



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  
July 20, 2015  
8:00 PM

**VIDEO I. CALL TO ORDER**

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

Also in attendance were: Randy Recklaus, Robin Ward, Tom Kuehne, Charles Perkins, Diana Mikula, Mark Burkland and Becky Hume.

**VIDEO II. PLEDGE OF ALLEGIANCE**

**VIDEO III. ROLL CALL OF MEMBERS**

**VIDEO IV. APPROVAL OF MINUTES**

VIDEO        A.        Committee-of-the-Whole Minutes 06/15/2015        Approved

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

The Motion: Passed

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

Abstain: Farwell.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO        B.        Committee-of-the-Whole Minutes 07/06/15        Approved

Trustee Glasgow requested that these minutes be corrected to reflect his concern regarding the petition as there were multiple partners on a single application.

Trustee Thomas Glasgow moved to approve with corrections. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Tinaglia, Scaletta.

VIDEO C. Village Board Minutes 07/06/2015 Approved

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

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO D. Committee-of-the-Whole Minutes 07/13/2015 Approved

Trustee Joe Farwell moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Tinaglia, Scaletta.

VIDEO **V. APPROVAL OF ACCOUNTS PAYABLE**

VIDEO A. Warrant Register of 7/15/2015 Approved

Trustee Joe Farwell moved to approve the Warrant Register in the amount of \$1,611,873.32. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO **VI. RECOGNITIONS AND PRESENTATIONS**

VIDEO A. Presentation by the Respiratory Health Association

Bill Kruser presented the Village with a certificate from the Respiratory Health Association for adding baking projects and E-cigarettes to the smoke free law. The Village's action protects visitors, workers and residents from exposure to toxins.

President Hayes said he was proud of award, and said the Village promotes healthy lifestyles. Having a smoke free environment is a big part of that goal.

VIDEO B. Proclamation of the 25th Anniversary of the Americans with Disabilities Act

President Hayes read the Village's Proclamation recognizing the 25<sup>th</sup> anniversary of the Americans with Disabilities Act. Seth Goldberg, Chair of the Village's Commission of Citizens with Disabilities, thanked the Village for their ongoing support. Mr. Goldberg said it was important to ensure equal access to everyone with disabilities. President Hayes said all citizens, staff and the Citizens with Disabilities Commission helped accomplish the goals of the ADA.

VIDEO **VII. PUBLIC HEARINGS**

VIDEO **VIII. CITIZENS TO BE HEARD**

VIDEO **IX. OLD BUSINESS**

VIDEO A. Report of the Committee-of-the-Whole Meeting of July 13, 2015 Approved

Recommendation of the Arlington Economic Alliance regarding proposed Code changes to Section 6-505

Trustee Scaletta moved, seconded by Trustee Farwell that the Committee-of-the-Whole recommend to the Village Board adoption of an ordinance amending Section 6-505 of the Arlington Heights Municipal Code with the changes proposed by the Arlington Economic Alliance. The motion passed unanimously.

Trustee Joe Farwell moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO B. Report of the Committee-of-the-Whole Meeting of July 13, 2015 Approved

Operating Fund Overview/Recommended Budget  
Ceilings - 2016

Trustee Scaletta moved, seconded by Trustee Sidor that the Committee-of-the-Whole recommend to the Village Board approval of the 2016 budget ceilings of \$72,253,100 for the General Fund; and \$19,526,700 for the Water & Sewer Fund. The motion passed unanimously.

Trustee Farwell said the Village is fiscally in good shape and that the reserves are doing well. The budget ceiling for the next fiscal year projects a 1.39 % increase over the prior year. The Village continues to operate with no expansion of staff or street services, while still funding the pension obligations at the rate suggested by actuaries. The increase reflects that. He said negative actions in Springfield impact the Village and its citizens.

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

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO C. Report of the Committee-of-the-Whole Meeting of July 20, 2015 Approved

Consideration of recommending to the Liquor Commissioner the issuance of a Class "B" & "T" Liquor License to R-K Group Enterprises, Inc., dba Foremost Liquors, located at 1776 W. Algonquin Road

Trustee Thomas Glasgow moved to recommend the Liquor Commissioner the issuance of a Class "B" & "T" Liquor License to R-K Group Enterprises with the condition that the existing license must be surrendered prior to issuance. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Scaletta, Tinaglia, Rosenberg.

VIDEO D. Report of the Committee-of-the-Whole Meeting of July 20, 2015 Approved

Interview of Steve Daday for Appointment to the PAM Board of Directors

Interview of Steve Daday for Appointment to the  
PAM Board of Directors

Trustee Glasgow thanked Mr. Daday for coming forward to support  
Metropolis.

Trustee Thomas Glasgow moved to concur with the Mayor's appointment of  
Steve Daday to the PAM Board. Trustee Joe Farwell Seconded the Motion.  
The Motion: Passed  
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Scaletta, Tinaglia, Rosenberg.

VIDEO E. Report of the Committee-of-the-Whole Meeting of July 20, 2015 Approved

Interview of Colleen Ungurean for Appointment to  
the PAM Board of Directors

Ms. Ungurean said she was humbled and grateful to be asked.

Trustee Joe Farwell moved to concur with the Mayor's appointment of  
Colleen Ungurean to the PAM Board. Trustee Thomas Glasgow Seconded  
the Motion.  
The Motion: Passed  
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO **X. CONSENT AGENDA**

**CONSENT OLD BUSINESS**

VIDEO **CONSENT APPROVAL OF BIDS**

VIDEO A. Asphalt Tack Distributor Approved

Trustee Thomas Glasgow moved to approve. Trustee Mike Sidor Seconded  
the Motion.  
The Motion: Passed  
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO **CONSENT LEGAL**

VIDEO           A.       A Resolution Approving Certain Property to               Approved  
                  Participate in the Cook County Class 6b  
                  Assessment Incentive Program (Suburban Trim and  
                  Glass, 206 W. Campus Drive)

Trustee Thomas Glasgow moved to approve R15-025. Trustee Mike Sidor  
Seconded the Motion.  
The Motion: Passed  
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Scaletta, Rosenberg, Tinaglia.

VIDEO           B.       An Ordinance Preempting Cook County Code               Approved  
                  Section 10-13  
                  (Opting out of Cook County's ordinance which  
                  prohibits the sale of commercially bred dogs, cats  
                  and rabbits in pet shops)

Trustee Thomas Glasgow moved to approve R15-021. Trustee Mike Sidor  
Seconded the Motion.  
The Motion: Passed  
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO           C.       An Ordinance Amending Planned Unit               Approved  
                  Development Ordinance Number 67-120  
                  (Northwest Metalcraft, 413 S. Arlington Heights  
                  Road)

Trustee Thomas Glasgow moved to approve 15-022. Trustee Mike Sidor  
Seconded the Motion.  
The Motion: Passed  
Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

VIDEO           **CONSENT REPORT OF THE VILLAGE MANAGER**

VIDEO           A.       Settlement of Lovi v. Village of Arlington Heights,   Approved  
                  et al.

Trustee Thomas Glasgow moved to approve the settlement in the case of  
Lovi v. Village of Arlington Heights, in the amount of \$185,000 to be

distributed as \$10,000 to Mr. Lovi and \$175,000 to his attorneys and no admission of liability on the part of the Village or any of its police officers. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

**VIDEO XI. APPROVAL OF BIDS**

VIDEO           A.       Change order J.Gill and Company for North               Approved  
                              Parking Garage restriping and traffic marking  
                              change order

Mr. Recklaus said that the consultant reviewing the Village's North Parking Garage has proposed concepts to restripe the garage which would increase the number of spaces by ten. Staff is recommending that the parking fund be used, and therefore it is necessary to enter a change order for \$11,500 to allow this work to be done.

President Hayes said that he does not want this to be the new standard and looking forward would like to keep parking spots as wide as possible unless there are extenuating circumstances.

