



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Board of Trustees Meeting

August 22, 2019

Call to Order

The meeting was called to order at 7:30 p.m.

Roll call was answered by Trustees Huckins, Bogdanowski, Harlfinger, Bojarski, Dustin, Murphy, and President Ruzanski.

Also present were Village Administrator Jennifer Clough, Assistant Village Administrator/Finance Director Shane Johnson, Chief of Police Dave Brey, Airport Manager Mike Peranich, Director of Community Services Fred Mullard, Village Attorney Brad Stewart and Village Clerk Cecilia Carman.

Pledge of Allegiance was led by President Ruzanski.

Public Comment on Agenda Items: None

Consent Agenda:

A. Motion to accept and place on file the minutes of the August 6, 2019 Committee of the Whole meeting.

B. Motion to accept and place on file the minutes of the August 8, 2019 Village Board meeting.

Motion to approve Consent Agenda items A-B was made by Trustee Harlfinger and seconded by Trustee Huckins. On roll call vote Trustees Bojarski, Dustin, Harlfinger, Murphy, Bogdanowski, and Huckins voted Aye. No Nays. Motion carried.

Omnibus Agenda

The Omnibus Agenda is comprised of several items which will be acted upon in one Motion unless any Trustee wishes to remove one or more items from the Omnibus Agenda. For members of the public, the agendas have been posted and copies are available during the meeting if you are not sure what items are included on the Omnibus Agenda. Let staff know if you wish to obtain a copy before the Board takes action on the Omnibus Agenda.

A. Motion to suspend enforcement activities from September 7, 2019 until September 22, 2019 to allow the installation of temporary signage at the intersections of Algonquin Road – North side at Square Barn Road, Algonquin & Randall Road (Northeast corner), Algonquin & Pyott Road (Northwest corner), Pyott Road – East side at E. Oak, Randall & Acorn (Southeast corner), and Randall & Miller (Southeast corner) for the Algonquin Rotary Clubs Annual Harvest Fest on September 21, 2019.

B. Motion to approve the Raffle License request and waive the fidelity bond requirement for Lake in the Hills Property Owners Association.

C. Motion to pass Ordinance 2019- ____, An Ordinance Amending Chapter 33, Liquor Control and Licensing, Section 33.31 “Video Gaming Terminals” of the Lake in the Hills Municipal Code.

- D. Motion to pass Ordinance 2019- _____, An Ordinance Amending Appendix B, “Comprehensive Fine and Fee Schedule” of the Lake in the Hills Municipal Code.
- E. Motion to pass Ordinance 2019- _____, An Ordinance Ratifying the Establishment of Special Service Area Number 51 Within, as well as Outside of, the Village of Lake in the Hills.
- F. Motion to pass Ordinance 2019- _____, An Ordinance providing for the issuance of not to exceed \$2,000,000 General Obligation Bonds, in one or more series, of the Village of Lake in the Hills, McHenry County, Illinois, for the purpose of financing the costs of certain capital projects in as well as outside of the Village, providing for the levy and collection of a direct annual tax sufficient to pay the principal of and interest on said Bonds, and authorizing the proposed sale of said Bonds to the purchaser thereof.
- G. Motion to approve the Task Order with HR Green to provide Construction Oversight Services for the Reach 10 Project at a cost not to exceed \$39,930.00.
- H. Motion to pass Ordinance 2019- _____, An Ordinance Authorizing the Approval of a Ground Lease between the Village of Lake in the Hills and Daniel Shipner for PAP-45.
- I. Motion to approve the Final Pay Request of \$40,703.57 to Crawford, Murphy, and Tilly, Inc. for engineering work completed to date on the Airport Taxiway Project #3CK-4404.

Trustee Harlfinger made a Motion to remove Item J.

Motion to approve the Omnibus Agenda items A-I was made by Trustee Harlfinger and seconded by Trustee Murphy. On roll call vote Trustees Dustin, Bogdanowski, Murphy, Huckins, Harlfinger, and Bojarski voted Aye. No Nays. Motion carried.

Approval of the Schedule of Bills:

Motion to approve the August 23, 2019 Schedule of Bills total of all funds \$430,728.76 was made by Trustee Bogdanowski and seconded by Trustee Huckins. On roll call vote Trustees Harlfinger, Bojarski, Murphy, Huckins, Dustin, and Bogdanowski voted Aye. No Nays. Motion carried.

