



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
December 15, 2014
8:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

The Village Clerk called the roll with President Hayes and the following Trustees responding: LaBedz, Scaletta, Blackwood, Rosenberg, Farwell, Sidor, Glasgow and Tinaglia.

Also present were Village Manager Randy Recklaus, Assistant Village Manager Diana Mikula, Assistant Village Attorney Robin Ward, Assistant Director of Public Works Cris Papierniak, Director of Building and Health Services James McCalister, Director of Planning and Community Development Charles Perkins and Village Clerk Becky Hume.

IV. APPROVAL OF MINUTES

VIDEO A. Village Board Minutes 12/01/2014 Approved

Trustee Carol Blackwood moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Glasgow, Hayes, LaBedz, Scaletta, Sidor, Tinaglia.

Abstain: Farwell, Rosenberg.

V. APPROVAL OF ACCOUNTS PAYABLE

VIDEO A. Warrant Register of 12/15/2014 Approved

Trustee Joe Farwell moved to approve the Warrant Register dated 12/15/2014 in the amount of \$1,445,546.15. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Monica Sidor said that her employer Bosch Power Tools is donating 7 cordless drills to the Katie project which helps install smoke detectors and batteries in existing detectors. She said she heard there was a need and asked her employer if they could fulfill it.

IX. OLD BUSINESS

- A. Report of the Committee-of-the-Whole Meeting of December 15, 2014 Approved

Interview of Theresa Jordan for Appointment to the Environmental Commission

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

Trustee Bert Rosenberg moved to concur with the Mayor's appointment of Theresa Jordan to the Environmental Commission with a term ending 4/30/17. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

- B. Report of the Committee-of-the-Whole Meeting of December 15, 2014 Approved

Interview of Grace Kho for Appointment to the Youth Commission

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

Trustee Thomas Glasgow moved to concur with the Mayor's appointment of Grace Kho to the Youth Commission with a term ending 4/30/15. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

- C. Report of the Committee-of-the-Whole Meeting of December 15, 2014 Rescheduled

Interview of Dottie Hardy for Appointment to the Senior Citizens Commission

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

- VIDEO A. Firefighter Turnout Gear Drying Cabinets Approved

Trustee Thomas Glasgow moved to waive formal bidding and approve the purchase of two UniMac Firefighter's Personal Protective Equipment Drying Cabinets from Washburn Machinery, Inc. for \$11,500. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

- VIDEO B. Furnishing Fire Line Meters and Associated Parts & Equipment Approved

Trustee Thomas Glasgow moved to award a three year contract for Furnishing of Fire Line Water Meters and Associated Parts & Equipment to HBK and Midwest Meter for a total not to exceed \$100,000. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

CONSENT NEW BUSINESS

- VIDEO A. Cash Contributions in Lieu of Land Dedication Approved

Trustee Thomas Glasgow moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

CONSENT LEGAL

- VIDEO A. A Resolution of the Village of Arlington Heights Approved
 Authorizing the Adoption of the Cook County Multi-
 Jurisdictional Hazard Mitigation Plan
 (Conformance with the Disaster Mitigation Act of 2000
 for new requirements for pre/post disaster hazard
 mitigation programs)

Trustee Thomas Glasgow moved to approve R14-036. Trustee Jim Tinaglia
Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

- VIDEO B. An Ordinance Authorizing an Addendum to Mutual Aid Approved
 Box Alarm System Agreement
 ("Compensation for Aid" section amended)

Trustee Thomas Glasgow moved to approve 14-062/A14-058. Trustee Jim
Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

- VIDEO C. An Ordinance Granting a Special Use Permit for a Approved
 Restaurant and a Variation from Chapter 28 of the
 Arlington Heights Municipal Code
 (Aurelio's Pizza, Esplanade Shopping Center, 2944 W.
 Euclid Avenue)

Trustee Thomas Glasgow moved to approve 14-063. Trustee Jim Tinaglia
Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

VIDEO D. Resolution Appointing a Director and Alternate Director Approved
to the Solid Waste Agency of Northern Cook County
(Randall Recklaus, Village Manager, to serve as Alternate
Director)

Trustee Thomas Glasgow moved to approve R14-037. Trustee Jim Tinaglia
Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor,
Tinaglia.

CONSENT REPORT OF THE VILLAGE MANAGER

VIDEO A. Budget Amendment – Fire and Police Commission Exam Approved
Fund

Trustee Thomas Glasgow moved to amend the FY15 Fire & Police Commission
Examinations account by an increase of \$18,000 which includes a \$14,580
payment to Selection Works, LLC. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor,
Tinaglia.

