



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

January 26, 2010

Call To Order

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

Also present were Village Administrator Gerald Sagona, Chief of Support Services Mary Frake, Public Works Director Fred Mullard, Parks and Recreation Director Trudy Wakeman, Community Development Director Dan Olson, Village Attorney Jennifer Gibson and Village Clerk Denise Wasserman Haugk.

Audience Participation:

Administrator:

Proposed changes to the Village of Lake in the Hills Personnel Rules and Regulations – presented by Village Administrator Gerald Sagona – The Village Board is requested to approve changes to the Village of Lake in the Hills Personnel Rules and Regulations. Trustee Mulcahy wondered about specific definitions of “dependants”. According to Mr. Sagona, each reference defines “dependants”. Motion was made to place this item on the Village Board Agenda.

Director of Public Safety:

Community Development:

Ordinance – Text Amendments to the Zoning Ordinance – Small Wind Energy Systems – presented by Community Development Director Dan Olson - As the applicant, the Village of Lake in the Hills is requesting text amendments to the Zoning Ordinance in order to provide for the use of small wind energy systems within the Village. The proposed amendments were discussed with the Village Board in October, when staff was directed to set a public hearing before the Planning and Zoning Commission. Discussion with the Planning and Zoning Commission began in August 2009, and a public hearing was held in front of the Planning and Zoning Commission on November 16, 2009 and was continued to December 14, 2009 and again to January 18, 2010. At the November hearing, Mr. Fred Klewitz, a resident, spoke in opposition to allowing the use on residential properties. Mr. Brent Halle, a resident, favored a more permissive ordinance that allowed ground-mounted systems in residential districts. Another resident and a licensed architect, Mr. Brad Appher, favored the use and requested some changes to the proposed text and that graphics be added to make the standards more clear. In December, an additional resident, Mr. Neil Parker spoke in favor of the use and suggested some changes to the proposed text. Some of the residents’ suggestions, including graphics, were incorporated into the text amendment. On January 18, 2010, by a vote of 6 to 0 (Commissioner Borkgren was absent), the Commission recommended approval of

the text amendments to the Zoning Ordinance. The proposed amendments permit roof mounted devices in residential and commercial districts and may allow ground mounted devices in commercial districts with a conditional use permit. Standards for quantities, dimensions, setbacks and appearance are proposed.

Trustee Mulcahy does not care for this idea. He thinks it will not be aesthetically pleasing. He thinks residents will complain about the mountings to the homes. He does not like the idea and does not think it is a good idea for the Village. He strongly opposes these ordinance changes. According to Mr. Olson, as of yet there has not been any requests for such devices. Trustee Huckins wondered about the purchase/installation cost of a residential windmill. Apparently it is costly. He also wondered if the windmills were allowed to be mounted to a shed providing all requirements were met. Trustee Harlfinger is in favor of this idea, in fact he'd like to see one installed at Public Works. Trustee Bogdanowski wondered about the inspection process. Motion was made to place this item on the Village Board Agenda.

Ordinance – Amending Chapter 24 of the Lake in the Hills Municipal Code – presented by Community Development Director Dan Olson - To correspond to the addition of Small Wind Energy System uses in the Zoning Ordinance, amendments to Chapter 24 of the Municipal Code are proposed to address structural and safety issues in the installation of the wind turbines. Proposed amendments include application requirements, a required initial inspection, and fees for permit review. The Illinois General Assembly has approved amendments to the state energy building code to include residential and created the “Energy Efficient Building Act”. The act creates a statewide energy efficient building code for residential buildings and the state as adopted the 2009 International Energy Conservation Code as its guidelines. All municipalities that issue building permits must adopt and enforce this code, and there is no exemption for home rule municipalities. We currently have the 2006 edition of this code, however we removed the standards for residential use and inserted our own standards. The new law requires us to include residential buildings and does not allow us to make any amendments more or less stringent than the new state code. Trustee Harlfinger would prefer that the windmills require a yearly inspection. Trustees Bogdanowski and Barreto are inclined to follow the Planning and Zoning Commission recommendations regarding the inspections. Motion was made to place this item on the Village Board Agenda.

Engineer:

Parks and Recreation:

Update – Sunset Park Master Plan revisions – presented by Parks and Recreation Director Trudy Wakeman - Revisions to the Sunset Park Master Plan include the following:

Removal of the bike path around the south pond, the north soccer fields, and around the south side of the football fields

Removal of the soccer field on the northwest side

Removal of the Miller Road football field

The addition of the notation “Festival Grounds”

The addition of Well #16

The new alignment of the Public Works Drive

The inclusion of all of the Phase IV amenities

The Parks and Recreation Board gave their input to the plans and was approved at the September 3, 2009 Board meeting. Motion was made to place this item on the Village Board Agenda.

Public Works:

Informational Item – Motor Fuel Tax Fund Audit by IDOT – presented by Public Works Director Fred Mullard – The Illinois Department of Transportation recently performed an audit of the transaction in the MFT Fund for the period of January 1, 2006 to December 31, 2008. The bank reconciliation found no error in the funds; however, the auditors did identify a number of documentation discrepancies. These discrepancies are under review and will be corrected by Public Works. The discrepancies should be correctable by submitting the IDOT forms required to show that the work was properly completed. At this time no Village Board action is anticipated to be required to correct these discrepancies.

Payment Request – Concord Construction Services, Inc. – Well 12 Filter Repair Contract– presented by Public Works Director Fred Mullard - The Well 12 Filter Repair Contract was awarded to Concord Construction Services, Inc on May 14, 2009 for \$59,800.00. A previously approved change order adjusted the project cost to \$69,100. Concord has successfully completed all work associated with the repair contract and has requested final payment for \$21,454.00, which includes the release of retainage. Payroll documentation is on file. Motion was made to place this item on the Village Board Agenda.

Agreement – Participation Agreement & Construction Engineering Services Agreement – Oak Street LAPP Resurfacing Project– presented by Public Works Director Fred Mullard – April 23, 2009 the Village Board approved the Resolution appropriating MFT funds for Phase I and II design services for the Oak Street resurfacing LAPP project. The work will consist of resurfacing the existing pavement and pavement patching and marking along Oak Street from Crystal Lake Road to Burr Street. The Village received federal funding for this project from the American Recovery and Reinvestment Act for \$262,105 which will cover 100 percent of the construction and construction-related engineering services. The Federal Participation Agreement establishes rights and obligations of the Village and the State as they pertain to completing the Oak Street improvements. This Agreement requires that the Village perform all construction activities according to the federal standards. This is a standard agreement between municipalities and the State of Illinois. Also under the Agreement, the Village will be reimbursed by a federal grant for 100 percent of the expenses for the work and construction supervision, not to exceed \$262,105. The Construction Engineering Services Agreement for Federal Participation is the contract with SE Group, Inc. to provide construction supervision for the project. This is a cost plus a fixed fee contract based on the estimated workload. The total estimated cost of the construction supervision is \$22,718.12, which 100 percent is eligible for reimbursement under the grants. Mr. Dave Van Camp is in attendance to answer any questions. Motion was made to place this item on the Village Board Agenda.

Airport – Resolution – Amend Airport Ground and Facility Lease Rates– presented by Public Works Director Fred Mullard – On December 10, 2009, the Village Board approved the Resolution for a three percent increase to the monthly rates of ground and T-Hangar leases. After a review of the lease wording, it has been determined that there should be no increase to the ground and T-Hangar lease rates for 2010. This is because the consumer price index (CPI) did not increase in 2009. Motion was made to place this item on the Village Board Agenda.

Airport – Agreement –Hanson Professional Services, Inc. – 2010 Professional Engineering Services Basis of Payment Schedule– presented by Public Works Director Fred Mullard - The 2010 Basis of Payment Schedule from Hanson Professional Services, Inc establishes rates for consulting services and serves as the retainer agreement with Hanson Professional Services, which was approved by the Village Board of Trustees on February 24, 2005. Hanson Professional Services rates will remain the same as the rates approved by the Village Board on January 22, 2009, other than the mileage reimbursable rate which has slightly decreased to coincide with the current IRS rate. All rates are for the work requested by the Village, and do not include grant-funded improvement projects, which are negotiated and approved separately by IDOT. Trustee Mulcahy questioned the rates and fees. Motion was made to place this item on the Village Board Agenda.

Airport – T-Hangar Space Leases and Ground Lease – Bill Welisek (ET-01), Thomas Reindl (ET-02), Blue Skies Flying Service (ET-08), Thomas Lynch (WT-20) and Aero Jet Services Inc. (PAP-10) – 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. Four tenants are entering into a yearly renewal of their T-Hanger space lease. Dan Volin of Aero Jet Services Inc. is entering into a new ground lease for PAP-10. All parties have signed the appropriate documents.

Finance Director:

Organizations and Developers:

Board of Trustees:

Trustee Harlfinger – **Business Relations Committee Liaison Report** – Brief discussion on a property in foreclosure reaching out to local businesses in these difficult economic times.

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:

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:24 p.m.

Submitted by,

Denise Wasserman Haugk
Village Clerk