the Committee of the Whole discussion: the reference to Chapter 8 was eliminated, electrical storm is now a power outage, the animal definition was clarified, solid waste was added to unloading/loading, and changes were made in the solid waste section of the Code to reflect Alfresco practices.

Trustee Grasse asked why 'Health' was removed from the 3<sup>rd</sup> paragraph. Mr. Passman said because when the Ordinance was updated, issues were moved into Chapter 8, so 'Health' didn't belong there anymore. Health is covered in Chapter 19. Trustee Grasse said the Ordinance was brought forward to assist residents.

Trustee LaBedz asked if the fines were discretionary to the officer or if they were by offence. Mr. Recklaus said the issues noted were at the discretion of the police officer. A hearing officer would assess the fines.

President Hayes said this was a response to concerns we have heard from residents and businesses over the years. This gives us tools to address these concerns.

Trustee James Bertucci moved to move Legal Item A to this point in the agenda. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

- B. Ordinance Amending Chapter 8 and Chapter 19 Approved  
of the Municipal Code Regarding Noise  
Regulations

Trustee Nicolle Grasse moved to approve 2024-08. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

**X. CONSENT AGENDA**

**CONSENT APPROVAL OF BIDS**

Trustee Jim Tinaglia moved to approve. Trustee Wendy Dunnington  
Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

- |    |  |          |
|----|--|----------|
| A. | Plan Review Professional Services - Contract<br>Extension 2024 | Approved |
| B. | Resurfacing Program & Sidewalk Program 2024<br>– Bid Award     | Approved |
| C. | Scarsdale Estates Drainage Improvements –<br>Phase 2 Design    | Approved |

**CONSENT LEGAL**

- |    |   |          |
|----|---|----------|
| A. | Ordinance - Ramen USA - 926 & 928 W.<br>Algonquin Rd. | Approved |
|----|---|----------|

Trustee Jim Tinaglia moved to approve 2024-09. Trustee Wendy  
Dunnington Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

- |    |   |          |
|----|---|----------|
| B. | Ordinance - Verizon Wireless - 1500 W. Shure<br>Dr. | Approved |
|----|---|----------|

Trustee Jim Tinaglia moved to approve 2024-10. Trustee Wendy  
Dunnington Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

**CONSENT REPORT OF THE VILLAGE MANAGER**

- A. Destruction of Closed Session Recordings for the meetings of: 2/7/2022, 4/18/2022 and 6/6/2022. Approved

Trustee Jim Tinaglia moved to approve. Trustee Wendy Dunnington Seconded the Motion.

The Motion: Passed

Ayes: Bertucci, Dunnington, Grasse, Hayes, LaBedz, Tinaglia

Absent: Baldino, Schwingbeck, Shirley

**XI. APPROVAL OF BIDS**

**XII. NEW BUSINESS**

**XIII. LEGAL**

**XIV. REPORT OF THE VILLAGE MANAGER**

**XV. APPOINTMENTS**

**XVI. PETITIONS AND COMMUNICATIONS**

- A. Closed Session Approved

Request for Closed Session per 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 ILCS 120/2 (c) (11): litigation, when an action against, affecting or on behalf of the Village has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent

**XVII. ADJOURNMENT**