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

VIDEO A. I-Cubed / Food Commissary - 2920 N. Arlington Heights Approved
Rd. - PC#14-018

Dominic Buttitta Jr. represented the petitioner. **Mr. Recklaus** said the petitioner seeks
a variance to allow "Bakery Products" wholesale and production in an M-1 district and to
waive the traffic and parking study. The Plan Commission voted to approve these
requests. There are no other properties in the Village in an M-1 district where food
preparation is allowed. However, there are many kitchens immediately adjacent to single
family neighborhoods. The primary concerns expressed related to owners and trash by
the adjacent neighbors. Subsequent to the Plan Commission meeting, Staff developed
more conditions to help mitigate potential problems.

The additional conditions suggested since the Plan Commission meeting are:

- An indoor refuse storage area must be provided for trash.
- The grease trap should be located as far north as practically feasible.

- Loading, delivery, parking lot sweeping and refuse removal may not occur between 10:00 p.m. and 7:00 a.m.
- Hours of operation are limited to Monday-Saturday from 7:00 a.m. to 7:00 p.m., no Sunday hours or night shift is permitted.

Mr. Perkins said catering is not allowed in an M-1 district and the petitioner is not requesting a variance for catering. An additional Land Use Variation would be required for catering. Although the Savory Salads' website says it offers catering, the petitioner has stated they no longer provide that service. Mr. Perkins said that some of the Jewel/Osco stores have food prep and are 60-90 feet from residential homes. The closest residential property line to this location is 100 feet. These new conditions address the odor, animal attraction and noise issues. Parking is adequate.

After explaining the facility layout, **Mr. Buttitta** said the storage requirements called for three coolers as produce requires a large area for storage. This storage takes up much of the space in the kitchen. There is no plan for a night shift or Sunday hours. Deliveries will occur during operational hours. At most, ten people would be working in this location. He said initially they plan for two people to be working in the commissary at a time. The petitioner intends to locate the garbage indoors, so will not add to any rodent issue. Trash will also be removed within 48 hours. He said the business will comply with the Village Code completely. This commissary will supply two stores with salad makings, breads and cookies. They are not selling to any outside businesses. They have large ovens to limit the number of baking sessions per day.

Mr. Buttitta said Savory Salads does no hotel catering but did when it first started operations five years ago. It does not plan on hotel catering in the future. This proposed food commissary will not be involved in any catering or fulfilling group orders. It is only for the preparation of produce and baking to support its restaurant locations. If food is ordered, it will be through the restaurants. Product is prepared in the commissary and then finished in the restaurant. It will receive deliveries two times a week during business hours. Delivery vans will be taking the food to their restaurants, not box trucks.

Trustee Glasgow asked **Mr. Perkins** the following:

- Q) What does the M-1 district allow? A) M-1 is a research, development and light manufacturing district. It allows showrooms, contractor shops, equipment leasing, laundries, dry cleaning, tool and die shops, beverage and bottling distribution, ceramics, drug manufacturing, electrical equipment and more of these kinds of businesses.
- Q) Were there any complaints when the X-Ray manufacturer or the Geo Thermal companies were in this location? A) No.
- Q) There are three other kitchen facilities in the area and one in Elk Grove that have kitchen preparation near residential homes. Are there any complaints in Elk Grove? A) No. Also, there have been no complaints regarding the Savory Salads restaurant in Barrington.
- Q) Is this proposal similar to the Sweet Tomatoes Commissary in Elk Grove? A) Sweet Tomatoes is larger and supplies six restaurants, this facility will only supply

two. Also, the Moorings and Lutheran Home have full kitchens and there are no complaints in those neighborhoods. Jewel/Osco's kitchen is larger and immediately adjacent to residential. There have been no complaints of odors or animals there either.

- Q) What would restrict them from producing a high volume of food? A) The restriction is that the food must be used by Savory Salads.

Trustee Tinaglia asked for the business owner to discuss the floor plan.

Stephanie Jameson explained the layout of the coolers, the bread tables, ovens, hood, and mixer room. Trustee Tinaglia said the kitchen area itself is only 2,000 square feet after taking out the office, cooler, garbage and delivery space. He said smells coming from hoods are from baking, frying or grilling. There will be no deep fat fryers, so that is a positive. The smells will be of soup, bread, and roasted meats/vegetables.

