



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

June 23, 2020

Call To Order

The meeting was called to order at 7:30 p.m. Roll Call was answered by Trustees Harlfinger, Huckins, Dustin, Bogdanowski, Bojarski, Murphy and President Ruzanski.

Also present were Interim Village Administrator Fred Mullard, Assistant Village Administrator/Finance Director Shane Johnson, Chief of Police Dave Brey, Interim Public Works Director Peter D'Agostino, Assistant Director of Community Development Ann Marie Hess, Village Attorney Brad Stewart and Village Clerk Cecilia Carman.

Pledge of Allegiance was led by President Ruzanski.

Audience Participation: Joseph Greenwood of Lake in the Hills stated he is concerned about the recent resignations of several administrative staff. He would like transparency with local government. President Ruzanski reassured him the public will be informed when they are able to release information.

Interim Village Administrator Fred Mullard read a statement from one resident. Kevin Ross of Lake in the Hills asked that all parks and playgrounds be open June 26, 2020 when the State begins Phase 4 of the Restore Illinois Plan.

Administration:

Waiver of Section 43.09, "Noise", of the Lake in the Hills Municipal Code for Boulder Ridge Country Club–Wedding- Presented by Interim Village Administrator Fred Mullard - Boulder Ridge Country Club is requesting the Village Board to waive the provisions of Section 43.09 of the Municipal Code for an outdoor wedding reception. The reception is taking place on Friday, August 14, 2020 from 5:30pm until 11:30pm and will be held under a tent with music by 2 Pro DJ's. They are estimating up to 100 people to attend.

Staff recommends a motion to waive the provisions of Section 43.09, Noise, of the Lake in the Hills Municipal Code, to allow Boulder Ridge Country Club to host an outdoor wedding reception on Friday, August 14, 2020 until 11:30pm, subject to the public gathering and other requirements of the appropriate phase of the Restore Illinois Plan in effect at the time of the event. Motion was made to place this item on the Village Board Agenda.

Finance:

Comprehensive Annual Financial Report for the Fiscal Year Ended December 31, 2019 - Presented Assistant Village Administrator/Finance Director Shane Johnson and Jim Savio of Sikich- Attached is the Village's Comprehensive Annual Financial Report (CAFR) for the fiscal year ended December 31, 2019 and the Auditor's Communication to the Board of Trustees. At the April 23, 2020 COTW meeting the financial results for FY 19 were discussed in detail through the informational item power point presentation. This item builds upon that discussion and represents the formal reports that are recorded with McHenry County, posted on our website, and satisfy state statute requirements. Once the CAFR is accepted by the

Village Board, it will be submitted to the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting awards program and we look forward to another favorable review.

For the second consecutive year, there is no memorandum stating Management's Response to the December 31, 2019 Management Letter, as there were no Management Letter comments (included in the Auditor's Communication to the Board of Trustees document) identified by the auditor's during the audit of FY 2019. Additional documents attached are the Management Letter required per Illinois Compiled Statutes and the Annual Financial Report for the Police Pension Plan that has been incorporated into the CAFR. Jim Savio, Partner with Sikich LLP, will give a brief presentation at the COTW meeting on June 23rd and will be available to answer any questions the Village Board may have in regards to any of the attached items.

Staff recommends a motion Accept the Comprehensive Annual Financial Report, Auditor's Communication to the Board of Trustees, Management Letter Required per Illinois Compiled Statutes, and the Police Pension Annual Financial Report all for the fiscal year ended December 31, 2019. Motion was made to place this item on the Village Board Agenda.

Police:

Mutual Aid Agreement for the McHenry County Sheriff's SWAT Team - Presented by Chief of Police Brey- The department became a member of the McHenry County multijurisdictional SWAT team to address elevated risk situations like high-risk warrants or barricaded subjects. The police department has been a member of the team since 2016. The position on the team is on an as-needed basis. The 2016 agreement has expired. The new agreement is the same, except for Exhibit 1. In the prior agreement, each department was responsible for reimbursement of ammunition and a portion of the cost of the annual week-long SWAT training. That language has been removed, and we are not responsible for those costs. The new agreement will be effective from the date of execution by each party for four years.

Staff recommends a motion to approve the agreement between the Lake in the Hills Police Department and the McHenry County Sherriff's Office. Motion was made to place this item on the Village Board Agenda.

Public Works:

2020 United Cricket Club Agreement - Presented by Interim Public Works Director Peter D'Agostino- Since 2005, the Village has had formal agreements with not-for-profit Affiliate Organizations ("AO's") that desire to provide organized recreational opportunities on Village-owned property. These agreements are a necessary tool in defining the responsibilities of both the AO and the Village. Defined responsibilities include facility usage and maintenance, equipment usage, advertising, meeting requirements, insurance requirements, fees, and general obligations, and conditions. Earlier this year, the Village renewed agreements with the Lake in the Hills Youth Athletic Association (LITHYAA), the Algonquin Lake in the Hills Soccer Association (ALITHSA), the Junior Eagles Football Association and the Junior Eagles Cheerleading Association. Phase 3 of Governor Pritzker's Restore Illinois Plan currently allows the AO's to conduct drills, practices and lessons and it is possible that Phase 4 will allow for games to be played, but this will not be known until the Phase 4 guidance and directives are issued by the State of Illinois.

Recently, the United Cricket Club ("Club") contacted Village staff. Because of the Sunset Park turf damage from the 2018 Summer Sunset Festival, the Club could not play at games at Sunset Park in 2019, but if the Restore Illinois Plan allows, the Club would like to play games at Sunset Park later this year. As such, attached is a draft agreement between the Village and the Club. Because the start and duration of the Club's season is currently unknown, Village staff requests that the Village Board approve the attached one-year

agreement with the Club and grant Public Works staff the authority to negotiate the 2020 fees with the Club at a future date. In the past, the Club has paid the Village \$800.00/season and their season usually runs from May to the end of September, but Public Works staff will prorate the 2020 season fee after the season duration is established.

Staff recommends a motion to approve an agreement between the Village and the United Cricket Club for 2020 and grant Village staff the authority to determine the Fees (Section 8) by December 31, 2020.

Trustee Huckins asked when the Club will be using the parks. Interim Public Works Director Peter D’Agostino explained the season normally takes place from spring to fall. Motion was made to place this item on the Village Board Agenda.

2020 Contract for Thermoplastic Road Striping Services - Presented by Interim Public Works Director Peter D’Agostino-The Suburban Purchasing Cooperative (SPC) offers the opportunity for local governmental bodies to participate in joint purchasing programs. They create specifications and solicit competitive bids for a variety of contracts and each purchase is exempt from the normal bidding process by Section 9.13 of the Village Municipal Code. Due to extraordinary circumstances in the time of COVID-19, the Suburban Purchasing Cooperative Governing Board has decided that it is in the best interest of its members to extend the SPC 2019 Thermoplastic Lane Marking Contract #158 to Superior Road Striping for 2020 with no price increase. The 2020 contract extension letter and pricing is attached for your review and consideration. Each year, the Village hires a contractor to replace the thermoplastic road striping in 1/5 of the Village, and the 2020 pricing and estimated quantities listed below will allow the Village to continue its current thermoplastic roadway striping replacement cycle.

| Item | Estimated Quantity | Unit | Unit Price | Total |
|---|--------------------|------|------------|--------------------|
| 4” Thermoplastic Marking Line | 34,375 | LF | \$0.52 | \$17,875.00 |
| 6” Thermoplastic Marking Line | 1,150 | LF | \$0.76 | \$874.00 |
| 12” Thermoplastic Marking Line | 1,200 | LF | \$1.52 | \$1824.00 |
| 24” Thermoplastic Marking Line | 120 | LF | \$3.78 | \$453.60 |
| Thermoplastic Marking Letters & Symbols | 250 | SF | \$3.51 | \$877.50 |
| Thermoplastic Marking Removal | 7,543 | SF | \$0.41 | \$3,092.63 |
| Total | | | | \$24,996.73 |

Financial Impact: The Village’s 2020 budget included \$25,000.00 in the General Fund for thermoplastic road striping. The total expense for 2020 will not to exceed \$25,000.00.

Staff recommends a motion to participate in the Suburban Purchasing Cooperative’s 2020 joint contract extension with Superior Road Striping of Melrose Park, IL, for thermoplastic road striping services in an amount not to exceed \$25,000.00. Motion was made to place this item on the Village Board Agenda.

Community Service:

Ordinance Extending the Construction Start Date for Phase 2 of the Melody Living Senior Housing Development- Presented by Assistant Director of Community Development Ann Marie Hess and Laura Hester of Melody Living -Cedarwood Development requested an extension to the construction start date for Phase 2 (Independent Living) of the Melody Living Senior Housing Development at 555 Harvest Gate. The Village Board approved Ordinance 2017-32 in July 2017 allowing construction of the development. At that time, it was established that the Independent Living Building would be required to start construction before December 31, 2020. Due to issues involving construction of Phase 1, approving changes to the plat

of subdivision, and the impact of the corona virus pandemic, construction of Phase 2 will not begin until next year. The attached ordinance amends the original ordinance requiring construction of Phase 2 to begin before December 31, 2021. Cedarwood currently intends to submit the plans for a building permit late this year to allow construction to begin in Spring 2021.

Staff recommends a motion to approve an amendment to Ordinance 2017-32 changing the required construction start date of Phase 2 from December 31, 2020 to December 31, 2021. Motion was made to place this item on the Village Board Agenda.

Approve Amended Plat of Resubdivision for the Melody Living Senior Housing Development- Presented by Assistant Director of Community Development Ann Marie Hess- Cedarwood Development submitted an amended plat of Resubdivision for the development at 525 and 555 Harvest Gate. The Village Board approved Ordinance 2017-32 in July 2017 approving the original plat of subdivision. This ordinance acknowledges that the developer may want to subdivide the lot into two lots for separate financing of the development. In April 2018, a plat of resubdivision was signed implementing the split. A zero setback was established between the two lots to allow the construction of the two buildings as if they were one. Because of the separate lots, there are specific building code requirements necessary to separate the buildings from a fire protection and life safety standpoint. As the developer progressed with the design for the Phase 2 building, they identified a need to adjust the approved lot line to comply with the building code requirements. This plat makes the necessary adjustments to the lot line.

The Planning and Zoning Commission reviewed the amended plat at the May 18 and June 13 meetings. They approved the plat by a vote of 3 to 2. Discussion with the Commissioners who voted “No” revealed that they did not have any concern about the plat but did have a concern about the change in the mix of the different units in the development.

Staff recommends a motion to Motion to approve the ordinance for the Amended Plat of Resubdivision for the Melody Living Senior Living Subdivision. Motion was made to place this item on the Village Board Agenda.

Approve Unit Mix for the Melody Living Senior Housing Development- Presented by Assistant Director of Community Development Ann Marie Hess - Cedarwood Development is in the final design stages for Phase 2 (Independent Living) of the development at 525 and 555 Harvest Gate. Due to inputs from their marketing team, Cedarwood Development proposed a change in the footprint and the mix of units in the Phase 2 building. The changes are all in compliance with the Village’s zoning requirements. The Ordinance 2017-32, which approved the development, allows the following:

“Minor revisions may be required after the approval of this ordinance and may be approved administratively unless staff believes the revisions are a substantial change from the plans approved with this ordinance as referenced in Exhibit A.”

During the May 18 and June 13, 2020 Planning and Zoning Commission meetings this change in unit mix was discussed simultaneously with the Amended Plat of Resubdivision. Two of the five voting Commissioners felt the change was substantial and raised a concern about the density/total population. As the staff representative, the Community Services Director felt that the change fell within the delegated authority from the ordinance. To ensure transparency and full consideration of the issue, it is being presented to the Village Board for validation.

