



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

August 14, 2008

Call To Order

The meeting was called to order at 7:30 p.m. Present were Trustees Harlfinger, Murawski, Bogdanowski, Mulcahy, Huckins, Yensen, and President Plaza.

Also present were Village Administrator Gerald Sagona, Assistant Village Administrator Shannon Andrews, Director of Public Safety James Wales, Public Works Director Fred Mullard, Village Engineer Dave Van Camp, Parks and Rec. Director Trudy Wakeman, Community Development Director Dan Olson, Village Attorney Richard Flood and Village Clerk Denise Wasserman Haugk.

Audience Participation:

Administrator:

Ordinance – Surplus Equipment Declaration – presented by Village Administrator Gerald Sagona – The Illinois Municipal Code requires adoption of a formal ordinance to dispose of surplus Village property. The Ordinance declares the personal property listed in exhibit A (given to the board) as surplus in order to allow for their disposal or sale. The Village plans to participate in the McHenry County Council of Governments vehicle and equipment auction for all serviceable items and will dispose of unserviceable items which cannot be auctioned. Motion was made to place this item on the Village Board Agenda.

Acceptance of Real Property from Meadowbrook LLC– presented by Assistant Village Administrator Shannon Andrews – Under the annexation agreement, Meadowbrook LLC was required to turn over parcels to the Village upon acceptance of the subdivisions. The six parcels listed below were not included with that acceptance:

- 18-15-326-025 – One of two parcels that is occupied by Well 12
- 18-15-303-001 – Adjacent to a dedicated ROW for future Ackman Road expansion
- 18-15-301-001 – Detention basin located at Meadowbrook 23
- 18-15-300-013 – Flood plain surrounding Kishwaukee Creek, which is currently zoned as open space
- 18-14-300-030 – Small portion of Drake detention basin
- 18-15-400-023 – Open space adjacent to dog park

The parcels have been reviewed by staff, who has recommended each to be accepted. Deeds for each parcel along with aerial photographs tagging the location of each have been given to the board for consideration. Motion was made to place this item on the Village Board Agenda.

Director of Public Safety:

Agreement – Joan Bakley and North Star Trust Company - presented by Director of Public Safety James Wales – Currently, the majority of firearms training are conducted at private commercial ranges.

The cost for such use has risen dramatically. Currently there is a private range located in Huntley known as Bakley Property in which the property owners allow use of the range by several specific law enforcement agencies. Discussions have been held with the agents for the property and they have agreed to allow the Lake in the Hills Police Department to utilize the range for training purposes, contingent upon entering into an agreement. The agreement, in the final form as, has been reviewed by legal counsel. The ability to utilize this range will result in a substantial cost savings over the years that it is used. Motion was made to place this item on the Village Board Agenda.

Amendment to Chapter 35 – Solicitation - presented by Community Development Director James Wales – The substantive change contained in the draft relates to the required criminal history check process required in Chapter 35. Currently, applicants for solicitation permits are required to be fingerprinted in order to complete the criminal history check. In light of current time frames in regards to turn around times on said criminal history checks, the current allowable time frame as identified within Chapter 35 is not realistic in many cases. The draft would expand the time frame from five days to thirty days. Motion was made to place this item on the Village Board Agenda.

Community Development:

Waiver of the Masonry Construction Requirements - 8713 Pyott Road – presented by Community Development Director Dan Olson – Rich Hagele of Lake in the Hills Construction, Inc. is requesting a waiver from the Chapter 24 requirement for 100% masonry exterior finishes for his new construction. Mr Hagele is constructing the approximately 2700 square foot first phase of a 9840 square foot building at 8713 Pyott Road and proposes a combination of metal siding and stone veneer. The proposed elevation shows 33% masonry on the east elevation that faces Pyott road. The other three elevations show 100% metal siding. The Board of Trustees may grant an exception to this requirement, however, in a M-1 Limited Manufacturing District, no less than 33% of the elevations facing a public street may be masonry. In reviewing the waiver, the Building Code delineates three factors that should be considered. The architectural value and significance of the structure or its size; The relationship of the exterior architectural features of the proposed structure to the existing structures in the surrounding area; Neighboring building are mostly constructed of metal siding with a short (less than 33%) base of masonry material. Motion was made to place this item on the Village Board Agenda.