Trustee Rosenberg asked what items will be cooked versus purchased. **Ms. Jameson** said they purchase cooked turkey but make their own roast beef and baked chicken. The appliances are ovens and a soup kettle.

Trustee Blackwood asked how many customers the restaurant had each day. **Ms. Jameson** said 100-150 in their Barrington store. The new Arlington Heights site should double that amount. They are open until 8:00 p.m. but they don't need the commissary open at that time. The last delivery to the stores would be between 2-3 p.m. Occasionally, more salad preparation would occur after the last delivery to the stores. Ms. Jameson said the trash containers would have lids in the Commissary.

Mr. Recklaus said the Plan Commission conditions already prohibit deliveries from 10:00 p.m. to 7:00 a.m. and business hours are limited to 7:00 a.m. - 7:00 p.m. If a business had a permitted use on this site, the Village would have no ability to restrict their hours of operation, and the site could have deliveries in middle of night and have third shift. This proposal is more restrictive than that of a permitted use.

Trustee Sidor asked who will be in charge at this site. **Ms. Jameson** said she is responsible. She makes the preparation list and coordinates the activities of staff.

Trustee Farwell asked if idling should be regulated. He said that the Village should not try to curb the growth or catering, but the finished product should be picked up at the retail sites. He said "odorous nuisance" should be defined, so that if the Village needs to withdraw the variation, there would be grounds to do so. The number of workers could also be limited.

Trustee LaBedz asked how 1-2 deliveries a week from suppliers is realistic. **Ms. Jameson** explained that their supplier Cicso requires a 20 case minimum to place an order. Since they are ordering fresh produce, they need the large coolers to accommodate the 20 cases. They will use refrigeration on vans to deliver to their stores. **Trustee LaBedz** asked if baking will cease in the stores. **Ms. Jameson**

said she would like to be able to reduce the amount of raw product at the stores. **Trustee Labedz** asked if there are any problems with the businesses that already use enclosed trash sites. **Mr. Perkins** said they have not had rodent problems. **Mr. McCalister** said the Health Department has not cited any problems either.

Mr. Recklaus said there are a number of downtown restaurants that have indoor storage. There also kitchens adjacent to single family home areas and none of them have indoor refuse storage restrictions. This business will have greater restrictions than on any other business in community with a kitchen adjacent to residential area.

Resident Comments

Rob Kimicata asked the Board to consider the risk to Village versus the benefit. There will be no sales tax and some property tax. He said the Gloria Jeans roasting facility reduced home values. He said the business will come for a hardship later; they will bring in the catering business once they are established. He said catering is their objective, and their You Tube video promotes it. Their 2015 menu includes and promotes catering. He said there will be more traffic and trucks.

Rob Brill said there is no hardship. He said the property owner leased the facility for an inappropriate use and is now asking for forgiveness. The property has only been vacant a few months. There is no hardship for the petitioner. There are a lot of vacant properties that can support this type of use. This business picked the worst property in the park and it is not zoned for their use. Granting a variation will change the essential light industrial use of the area. It will open up an M-1 to an M-2 use, as decisions are based on precedent. He said he did not believe they were not going to do catering. He said their business model did not make sense. He said that after several months of this issue, the business has not reached out to residents.

Vernon Davidson said in 42 years the businesses in the industrial park have behaved well. He asked the Board not to turn 42 years of positive into a negative by allowing loud noises, bad smells, disease spreading rodents and roaches into the area. He asked the Board to be careful of the potential risk or harm on the residents of Berkley Square. He said it was not okay to subject residents to strong, objectionable and harmful orders into the air they breathe. He said the most effective way of limiting odors is to not allow the business to operate in the first place. There will be new noises and the loud banging of dumpsters and truck traffic. He said the business will bring health hazards into homes and spread of infectious diseases which are attracted by cooking.

Sue Rothlisberger said the smell of garlic bread in the morning is not a good smell. She said the petitioner used words like: in theory, we don't anticipate, and we don't intend. She said she was glad there were some mitigation guarantees but would like some better conditions in place. She said there were conflicting messages from the Plan Commission meeting to tonight's meeting from the

petitioner. She showed a photograph where the Savory Salads garbage can lids did not close and suggested they could not control their waste. She said the garbage space seemed small.

John Morrow: An M-1 zoning area should not be easily changed just because someone wants to rent it for something else. Why couldn't the business go to a place that is properly zoned? The Village should encourage M-1 businesses to come to this location.

