



Motion by Trustee Mills, seconded by Trustee Green, to approve Item 4.

Approval of Minutes

Minutes from December 3, 2012.

Roll Call:

Aye: Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Trustee Pilafas abstained.

Motion carried.

**5. CONSENT AGENDA/OMNIBUS VOTE:**

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.A.

**5.A. Approval of Agenda**

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.B.

**5.B. Approval of the schedule of bills for December 17, 2012: \$12,554,634.85.**

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.C.

**5.C. Request Board approval of Ordinance No. 4345-2012 approving a Cable Television Franchise Agreement between the Village of Hoffman Estates and Comcast of Illinois/West Virginia, LLC; and amending the Cable Television Franchise Agreement between the Village of Hoffman Estates and Comcast of Illinois VI, LLC.**

**Discussion**

Trustee Kincaid asked if we used to have a non-exclusive in the old agreement.  
Mr. Norris explained that all of these agreements are non-exclusive by the State.

Roll Call:

Aye: Pilafas, Stanton, Mills, Green, Newell

Nay: Kincaid

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Newell, to approve Item 5.D.

**5.D.** Request Board approval of Ordinance No. 4346-2012 amending Section 8-7-14, Solicitors, of the Hoffman Estates Municipal Code (time limit).

**Discussion**

Trustee Kincaid asked if this includes political solicitation.  
Mr. Norris replied that it doesn't, nor does it apply to religious solicitations.  
Mr. Janura defined the different types of speech.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.E.

**5.E.** Request Board approval of Resolution No. 1531-2012 establishing fees for police personnel (Police Sergeant and Lieutenant hireback rates).

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.F.

**5.F.** Request Board approval of Resolution No. 1532-2012 creating a Sustainability Commission of the Village of Hoffman Estates.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.G.

**5.G.** Request Board approval of Resolution No. 1533-2012 approving certain real estate to be appropriate for the Class 6B Incentive Program (2300 Stonington Avenue a.k.a. We Care Recycling LLC).

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.H with the change of moving the January 7, 2013 meeting to January 14, 2013.

**5.H.** Request Board approval of the 2013 Village Board and Standing Committee meeting schedule.

**Discussion**

Trustee Kincaid asked if all religions were included on the calendar.  
Mr. Norris replied that yes they were.  
Trustee Kincaid asked that in the future that be reflected in the memo.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell  
Nay:  
Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.I.

**5.I.** Request approval of a time extension to the temporary moratorium on the enforcement of the regulations in Section 9-3-8-K-5 of the Zoning Code to allow certain temporary business signs to be displayed during depressed economic conditions.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell  
Nay:  
Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.J.

**5.J.** Request Board approval of the Village's 2013 excess workers' compensation and property and casualty insurance coverage.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell  
Nay:  
Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.K.

**5.K.** Request Board authorization to award contract for workers' compensation claims administration services to Employer's Claims Service.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell  
Nay:  
Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.L.

**5.L.** Request Board authorization to award contract for property and casualty claims administration services to CCMSI.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Stanton, seconded by Trustee Mills, to approve Item 5.M.

**5.M.** Request Board authorization to:

1) award contract for material testing and quality assurance services on the Hassell Road reconstruction project to Applied GeoScience, Inc., Schaumburg, IL, in an amount not to exceed \$75,000.

2) approve Local Agency Agreement with IDOT.

3) approve Professional Engineering Services Agreement with IDOT for this work.

**Discussion**

Carmella Gonzalez, III FFC, stated that she and the III FFC feel that Applied GeosScience, Inc. doesn't follow the Prevailing Wage Act and that they have many violations against them and fines that need to be paid.

Mr. Janura stated that issue is a matter for the State to handle not a Municipality.

Trustee Kincaid asked if staff checks for outstanding fines before awarding a job to someone.

Mr. Norris stated that Applied GeoScience has worked for us for the last ten years on different projects. Also, from a staff standpoint, we feel we should proceed with the work and that we didn't know about these issues until today.

Roll Call:

Aye: Pilafas, Stanton, Mills, Green, Newell

Nay: Kincaid

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 5.N.

**5.N.** Request Board authorization to extend the Radio and Modem Communications Maintenance Contract on a monthly basis until implementation of the new Radio System in 2013.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

**6. REPORTS:**

**6.A. President's Report**

- 1) Proclamations

Trustee Green read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Mills, to concur with the proclamation proclaiming Sunday, December 30, 2012 as Carl Baumert Day.

Chief Hish accepted the proclamation for Sergeant Baumert.

Trustee Newell read the following proclamation:

Motion by Trustee Green, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Friday, December 21, 2012 as Robert Markko Day.

Mr. Nebel accepted the proclamation for Mr. Markko.

Trustee Mills read the following proclamation:

Motion by Trustee Stanton, seconded by Trustee Mills, to concur with the proclamation proclaiming Sunday, December 30, 2012 as Harry Russman Day.

Chief Hish accepted the proclamation for Officer Russman.

Trustee Stanton read the following proclamation:

Motion by Trustee Green, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Wednesday, December 19, 2012 as John Bending Day.

Chief Hish accepted the proclamation for Officer Bending.

Trustee Pilafas read the following proclamation:

Motion by Trustee Stanton, seconded by Trustee Mills, to concur with the proclamation proclaiming Saturday, January 5, 2013 as Howard DeLord Day.

Mr. Nebel accepted the proclamation for Mr. DeLord.

Trustee Kincaid read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Sunday, January 6, 2013 as Daniel Donohue Day.

Chief Hish accepted the proclamation for Officer Donohue.

Trustee Green read the following proclamation:

Motion by Trustee Pilafas, seconded by Trustee Mills, to concur with the proclamation proclaiming Sunday, January 6, 2013 as John Fitzgerald Day.

Chief Hish accepted the proclamation for Officer Fitzgerald.

Trustee Mills read the following proclamation:

Motion by Trustee Pilafas, seconded by Trustee Green, to concur with the proclamation proclaiming Wednesday, January 2, 2013 as Matthew Kasper Day.

Mr. Nebel accepted the proclamation for Mr. Kasper.

Trustee Newell read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Kincaid, to concur with the proclamation proclaiming December 31, 2012 at 11:30 p.m. local time as Universal Hour of Peace.

Mr. Norris accepted the proclamation.

2) Announcement(s)

Sister Cities Report (Jeff Howard)

This Announcement was not made.

Mayor McLeod asked Chief Hish to update the Board on what is happening at the schools since the tragedy in Connecticut happened.

Chief Hish stated that there has been a police presence since Friday and will continue to be there.

Mayor McLeod read a letter from Carl Seavers, formerly from 426 Bluebonnet Lane, complementing Chief Gorvett and Fire Lieutenant Lenczewski for taking time to show he and his wife around Station 21 where he was a volunteer firefighter.

Motion by Trustee Mills, seconded by Trustee Kincaid, to accept the resignation with regrets of Myron Siegel from the Economic Development Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Stanton, seconded by Trustee Pilafas, to accept the resignation of Craig Willert from the Environmental Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Green, seconded by Trustee Pilafas, to accept the appointment of Brad Cranston and Frank Sawyer to the 4<sup>th</sup> of July Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Newell, to accept the re-appointment of Strother Hollingsworth, Baldemar Lopez and Dan Jedrzejak to the Capital Improvements Board. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to accept the appointment of the existing members of the Environmental and Green Initiatives Commissions to the Sustainability Commission and that Anna Newell be named Chairperson of that Commission. Voice vote taken. All ayes. Motion carried.

Mayor McLeod stated that he attended the Children's Advocacy Center Holiday Party, a Bridlewood Subdivision meeting, the NWSRA Celebrate Ability Banquet, hosted two people as Mayor for the Day, attended Respite Night and a Chamber Board meeting.

**6.B. Trustee Comments**

Trustee Stanton stated that he attended the Cabela's Wreaths Across America Ceremony, the Senior Lunch and Bingo, the CAC Holiday Party and wished everyone Happy Holidays.

Trustee Kincaid stated that he attended Shop with a Cop, the Wreaths Across America Ceremony, the Teddy Bear Tea, the Senior Lunch and Bingo, the CAC Holiday Party and thanked Trustee Mills for her years of serving on the Chamber board.

Trustee Mills stated that she attended Shop with a Cop, The Wreaths Across America Ceremony, the Teddy Bear Tea, the Park District Breakfast with Santa, wished Happy Holidays to everyone and thanked staff and volunteers for all that they did in 2012.

