



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

June 25, 2019

Call To Order

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

Also present were Village Administrator Jennifer Clough, Assistant Village Administrator/Finance Director Shane Johnson, Chief of Police Dave Brey, Public Works Director Dan Kaup, Community Service Director Fred Mullard, Village Attorney Brad Stewart and Village Clerk Cecilia Carman.

Pledge of Allegiance was led by President Ruzanski

Audience Participation: None at this time.

Administration:

Raffle License Request for Lake in the Hills American Legion Post #1231-Presented by Village Administrator Jennifer Clough-The Lake in the Hills American Legion Post #1231 is requesting a Raffle License for Sunday, August 4, 2019 at 5pm. The raffle will consist of one Smith-Wesson MP Shield 9mm Pistol or the winner can choose cash. Section 31.02 of the Village Code regulates organizations that conduct raffles in the Village. Organizations desiring to conduct a raffle must apply to the Village for a raffle license. All provisions of Section 31.02 of the Village Code have been met.

Staff recommends a motion to approve the raffle license request and waive the fidelity bond requirement for Lake in the Hills American Legion Post #1231.

Trustee Murphy asked if the winner of the gun will need a FOID Card. Administrator Clough explained the winner will receive a voucher from the gun dealer and will need to pass a background check before purchase.

Motion was made to place this item on the Agenda.

Request for Waiver of Sign Regulations and Enforcement from Lake in the Hills Youth Athletic Association- Presented by Village Administrator Jennifer Clough- Attached please find a letter from Lake in the Hills Youth Athletic Association requesting enforcement activities be suspended to allow the erection of temporary signage in the right-of-way at the intersections listed below, within the Village boundaries, from June 26, 2019 until July 31, 2019 to advertise tryouts for their travel baseball/softball tryouts and from July 15, 2019 until August 15, 2019 for their fall ball registration.

Intersections:

- Algonquin & Pyott
- Randall & Miller
- Within Sunset Park
- Within LeRoy Guy Park

Staff recommends a motion to suspend enforcement activities from June 26, 2019 until July 31, 2019 and July 15, 2019 until August 15, 2019 to allow the installation of temporary signage at the intersections referenced above for the Lake in the Hills Youth Athletic Association travel baseball/softball tryouts and fall ball registration.

Trustee Bojarski commented there are signs already placed at Sunset Park. Administrator Clough stated she is aware.

Motion was made to place this item on the Agenda.

Execution of an Agreement between the Village of Lake in the Hills and Cole and Mary Sandberg- Presented by Administrator/Finance Director Shane Johnson, - Attached please find an agreement with Cole and Mary Sandberg for the removal of certain items at the property of 9017 Haligus Road, Lake in the Hills, Illinois. Mr. and Mrs. Sandberg have provided notice to end their lease agreement early with the last day of occupation of the property to be July 7th, 2019. They have been the existing renters of the property since January, 2009, and the term of the current lease is through August 30, 2020.

Throughout the duration of their time as tenants at 9017 Haligus Road, Mr. and Mrs. Sandberg have purchased and installed fixtures at the property to modify the home and grounds to their preference. As a general rule, fixtures added to a leased property by a tenant may become the property of the lessor and would stay with the real estate at the end of a lease. Mr. and Mrs. Sandberg have requested to take certain fixtures with them when they depart. Staff has reviewed the items requested, which are listed in the attached agreement, and has found no need for the Village to retain any of the requested fixtures. Aside from the home's water heater which was added by the Village in January 2015, all items requested were purchased and added to the property by the tenant.

The summer of 2020 was previously identified as the appropriate time to cease leasing the residential property in order to pursue its future public use and was approved by the Village Board on March 28, 2019. As such, it is anticipated that the structure at 9017 Haligus will be demolished in the future. Allowing the tenants to remove certain items will benefit the Village by lessening the amount of material that the Village would need to remove from the property and additionally lessen Village costs in the long term.

Staff recommends a motion to authorize the Village President to execute the Agreement between the Village of Lake in the Hills and Cole and Mary Sandberg. Motion was made to place this item on the Village Board Agenda.

Police:

Pro-Vision SecuraMax Service Contract, Software Agreement for Customer Private Server Solution, Remote Deployment Agreement, End User Terms and Conditions, and Uploader License Agreement- Presented by Chief of Police Brey- In 2018, the department initiated a three-year transition plan to replace thirteen in-squad camera systems that are at the end of their service life. To date, 4 cameras have been replaced. This year 5 additional cameras will be added to continue the transition. The implementation of the new cameras and hardware requires entering into the following contract, agreements and terms and conditions with Pro-Vision.

- SecuraMax Service Contract, this contract identifies services to be provided by Pro-Vision
- including terms and conditions for the department's deployment of SecuraMax software
- Software Agreement for Customer Private Server Solution, this Software Agreement
- supplements the terms set forth in the Service Contract

- Remote Deployment Agreement, this agreement allows Pro-Vision to install and activate
- Uploader Software and Remote Access Software on the department's computers used to host
- SecuraMax software
- End User Terms and Conditions, this is a Software Service License setting terms and conditions
- for the department's access to the SecuraMax.com website
- Uploader License Agreement, this is a software license agreement to install and use the SecuraMax Uploader Software for security updates, bug fixes, and feature enhancements

The terms of all documents start upon activation of the SecuraMax software and run for a period of 5 years.

Financial Impact: The total purchase price, including all hardware, is \$16,195.50 with \$16,824 available in the 2019 budget for the purchase.

Staff recommends a motion to approve and authorize the Chief of Police to execute the Pro-Vision SecuraMax Service Contract, Software Agreement for Customer Private Server Solution, Remote Deployment Agreement, End User Terms and Conditions, and Uploader License Agreement between the Lake in the Hills Police Department and Pro-Vision, Inc. Motion was made to place this item on the Village Board Agenda.

Public Works:

Waiver to Minimum Aviation Fuel Price Ordinance-Presented by Public Works Director Dan Kaup- The annual Experimental Aircraft Association (EAA) Airventure airshow in Oshkosh, Wisconsin, is among the largest airshows in the world and draws pilots from across the country. Many airports along the major flight routes into Oshkosh experience higher transient traffic in the days leading up to and during the event. The 2019 Airventure dates are July 22 through July 28.

In 2017, the airport explored a new incentive to try and attract additional traffic heading to or from the event by discounting the flowage fee for self-service fuel. There was a correlation between the decreased fuel price and increased fuel sales that month. July fuel sales for 100LL in 2017 and 2018 were the highest single month sales in the past five years. The airshow traffic brings not only additional fuel sales but also increased exposure to the LITH airport.

Staff recommends a motion to approve a temporary waiver to the ordinance establishing minimum aviation fuel pricing to reduce the self-service JetA and 100LL fuel flowage fees from \$.285 per gallon to \$.1425 per gallon starting on July 20, 2019 and ending on July 29, 2019.

President Ruzanski asked if the Galt airport also gives a discount on fuel. Public Works Director Kaup stated he is unaware. Community Service Director Mullard explained the FAA website does give a list of all airports giving promotions during the EAA airshow.

Motion was made to place this item on the Village Board Agenda.

Community Service:

Variation to Section 15.13-1A, Front Yards- Presented by Community Service Director Fred Mullard- The applicants, Paul and Melanie Wall, request a variation to the Zoning Ordinance to allow installation of a six-foot, 30 percent open wooden fence along the rear lot line of their property to replace a four-foot fence. The current fence is covered by a variation approved by Ordinance 1999-00-15. The six-foot fence is requested primarily because Grant Avenue tees into Decatur Avenue directly behind this house. The

applicant does not intend to replace the fences along the side yards but will construct a transition from the six-foot fence to the four-foot fence.

In a residential district, a six-foot fence on the back of a through lot would be required to be 25 feet from the rear lot line. There is currently one other lot with a four-foot fence along the rear lot line two houses away. Additionally, there another house with a garage that faces Decatur, which is within the 25-foot setback.

The Planning and Zoning Commission conducted a public hearing on June 17, 2019. There were no public comments and Commissioners voted 6-0 to recommend approval of the variation.

Staff recommends a motion to approve a variation to Section 15.13-1A, Front Yards, to allow for installation of six-foot high, 30 percent open wooden in the front yard (rear) at 1211 Crystal Lake Road on Parcel 19-20-308-002.

President Ruzanski stated concern that the residents had commented vehicles are parked and watching the children play in the backyard. Community Service Director Mullard explained it is unable to determine why the cars are parked and if there is a potential threat to the children. The main concern is the visibility of the yard at night and the fence will provide privacy.

Motion was made to place this item on the Village Board Agenda.

Text Amendment to Section 11, Permitted and Conditional Use Chart- Presented by Community Service Director Fred Mullard- Staff presented a change to the Permitted and Conditional Use Chart to allow Kennels in a B-3 (General Business) zoning district. Kennels allow for overnight boarding of three or more animals. They are currently a conditional use in Agricultural, Estate Residential (over 5 acres), Limited Manufacturing, and Commercial Business districts. General business Districts are currently located along the Randall Road corridor, Algonquin & Lakewood Roads, Algonquin & Pyott Roads, and Oak Street & Pyott Roads.

The conditional use designation will allow consideration of these kinds of businesses in areas closer to the customer base, but will still allow the Village put restrictions on the business and for the public to provide input on possible impacts the business may have on neighboring properties.

A public hearing on this text amendment was held on June 17. There were no public comments and Commissioners voted 6-0 to recommend approval of the proposed changes.

Staff recommends a motion to approve an ordinance to amend Section 11, Permitted and Conditional Use Chart, of the Zoning Ordinance to make Kennels a conditional use in the B-3 zoning district.

President Ruzanski recognized Jared Kenyon of Kimley Horn & Associates and Charlie Haapal of TM Crowley and Associates.

Trustee Dustin stated this is a terrible idea. He is concerned of the noise and smell from the kennel and believes it should be located by the airport.

Trustee Bogdanowski commented the main concern is the change in ordinance and asked if there was a public notice.

Community Service Director Mullard stated there was a public hearing. Residents within 250 feet were informed of the hearing. Trustee Bogdanowski stated the closet home is 300 feet so no residents were notified. Residents within 250 feet were notified, but Director Mullard believe that there are no residential buildings within 300 feet.

Trustee Harlfinger commented the lot has been vacant for a long time and asked Mr. Kenyon to explain the build.

Mr. Kenyon explained there will be 3 outdoor play areas and any loud pets will be placed inside. He also explained they are subject to Public Health regulations and will need to keep the area clean. They want to keep the same standards as child care facility.

Director Mullard stated he spoke to hotel management in Indianapolis where there is the same exact kennel that is adjacent. The management staff stated there have never been complaints of noise or smell. Trustee Dustin asked if it is the same size as the one proposed. Director Mullard stated yes.

Trustee Bogdanowski reiterated the main issue is the change of ordinance.

Director Mullard explained Randall Road is not deemed a B4 and if it was this would not be an issue.

Trustee Dustin stated the residents living on Village Creek will be unhappy with this kennel.

Trustee Harlfinger stated he disagrees. He knows residents in that area and they do smell the chlorine from the pool but it is not a concern. He also stated the kennel is not visible to homes on Village Creek.

Charles Haapal explained the site and services that will be provided. He explained there will be only a few dogs as overnight guests.

Trustee Bogdanowski asked if they own any businesses in Illinois. Mr. Haapal explained there is a site proposed in St. Charles.

Trustee Harlfinger stated there is a need for this business as we see many competitors. He likes to see new buildings in Lake in the Hills.

Trustee Bojarski asked what are the hours of operation. Mr. Haapal stated 6am-6pm for most dogs. They will also will have overnight guests and also provide other services. He believes there is a need for this service in the community.

Motion was made to place this item on the Village Board Agenda.

Conditional Use for a Kennel and Development Plan Approval for PetSuites of America, Inc. at 390 North Randall Road- Presented by Community Service Director Fred Mullard- The applicants request a conditional use for a Kennel and approval of a development plan. Conditional use is required for a Kennel in the B-3 district as proposed in a pending text amendment. The Kennel designation is being used due to the overnight boarding of animals. The facility will primarily provide day care services for dogs and cats but will also provide boarding, grooming, and retail sales. The proposed site is surrounded by commercial operations and is almost 300 feet from the nearest residential building.

The proposed facility is a single- story building with an outside activity between the facility and the adjacent Bear Paddle Swim Club. The facility is capable of handling up to 132 animals. Staff reviewed the proposed development plans and found them in compliance and reasonable. Traffic generated by this development would be minimal and not create problems for the local road network.

The Planning and Zoning Commission conducted a public hearing on June 17. There were no public comments. The commissioners discussed the impact of noise and smell on adjacent properties. No additional conditions were proposed. Commissioners voted 6-0 to recommend approval of the conditional use and the development plan.

The attached Development Agreement closely matches the Development Agreement approved for Bear Paddle Swim Club on the adjacent lot. The agreement describes payment of the applicable development fees and includes agreement to pay a 2 percent activity fee quarterly on services provided which are not subject to sales tax.

Staff recommends a motion to approve an ordinance granting a Conditional Use for a Kennel and approval of the Development Plan and Agreement for Pet Suites at 390 N Randall Road on Parcel 19-29-151-027, contingent upon approval of the Development Plan Agreement by PetSuites of America, Inc. Motion was made to place this item on the Village Board Agenda.

Board of Trustees:

Trustee Harlfinger – None at this time

Trustee Dustin – None at this time.

Trustee Huckins stated he was grateful for the Public Works and Police Department’s hard work at the Pub in the Park Event.

Trustee Bojarski - None at this time

Trustee Bogdanowski stated the Sunset Committee will recommend 5 Alarm Fire for the Fireworks Show. Also the grand marshal at the parade will be the Huntley Girls Softball Team.

Trustee Murphy - None at this time

President Ruzanski: stated he will have a proclamation to read at the Village Board Meeting concerning Parks and Recreation Month.

Audience Participation: Bob Spooner of LITH Historical Society stated the McHenry County Historical Commission has visited the Ford School. On July 3rd will be a public meeting to vote Ford School as a historical site. He also thanked Black Diamond Plumbing and the Public Works Department for their help with the plumbing and sewage of the school.

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:14 pm

Submitted by,
Cecilia Carman
Village Clerk