Shawn Tracinski presented petitions to the Mayor with signatures from a couple hundred residents. The Jewel stores have 12 foot brick walls or fences behind them. There is no wall where this business will be. Although they say they will use smaller delivery trucks, their deliveries will come from full size semi-trucks. This space could easily be rearranged and expanded.

Julie Olaru thanked the Plan Commission for doing a great job. She said a lot of what was discussed was covered in the new conditions. She thanked Trustee Farwell for sharing some of her concerns. She asked for a contingency on this variation which would require a retail operation remain in Arlington Heights, with an exception for unseen calamities. She asked for an increased retaining wall and a fence.

Mark Skierkiewicz said he is a licensed professional engineer. He said the purpose of the Zoning Code is to give residential neighborhoods protections. He said odors present a life safety hazard. He cited the National Fire Prevention Association related to fires in eating and dining establishments. 57% of fires occur in kitchens. Locally, a fire occurred at Salsa 17 in their commercial kitchen exhaust system. The neighborhood needs a barrier of protection from fires. The cooking process releases gases, molecules, and creates funky compounds. A lot of carbon is produced. Cholesterol can travel in the air from cooking. Commercial kitchens cause smog.

Barbara Kimicata said thank you for the work done, additional analysis and good information. She asked how many exceptions might be made in the future to the M-1 zoning district as she would hate to see a precedent set. She said she expects this business to grow and with that comes more food, more people and more hours added to operation. She said they bake eight items, and with growth the baking will increase. She asked that their businesses hours be limited to the Village's business hours so if there is a problem, Village Staff can address them as they occur. She said it is hard to tell if the food they are preparing is solely for their own stores. In addition to these concerns, she listed these stipulations: limit the food produced to Savory Salad stores only, food prepped and delivered be individual ingredients- not mixed trays or other formats as advertised on their catering menu, no more than ten employees at a time, require the business to voluntarily cease operation if Village Staff confirms odor violation and voluntarily vacate premises if odor complaints at the sole discretion of Staff if the problem cannot be resolved, no trash in dumpster more than 48 hours-meaning Friday pickup required, occupancy contingent on maintaining retail store in Arlington

Heights with exceptions for Force Majeure, such as a fire or other unforeseen calamity, and a barrier wall.

President Hayes thanked the speakers and said a lot of conditions in Plan Commission and Staff recommendations address the issues presented tonight. The petitioner is on record as to what their intentions are for this site. He said he will hold them to it.

Trustee Glasgow asked if the petitioner had reached out to the residents. **Mr. Buttitta** said no. Village Staff met with group of residents upon the resident's invitation. **Mr. Perkins** said there was a delay placing the item on agenda to allow the business owner and Staff to address questions that arose. The additional conditions proposed this evening came after resident input and Staff evaluation with response from the petitioner. **Mr. Buttitta** said they will abide by all of the conditions. He said they proposed to bring the garbage indoors and invest in a commercial grade exhaust system. They are prepared to remedy the fence situation and will wait for Staff direction. Mr. Buttitta reiterated they will comply with Village Code.

Trustee Glasgow said most of the questions have been addressed. The facts presented are for a food/salad preparation business with a limited cooking menu. He said that the concerns of the residents have been addressed to limit the nuisance to neighbors. There has been no precedential information brought forth to suggest any of the issues of concern are probable. He said the Village must work with probabilities, not possibilities and that more often government is accused of limiting businesses. He said he expected the petitioner to abide by all the conditions and if there are issues, the business owner will be brought back to deal with them. **Mr. Buttitta** and **Ms. Jameson** said they will abide by all of the terms and conditions. **Trustee Glasgow** motioned to approve Staff's modified recommendation. **Trustee Tinaglia** seconded the motion.

Trustee Scaletta said it is incumbent upon the new business to reach out to the neighbors, not the other way around. He said he was disappointed there was no neighborhood meeting. He said he does not like changes in uses when residents are in the area and are opposed. He confirmed that nothing in the retail location in the Village would change. The location is not conducive to what the business is looking to do. He said he would like a condition to be that the company should maintain an Arlington Heights retail store. He asked if the building needed a sprinkler system. **Mr. McCalister** said that it is required of the food preparation area, but not necessary for the entire building. It also needs fire rated walls. The petitioner said that they and the landlord were aware of this requirement.

Trustee Scaletta said that if the business was selling food to other businesses, the paperwork and invoices could be checked. There will be records of where the product goes. Groot is the garbage vendor, and their pick up log can also be checked. Trustee Scaletta confirmed that the petitioner will create a barrier or fence as required.