The original proposed unit mix contained 77 units with a total of 138 bedrooms. The proposed change creates a mix of 96 units with a total of 108 bedrooms. The details of the mix changes and comparative floor plans for the various units are attached for your consideration. Cedarwood Development proposes eliminating the three-bedroom and two-bedroom with den units and modifying the mix of other units. The major change is to increase the one-bedroom units from 19 to 76. While the one bedroom changes seem large, the total number of bedrooms decreases from 138 to 108. Cedarwood Development’s marketing staff feels the larger units are not sustainable in the intended local market. Attached is a summary of nearby independent living providers.

The dissenting Commissioners felt the density/total population is going up (less space per person). Cedarwood presented a baseline that 20 percent of the one-bedroom units would be occupied by couples while the other 80 percent would be singles. Based on these numbers, the total population would change in this manner:

| | <u>Units</u> | Total Population |
|----------|--------------|------------------|
| Approved | 77 | 92 |
| Proposed | 96 | 115 |

Staff felt the density would be going down based on using the 20 percent baseline against bedrooms instead of units. This would result in the total population changing in this manner:

| | <u>Bedrooms</u> | Total Population |
|----------|-----------------|------------------|
| Approved | 138 | 166 |
| Proposed | 108 | 130 |

Comparing the two approaches by apartment type yields the following:

| | Unit Based | Bedroom Based |
|---|---------------------|---------------------|
| Studio and One Bedroom with our without a Den | 1.2 people per unit | 1.2 people per unit |
| Two Bedroom with our without a Den | 1.2 people per unit | 2.4 people per unit |
| Three Bedroom | 1.2 people per unit | 3.6 people per unit |

Cedarwood Development also proposed a change to the footprint of the Phase 2 building. The net change is a reduction in the total square footage from 113,000 to 111,347. Due the change in units, an additional 25 parking slots are provided to maintain required parking ratios.

Staff feels all the changes are in keeping with the original intent of the development and makes the development more marketable.

Financial Impact: Ordinance 2017-32 identifies two fees based upon the number of units constructed. The two fees are the Public Building Fee (\$750 per unit) and Platting Fee (\$100 per unit). The net increase in units from 77 to 96 would result in additional \$16,150 revenue to the Village.

Staff recommends a motion to approve the mix of units and footprint changes for the Melody Living Senior Living Phase 2 (Independent Living) building.

Trustee Dustin and Harlfinger asked questions concerning the change in units and buildings. Laura Hester explained the marketing adjustments and how the changes would be comparable to competitors. Motion was made to place this item on the Village Board Agenda.

Board of Trustees:

Trustee Bojarski – None at this time

Trustee Bogdanowski – None at this time.

Trustee Harlfinger - None at this time

Trustee Dustin - None at this time

Trustee Huckins - None at this time

Trustee Murphy informed Interim Village Administrator Mullard a resident has asked to use a parking lot for a community for an event. Interim Village Administrator Mullard stated he would look at the request further and verify if it falls in line with current regulations.

President Ruzanski: Will ask for appointment of Craig Bolton to Planning and Zoning Committee on Thursday. There are also openings on the Parks and Recreation Board and Police Pension Board.

Audience Participation: None

Motion to enter into Closed Session to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees (5 ILCS 120/2 (c)(1) was made by Trustee Harlfinger and seconded by Trustee Huckins. On Roll Call Trustees Bogdanowski, Bojarski, Dustin, Murphy, Huckins and Harlfinger voted Aye. No Nays. Motion Carried.

The Committee of the Whole Meeting reconvened at 11:00pm. Roll Call was answered by Trustees Huckins, Murphy, Bojarski, Harlfinger, Bogdanowski, Dustin and President Ruzanski.

Adjournment: Motion to adjourn meeting was made by Trustee Harlfinger and seconded by Trustee Huckins. All in favor by voice vote. There being no further business to discuss, the Committee of the Whole meeting was adjourned at 11:02 pm.

Submitted by,

Cecilia Carman
Village Clerk