Trustee Robin LaBedz moved to approve. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

**VIDEO XII. NEW BUSINESS**

VIDEO           A.       Chuck-E-Cheese - 41 W. Rand Rd. - PC#15-008       Approved

Jennifer Moulton of CEC Entertainment said they are relocating from their current site to a larger one in order to offer residents a better facility.

President Hayes asked if there would be liquor at this location. Ms. Mikula said that there would be and a change in location for the liquor license can be administratively approved.

Trustee Blackwood asked how the new space would be allocated. Ms. Moulton said there would be more restaurant space, more amusement space and the party area will be much larger.





street. To exit the property, gaps are less available with twice as many gaps in the afternoon as opposed to the morning. Waiting will occur on site and not impede traffic.

Trustee Glasgow said the area is so tight because the building is so far back on the property. He said he didn't think this is an appropriate use for this property. It was better as office transitional.

Trustee Blackwood asked about a possible right-in/right-out turn. Mr. Perkins said staff did not suggest that but did ask them to perhaps widen the lane to allow a separate left-out and right-out. This option would require IDOT review and approval. He said he would be concerned about restricting traffic to a right-in/right-out as it might circulate traffic into the neighborhood. Trustee Blackwood said the site was clearly designed as an office, the back has such a narrow strip, even for little ones. She said she would be happier with the playground in front even if square footage is lost for parking.

Trustee Blackwood said she was uncomfortable with having left turn going north on Arlington Heights Road. Mr. Aboona said the previous tenant generated traffic all day long and this user would only be morning and evening. He said there is no doubt there will be wait times for vehicles making a left hand turn. He said the childcare center was in character of Arlington Heights Road as there is a KinderCare further north which has the same situation. Based on the traffic studies, there are more than enough gaps for people to exit and enter. He said he could appreciate widening the driveway, he suggested the Village do a look back, as the center won't be fully occupied on day one.

Trustee Blackwood said she could envision revisiting the driveway in a year. She said the Village needs child care. She said they have done a lot with a strange layout, but she was concerned about the traffic and safety.

Trustee LaBedz said she was concerned about traffic and the playground. She said she would prefer three lanes in the parking lot to include a right turn, a left turn and an inbound lane. She said she was concerned about the low lying area in the rear as it was wet and muddy. Trustee Labeledz said she preferred the play area in front. She inquired about the echoing of noise that some neighbors had complained about. Mr. Perkins said that the building wall was close to the resident's homes so noises play off the wall.

Trustee Sidor likened this situation to turning left at the Glueckert Funeral Home. Has said he was concerned that traffic would back up on Arlington Heights Road at key times.

Maureen Fischer thanked the Board members who walked the property. She said she was astounded that everything has changed since the Plan Commission meeting and these new plans were not available to the public. She said she never knew there were 4 playgrounds. Nothing was said

about the playground on the south side at the Plan Commission Meeting. She said per a June 20th email from Ms. Ellis-Ferzacca that there would not be playground bells, horns or whistles. However, there will be instruments, including a hank drum, chimes, bongo, tuned drums and a glockenspiel. She said wind chimes echo off the building all the way to her patio. She said she was misled by omission, as instruments are not bells but they are noise makers.

Irene Jimenez said she purchased her two flat so her son could attend Arlington Heights schools. She needs the second income from renting the second story to make the mortgage payment. She said her son attended Bright Horizons for four years and it was a good experience. She said she would be adversely affected by noise from the playground which would have 192 children outside playing each and every day. No amount of landscaping can muffle the noises and her current tenants are already objecting. She said it would be impossible to find new tenants who would find this noise level acceptable. She said despite her goodwill for Bright Horizons, she said it would be better to find a location in a business park.

Bruce Austin said day cares should not be in an area like this. Day care is needed but this is not the right location. If a right-in/right-out was added it would put more traffic on Dunton which people already use as a cut through. Students use Dunton as bypass for Arlington Heights Road, he said he doesn't need more traffic on Dunton.

Eileen Austin said they spend a lot of time in their backyard directly behind the proposed daycare. Playground noise will be consistent during the day, every day and on Saturdays during open houses. Four playgrounds will bring high pitched laughing, screaming, yelling and crying. She said noise making instruments, reminded her that a bell on the boat at St. Peters ran all week, all night, all day, before the bell was taken out. This center would bring constant noise and she listed the instruments she would have to listen to. She said there is nothing intended to be built between the fence lines. It's a small space for children. Just because it meets DCFS's minimum requirements, doesn't mean it is the ideal location. She said Dunton is a speedway and a right-in/right-out would increase traffic. Already Olive, Thomas, Hersey, St. James and St. Peters traffic comes down Dunton.

Ms. Ellis-Ferzacca said all the musical instruments were removed in the new design. President Hayes noted the revised proposal did remove the instruments since the Plan Commission Meeting.

Kathy Wendell said that on Arlington Heights Road there are many bad days with malfunctioning traffic lights, storms and that traffic gets backed up. Winter weather causes more traffic flow problems. A right-in/right-out would increase traffic on Dunton. If it was her child, she wouldn't be happy without the climbing structures. Activity is important to youngsters, the instruments would be amazing, and she said she would not want those taken away. She said she was not so worried about hearing children. The

traffic is really loud. She said by removing what is wonderful about Bright Horizons to make this project work, is detracting from what the center should be.

Mark Gaylord said modifications occur after plans are approved, he said he worried that the noise makers might come back later. He said Arlington Heights Road and Olive Street is a zoo in the morning for the start of school. People make last minute lane changes to avoid traffic but there is no option to do that if this is their destination. He worried that another 100 cars would be cutting through the neighborhood to avoid the left hand turn.

John Fisher said that the rear playground has no access in the back. He said it is a damp dark area with soft soggy land, sidewalks will take up space from the layout, which brings play space down to 15'. He said there is one door in the back, nothing on the north side, there are no doors or exits and landscaping straight up hill. The whole layout is wrong. He said you can't let kids run in the mud.

Mark Glazer, the property owner, said this new proposal adequately addressed the Plan Commission's concerns. DCFS understands children and what their needs are. Traffic will always be the case on Arlington Heights Road. There was a very busy medical practice here before, and the parking lot was always jammed. There has never been a left hand turn problem. An expert in driving did a complete study and there are gaps because of the stop lights. No other building or business has a right-in/right-out. He said the building is vacant, the residents are concerned about their housing, but he is concerned about this building, as it has been vacant for 9 months. He said he has always been a good neighbor.

Ms. Toole of Bright Horizons said the change in plans came through working with the Planning Department after the Plan Commission meeting. They have made a great effort to address each and every concern. Friday, the Planning Department asked them to look at a different option. She said she was a bit offended that people accused them of coming through the back door; she said they took out the instruments and they will keep them out like they said they would. This is not a secret plan, it was an option asked for by the Planning Department. She said if the Board likes the playground in front, they will explore it.

President Hayes said the Planning Department asked for the changes, there was no intent to mislead or deceive. The petitioner is trying to address the concerns. It is unfortunate that a complete proposal was not ready prior to this meeting.

Ms. Ellis-Ferzacca said open houses were extremely rare, occurring perhaps twice a year, and were most likely held inside the building or in the parking lot. The climbing structures would be kept for preschoolers in front. The indoor space has a rock climbing wall. The two year old playground was in plans from the very beginning.

President Hayes said he walked property and saw the conditions in front and on the sides of the building. As a commuter, he said it is faster to go down Arlington Heights Road than down Dunton. He said he understood the concerns of having to wait for turning vehicles. He was more concerned about the playground areas. He said he would not vote for a proposal that had the playground behind the building.

Trustee Blackwood asked Dr. Glazer what happened to the previous tenant. Dr. Glazer said the medical practice consolidated into one building and they wanted the whole building, there was another tenant at the time, and the space was not available. Then, Bright Horizons came and the other tenant was moved out.

Trustee Blackwood said that the right-in/right-out idea was her own, not something that was recommended. She said she said looking at widening the drive aisle in a year may be the answer. A day care is a necessary business, but this is not her first choice of building. It's truly a medical building. Bright Horizons has done everything they can do to work with what they have and KinderCare is doing the same thing just north on Arlington Height Road. As long as the playground moves to the front, she said she was inclined to work with petitioner.

Trustee Farwell said the playground to the west does not make sense, would be a detriment to the neighbors, and negatively impact their general welfare and perhaps the value of their homes. A Special Use is a tool applied when a business is necessary to the public at a location with no detriment to the people in the vicinity. Even if the playground moved to east side, he said he was not sure a daycare is a proper use for the property. He cited the traffic increase during rush hours as a concern.

Trustee Glasgow said he has worked with 25 separate day care centers during career and never seen a design like this. This was built as a medical building, not as a day care center. He said he agreed there was a need but the location is better for something else. Trustee Glasgow moved to deny the request. Trustee Farwell seconded the motion.

President Hayes said he would like to see if the petitioner could make adjustments to try and salvage the proposal.

Trustee Glasgow said he was at a loss as to how this use would meet the criteria for Special Use for this area. He said he stands by his motion to deny the request.

President Hayes said he would be interested in pursuing the project but the playground must not be in back of building.

Trustee Sidor said his issue was the traffic on Dunton, the north bound back-ups on Arlington Heights Road, and people taking risks to get into the parking lot.

Trustee Blackwood said the playgrounds would have to be in front and a review of the drive aisle would need to occur within a year.

Trustee Farwell said he doesn't think the use is appropriate. It's a great petition in a poor location. He asked Bright Horizons to find another spot.

Trustee Thomas Glasgow moved to concur with the Plan Commission's denial of the project. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Farwell, Glasgow, LaBedz, Sidor.

Nays: Blackwood, Hayes.

Absent: Rosenberg, Scaletta, Tinaglia.

#### VIDEO **XIII.LEGAL**

VIDEO        A.        An Ordinance Granting a Special Use Permit for a Restaurant and a Variation from Chapter 28 of the Arlington Heights Municipal Code (Chuck E Cheese, Annex of Arlington Shopping Center, 41 West Rand Road)        Approved

Trustee Thomas Glasgow moved to approve 15-023. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.

#### **XIV. APPOINTMENTS**

#### VIDEO **XV. PETITIONS AND COMMUNICATIONS**

President Hayes officially introduced Mark Burkland as Village Attorney.

Trustee Sidor said that in light of the Respiratory Health Association presentation, residents should remember the Idle Free Campaign which encourages residents to turn off their cars rather than keep them in idle if they don't need them running.

#### VIDEO **XVI. REPORT OF THE VILLAGE MANAGER**

VIDEO

A. Report of the Housing Commission - CDBG -  
Funded Group Home/Transitional Housing  
Rehabilitation Loan Program

Approved

Mr. Recklaus said in 2014 the Housing Commission and Village Board determined they wanted to modify how they used CDBG funds and created a repayment provision whereby 2/3 of the funds awarded be repaid at a zero interest rate versus a 100% grant. There were a few takers and others did not pursue their projects. The Housing Commission and staff discussed the issue and propose to go back to the original program to ensure these funds are put to use. The motion at the recent Housing Commission meeting also states that the two projects which were financed under this experiment receive retroactive funding.

Mark Hellner the Housing Commission Chair said he was responsible for the experiment but has since changed his mind. The Commission thought they could expand the program this way, but with the unavailability of funds for not for profits, it didn't work and it doesn't make sense to stick with it. He said the problem can be corrected without too much damage.

Trustee LaBedz said she appreciated the experiment. She said social service agencies have a tremendous burden to begin with.

Trustee Robin LaBedz moved to concur with the the Housing Commission's recommendation. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: LaBedz, Farwell, Glasgow, Hayes, Sidor, Blackwood

Absent: Rosenberg, Scaletta, Tinaglia

VIDEO **XVII ADJOURNMENT**

Trustee Carol Blackwood moved to adjourn at 10:09. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Blackwood, Farwell, Glasgow, Hayes, LaBedz, Sidor.

Absent: Rosenberg, Scaletta, Tinaglia.