



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

January 12, 2010

Call To Order

The meeting was called to order at 7:35 p.m. Present were Trustees Bogdanowski, Mulcahy, Huckins, Barreto and President Plaza. Trustee Murawski was absent.

Motion to allow Trustee Harlfinger to attend the meeting via teleconference was made by Trustee Huckins and seconded Trustee Barreto. On roll call vote, Trustees Huckins, Bogdanowski, Barreto and Mulcahy voted Aye. No Nays. Motion granted.

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, Community Development Director Dan Olson, Village Attorney Jennifer Gibson and Village Clerk Denise Wasserman Haugk.

Audience Participation:

Administrator:

Presentation – McHenry County Division of Transportation – Randall Road – McHenry County Transportation member Joe Korpalski introduced other board members (Anna Mae Miller, Peter Austin, Jeff Young and Wally Dietrich) and then gave a brief welcoming speech. He then turned the microphone over to Wally Dietrich who gave an update on the Randall Road Improvement Study. Questions from Trustees included: Have emergency service groups had any concerns with the proposed plans;

Informational Item – Hobby Town request for Financial Assistance – presented by Village Administrator Gerald Sagona – On behalf of Hobby Town, Mr. Marc J. Munaretto is requesting the Board to consider the following: Providing a \$30,000 stipend to defray the costs; and Reducing the permit and inspection fees by 50% . . .for the development of a building at the southeast corner of Pyott and Imhoff. The Board received a letter with a detailed proforma to justify the need for the incentives. The Board was also given a letter from the City of Crystal Lake indicating that they would consider a matching grant of up to \$10,000 and 50% reduction on permit and inspection fees for the relocation of their business to specific sites in the City. The available sites in Crystal Lake are all established building with vacancies. For the last decade, the Village has only approved one request for a financial incentive. The development was Costco, the amount was 1.6 million dollars, and the monies were awarded primarily based on the amount of extra work and retaining walls that were needed within the development. Hobby Town has not indicated any extraordinary issue that restricts development on the parcel. The land is fully improved with water, sewer and roadway access.

Raffle Application – Lincoln Prairie Elementary – presented by Village Administrator Gerald Sagona – The Lincoln Prairie PTO is requesting a raffle license. All provisions of Section 31.02 of the Village Code have been met. The Lincoln Prairie PTO unanimously voted to request a waiver of the fidelity bond requirement associated with the Raffle Application form. Motion was made to place this item on the Village Board Agenda.

Raffle Application – Lake in the Hills Elementary - presented by Village Administrator Gerald Sagona - The Lake in the Hills Elementary PTC is requesting a raffle license. All provisions of Section 31.02 of the Village Code have been met. The Lake in the Hills Elementary PTC unanimously voted to request a waiver of the fidelity bond requirement associated with the Raffle Application form. Motion was made to place this item on the Village Board Agenda.

Informational Item – Comcast Acquisition of CIMCO Communications – presented by Assistant Village Administrator Shannon Andrews – The Village received correspondence and public notice from Comcast informing the Village of their intent to take over CIMCO Communications, which is a telecommunications company servicing two (2) commercial customers within the Village. According to Section 652 of the Cable Act, Comcast is restricted from acquiring a telecommunications company if it is within their franchise area. Comcast is requesting a waiver of this Section by the FCC, but must first obtain approval from the local franchise authority. The Village was provided 60 days to respond to the notice by sending a formal letter granting or denying approval. If no response is received within the 60 day period, which expires January 29th, the FCC will consider the inaction as an approval of the waiver. Since this issue does not affect or involve the Village and we can see no real issues with the acquisition, the Village does not plan to take action. This was an informational item only.

Ordinance – Amending Chapter 12 of the Lake in the Hills Municipal Code - presented by Assistant Village Administrator Shannon Andrews – Section 65ILCS 5/11 – 20 of the Illinois Municipal Code was amended outlining procedures for filing liens for the removal of public nuisances, such as nuisance greenery, infected trees, neglected weeds, grass, trees and bushes, and pest extermination. The statute requires the Village to follow a process of notification prior to the removal of nuisance, as well as notice of intent to lien being issued to the person who is sent the tax bill prior to issuing a lien against the property. In addition to incorporating these changes, the Ordinance adds Pests to the list of nuisances affecting public health. Motion was made to place this item on the Village Board Agenda.