Trustee Rosenberg asked to add to the delivery condition that deliveries are not

permitted on Sundays. **Trustee Glasgow** added this condition to his motion. **Trustee Tinaglia** agreed. **Trustee Rosenberg** said a lot of the uses that were mentioned as M-1 permitted would be more odorous and noisy than what is being proposed. Other allowed businesses could be worse. He said he would vote for adoption.

Trustee Sidor asked if a company had a cafeteria for its employees in an M-1 district, would it need a variance. **Mr. Perkins** said an employee cafeteria would be allowed and would not require a variance. A cafeteria would be ancillary to the main function and an employee service.

Trustee Tinaglia said it would be better not force the underground grease trap inside and spend the savings on a better filter system to exhaust the cooking odors. A grease trap does not cause odor issues, but a filter system would help solve an odor problem.

Trustee Farwell revisited the idling of vans. **Mr. Perkins** said there are some restrictions in other locations, but they only deal with idling of non-refrigerated trucks as refrigerated trucks must idle to keep cool. In this case, the loading dock is in the middle of the site to be further away from the residential area and it is fully enclosed. **Trustee Farwell** said odors can be considered a nuisance. The fence issue was readdressed. **Ms. Ward** said that back to back fences are not generally a good idea as the area in between is not maintained. There is a resident's fence there now. **Mr. Buttitta** said they have no problem adding a fence barrier; it is at the discretion of the Village.

Mr. Recklaus said that Village Code requires screening between these two types of uses if it does not exist. The conditions of this proposal do not need to include this stipulation as it is already in the Code. **Mr. Perkins** said the requirement is for a six foot fence or a landscape barrier between intense uses and residential uses. Staff can direct the petitioner to the appropriate solution.

President Hayes said he appreciated the residents being part of this process. As a neighbor, he said he was subject to the same wildlife concerns, and as a neighbor he believes the concerns have been adequately addressed. **Ms. Ward** asked for clarification if the requirement of maintaining an Arlington Heights location was part of the proposal. **Trustee Glasgow** said it was an undue restriction on the petitioner. **Trustee Scaletta** said this would determined his vote.

Trustee Thomas Glasgow moved to approve. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia.

Nays: Blackwood, Scaletta.

Preliminary Plat of Subdivision

Keith Wisniewski of D.R. Horton appeared for the petitioner. **Mr. Recklaus** said the petitioner is seeking a Preliminary Plat of Subdivision approval. Originally the site was platted with 8 homes. The petitioner now returns, upon the recommendation of the Zoning Board, with 6 lots platted. **Mr. Perkins** explained that the plan includes the extension of Kennicott from Campbell to Sigwalt. The Village owns 33 feet of un-improved right of way. This plan includes a partial street, 20 feet wide. The petitioner has worked with staff on a tree preservation plan. There is no commitment to preserve any trees, but the petitioner said each lot will be reviewed for tree preservation and removal at time of permit. Staff said that 20 should be preserved and there will be an effort to preserve trees that do not conflict with utilities on each lot. If these 20 cannot be preserved they must be replaced according the replacement schedule.

Mr. Wisniewski said they have been the contract purchaser of this site since March. He said that Kennicott will go through to Sigwalt to accommodate emergency vehicles and snow removal vehicles upon the Village's request. The current project includes this accommodation as well as the reduction from 8 to 6 lots with one non-conforming lot to accommodate water detention. Because of flooding concerns, water will be directed to the basin for it to be detained and released at a slower rate. D.R. Horton has agreed to only remove trees necessary to accommodate the infrastructure and site improvements.

Trustee Labeledz asked who is responsible for maintaining the water detention. **Mr. Perkins** said small development detention is dedicated to and maintained by the Village permanently. It will have local habitat grasses that do not require the same level of maintenance as lawn grass. **Trustee Labeledz** inquired about the tree exchange rate of 5-1. **Mr. Perkins** said replacement is based on size of tree and its caliper, if a large tree is removed 5 trees would need to be added.

Trustee Tinaglia clarified that the standard street width is 32 feet; this proposed partial street is 20 feet. **Mr. Perkins** said the west side of the property is owned separately, the long range goal is to have this portion of Kennicott the same width as any other street. **Trustee Tinaglia** said he would prefer the corner lot be used for a house and move detention to another location within the development. **Mr. Perkins** said the location of the detention was specifically requested by Engineering for drainage purposes. **Mr. Wisniewski** said the southern section of these 1.6 acres is the high point so the flow of water flows northeast. From the southern boundary of this site, the water flows south to Sigwalt. Catch basins will collect and deliver water to that corner lot. **Mr. Perkins** said the corner location is also easier for Public Works to maintain and it provides an open space to which two lots have access.