Trustee Green stated that she attended the Lincoln School Latin Fest, the Wreaths Across America, the Teddy Bear Tea, the CAC Holiday Party, the Mayors Open House, wished everyone a Merry Christmas and thanked staff for a great 2012.

Trustee Newell stated that she attended the Lincoln School Latin Fest, the Mayors Open House, Shop with a Cop, the Teddy Bear Tea, the Wreaths Across America Ceremony, thanked Trustee Mills for her service on the Chamber and wished everyone safe and Happy Holidays.

Trustee Pilafas thanked Chief Hish for the police presence at the schools, stated that he attended the Wreaths Across America Ceremony, the Soul soccer game, thanked staff for a great 2012 and wished everyone Happy Holidays and a Happy New Year.

#### **6.C. Village Manager's Report**

Mr. Norris announced the retirement of Code Enforcement Director Don Plass and wished everyone Happy Holidays on behalf of staff.

#### **6.D. Village Clerk's Report**

The Village Clerk had no report.

#### **6.E. Treasurer's Report**

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 6.E.

Mrs. Musiala stated that cash disbursements and transfers-out exceeded cash receipts and transfers-in for the operating funds by \$6,095,450. After including these receipts and disbursements, the balance of cash and investments for the operating funds is \$19.9 million. For all of the Village funds, cash disbursements and transfers-out exceeded cash receipts and transfers-in by \$8,572,938, primarily due to Debt Service Fund payments, as well as additional bi-weekly payroll in November. Overall, the total for cash and investments for all funds decreased to \$160.3 million.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

### **7. PLANNING & ZONING COMMISSION REPORT (Vice-Chairperson Gaeta):**

Motion by Trustee Pilafas, seconded by Trustee Mills, to concur with the Planning & Zoning Commission and approve the petitioners' request.

**7.A.** Request by Shree Jalaram Mandir (Owner) for a special use amendment under Section 9-5-3-C-2 and preliminary and final site plan amendment to permit expansion of an existing building and parking lot improvements located at 425 Illinois Boulevard. The Planning and Zoning Commission recommends the following conditions:

1. The petitioner shall obtain a building permit for this project within nine months of Village Board action on the request.
2. As required by Village code, a fire sprinkler system will need to be included with the building addition portion of the project.
3. With regard to the construction and phasing on the site, the following conditions shall apply:



- a. Prior to issuance of a building permit, the petitioner shall submit a construction plan that outlines the phasing of construction, including the construction access location, the construction trailer location, the construction material storage location, the construction fence location, the construction dumpster location, the portable restroom location, and any other information that is pertinent to the construction process.
- b. During construction, the petitioner shall keep as many parking spaces available on the site as possible. The parking spaces to be retained during construction shall be identified on the construction plan and shall be approved by the Department of Development Services.
- c. Based on unanticipated field conditions once construction starts, the Village shall have the right to require additions or changes to construction fencing locations, directional signage, traffic signage, parking assignments, and any other physical or operational aspect of the property to ensure adequate access and parking is available and safe conditions exist on the property. The Temple and its contractors shall coordinate and obtain Village approval prior to initiating any changes to any aspect of the site operations, signage, parking, construction activities, etc.
- d. Contractor parking shall be prohibited on any of the adjacent streets. All construction trailers, material storage, staging, equipment parking and contractor parking shall be located within the fenced construction staging area.
4. The petitioner shall monitor the parking demand on and off-site and shall make any necessary programming adjustments to ensure parking demand does not exceed supply. If the Village determines that the parking demand creates problems on and around the site, the petitioner shall be required to re-evaluate the parking supply on site and work with the Village to come up with a viable solution.
5. A detailed parking study shall be required as part of the site plan review process for any future building expansion that increases capacity for worshippers on the property. The parking study shall be completed by a professional traffic/parking consultant.
6. If the site plan amendment is approved, the landscape plan will be installed in its entirety by July 1, 2013 or the property may be subject to citation. If the site plan amendment is not approved, then the approved landscape plan from the 2010 site plan approval will be required to be installed in its entirety by July 1, 2013.
7. All dead landscaping shall be replaced as part of the landscape installation by July 1, 2013.
8. If the exterior lighting in the parking lot is determined to be a problem by the Village in the future, the petitioner shall take efforts to shade the lights to minimize glare onto adjacent residences and/or streets.
9. Any utility structures on the site shall be screened with landscaping, as deemed appropriate by the Planning Division.
10. A plat of easement for the watermain installed on the property with the previous improvements shall be submitted and approved by the Village within 60 days of approval by the Village Board of this request.
11. No signs are approved through the site plan review process.
12. Ordinance No. 4205-2010 is hereby repealed and the new ordinance shall hereafter apply to the subject special use.
13. Building materials shall match existing colors and shall be approved by village staff prior to building permit issuance.

### **Discussion**

Trustee Kincaid asked if construction started yet?

Mike Takkar replied no it hasn't.

Trustee Kincaid asked if they would be breaking ground this spring?

Mr. Takkar replied they would be breaking ground in September or October.

Trustee Kincaid asked how much money is going to be spent on parking?

Mr. Takkar replied that they will have 13 more parking spaces.

Trustee Kincaid asked if the sprinkler system was upgraded?

Mr. Takkar replied no not yet.

Trustee Mills asked if they accept all of the conditions?

Mr. Takkar replied that yes they do.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Mills, to concur with the Planning & Zoning Commission and approve the petitioners' request.

**7.B.** Request by the Village of Hoffman Estates for approval of a text amendment to Section 9-3-8 of the Zoning Code regarding Signs in the EDA, B-3, B-4, and O-5 Districts.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to concur with the Planning & Zoning Commission and approve the petitioners' request.

**7.C.** Request by the Village of Hoffman Estates for text amendments to Chapter 9 of the Village Municipal Code (Zoning Code) to delete Section 9-7-5 Economic Development Area (EDA) District, and to amend Sections 9-1-2, 9-2-1, 9-3-3.C.1, 9-4-1.C.11, 9-5-9.C.TableP.30, 9-5-11.F.2, 9-8-1.B.2.l, and 9-8-4.B.i.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

**8. ADDITIONAL BUSINESS:**

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Item 8.A.

**8.A.** Request Board approval of Ordinance No. 4347-2012 adopting the budget for all corporate purposes of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, in lieu of the appropriation ordinance, for the fiscal year commencing on the first day of January, 2013 and ending on the thirty-first day of December, 2013.

Roll Call:

Aye: Pilafas, Stanton, Mills, Green, Newell

Nay: Kincaid

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Mills, to approve Item 8.B.

**8.B.** Request Board approval of Ordinance No. 4348-2012 authorizing the levy and collection of taxes for the corporate and municipal purposes of the Village of Hoffman Estates for the fiscal year beginning on the 1<sup>st</sup> day of January, 2013 and ending on the 31<sup>st</sup> day of December, 2013.

Roll Call:

Aye: Pilafas, Stanton, Mills, Green, Newell

Nay: Kincaid

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 8.C.

**8.C.** Request Board approval of Resolution No. 1534-2012 abating a portion of the 2012 tax levy – taxable Series 2005A General Obligation Bond.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Mills, to approve Item 8.D.

**8.D.** Request Board approval of Resolution No.1535-2012 abating a portion of the 2012 tax levy - Series 2008A and 2009A General Obligation Bond.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 8.E.

**8.E.** Request Board approval of Resolution No. 1536-2012 supporting the passage of the Marketplace Fairness Act (MFA).

Roll Call:

Aye: Pilafas, Stanton, Mills, Green, Newell

Nay: Kincaid

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Stanton, to approve Item 8.F.

**8.F.** Request Board authorization for Levy Foodservice to purchase an estimated \$91,300 of food service equipment and related items for the Sears Centre Arena at Levy's cost per the agreement approved November 5, 2012.

Roll Call:

Aye: Pilafas, Stanton, Mills, Green, Newell

Nay: Kincaid

Mayor McLeod voted aye.

Motion carried.

**8. ADJOURNMENT:**

Motion by Trustee Pilafas, seconded by Trustee Green, to adjourn the meeting. Time 8:09 p.m.

Roll Call:

Aye: Pilafas, Stanton, Mills, Kincaid, Green, Newell

Nay:

Mayor McLeod voted aye.

Motion carried.

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Bev Romanoff  
Village Clerk

Date Approved

The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.