Motion to approve the July 2019 Manual Bills total of all funds \$795,369.43 was made by Trustee Bogdanowski and seconded by Trustee Murphy. On roll call vote Trustees Dustin, Bojarski, Murphy Harlfinger, Huckins, and Bogdanowski voted Aye. No Nays. Motion carried.

Village Administrator and Department Head Reports:

Chief Brey gave a summary of the burglary that occurred today. The Sheriff Department was called and the salient did surrender.

Airport Manager Mike Peranich stated 13 residents attended the Woods Creek Open House today.

Community Service Director Mullard stated the Village has received 72 responses to the sign ordinance survey. He will present a report and recommendations at the next set of meetings.

Board of Trustee Reports:

Trustee Bogdanowski reminded everyone the Sunset Fest is next weekend. He invited the Board to participate in the parade. Trustee Murphy stated the Car show is Friday and hopes to see everyone there.

Trustee Huckins stated the Parks Foundation is sponsoring the Fireworks 5K that is held Sunday September 1, 2109. He invited everyone to participate.

Village President Reports:

A. Appointment – Parks and Recreation Board –Michael Cairns and Brad Wackerlin from August 22, 2019 until August 22, 2023. Motion was made by Trustee Harlfinger and seconded by Trustee Huckins. On roll call vote Trustees Dustin, Bogdanowski, Murphy, Bojarski Huckins, and Harlfinger voted Aye. No Nays. Motion carried.

Chief Brey sworn in Michael Cairns and Brad Wackerlin to their positions.

Unfinished Business:

J. Motion to pass Ordinance 2019- _____, An Ordinance Amending Chapter 24, Building Code, Section 24.01 of the Lake in the Hills Municipal Code was made by Trustee Harlfinger and seconded by Trustee Huckins.

Trustee Harlfinger stated he does not feel the amendments are necessary and wants to pass the new codes as written.

Trustee Huckins asked for clarification that we are adopting the new 2018 codes. Attorney Stewart stated yes.

On roll call vote Trustees Harlfinger, Bojarski, Huckins, Dustin, Bogdanowski and Murphy voted Aye. No Nays. Motion carried.

Trustee Harlfinger commented that any changes in ordinances should go to the Board first before directing staff to amend policy.

President Ruzanski asked if there any non-regulatory amendment that can be made that does not need Board approval.

Trustee Harlfinger commented any amendments need to be Board approved. He asked President Ruzanski if he wants to work with staff on changes that he brings it to the Board first.

Trustee Bogdanowski stated he sees amendments are used mainly for clarity and not changing stature.

New Business:

A. Informational Item Concerning Police Department Space Needs Analysis – FGM Architects Mr. Ray Lee gave an overview of the space the police station currently has and their recommendations for future needs. It concluded that the size of the police station the Village needs going forward cannot be built on the current parcel due to the limited size.

A discussion ensued concerning where to place the new police station. Trustee Harlfinger commented on having the new police station be built next to the Village Hall. He asked what can be done with the current building and if the Village owns any parcels behind it. Director Mullard stated no we do not own those parcels. Trustee Huckins asked if the police station building can be used for the daycare center. Director Mullard stated yes but it would take a lot of renovations.

Chief Brey commented staff needs direction from the Board if they want to address only the critical need areas, design a building on site or next to the Village Hall. He believes the Village needs to look into 20-30 years of the future as they decide on the new police station. Trustee Huckins agreed with Chief Brey. Trustee Harlfinger stated the current location of the police station cannot house a new station at the size the Village needs and the Board needs to make a long term plan for the current site.

Trustee Bojarski agreed the current parcel is not feasible for the Village's future needs. She does not want to put money into the current building. Trustee Bogdanowski stated he agrees with not building a new police station on the current site and asked if there are any other sites besides next to the Village Hall.

President Ruzanski asked Chief Brey to comment on this. Chief Brey commented combining the municipal buildings would create a more secure environment for the employees of the Village. The police try to respond to emergencies within four minutes. If the police station was placed on the West side of Randall Road next to the Village Hall it would keep the response times the same or may decrease them. Trustee Harlfinger stated concern the residents on the east side may feel abandoned.

President Ruzanski asked if we have a consensus that the next step is to ask FGM to look into building a new police station next to the Village Hall. All trustees were in agreement except Trustee Dustin. Trustee Dustin stated he does not believe there is enough space. Mr. Lee commented that police could use some of the current space in the Village Hall and this would decrease the size needed. The firm will also do a parking analysis. Trustee Bogdanowski asked if designing the new building at the Village hall is a part of the initial agreement. Mr. Lee stated yes. Trustee Dustin stated he can now agree with the Board and have the firm devise a plan for the police station being built next to the Village Hall.

Village Board took a 5 minutes recess.

B. Informational Item Concerning Recreational Cannabis

Attorney Stewart gave an overview of the new cannabis regulation and what type of ordinances the Village can pass. He stated it is likely for McHenry to receive 12 dispensary licenses with the Village being granted one of them. Trustee Bogdanowski asked what are the types of businesses and do our ordinances need to be drafted for each type. Attorney Stewart explained the type of businesses and which ones would bring jobs or sales tax dollars.

Trustee Dustin asked by his calculation it is possible for Lake in the hills to have one dispensary by 2020. Attorney Stewart stated he agreed. He assumes the licenses will be distributed by population. Studies have shown the financial impact could be close to a half million dollars.

Trustee Bogdanowski likes using the word minimum in the ordinances because we do not know what the future will hold. We are unsure what type of businesses will be created and would like to proceed with caution. He mentioned how the video gaming industry has changed in the last few years.

President Ruzanski stated he has a hard time accepting the law. He is concerned about the cost to the Village and believes we should get some profits. He does not believe it was a success in Colorado because the high school dropout rate has not increased. Trustee Dustin commented no matter if the Village has cannabis businesses or not it will inherent some costs. A small discussion ensued concerning selling to minors. Trustee Huckins stated the businesses will protect their licenses and would be diligent to not sell to minors. Trustee Harlfinger wants our ordinances to be more proactive because if not other municipalities will. He does not want to see the Village lose businesses due to stricter ordinances.

Attorney Stewart asked the Board what type of cannabis businesses they would allow. The Board agreed to dispensaries and craft growing facilities as they will bring in tax revenue. The other types of businesses will be considered at a later time. Trustee Dustin, Harlfinger and Huckins agreed to allow the dispensaries but without a limit.

President Ruzanski asked will cannabis be sitting on the counter at local stores. Attorney Stewart explained they will be stand-alone businesses and they are not allowed to sell alcohol.

Trustee Huckins asked if Illinois laws are similar to Colorado. Attorney Stewart stated he does not know much about Colorado's regulations. However, one difference is Illinois is limiting the amount of licenses and will slowly increase them overtime. There is more controlled growth and taxes are harsher than Colorado's.

Trustee Harlfinger stated we need to give staff direction on zoning for distribution and cultivating business and designated areas for businesses.

Trustee Bogdanowski, Bojarski and Murphy agreed to a conditional use ordinance. Trustee Harlfinger does not agree. Trustee Huckins stated if we update the zoning laws now it can limit the conditional use requirements. Trustee Harlfinger agreed with Trustee Huckins. Trustee Murphy would like to see the zoning changes first before adding a conditional use requirement. All trustees agreed with her and directed Attorney Stewart to this.

Attorney Stewart asked if the Village wants to establish an occupational tax. A small discussion ensued. The trustees agreed to 2%.

Attorney Stewart asked if the Board wants an ordinance prohibiting the display of cannabis in public places and possession in public buildings. Trustee Huckins asked if we need a special ordinance for cannabis. Attorney Stewart stated yes we need to narrow the prohibition laws. A discussion ensued how display or possession could be hard to enforce. The trustees agreed to draft an ordinance prohibiting display in public areas.

Attorney Stewart asked if the Board wants to expand the definition of what a "public place" is such as retail stores and to regulate the use in private businesses. A discussion ensued how this also would be difficult to enforce. Trustee Harlfinger stated he does not want to regulate use in private businesses. Trustee Murphy asked for clarification of the private business regulation. The Board decided to make decision about this ordinance at a later time.

Audience Participation: None

Adjournment: A motion to the adjourn meeting was made Trustee Murphy and seconded by Trustee Harlfinger. On roll call Trustee Murphy, Bogdanowski, Bojarski, Dustin, voted Aye. Trustee Huckins voted Nay. Trustee Harlfinger abstained. 5 Ayes. 1 Nay. Motion carried.

There being no further business to discuss, the meeting of the Lake in the Hills Board of Trustees was adjourned at 10:06 p.m.

Submitted by,

Cecilia Carman
Village Clerk