

MEETING: **HOFFMAN ESTATES VILLAGE BOARD**
DATE: **MARCH 17, 2014**
PLACE: **COUNCIL CHAMBERS**
 MUNICIPAL BUILDING COMPLEX
 1900 HASSELL ROAD
 HOFFMAN ESTATES, ILLINOIS

1. CALL TO ORDER:

Village President William McLeod called the meeting to order at 7:45 p.m. The Village Clerk called the roll. Trustees present: Karen Mills, Anna Newell, Gary Pilafas, Gary Stanton, Michael Gaeta, Gayle Vandenberg.

A quorum was present.

ADMINISTRATIVE PERSONNEL PRESENT:

J. Norris, Village Manager
D. O'Malley, Deputy Village Manager
A. Janura, Corporation Counsel
P. Cross, Asst. Corporation Counsel
M. Koplin, Asst. Village Manager Development Services
J. Jorian, Fire Chief
M. Hish, Police Chief
A. Garner, H&HS Director
P. Seger, HRM Director
B. Anderson, CATV Coordinator
K. Kramer, Economic Development Director
R. Musiala, Finance Director
M. Hankey, Transportation & Engineering Director
P' Gugliotta, Planning, Building Code Enforcement Director
T. Messino, GG Intern
A Monroe, Asst. to the Village Manager
J. Weesner, Sr. Traffic Engineer

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge was led by Trustee Mills.

3. RECOGNITION OF AUDIENCE:

No one wished to be recognized.

4. APPROVAL OF MINUTES:

Motion by Trustee Gaeta, seconded by Trustee Pilafas, to approve Item 4 with correction.

Approval of Minutes
Minutes from March 3, 2014.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

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: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

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 March 17, 2014 - \$18,644,654.14.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

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. 4420-2014 granting a special use to Chuck Villano d/b/a Crossfit Xyston (tenant) to permit the operation of a crossfit gym on the property located at 2120 Stonington Avenue.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

6: REPORTS:

6.A. President's Report

Proclamation(s)

Trustee Gaeta read the following proclamation:

Motion by Trustee Pilafas, seconded by Trustee Mills, to concur with the proclamation proclaiming Tuesday, March 25, 2014 as Christopher Braun Day. Voice vote taken. All ayes. Motion carried.

Chief Hish accepted the proclamation.

Trustee Pilafas read the following proclamation:

Motion by Trustee Stanton, seconded by Trustee Vandenberg, to concur with the proclamation proclaiming Tuesday, March 25, 2014 as Robert McGowan Day. Voice vote taken. All ayes. Motion carried.

Chief Hish accepted the proclamation.

Trustee Stanton read the following proclamation:

Motion by Trustee Pilafas, seconded by Trustee Mills, to concur with the proclamation proclaiming Friday, March 28, 2014 as Martin Salerno Day. Voice vote taken. All ayes. Motion carried.

Mr. Salerno accepted his proclamation. He and his family were congratulated by the Board.

Trustee Pilafas read the following proclamation:

Motion by Trustee Stanton, seconded by Trustee Gaeta, to concur with the proclamation proclaiming April 2014 as Child Abuse Prevention Month. Voice vote taken. All ayes. Motion carried.

Jennifer Djordjevic, Children's Advocacy Center, accepted the proclamation.

Trustee Mills read the following proclamation:

Motion by Trustee Gaeta, seconded by Trustee Vandenberg, to concur with the proclamation proclaiming April 6th through April 12th 2014 as Week of the Young Child. Voice vote taken. All ayes. Motion carried.

Dr. Garner accepted the proclamation.

Trustee Vandenberg read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Gaeta, to concur with the proclamation proclaiming April 6th through April 12th 2014 as National Volunteer Week. Voice vote taken. All ayes. Motion carried.

Mr. Norris accepted the proclamation.

Trustee Newell read the following proclamation:

Motion by Trustee Stanton, seconded by Trustee Pilafas, to concur with the proclamation proclaiming April 2014 as Jazz Appreciation Month. Voice vote taken. All ayes. Motion carried.

Mr. Norris accepted the proclamation.

