



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Committee of the Whole Meeting

February 23, 2021

Call To Order

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

Also present were Village Administrator Fred Mullard, Assistant Village Administrator Shannon Andrews, Chief of Police Dave Brey, Public Works Director Tom Migatz, Community and Economic Development Director Josh Langen, Village Attorney Brad Stewart and Village Clerk Cecilia Carman.

Pledge of Allegiance was led by President Ruzanski

Audience Participation: None

Administration:

Ordinance Authorizing the Disposal of Surplus Property - Presented by Assistant Village Administrator Shannon Andrews - The Illinois Municipal Code requires adoption of an Ordinance to dispose of surplus property. The Village property listed in Exhibit A is no longer necessary or useful to the Village. In order to allow for disposal or sale, the attached Ordinance declares the property as surplus. The Ordinance authorizes the Village Administrator authority to determine the appropriate means of disposal. Staff will sell items with value and dispose of other items appropriately.

Staff recommends a motion to adopt the ordinance declaring Village property as surplus.

Trustee Huckins asked if the items are being replaced and if there will be any closures of village facilities. Assistant Village Administrator Shannon Andrews explained many items have been approved already in the budget to be replaced and the staff needs approval to dispose or auction these items. Also, there will be no closure of parks or buildings during the replacement of these items.

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

Resolutions – Designating Various Financial Institutions as Designated Depositories – Authorized Signers/Officials- Presented by Village Administrator Fred Mullard - The Village maintains several bank and investment accounts at multiple financial institutions, which vary in use from daily operating accounts, water billing collection accounts, State of Illinois revenue deposit accounts, and diversified investment accounts. Adequate Federal Deposit Insurance Corporation (FDIC) collateralization of funds is also achieved through the use of various financial institutions, which provides deposit insurance up to \$250,000 for all types of deposits received at an insured bank.

The Village President, Village Clerk, Village Administrator, and Village Treasurer are the authorized signers/officials on all Village accounts and any two signatures are required to execute financial transactions (e.g. signing a payroll check or withdrawing funds). The financial institutions listed in the Resolutions are currently authorized as designated depositories; however, the authorized signers need to be updated for each

institution due to the recent staff change in Village Treasurer. Peter Stefan will be added as the Village Treasurer authorized signer/officer. The Village President, Village Clerk, and Village Administrator require no change at this time.

Staff recommends a motion to approve the seven Resolutions updating the authorized signers/officials at each financial institution.

Trustee Bogdanowski asked if the treasurer was authorized in the past. Administrator Mullard explained yes, normally the treasurer is the first to sign.

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

Public Works:

Award a Contract for the 2021 Parking Lot Replacements Project - Presented by Public Works Director Tom Migatz- Staff seeks Board approval to award a contract to Champion Paving of Hampshire, IL, for the 2021 parking lot replacements project, in an amount not to exceed \$49,200.00.

Staff released a Request for Proposal (RFP) on December 18, 2020, for the replacement of the Ryder Park and Knockels Park parking lots. The RFP invitation went to fifty-seven vendors, was posted on the Village's website, and was published in the Northwest Herald. Public Works received and opened fifteen sealed proposals on February 8, 2021. Champion Paving of Hampshire, IL was the lowest responsible bidder at \$49,200.00. The Village has previously contracted with Champion Paving for parking lot replacements and has been satisfied with the product and the company. The RFP results, a recommendation letter, the capital asset request forms and the bid certification form are attached for your review.

Financial Impact: The 2021 Village Budget includes \$96,000.00 for the replacement of the Ryder Park and Knockels Park parking lots in the Capital Improvement Fund. If awarded, the contract would be \$46,800.00 under budget.

Staff recommends a motion to award a contract to Champion Paving of Hampshire, IL, for 2021 Parking Lot Replacements Project, in an amount not to exceed \$49,200.00.

Trustee Dustin asked why the cost was over estimated. Public Works Director Migatz explained the staff used last year cost to develop the estimate. It is possible the market has changed and the cost has dropped.

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

Airport Ground Lease for Hangar PAP-1A- Presented by Public Works Director Tom Migatz- Staff seeks approval to enter into a twenty year ground lease for hangar PAP-1A with CYA LTD of Crystal Lake, IL

The Lake in the Hills Airport Rules and Regulations require airport tenants to enter into applicable leases, licenses, or storage agreements for Village owned hangers. Larry Galizi with CYA Ltd. Is requesting a new ground lease on Hangar PAP-1A. This lease is for the period of February 26, 2021 to February 25, 2041. The lease includes an option to renew for four additional five-year terms.

Mr. Galizi has signed the appropriate lease form and has acceptable proof of insurance for another hangar on the airfield. He intends to add this new hangar to his existing policy. A background check was previously completed and no issues were found by the Lake in the Hills Police Department.

Financial Impact: The Airport Fund will receive \$2,574.96 annually from the ground lease and another \$384 from electrical fees, subject to annual increases approved by ordinance.

Staff recommends a motion to approve the Ordinance and authorize the Village President and Village Clerk to sign the ground lease for Hangar PAP-1A with CYA LTD of Crystal Lake, IL. Motion was made to place this item on the Village Board Agenda.

Community Development:

Conditional Use for Day Care Center as a Principle Use at 40 West Acorn Lane - Presented by Community and Economic Development Director Josh Langen- Dean W. Kelley of Abbott Land and Investment Corporation requests a conditional use permit for operation of a day care center as a principle use at 40 West Acorn Lane.