Ordinance – Second Amendment to an Annexation Agreement – Signage – Lake Pointe Development– presented by Community Development Director Dan Olson – In 2004, the Village adopted Ordinance No. 2004-76 that approved an annexation agreement for the Lake Pointe project for the northeast corner of Lakewood and Algonquin Roads. Among the numerous development provisions approved in the agreement, it included the B-3 Business District sign standards for the subdivision as well as approving a set of plans for the project, including a Preliminary Landscape Plan dated 10-11-04. This Plan included details for a proposed monument sign for the development to be located at the corner of Lakewood and Algonquin Roads on Lot 1. Recently the Village has indicated a desire to have a Village monument sign at that corner and have asked the developer to provide an easement for a future Village sign. The developer, PAR Development, Inc is proposing to re-locate their signage further north along Lakewood Road (across from Sullivan Pass). They are also proposing to change the design of the sign. Proposed is a 16 foot high sign that is just under 200 square feet in size. It will be located on the north side of the full entrance off of Lakewood Road (across from Sullivan Pass). Landscaping around the sign is proposed and an easement will encompass the sign and plantings. On March 27, 2008, the Village Board approved an amendment to the Planned Development Ordinance originally approved for the site in 2004 to include the changes as discussed. The annexation agreement is also in need of

amendment or included the proposed changes. In conjunction with the request by PAR Development, CVS Pharmacy has proposed a 13, 225 square foot store with drive-thru on Lot 1 (NE corner of Lakewood and Algonquin Roads) within the Subdivision. Their proposal included some sign variances, which have been reviewed by the Planning and Zoning Commission. On June 16th, the Commission made a recommendation to allow a taller freestanding sign than allowed per the Zoning Ordinance (11 feet instead of 8 feet) as well as an electronic message board (restriction on timing of messages). The proposed changes require an amendment to the annexation agreement. The proposed amendment also includes a provision for the developer to contribute \$1,000 to the Village to be used for the construction of the Village sign at the corner of Algonquin and Lakewood Roads. The public hearing on proposed amendments to the annexation agreement were initially held on May 20th and continued to June 24th, where it was closed. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amendment to Ordinance 2004-78 – Lake Pointe Development– presented by Community Development Director Dan Olson – The applicant, GB Illinois 2 LLC (contract purchaser for CVS), is requesting an amendment to Planned Development Ordinance No. 2004-78, to permit exceptions to the B-3 zoning standard with regard to signage on part of the Lake Pointe Development (specifically Lot 1, Lake Pointe Center Subdivision). Section 16 of the Zoning Ordinance prohibits flashing signs and permits two monument signs (one on each of Algonquin and Lakewood Roads) eight feet in height. The applicant is proposing only one monument sign that is 11 feet in height with an electronic message board that changes messages at no less than 15 minute intervals. A public hearing was held in front of the Planning and Zoning Commission on April 14, May 12 and June 16, 2008. At the June meeting, by a vote of 5 to 0 (Commissioners Rambo and Stroud were absent), the Commission recommended approval of the amendment to the Planned Development. Motion was made to place this item on the Village Board Agenda.