Trustee Rosenberg asked if the cost of putting through the street is born by the developer. **Mr. Perkins** said yes, the land for the street is already dedicated to the Village. Once the street is improved it is turned over to the Village. The west side of street will not be developed at the same time. That section of the property is still part of the Henry estate as far as Staff knows. The developer has

agreed to build the street through all the way from Campbell to Sigwalt, even though their property ends short of that. **Trustee Rosenberg** asked if the road would be one way. **Mr. Perkins** said no, but parking would be restricted. There would also be a recapture agreement for the southern portion of the street when it is developed for that developer would reimburse D.R. Horton.

Trustee Sidor confirmed that additional detention will be necessary if the rest of the site is developed.

Trustee Glasgow said he would like more history on the other water detention options. He said he cannot support this plan without a complete understanding of the drainage, engineering, setback restrictions and lot layout. **Mr. Wisniewski** said this configuration was not their first choice. Staff directed them to put the detention in this location.

Trustee Scaletta confirmed that detention property gets removed from tax the roles. He asked why the street cannot be the appropriate width. **Mr. Perkins** explained that D.R. Horton does not own the property and the property is not yet dedicated. This is a temporary condition until other side is developed. It was unknown if Engineering would require curbs on the west side of the partial street. **Trustee Scaletta** asked who was responsible for the sewers. **Mr. Perkins** said it would be the responsibility of the property owners to resolve problems with the sewers. **Trustee Scaletta** said it was unclear which property housed the sewers and that this needed clarification.

Trustee Rosenberg moved to continue the meeting past 11:00 p.m. **Trustee Scaletta** seconded the motion. The motion carried unanimously.

Trustee Labeledz asked where visitors would park for lots 5 and 6. **Mr. Perkins** said parking will be restricted, but it is possible that parking would only be prohibited on one side, otherwise parking would be on other streets in the area.

Trustee Tinaglia asked who owns the southern piece of the property. **Mr. Perkins** said he believes it is still part of the Henry estate. Staff has not been able to make contact with the ownership. **Trustee Tinaglia** said it seemed as this development was being shoe-horned in. It would make more sense to make detention a narrower segment of the property that reached all the lots. Then the development would have three lots on Kaspar and three lots on Campbell. He said he could not support this plan with a nine foot hole on the corner.

Resident Comments

Zaya Keefer asked the Board to look at the totality of the property and the streetscape. She said a detention pond on corner did not make sense as that's where kids head to Pioneer Pool. She said children are walking that part of the area and a 9' hole on this corner isn't appropriate. She asked the Board to take initiative and see how it really should be divided. She said she would like to see a full street as it is unknown how long it will be before the other section is developed.

Trustee Farwell said there are questions that need to be answered prior to final plat. He said he would like to see more thoughtful planning for the whole area. He asked if there was a way to encourage the Henry estate to work with the Village to help satisfy the questions regarding the Kennicott extension and the detention issue. He suggested the topic be brought back with more information presented to the Board. **Trustee Farwell** moved for a continuance. **Trustee Tinaglia** seconded the motion.

President Hayes said the issues are not just questions regarding detention, but also the location of the detention and street configuration. The Board would like these issues addressed.

Mr. Recklaus said a continuance is less burdensome to the petitioner.

Trustee Tinaglia said that with this large of a parcel, thoughtful planning is necessary. He said he understood the petitioner is trying to do their best with the parcel they control. He said a master plan and detention for the whole estate needs to be developed rather than piece by piece.

Trustee Scaletta asked for the petitioner to be required to give notice to the neighbors when the topic comes before the Board again. **President Hayes** concurred and the motion was amended.

Trustee Joe Farwell moved to continue. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.

XIII. LEGAL

XIV. APPOINTMENTS

XV. PETITIONS AND COMMUNICATIONS

XVI. REPORT OF THE VILLAGE MANAGER

- A. 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 ILCS 120/2(c)(5): Purchase or lease of real property for
the use of the public body, including discussing whether a

particular parcel should be acquired

XVII. ADJOURNMENT

Trustee Thomas Glasgow moved to adjourn to Closed Session. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia.