



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

June 20, 2016

8:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: Sidor, LaBedz, Glasgow, Tinaglia, Rosenberg, Scaletta, Blackwood.

Trustee Farwell was absent.

Also present were: Randy Recklaus, Tom Kuehne, Bill Enright, Mark Burkland, Robin Ward, Jim Massarelli, Diana Mikula and Becky Hume.

IV. APPROVAL OF MINUTES

A. Committee of the Whole 5/16/16 Approved

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

The Motion: Passed

Ayes: Blackwood, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia

Abstain: Glasgow, Scaletta

Absent: Farwell

B. Village Board 6/6/2016 Approved

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

The Motion: Passed

Abstain: Hayes, Scaletta
Absent: Farwell

V. APPROVAL OF ACCOUNTS PAYABLE

- A. Warrant Register of 6/15/2016 Approved

Trustee Bert Rosenberg moved to approve the Warrant Register of 6/15/16 in the amount of \$1,572,061.98. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

VI. RECOGNITIONS AND PRESENTATIONS

- A. Recognition of the Retirement of Executive Director Steve Scholten of the Arlington Heights Park District

President Hayes read the proclamation honoring Steve Scholten, retiring Executive Director of the Arlington Heights Park District.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

IX. OLD BUSINESS

- A. Report of the Committee-of-the-Whole Meeting of June 13, 2016 Approved

Review of the 8-Month Period ending December 31, 2015 Comprehensive Annual Financial Report (CAFR)

Trustee Rosenberg moved, seconded by Trustee LaBedz, that the Committee-of-the-Whole recommend to the Village Board that the 8-month period ending December 31, 2015 Comprehensive Annual Financial Report be accepted. The motion carried unanimously.

Trustee Bert Rosenberg moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

- B. Report of the Committee of the Whole Meeting of June 13, 2016 Approved

Continued Discussion re: Possible Changes to the Liquor Code

Trustee Glasgow moved, seconded by Trustee Tinaglia that the Committee-of-the-Whole recommend to the Village Board the creation of a Class "K" liquor license for coffee shops as presented this evening, with the change to Section 13-501, #3 to read "The sale of beer and wine is incidental and secondary to the sale of coffee and similar products." The motion carried unanimously.

Trustee Glasgow explained that the proposed Class "K" liquor license is designed for coffee shops which would like to serve wine or beer in the evenings. Starbucks presented a proposal for a Starbucks Evenings model, but if the license is created, other coffee shops could qualify. He questioned if it might be wise to have a drink limit or a food purchase requirement to ensure these coffee shops didn't redefine themselves as bars in the evenings.

Mr. Recklaus said 65 other Illinois communities have liquor licenses for Starbucks. No other Illinois jurisdictions have limits, one other community requires a food purchase if two drinks are purchased. Possible enforcement methods of such limits were discussed. There are no similar limitations on any other liquor license in the Village. Trustee Glasgow said he was not concerned about Starbucks, but other potential licensees. He said imposing a food sale was not too much of a burden in his opinion.

Trustee Scaletta said there is not much variety of food choices on the Starbucks menu, so he would be reluctant to require people to purchase food, but he said he was okay with a 2-3 drink limit.

Mr. Burkland said limits cannot be imposed on individual license applicants that are not part of the ordinance.

President Hayes said drink limits or food requirements are not necessary or appropriate. He said he was willing to explore limits in other liquor classifications, but not for the coffee shop license. No other municipality which has created this classification has imposed these kinds of

restrictions.

Trustee LaBedz said she struggled with additional limits. Anyone can go to a restaurant and drink without drink limits or food purchase requirements. It is not reasonable to impose limits on coffee shops, when restrictions are not imposed on other establishments. She said she believed the Village can handle enforcement if a business was not in compliance with their license.

Trustee Tinaglia said he is against having bars in the town like there used to be. The "K" license is clear that the business is a coffee shop first. He hoped that the Village could easily monitor how these places behave, and if there are issues, then the liquor license holder should be held accountable. He said he did not want to add regulation.

Trustee Rosenberg said a facility changing in to a different kind of operation would be a violation of their license. Only coffee shops can apply for this license.

Trustee Sidor said he did not want to be too prohibitive. If something goes wrong, they would get shut down. He asked if the Village was covered as far as enforcement. Mr. Burkland said yes.

Trustee Blackwood said she was okay without limiting drink orders and any additional restrictions would be unfair.

Trustee Glasgow asked if the sale of beer and wine exceeds the sale of coffee would the business lose its license. Mr. Recklaus said on a given day it is possible for alcohol to outpace sales of another item. He discussed scenarios where this could occur but reiterated that the intent is to look at the general character of the business, beer and wine cannot be the primary purpose for existence under a "K" license.

Trustee Glasgow said the "K" license is very specific and like a Chipotle style of business. He said he wanted to give notice that this will be taken seriously.

Trustee Rosenberg asked about the monitoring provisions and if they were within the Ordinance. Ms. Ward said if there was a reason to believe the business was running as a bar versus a coffee shop, records would be requested. The license could be revoked and the business would have to prove that this was not the case. Additional language in the Code has not been necessary to date.

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

The Motion: Passed

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

Absent: Farwell

- C. Report of the Committee of the Whole Meeting of 6/20/16 Approved

Report of the Interview of David Easley for Appointment to the Bicycle and Pedestrian Advisory Commission - Term Ending 4/30/17

President Hayes administered the Oath of Office to Mr. Easley.

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

The Motion: Passed

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

Absent: Farwell

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

- A. 2016 MFT Street Reconstruction Program Approved

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

The Motion: Passed

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

Absent: Farwell

CONSENT NEW BUSINESS

- A. Cash Contribution in Lieu of Land Dedication Approved

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

The Motion: Passed

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

Absent: Farwell

CONSENT LEGAL

- A. An Ordinance Repealing Ordinance Number 06-048 Approved
(Repeal ordinance granting a variation from Section 28-11.4 for property located at 511 W. Rand Road)

Trustee Thomas Glasgow moved to approve 16-024. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

- B. An Ordinance Granting a Final Planned Unit Development Approved
(Waverly Inn Memory Care, 511 W. Rand Road)

Trustee Thomas Glasgow moved to approve 16-025. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

- C. A Resolution Establishing Prevailing Wages Approved
(Illinois Department of Labor prevailing rate for Laborers, mechanics, and other workers employed in Public Works)

Trustee Thomas Glasgow moved to approve R16-025. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

- D. A Resolution Approving Renewal of Industrial Real Estate Tax Incentive for Certain Real Estate in the Village of Arlington Heights Approved
(Hommer Tools & Manufacturing, 311 W. University Drive)

Trustee Thomas Glasgow moved to approve R16-026. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

CONSENT REPORT OF THE VILLAGE MANAGER

CONSENT PETITIONS AND COMMUNICATIONS

- A. Bond Waiver - Northwest Suburban Genealogy Society Approved

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

The Motion: Passed

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

Absent: Farwell

- B. Request from Arlington Heights Park District for Fee Waiver Approved

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

The Motion: Passed

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

Absent: Farwell

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Westgate Dental - 2900-2990 W. Euclid Ave. - PC#16-008 Approved
Planned Unit Development

Mr. Enright said the petitioner has met the conditions and has the Design
Commission's approval. All fees have been paid and all requirements have
been met.

Dr. Kics said he has need for new space. He is proposing to build on a vacant lot next to the Esplanade shopping center. There is ample parking.

Trustee Rosenberg said there were inconsistencies in the parking numbers and asked for clarification. Dr. Kics said they will have three shifts so not all staff will be there at one time. Also, the schedule is somewhat staggered. Cliff Toberman of Norman J. Toberman & Associates who conducted the parking study, said the project will have a 17 space surplus based on the Village Code. Customers will park in south parking lot. Employee parking will be in the rear and west side. Esplanade today is only 50% parked. Mr. Enright said the parking numbers are for the shopping center and the new facility combined. The total number of spaces is 204, Code requires 177.

Trustee Tinaglia asked if the parking will limit a new business coming into one of the vacant spaces at Esplanade. Mr. Enright said parking should be okay, based on parking counts done in the PUD parking study. Unless something changes dramatically, another small restaurant could go there. Trustee Tinaglia asked if there was any parking fallback. Dr. Kics said all his chairs will not be occupied at all the time. He estimated that only 30-35 spaces would be used at any given time and they have 64, just for their business.

Trustee Scaletta asked about access to the Starbucks. Mr. Toberman said 85% of customers for Starbucks come through the Salt Creek entrance but customers can access the shop through the Euclid entrance as well. There is no land banked parking for the shopping center. Trustee Scaletta asked if potential future uses might be limited, he worried that the Esplanade owner might cite this new building as a hardship. Mr. Enright said only small spaces are left to lease in Esplanade. Given the actual parking counts, staff is confident that enough parking exists for future businesses as well. A large restaurant might pose a problem, but there is not space for one and it would have to be reviewed as a Special Use. Trustee Scaletta questioned the 20 chair capacity. Dr. Kics said there is transition time in each room and all the rooms are not occupied at once. Dr. Kics said he is only using the training rooms for his own staff, not for hosting other people or outside classes. He estimated his staff has training for 50 hours a year. He will also use that space for monthly and quarterly office meetings.

Trustee Thomas Glasgow moved to approve. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

B. Lexington Homes Subdivision - 900 W. Campbell St. - PC#16-004 Approved

Preliminary Plat of Subdivision

Mr. Recklaus said the proposal is a preliminary plat to re-subdivide into 15 single family lots with one frontage lot to allow for water detention. Mr. Enright said the petitioner has worked diligently on landscaping and tree retention and will add 144 new trees throughout site. The fees for the ongoing detention maintenance are expected to be approximately \$5,200 per lot. The calculation used for Christina Court will be used to determine the final number for this subdivision.

Sharon Dickson, the landscape architect, described the proposed subdivision. Every home has at least one parkway tree. The existing trees on Kaspar will be saved. There will be a detention basin which will be maintained by village that has a naturalized bottom.

Trustee Tinaglia asked about the retention basin depth and slope. Mr. Massarelli said Kennicott sits at 703 feet, the basin bottom is 694 feet. The basin is designed within the Metropolitan Water Reclamation Guidelines (MWRD). The measurement from highest sidewalk elevation at Kennicott to the lowest point of the basin means there will be a 5'-6' differential. Trustee Tinaglia said this is not a grass detention basin, there will be native grasses and these slopes will not be regularly mowed. It is designed strictly to collect water and send the water away slowly, and will sometimes have a soggy bottom.

Trustee Scaletta asked if the detention will take care of all the new homes. Mr. Massarelli said yes and it will not have a negative impact on the existing homes. Sewers will bring storm water to the detention lot. Trustee Scaletta asked if the Patton homes will be impacted. The civil engineer of the project, Angelo Zagafos, said the goal is to have no negative impact especially for the adjacent Patton homes. Lexington will be putting in sewers and catch basins to handle a 100 year rain event. All runoff will go to the detention area. There will be drainage sewers interspersed in the rear yards of the entire project. The Village maintains them after they are put in. Trustee Scaletta asked if there would be brick in this detention area. Ms. Dickson said no, only plants.

Trustee Scaletta asked on which side of Kennicott will there be no parking. Mr. Massarelli said it has not been decided. A stop sign will be added at Kennicott and Campbell. After the street is built, Engineering will conduct a traffic analysis to see if more traffic signs are needed. Mr. Massarelli said traffic may shift to that street and an analysis of what actually occurs will be needed. Trustee Scaletta asked for staff to plan ahead to make sure the traffic plan is safe because of the proximity to Pioneer Park.

Trustee Rosenberg asked how the fee structure would work. Mr. Enright said the Christina Court fee is to be collected over 10 years. Staff is following the same cost and timing formula for this project. Trustee Rosenberg asked if the existing homes will be connected to the new sewers. Mr. Massarelli explained the grading will match the back yards of the existing homes.

There will be depression areas where the drainage sewers are, water will flow from the existing and new homes into these drains. Mr. Zagrafos said the drainage ditch will be lower than the Patton yards' elevations so drainage will flow to the catch there and be sent to the detention basin. Trustee Rosenberg asked how long water would be detained. Mr. Zagrafos said it would not take more than a day or two to drain. The bottom foot may take longer as it must be absorbed by the ground underneath it.

Trustee Blackwood asked what the slope from the back of the house to the lot line was. Mr. Zagrafos said 2%.

Monica Arena McCarthy asked what recourse would she have if, after the project is built, her house experiences flooding. Mr. Recklaus said the Village has a neighborhood flooding program which helps address small specific problems on a case by case basis.

Ms. McCarthy also expressed concern about traffic, especially on game days, once Kennicott goes through. President Hayes explained that traffic signs might not be warranted immediately, but could be needed in six months and that the Village would be evaluating the dynamic traffic situation to keep residents safe.

Trustee Scaletta asked the petitioner if all conditions were agreed to. Bill Rotolo of Lexington Homes said yes. Mr. Massarelli said staff would look at conditions before and after the development to make sure traffic and pedestrian safety was addressed.

Trustee John Scaletta moved to approve. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

XIII.LEGAL

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| A. | An Ordinance Amending Chapter 13 of the
Arlington Heights Municipal Code
(Addition of a Class "K" liquor license) | Approved |
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Trustee Thomas Glasgow moved to approve 16-026. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

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

Absent: Farwell

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

- 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 Approved

- 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