Director of Public Safety:

Community Development:

Public Hearing – Text Amendment to the Zoning Ordinance – Commercial Vehicles in Residential Areas – presented by Community Development Director Dan Olson – At the November 10th Committee of the Whole meeting, two residents spoke regarding the regulations related to commercial vehicles parked in residential areas. One resident, Marjorie Powley, spoke of the need to further regulate commercial vehicles/trailers in residential areas, while the other Terry Karder, had asked for the restrictions to be lessened as his truck was ticketed by the Police Department. After some discussion by the Board, President Plaza decided to appoint a Committee to discuss the matter further and bring back a recommendation to the Board. The Committee consisted of Trustees Harlfinger and Barreto, Planning and Zoning Commission Members Brent Borkgren and Dennis Zepka, Ms. Powly, Mr. Karder, and Dave Brey from the Police Department. On December 14th, the Commercial Vehicle Parking Study Committee met to discuss the issue (minutes provided to the board). The focus of the Committee's

discussion were on two main issues: 1) the allowance of “B” and “D” plated vehicles, and 2) commercial trailers. The majority of the Committee recognized that some residents need to bring their work vehicles home and they want to accommodate them. We currently allow up to “B” plated vehicles, which are trucks weighing 8,000 lbs or less. The next level up is “D” plated vehicles, which are up to 12,000 lbs. Provided to the board were some photos of different vehicles and what plates they have. By a vote of 6 to 1 (Marjorie Powley voted no) the Committee recommended that the Zoning Ordinance be amended to allow “D” plated vehicles, however any “D” plated vehicle cannot be higher than 9 feet. In relation to trailers, the Committee voted to 5 to 2 (Trustee Barreto and Marjorie Powley voted no) to recommend amending the Ordinance to allow “TA” (3,000 lbs or less) plated trailers, if the cargo box is 6 feet or less in height and the length is no longer than 11 feet. “TB” (5,000 lbs or less) and “TC” (8,000 lbs or less) plated trailers would be allowed only with permission from the Police Department similar to the overnight on-street parking procedures. Language was also added allowing the parking of commercial vehicles in enclosed structures, prohibiting earth moving equipment in residential areas, and the allowance for the use of commercial vehicles if being used temporarily in conjunction with a service being performed on the site. The text amendments will require a Village-initiated zoning application and a public hearing in front of the Planning and Zoning Commission. A hearing is proposed for February 16th. Several Trustees asked for clarifications. Motion was made to place this item on the Village Board Agenda.

Engineer:

Parks and Recreation:

Public Works:

Agreement – McHenry County Conservation District – Temporary Construction Easement – presented by Public Works Director Fred Mullard – As part of the construction project of Parallel Taxiway A Stage 1, grading and drainage for the Lake in the Hills Airport, the perimeter fence needs to be relocated to accommodate the new taxiway. The McHenry County Conservation District has granted permission to the Village of Lake in the Hills for a Temporary Construction Easement Agreement to remove trees and brush and level the berm along the common boundary between the District and the Village property. Under this agreement, the Village agrees to pay for all construction-related costs, obtain prior approval from MCCD on all plans, and use its best efforts to minimize disruption to the District’s operation. The easement will be in effect until December 1, 2010. Motion was made to place this item on the Village Board Agenda.

License Agreement – Chicago Title and Land Trust Company – Six month extension – presented by Public Works Director Fred Mullard - In August 2001, the Village Board approved a License Agreement with Chicago Title and Land Trust Company for access to the airport from property owned by a private party. This agreement was extended for 90 days in August 2008 and must be extended again. The new agreement extension would expire May 29, 2010. The reason for this extension is due to the current litigation with a different property owner over the same type of issues. It is the intention of the Village to resolve the issues that are in litigation and apply them uniformly to this agreement as well.

The current agreement allows use of the runway and taxiways in exchange for assurances that the Airport Minimum Standards and Rules & Regulations are followed. Also, the property owner pays the airport a fee for aircraft tied down on their property as renters. In discussion between the property

owner and the Village staff, it was determined that a six-month extension of the agreement under the same terms is appropriate. Motion was made to place this item on the Village Board Agenda.

Airport Ground Lease – Gwinn Financial Services (PAP-54) - 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. Robert Gwinn of Gwinn Financial Services is entering into a new ground lease and has signed the appropriate document. Motion was made to place this item on the Village Board Agenda.

Finance Director:

Organizations and Developers:

Board of Trustees:

Trustee Harlfinger – **Business Relations Committee Liaison Report** –

Trustee Huckins – **Parks and Recreation Board Liaison Report** -

Trustee Bogdanowski – **Planning and Zoning Liaison Report** -

Trustee Joe Murawski – **Senior Liaison Report** –

Trustee Denise Barreto – **McHenry County Council of Governments Liaison Report** -

Trustee Paul Mulcahy –

President:

Audience Participation:

Executive Session:

Motion to enter into Executive Session to discuss Collective Bargaining was made by Trustee Huckins and seconded by Trustee Harlfinger. On roll call vote, Trustees Bogdanowski, Mulcahy, Harlfinger, Huckins and Barreto voted Aye. No Nays. Motion carried.

Regarding Collective Bargaining, motion was made to place this item on the Village Board Agenda.

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:52 p.m.

Submitted by,

Denise Wasserman Haugk
Village Clerk