Ordinance – Development Plan – Lot 1, Lake Pointe Center Subdivision (CVS) – presented by Community Development Director Dan Olson – The applicant is proposing to build a 13,225 square foot single-story commercial building with a drive-thru pharmacy window on Lot 1 for the Lake Pointe Center Subdivision. Lot 1 is located at the northeast corner of Algonquin and Lakewood Roads. The applicant is also requesting a waiver from the requirement of 100% masonry exterior finishes for new buildings. The proposed elevations show approximately 87.5% masonry, with 7.5% EIFS and 5% glazing. The Planning and Zoning Commission first reviewed the development plan on April 14, 2008. Commissioners had a number of issues with the proposed development, and the hearing was continued to May 12 and again to June 16, 2008. In the interim, the applicant adapted the development plan to improve the building's appearance by adding a limestone base and pilasters. The applicant also revised its request for an exception to the sign from one to two and reducing the proposed height from 20 feet to 15 feet, but did not revise the request for larger and additional wall signs. The Commissioners, however, recommended approval of only an 11 foot high sign and no exception to the wall sign standards. By a vote of 5 to 0 (Commissioners Rambo and Stroud were absent), the Commission recommended approval of the development plan, subject to the condition that all comments were addressed to staff's satisfaction prior to Village Board action. All comments have now been satisfactorily addressed. Motion was made to place this item on the Village Board Agenda.

Ordinance – Conditional Use Permit – Lot 1, Lake Pointe Center (CVS) – presented by Community Development Director Dan Olson – The applicant, GB Illinois 2, LLC (contract purchaser for CVS), is requesting a Conditional Use Permit for a drive-thru pharmacy for a proposed CVS pharmacy on Lot 1 of Lake Pointe Center Subdivision. The site is zoned B-3 General Business District Planned

Development. A public hearing was held in front of the Planning and Zoning Commission on April 14, May 12 and June 16, 2008. At the June meeting, by a vote of 4 to 1 (Commissioner Borkgren opposed, and Commissioners Rambo and Stroud were absent), the Commission recommended approval of the Conditional Use Permit for a drive-through pharmacy in accordance with the signage, pavement markings, access and circulation plans indicated on the Layout Plan dated May 8, 2008, subject to condition that all comments are addressed to staff's satisfaction prior to Village Board approval. All comments have not been satisfactorily addressed.

Trustee Harlfinger, who has been very vocal in the past on this property, sent kudos to the parties involved for working through the issues. He is pleased with the new plan they have presented. Trustee Mulcahy too, sent kudos as well to the Planning and Zoning Committee for their efforts on this project. Motion was made to place this item on the Village Board Agenda.

Engineer:

Parks and Recreation:

Update – Parks and Recreation Parks Master Plan - presented by Parks and Recreation Director Trudy Wakeman – The Parks Master Plan was last updated in 2006. The individual Park pages in Section 5 represent all the amenities that currently exist in each park. A majority of the pages reflect additional picnic tables or trash receptacles. We have also updated the photo for Stoneybrook Park which reflects the new equipment and added the Cheswick Park information page. Motion was made to place this item on the Village Board Agenda.

Public Works:

Airport – Ground and T-Hangar Space Leases – Take Flight Aviation LLC (PAP-45), Mr. Stan Serwitz (ET-09), Mr. Mike Ewers (WT-18) – 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. There are three tenants entering into new Ground and T-Hangar Space Leases and have signed the appropriate lease documents. Motion was made to place this item on the Village Board Agenda. Motion was made to place this item on the Village Board Agenda.

Contract – Baxter & Woodman – Construction Related Services for Tower 3 Repainting Project– presented by Public Works Director Fred Mullard – The Board approved funds in the Fiscal Year 2008 Water Operating and Maintenance budget for contract administration and construction oversight for the Tower 3 Repainting Project. Baxter and Woodman Consulting Engineers has submitted a task order for these services in an amount not to exceed \$26,500. The task order will allow Baxter and Woodman to supervise and provide recommendations regarding key elements of the painting and repair process. These services are intended to ensure that the project work is done in strict accordance with the contract specifications for the Tower 3 Repainting Projects. Baxter and Woodman's task order was given to the Board for review. A representative from Baxter and Woodman Consulting Engineers is in attendance to answer any questions. Motion was made to place this item on the Village Board Agenda.

Contract – L.C. United Painting – Repainting of Tower 3– presented by Public Works Director Fred Mullard – On Friday, June 20, 2008 five sealed bids were opened for the Tower 3 Repainting Project. The project includes minor repairs to the structure, application of coatings, and Village logo on two sides of the tower. The lowest bid was submitted by L.C. United Painting, of Sterling Heights, MI, in

the amount of \$259,000. The second lowest bid was provided by Jetco LTD whose attorney dispatched a letter identifying what they believed to be several discrepancies pertaining to L.C. United's bid. L.C. United Painting rectified each of the perceived discrepancies and is in complete compliance with the bid requirements. Village staff believes that the bid offered by L.C. United Painting provides the best value to the Village and requests that the Board of Trustees waive the competitive bidding process in order to attain that. Baxter and Woodman Consulting Engineers, Inc. concurs with this determination and has provided a recommendation that L.C. United Painting be awarded the contract. A copy of the bid tabulation and the engineer's recommendation has been given to the Board for review. A representative from Baxter and Woodman Consulting Engineers is present this evening. Motion was made to place this item on the Village Board Agenda.

Resolution/Contract – Appropriation of MFT Funds for the Construction of Salt Storage Facility and Award of Contract to Bulk Storage Inc. – presented by Public Works Director Fred Mullard – The 2008 Motor Fuel Tax (MFT) Budget allocated funds to construct a salt storage building adjacent to the Public Works facility. The resolution will appropriate the MFT funds for the project. The resolution was prepared by Smith Engineering, appropriating \$380,000. On June 6, 2008 Public Works held a bid opening for the Haligus Road Salt Storage Facility. The lowest bidder was Bulk Storage Inc., at \$378,000. A copy of the bid tabulation was given to the Board for review. Motion was made to place this item on the Village Board Agenda.

Agreement – Hanson Professional Services, Inc. – Architectural, Engineering and Planning Services for Airport Construction Related Services– presented by Public Works Director Fred Mullard – This agreement provides for construction related services for the Relocation of Pyott Road, Phase I, Grading and Drainage Project. The Village is responsible for 2 ½ percent of the cost, and the remaining is grant eligible by State funds at 2 ½ percent and Federal funds at 2 ½ percent. This agreement has been approved by the Illinois Division of Aeronautics. The entire agreement is available for review. Motion was made to place this item on the Village Board Agenda.

Finance Director:

Ordinance – Budget Amendment for Fiscal Year Ending December 31, 2008 – presented by Finance Director Pete Stefan - This draft Ordinance will approve the budget amendments to the budget for the Fiscal Year ending December 31, 2008. These items are the result of the second 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 decrease by an additional \$220,840. Decreases are expected due to more conservative projections for income taxes, building permits and other development revenues, fine revenues, and interest income. Some of these decreases are offset by increased use tax revenue, increased contractors license fees, additional snow removal grant reimbursements, a medicine dispensing grant, the Narcotics Task Force personnel reimbursement, a park shelter/pavilion grant, and additional insurance/restitution payments. Several General Fund expenditures transfers are also proposed, however, the net amount of the changes results in no increase to the total General Fund budget. Cost reductions are proposed due to employee vacancies and deferred hiring, as well as reducing, eliminating, or deferring the red light camera project, the drainage improvement project, legal services, and a new Parks & Recreation Department vehicle, as well as providing additional reimbursable personal services to other funds. Cost increases include gypsy moth egg mass removal, increased fuel costs, various vehicle and equipment repair and rental costs, tree removal costs, the park shelter/pavilion grant project, building maintenance costs, parking lot repairs,

and a calcium tank for Truck 83. The General Fund budgetary fund balance is projected to decrease to \$4.6 million as of December 31, 2008 which is 29% of prior year expenditures.

Special Service Area Funds – Special Service Area Funds #2, #4A, #5, and #7 will result in decreases to the budgetary fund balances because expenditure increases are not offset by either corresponding revenue increases or decreases to other expenditure line items. However, even if the budget amendments are approved, each Special Service Area will still have a sufficient budgetary fund balance of at least 25% of operating expenditures at the end of the fiscal year.

Goose Lake, Willow Lake & Lake Scott Fund – Both revenues and expenditures are proposed to increase by \$850 resulting in no change to the budgetary fund balance.