Trustee Mills read the following proclamation:

Motion by Trustee Gaeta, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Tuesday, April 1, 2014 as Day of Recognition for National Service. Voice vote taken. All ayes. Motion carried.

Mr. Norris accepted the proclamation.

Trustee Vandenberg read the following proclamation:

Motion by Trustee Stanton, seconded by Trustee Gaeta, to concur with the proclamation proclaiming April 2014 as National Distracted Driving Awareness Month. Voice vote taken. All ayes. Motion carried.

Mr. Norris accepted the proclamation.

Mayor McLeod stated that he welcomed twin grandsons, Lucas and Elliot, that Emily Kerous, Director of Operations-Mayor and Board, who sits on Senator Mark Kirk's Advisory Board was named chairperson to an anti-bullying subcommittee, he stated that he attended a Celtic Fest meeting, a NWMC meeting, served seniors at the Barn, attended the Schaumburg Park District Intergovernmental Reception, met with representatives from the Big 10, attended the boy scouts Pinewood Derby, he thanked Mr. Norris for attending a NWMC meeting, stated that he attended a 4th of July meeting, a U46 Business and Cultural Legislative Advisory Conference, a Schaumburg Township PTA Dinner, a Mayors NWMC and DuPage Mayors Legislative Session, a Highland Crossing Service Event and a reception for the Hoffman Estates High Schools girls bowling team.

Motion by Trustee Mills, seconded by Trustee Pilafas, to accept the appointment of Ryan Sinclair to the Utility Commission. Voice vote taken. All ayes. Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Gaeta, to accept the appointment of Isaac Johnson to the Emerging Technology Advisory Commission. Voice vote taken. All ayes. Motion carried.

6.B. Trustee Comments

Trustee Vandenberg congratulated the Mayor and his wife on the babies, stated that she attended two Citizen's Police Academy classes, the Intergovernmental Reception and the HEHS reception.

Trustee Stanton congratulated the Mayor and his wife on the babies, he stated that he attended the Intergovernmental Reception, the Pinewood Derby and he congratulated the HEHS bowling team.

Trustee Mills congratulated the Mayor and his wife on their new grandchildren, stated that she attended the Intergovernmental Reception, the Pinewood Derby, the Highland Crossing Community Day and she congratulated the HEHS bowling team.

Trustee Pilafas thanked the Commission for Disabled Citizens and Dr. Garner on a successful St. Patrick's Day Dance, he thanks Trustees Newell and Gaeta for serving those who attended the dance, he congratulated the HEHS bowling team, his wife Michelle on a successful move, reminded everyone that the Celtic Fest is this Saturday, he congratulated staff and the Firefighters union on working out an agreement and he congratulated the Mayor, his wife and Eric and Mellissa on the new additions to their family.

Trustee Newell stated that she attended the Intergovernmental Reception, the St. Patrick's Day Dance, the Pinewood Derby and she congratulated The Mayor and his wife on their new grandsons and the HEHS bowling team.

Trustee Gaeta stated that he attended the St. Patrick's Day Dance, the Pinewood Derby and he congratulated the Mayor and his wife on the babies.

6.C. Village Manager's Report

Mr. Norris recognized the years of municipal service that Marty Salerno, his Father and brother have had, he reported that this will be GG Intern Tia Messino's last meeting and that she has taken a job in Carol Stream and that he was reappointed to the pension negotiating team.

6.D. Village Clerk's Report

The Village Clerk reminded everyone that tomorrow is Election Day and stated that there were 535 people who took advantage of Early Voting at Village Hall.

6.E. Committee Reports

Finance

Trustee Pilafas stated that they would be meeting to request approval of an ordinance amending sections 4-4-4 and 4-4-6 (Village Treasurer), and sections 5-1-2 and 5-1-3 (Director of Finance) of the Hoffman Estates Municipal Code; request authorization to purchase/replace obsolete switching hardware for MDF and IDFs, along with third party IDF interconnects at the Sears Centre Arena from Juniper, as the sole source provider, in an amount not to exceed \$27,448.00; request acceptance of Finance Department, Information Systems Department and Sears Centre Arena Monthly Reports.

Public Health & Safety

Trustee Gaeta stated that they would be meeting to request approval to enter into a two (2) year Police Emergency Vehicle Equipment Installation/Changeover Contract with Ultra Strobe Communications, Inc., Crystal Lake, Illinois; request approval of an ordinance declaring Village property surplus and authorizing the sale of personal property owned by the village, utilizing online auction and live auction; request acceptance of the Police Department, Health & Human Services, Emergency Management Coordinator and Fire Department Monthly Reports.

Public Works & Utilities

Trustee Newell stated that they would be meeting to request authorization to Request authorization to award contract for 2014 Parkway Tree Planting Program to Acres Group, Wauconda, IL, and award contract for 2014 Parkway Tree Planting Program to St Aubin Nursery, Kirkland, IL, in a total amount not to exceed \$570,250; request authorization to award contract for 2014 Street Sweeping; request authorization to award contract for 2014 Concrete Maintenance/Restoration; request authorization to award contract for purchase of fifteen (15) complete Mueller fire hydrants to H.D. Supply, Carol Stream IL (low qualifying bid), in an amount not to exceed \$44,250; request authorization to award contract for 2014/2015 Contracted Stump Site Restoration; request acceptance of the Department of Public Works and Department of Development Services for the Transportation and Engineering Division Monthly Reports.

7. PLANNING & ZONING COMMISSION REPORTS (Commissioner Combs):

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

7.A. Request by Jeff and Laura Phillips (owner) for a 1 foot front yard setback variation and a 6 inch side yard setback variation from Section 9-5-2-D-4 and Section 9-5-2-D-5 to allow a house to be set back 29 feet from the east front lot line and 14.5 feet from the south side lot line instead of the minimum required 30 foot front yard setback and 15 foot side yard setback at 1080 Aspen Street. The following conditions shall apply:

1. The house shall be constructed per the size and location included in the petitioner's application materials submitted with this request.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

Motion by Trustee Gaeta, seconded by Trustee Stanton, to concur with the Planning & Zoning Commission's recommendation and approve the petitioners' request.

7.B. Request by Caruso Development (agent for property owner) for a site plan amendment for a courtyard remodel including outdoor seating at 2300-2360 W. Higgins Road (Barrington Square Town Center). The following conditions shall apply:

1. The property owner is required to manage and coordinate all operations and activities that occur in the courtyard.

2. The petitioner shall schedule a preconstruction meeting with code enforcement, fire, and engineering prior to commencing any work to determine a plan to safely allow businesses to operate during construction.

Conditions applying to Garibaldi's, America's Bar, and Thumka Restaurant:

1. The outdoor seating plan as depicted on the attached courtyard remodel plans dated 2/6/14 shall supersede the previously approved plans for America's Bar and Garibaldi's and will be the only allowed outdoor seating plan for the restaurants. Any change shall require a site plan amendment.

2. The outdoor seating areas shall only be permitted from April 1 to November 30 of each year. All tables, chairs, and umbrellas shall be stored inside the business or off-site during the months when not in use.

3. The fencing for the outdoor seating shall be located in the specific locations shown on the approved plans.

4. All planters located on the fence as shown on the plans shall be maintained with fresh plants/flowers during the entire season.

5. The property owner and businesses shall be responsible for keeping all litter and debris clear from the seating areas and for providing proper notification to all customers that no alcoholic beverages shall be removed from beyond the defined seating area, as shown on the approved plans.

6. Violations of the site plan amendment approval may result in citations being issued to the business owner and/or property owner, as deemed appropriate by the Village. In the event the Village identifies repeated violations of this site plan amendment approval, the Village shall have the right to initiate a site plan review process to consider revocation of the approval. The petitioner will be provided at least 30 day notice of such review.

7. Any expansion or other substantial change to the outdoor seating area shall require an additional site plan amendment through the Village site plan review process.

Conditions applying to America's Bar only:

1. A maximum of three bag toss games are permitted outdoors and must be located in "Bags Area" as shown on the approved site plan and shall only be located within the aluminum fenced areas defining the restaurant outdoor area and separating it from the common areas of the mall courtyard. Placement of bag toss games or any other restaurant activities shall not occur beyond the limits of the defined areas on the plans. The total number of amusement devices for America's Bar & Grill (indoors or outdoors) shall not exceed 15, as required by Ordinance #4213-2010.

2. Bag toss games shall not be set up outdoors until after 6:00 p.m. each night and shall be removed no later than closing time of the establishment, as required by the petitioner's liquor license.

3. The bag toss games and tables and chairs are only permitted outdoors from April 1 to November 30, each year. All tables, chairs, and bag toss games shall be stored inside the business or off-site when not in use.

Discussion

Trustee Gaeta asked who voted no and why.

Chairperson Combs replied that she voted no because of where the openings are located.

Richard Garcia, 2308 W. Higgins, went into great lengths on how he thought that the improvements to the courtyard would hurt his business.

Mayor McLeod read a letter from Joe Caruso, about the improvements that are proposed to the mall.

Mr. Norris discussed the options that the Board could take on this item tonight.

Mark Cable, property owner representative, stated that the remodel was to open the courtyard up to all of the businesses.

Trustee Mills stated that this is an issue between the mall management and business owner.

Conversation was held about bringing back this item at a later date so Mr. Garcia and management could have further discussions.

Roll Call:

Aye: Mills, Newell
Nay: Pilafas, Stanton, Gaeta, Vandenberg
Mayor McLeod voted aye.

Motion failed.

Motion by Trustee Pilafas, seconded by Trustee Stanton, to have Planning & Zoning Commission Item 7.B. put on the April 7, 2014 Board meeting agenda.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg
Nay:
Mayor McLeod voted aye.

Motion carried.

8. ADDITIONAL BUSINESS:

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve Items 8.A. through 8.I. by omnibus vote. Voice vote taken. All ayes. Motion carried.

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

8.A. Request Board approval of Ordinance No. 4421-2014 amending Municipal Code Section 8-13-2-D (Residential Rental Housing Licensing).

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg
Nay:
Mayor McLeod voted aye.

Motion carried.

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

8.B. Request Board approval of:

- 1) Ordinance No, 4422-2014 authorizing the renewal of the aggregation program for electric load; and
- 2) waive formal bidding; and
- 3) authorization to bid and allow the Village Manager to enter into a contract with a third party supplier.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg
Nay:
Mayor McLeod voted aye.

Motion carried.

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

8.C. Request Board approval of Resolution No. 1561-2014 directing the publishing of the 2014 Zoning Map.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg
Nay:
Mayor McLeod voted aye.

Motion carried.

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

8.D. Request Board approval of Resolution No. 1562-2014 supporting the Village of Hoffman Estates becoming a member of the Pension Fairness for Illinois Communities Coalition.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

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

8.E. Request Board approval of an Intergovernmental Agreement between the Village of Schaumburg and the Village of Hoffman Estates regarding the placement and future maintenance of utilities within the Thacker Street right-of-way for single-family lots located within the Village of Schaumburg.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

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

8.F. Request Board approval of request by Kenilworth Investments, LLC, for an agreement allowing the installation of utilities, driveway aprons, and sidewalk within the Thacker Street right of way for a single-family subdivision of seven lots located within the Village of Schaumburg.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

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

8.G. Request Board approval of request by Higgins & Golf Ltd. for a plat of easement vacation and approval of a site plan amendment to allow a freestanding canopy for the property located at 1051 West Higgins Road (Land Rover).

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

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

8.H. Request Board authorization to enter into an agreement with the Northern Illinois Municipal Electric Collaboration (NIMEC) for consulting services regarding the Municipal Electric Aggregation Program.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

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

8.I. Request Board approval of the Collective Bargaining Labor Agreement between the Hoffman Estates Professional Firefighter Association, Local 2061 of the IAFF and the Village of Hoffman Estates for the period January, 2012 through December, 2017.

Roll Call:

Aye: Mills, Newell, Pilafas, Stanton, Gaeta, Vandenberg

Nay:

Mayor McLeod voted aye.

Motion carried.

9. ADJOURNMENT:

Motion by Trustee Mills, seconded by Trustee Pilafas, to adjourn the meeting. Time: 9:15 p.m.

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.