



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

April 22, 2008

Call To Order

The meeting was called to order at 7:37 p.m. Present were Trustees Harlfinger, Murawski, Bogdanowski, Mulcahy, Huckins, Yensen, and President Plaza.

Also present were Village Administrator Gerald Sagona, Director of Public Safety James Wales, Public Works Director Fred Mullard, Village Engineer Dave Van Camp, Parks and Rec. Director Trudy Wakeman, Finance Director Pete Stefan, Community Development Director Dan Olson, Village Attorney Jennifer Gibson and Village Clerk Denise Wasserman Haugk.

Audience Participation:

Administrator:

Govnor's Public House - Waiver of Section 43.09, Noise, of the Municipal Code – presented by Village Administrator Gerald Sagona – Govnor's Public House is requesting waiver of the provisions of Section 43.09, Noise, for their annual "Brew Daze" Festival to be held Friday, July 18, 2008 from 5:00 pm – 1:00 am and Saturday, July 19, 2008 from 1:00 pm – 1:00 am. There will be live musical acts performing until approximately 12:00 am each evening. Trustee Murawski mentioned that there were a lot of complaints last year from residents. The owner of Govnor's believes the wind factor carried the noise last year. However, he is willing to work with the PD to come up with an acceptable layout to minimize the noise. Director Wales and the PD are going to work with Govnor's for possible layout changes to minimize the disturbance. Trustee Bogdanowski and Mulcahy both are in favor of the waiver and appreciate Govnor's being a good neighbor while trying to minimize the noise. Motion was made to place this item on the Village Board Agenda.

Director of Public Safety:

Community Development:

Ordinance – Authorizing Annexation Agreement – Lake Pointe Phase II – presented by Community Development Director Dan Olson – The Village Board gave staff direction to negotiate an annexation agreement for the proposed Lake Pointe Phase II project at the September 27, 2007 meeting. On March 27th, the Board voted to authorize staff to set a public hearing on the agreement for April 22nd at 7:00 pm. Proposed is a 9.4 commercial development along the north side of Algonquin Road, east of Lakewood Road (just east of the Lake Pointe project). There is only one lot shown for development at this time and no building is shown. Access would be provided by Algonquin Road at a location across from the existing Wentworth Drive. Cross access would also be provided to the west to the Lake Pointe project. The agreement provides for B-3 Business District zoning for the site and the list of permitted and conditional uses is the same as the adjacent Lake Pointe project. In addition, prior to any building

permit being issued, a Development Plan must be submitted for review by the Planning and Zoning Commission and Village Board. Motion was made to place this item on the Village Board Agenda.

Ordinance – Annexation Agreement – Lake Pointe Phase II– presented by Community Development Director Dan Olson – Proposed is an Ordinance annexing the Lake Pointe Phase II project as required in the annexation agreement. Motion was made to place this item on the Village Board Agenda.

Ordinance – Zoning – Lake Pointe Phase II– presented by Community Development Director Dan Olson – Provided is the Ordinance that approves the zoning of the Lake Pointe Phase II project. The annexation agreement states the Village will approve an ordinance granting the zoning of B-3 General Business District tentative plat that were approved in the annexation agreement. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amending Chapter 24, Building Code, of the Municipal Code– presented by Community Development Director Dan Olson – The staff is proposing to adopt the latest building codes that cover construction in the Village. Currently in use are the 2003 International Building Codes, which include the Property Maintenance, Mechanical, Fire and Residential Codes. The latest edition is the 2006 International Codes, which is the edition the staff would like to adopt, with some amendments. They would also like to approve the 2008 National Electric Code, updated from the current 2002 edition. The Plumbing Code remains the current edition, which is from 2004. A summary of the changes drafted by Building Commissioner Dave Sellek has been given to the Board. If approved the code changes will go into effect 30 days after notification to the Illinois Building Commission, pursuant to the public notification period required per the Illinois Building Commission Act. Motion was made to place this item on the Village Board Agenda.

Ordinance – Variance – 222 Indian Trail – Garage– presented by Community Development Director Dan Olson – The applicants propose to build a two-car 529 square foot detached garage in front of their lakefront home. The subject site is zoned R-2 One family Dwelling District. The applicant is requesting variations to Sections 13.2 – 1C and 13.5 of the Lake in the Hills Zoning Ordinance to permit a garage in front of a main building and in the front yard. A public hearing was held in front of the Planning and Zoning Commission on April 14, 2008. By a vote of 6 to 0 (Commissioner Stroud was absent), the Commission recommended approval of the application to grant the variations subject to the following conditions: 1) That the gravel parking pad adjacent to the public right-of-way and the gravel driveway behind the new garage be prepared for planting and seeded and/or landscaped within three months of the completion of construction of the garage; and 2) that the public right-of-way be restored and planted to the standards of the Village Public Works Department within three months of the completion of construction of the garage. No neighboring residents appeared to speak in favor of or in opposition to the requested variation. Motion was made to place this item on the Village Board Agenda.

Public Hearing for Zoning Application for a Text Amendment– presented by Community Development Director Dan Olson – Staff is proposing a few text amendments to the Zoning Ordinance. We are proposing to raise the minimum fine (Section 29) for violations to the Ordinance from \$25 to \$50. Also proposed is an amendment to Section 13, Accessory Structures, to allow decks and terraces in the front yards in non residential areas and to add trash enclosures as allowable in the side and rear yards. The text amendments will require a Village-initiated zoning application and a public hearing in front of the Planning and Zoning Commission. We propose to set the hearing date for May 12, 2008. Motion was made to place this item on the Village Board Agenda.

Engineer:

Parks and Recreation:

Contract – Copenhagen Construction – Cheswick Place Park Playground – presented by Parks and Recreation Director Trudy Wakeman – The FY2008 Budget allowed for the construction of the Cheswick Place Park playground. The bid opening was held on April 15, 2008. Four bids were received ranging from \$104,257.00 to \$128,434.05. Copenhagen Construction submitted the lowest base bid of \$104,257.00. Services will include the construction of a shelter, path and installation of playground boulders, independent play items, and landscape. Per requests made by the residents at the March Board meeting, there alternates were included in a bid package. Alternate No. 1 includes belt and bucket swings and a curbing structure. Alternate No. 2 includes additional landscaping. Alternate No. 3 includes benches, picnic tables, and trash receptacles. Due to the budget restraints we are recommending approval of the base bid. Benches and picnic tables will be taken from the current inventory which were purchased in this year's budget. A copy of the reference check performed by Hitchcock Design Group and bid results were given to the Board for review. A proposed budget amendment has been requested. Motion was made to place this item on the Village Board Agenda.

Public Works:

Airport – T-Hangar Space Lease WT-18 (Chuck Herring) – presented by Public Works Director Fred Mullard – the Lake in the Hills Airport Rules and Regulations require airport tenants to enter into applicable leases, licenses or storage agreements. Chuck Herring is entering into a yearly renewal of his T-Hangar Space lease and has signed the appropriate lease document. Motion was made to place this item on the Village Board Agenda.

Finance Director:

Ordinance – Budget Amendment for Fiscal Year ending December 31, 2007 – presented by Finance Director Pete Stefan – For discussion: a draft ordinance approving budget amendments to the budget for the fiscal year ending December 31, 2007. All FY07 invoices have now been received and recorded. Prior to the completion of the FY07 audit, one final budget amendment is being proposed to ensure that no budget category (i.e. personal services, contractual services, commodities, capital outlay, etc.) exceeds the total budget for that category. Due to the current economic environment and decline in the housing market, General Fund revenues for FY07 came in approximately \$293,000 lower than the FY07 estimate included in the budget. Tax revenues were about \$128,000 lower and development revenues were about \$188,000 lower than estimated. Additionally, General Fund expenditures were approximately \$62,000 higher than estimated due to additional costs for engineering services, network support services, snow and ice control costs, and fewer services being charged to the Special Service Area Funds than originally estimated. Motor Fuel Tax Fund expenditures increased by \$40,360 to cover the cost of the additional road salt required in FY07. All of the other funds listed involve amendments to transfer budget amounts from one line item to another resulting in no change in total expenditures for each fund. Reasons for all of the proposed changes are listed in the description column for each line item. The Board was given the description for review. President Plaza, as well as Trustee Mulcahy, asked for clarification on possible upward adjustments on SSAs. Mr. Stefan clarified that the general labor costs to the SSA have been figured high and that there should be sufficient funding from the SSAs without an increase. Motion was made to place this item on the Village Board Agenda.

Ordinance – Budget Amendment for Fiscal Year ending December 31, 2008 - presented by Finance Director Pete Stefan – For discussion: A draft ordinance approving budget amendments to the budget

for the Fiscal Year ending December 31, 2008. These items are the result of the first quarterly budget review for the current fiscal year. Due to the current economic environment and decline in the housing market, General Fund revenues are projected to be \$258,570 lower than originally budgeted. Decreases are expected due to more conservative projections for sales taxes, telecommunications taxes, building permits and other development revenues, fine revenues, and interest income. Some of these decreases are offset by increased income tax revenue, snow storm grant reimbursements, park programming revenue, and an interfund transfer from the Motor Fuel Tax Fund to cover the costs of the additional road salt purchases required for the past winter season. General Fund expenditures decreases are proposed in the amount of \$230,480 to offset the reduction revenues. Cost reductions are proposed due to employee vacancies and deferred hiring, as well as reducing, eliminating, or deferring the red light camera project, equipment purchases, the software update project, the drainage improvement project, pedestrian beacons, and the new cleaning company start date. Some cost increases have also been included such as the remaining sales tax reimbursements carried over from FY07, increased overtime for snow events, increased purchases for road salt, increased mowing and landscaping costs for parks, and additional costs for the Cheswick Place Park project. The Motor Fuel Tax Fund has proposed expenditure increases of \$198,000 for the Haligus and Miller Road engineering costs and an interfund transfer to the General Fund for additional road salt purchases. Small increases in expenditures are proposed for the Special Service Area #4A Fund (\$580) and the Goose Lake/Willow Lake/Lake Scott Fund (\$350) to cover operational costs not included in the original budget. Revenues in both the Water Capital Improvement Fund and the Water Operating & Maintenance Fund have been adjusted for the slowdown in the housing market. Water tap fees are projected to decrease by \$535,240 and water meter fees, water meter inspection fees and water construction fees are projected to decrease by \$66,350. Due to cost savings in the water main replacement project, Water Operating & Maintenance Fund expenditures are also proposed to decrease by \$66,350. Finally, expenditures in the Airport Operating & Maintenance Fund are projected to increase by \$10,710 due mainly to increased ice and snow control costs. All of the funds listed will still have a sufficient fund balance to cover the proposed increases. The reason for each specific line item amendment is listed in the last column of the spread sheet that was given to the board for review. For more clarification, the Village is "tightening its belt" because of the current economic situation. Motion was made to place this item on the Village Board Agenda.

Organizations and Developers:

Board of Trustees:

Trustee Harlfinger – **Planning and Zoning Commission Liaison Report** – Items from the past meeting were on discussed earlier this evening. CVS Pharmacy will be redrawing their plans and bringing them to a future P& Z meeting for approval.

Trustee Huckins – **Community Advisory Council for Randall Road Liaison Report** -

Trustee Yensen – **McHenry County Transportation Liaison Report** – Attended the 4/16 meeting. Various items including several resolutions were discussed. She also attended the ribbon cutting for the Provena St. Joseph hospital. She encouraged everyone to visit the facility.

Trustee Bogdanowski – **Business Relations Committee Liaison Report** – Discussion took place regarding the Business Planning Sessions. They are very successful.

Trustee Joe Murawski – **Senior Liaison Report** – The seniors are happy ☺! He attended the ribbon cutting for ABC School of Cosmetology.

Trustee Paul Mulcahy - **Parks and Recreation Board Liaison Report** -

President:

- A. Appointment to the Board of Trustees of the Police Pension Fund – Dan Hudson (04-30-08 to 04-30-10) (Thursday)
- B. Appointment to the Police Commission – Elaine Krohn (04-30-08 to 04-30-11) (Thursday)
- C. Appointment to the Planning and Zoning Commission – Chuck Rambo (04-30-08 to 04-30-13) (Thursday)
- D. Proclamation – National Preservation Month (Thursday)
- E. Proclamation – Arbor Day (Thursday)

Due to the Ribfest in July and the Summer Sunsetfest in August, the first week of meetings in July and the last week of meeting in August may be combined. Both COW and BOT's may be held on the Tuesday's of those weeks. Further information to come.

President Plaza also attended the P&Z meeting. He felt that the current CVS plans would not pass the Board's approval. Therefore CVS will revise. However, several CVS Board members wondered what the purpose of the P&Z was if the Village Board has the final say. Due to this and other inquiries, President Plaza would like the Board to have open meetings with each committee to keep up to date on what the thought process of the committees is.

Audience Participation:

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:18 p.m.

Submitted by,

Denise Wasserman Haugk
Village Clerk