Water Capital Improvement Fund – Revenues are projected to decrease by \$219,260 due to the slowdown in the housing market. The budgetary fund balance is projected to decrease to \$3.5 million as of December 31, 2008.

Water Operating & Maintenance Fund - Both revenues and expenditures are proposed to increase by \$16,890 resulting in no change to the budgetary fund balance. Development related revenues such as water meter and inspection fees are projected to decrease due to the slowdown in the housing market but interest income is being revised upwards based on year-to-date totals. Cost increases for infrastructure repairs, legal services, and water testing services are partially offset by savings realized from personnel changes and the water main replacement program.

Airport Capital Improvement Fund – Budget amounts are merely being transferred from one line item to another line item to account for required changes that occurred during the second quarter of the fiscal year. Accordingly, there will be no change to the budgetary fund balance.

Airport Operating & Maintenance Fund – Both revenues and expenditures are proposed to increase by \$14,090 resulting in no change to the budgetary fund balance. Expenditure increases include increased snow removal costs, additional hangar repairs, and additional vehicle repairs. These increases are being offset by revenue increases for commercial activity fees, rental income, and interest income.

Health Insurance Fund – This fund was established to account for the Village's partially self-funded PPO health insurance plan effective July 1, 2008. Revenues are expected to be \$136,350 through December 31, 2008 and expenditures are expected to be \$80,000. This will result in a budgetary fund balance of \$56,350 as of the end of the current fiscal year.

All of the funds listed will still have a sufficient budgetary fund balance to cover any proposed increases. The reason for each specific line item amendment is listed in the last column of the spreadsheet. Motion was made to place this item on the Village Board Agenda.

Organizations and Developers:

Board of Trustees:

Trustee Harlfinger – **Parks and Recreation Board Liaison Report** – A few residents from Cheswick area that had concerns with the new park.

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

Trustee Yensen – **McHenry County Transportation Liaison Report -**

Trustee Bogdanowski – **Business Relations Committee Liaison Report -**

Trustee Joe Murawski – **Senior Liaison Report** – Brief update on meeting. ☺

Trustee Paul Mulcahy – **Planning and Zoning Commission Liaison Report** – Reminder – Summer Sunset Festival in two weeks.

President:

Motion to appoint Russ Ruzanski (08-14-08 to 04-30-13) to the Planning and Zoning Commission was made by Trustee Harlfinger and seconded by Trustee Bogdanowski. On roll call vote, Trustees Yensen, Bogdanowski, Mulcahy, Harlfinger, Murawski and Huckins voted Aye. No Nays. Motion carried.

Motion to appoint Jeff Meyer (08-14-08 to 08-13-11) to the Business Relations Committee was made by Trustee Harlfinger and seconded by Trustee Yensen. On roll call vote, Trustees Murawski, Harlfinger, Huckins, Yensen, Mulcahy, and Bogdanowski voted Aye. No Nays. Motion carried.

Motion to appoint John Andrea (08-14-08 to 08-13-11) to the Business Relations Committee was made by Trustee Harlfinger and seconded by Trustee Yensen. On roll call vote, Trustees Huckins, Mulcahy, Harlfinger, Bogdanowski, Murawski and Yensen voted Aye. No Nays. Motion carried.

Motion to appoint Dave Roberts (08-14-08 to 08-22-12) to the Parks and Recreation Board was made by Trustee Harlfinger and seconded by Trustee Yensen. On roll call vote, Trustees Bogdanowski, Murawski, Mulcahy, Yensen, Huckins and Harlfinger voted Aye. No Nays. Motion carried.

Motion to appoint Sue Koch (08-14-08 to 08-22-12) to the Parks and Recreation Board was made by Trustee Yensen and seconded by Trustee Harlfinger. On roll call vote Trustees Mulcahy, Yensen, Huckins, Murawski, Bogdanowski and Harlfinger voted Aye. No Nays. Motion carried.

Audience Participation:

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:13 p.m.

Submitted by,

Denise Wasserman Haug
Village Clerk