The subject property has been in use as both children's learning and/or day care since 1993. The following is a brief timeline of the building use and structural changes;

- In 1993, an 8,000 square foot structure was constructed, with the first tenant being a day care center
- In 2010 the building was doubled in size to its present footprint and occupied by KinderCare
- KinderCare closed its operation at this location and the building was left vacant
- The building established divided tenant space in 2018 as shown on the submitted site plan
- Parkland Preparatory Academy occupies the eastern half of the building and has so since December 2018
- Little Minds Day Care was approved as a conditional use in 2019 and occupied the western half of the building for a brief period of time, before vacating the space.

Recently, the parking lot was restriped to redistribute handicap parking to better serve the two separate entrances. Daycare facilities are allowable as a conditional use the B-3 General Business district. Daycare operations have been approved for different applicants since 1993; however, as those approvals have expired, the current applicant is required to receive approval for a new daycare operation.

The Planning and Zoning Commission conducted a public hearing on February 16, 2021 for the petitioner's request. The Commissioners voted 4-0 to recommend approval of conditional use for day care center as a principle use at the February 16, 2021 meeting. There were no public comments.

Staff recommends a motion to approve an Ordinance allowing a day care center as a conditional use at 40 West Acorn Lane, Parcel 19-29-101-032. Motion was made to place on the Village Board Agenda.

Conditional Use and Variations Amendments at 1511 Imhoff Drive- Presented by Community and Economic Development Director Josh Langen- Kyle Lindley of Big Stuff Storage/Prairie Enterprises Inc., LLC requests a conditional use approval for a new site plan for outdoor storage of vehicles as a principle use at 1511 Imhoff Drive. The applicant also requests variations to Section 9.4 and Section 15.3 to allow for a fence in the front yard along the front property line.

The applicant applied for and received conditional use approval for an outdoor storage of vehicles as a principle use in October of 2019 in order to operate a recreational vehicle storage business. The conditional use application included a sketch plan showing storage area for 52 recreational vehicles, chain link fencing along south and west property lines, pavement within 12 feet of the front property line, pavement within 10 feet of side property lines, a fence 10 feet from the front property line, and other site details. No landscaping plan was submitted as part of the application.

A variation was also granted in conjunction with the conditional use approval in October of 2019. The variation allowed for the front fencing along the front yard and for the fence to be within 10 feet of the front property line. The variation also allowed for the pavement to be extended closer to the side and front property lines than allowed for in the Manufacturing Districts Bulk Chart in Section 9.4.

The site was constructed in late 2020. However, the site was not constructed in accordance with the site plan submitted with the conditional use that was approved in October, 2019. The site now includes an additional six storage/parking areas for recreational vehicles and front fencing along the front property line. The applicant is requesting conditional use approval for outdoor storage of recreational vehicles in accordance with the attached site plan reflecting the increase in the number of spaces as well as the movement of the front fence from the previously approved 10 foot setback to the front property line. A variation request has been submitted in conjunction with the conditional use request to allow for the fence location at the front property line.

The Planning and Zoning Commission conducted a public hearing on February 16, 2021 for the petitioner's request. The Commissioners voted 4-0 to recommend approval of the amended site plan for the conditional use and the further variations to Section 9.4 and Section 15.3. The approval included the first two staff-recommended conditions and a substitution of the third staff-recommended condition with their own condition. Public comments consisted of a letter from the Imhoff Industrial Park Board stating they had no objection the requested fence location, which was read into the public record during the public hearing.

Staff recommends a motion to approve an Ordinance amending Ordinance 2019-47 by adopting a new site plan and allowing for further variations to Section 9.4 and Section 15.3 at 1511 Imhoff Drive, Parcel 19-21-127-005, with the following additional conditions to be met within 120 days of approval of the ordinance;

- 1) A landscaping plan be submitted and approved in accordance with Section 26, Landscaping, to the greatest extent possible, as determined by the Community Development Director. Optimal placement and tree and shrubs types shall be derived which minimizes the impact of plantings on the public utility easement, fencing, and snow removal.
- 2) An agreement signed between the property owner and the Village to hold the property owner responsible for any costs associated with removal of fencing, placement of temporary security fencing, and replacement of permanent fencing associated with any improvements, replacement, or repair the water main located within the easement.
- 3) A requirement for the property owner to deed restrict the property and hold property owner responsible for expenses related to replacement of front fence should maintenance be performed by the Village within the public utility right of way.

Trustee Dustin made two comments. He did not like the state of the fence across the street and wanted to know who was responsible for maintaining it. He also asked if the barb wiring was necessary. Chief Brey stated storage areas are targeted for burglaries and the barb wire fencing adds extra security. Community and Economic Development Director Josh Langen stated he will review the ordinance and determine what the Village can do to ensure the fence is well maintained. Trustee Bojarski was concerned about the fence violating the ordinance and being too close to the fire hydrant. Kyle Lindley of Big Stuff Storage stated he is working with the contractor and the fence will be moved and be in compliance.

Motion was made to place on the Village Board Agenda.

Map Amendment to Rezone 1203 Crystal Lake Road from B-2, Neighborhood Convenience, to B-1, Business – Transitional- Presented by Community and Economic Development Director Josh Langen- The petitioner requests an amendment of the current zoning classification of the parcel to lower the intensity of the current B-2 zoning to a lower intensity B-1 zoning and to allow for use of the property as a single-family detached dwelling or dwelling with business. The petitioner had previously requested in December of 2020 a rezoning of the property from B-2 zoning to B-1 zoning to allow for a dwelling with business and overnight parking of a commercial semi-trailer and truck cab as an accessory to that business. The request was denied by the Village Board.

The current request is for a B-1 zoning to allow for a dwelling with business and no request for parking of commercial vehicles. A dwelling with business use is considered to have dwelling, or residential, as the primary use. Section 18.4-4 Overnight Parking states;

In all Business, Manufacturing and Airport zoning districts overnight parking shall not be permitted except for vehicles accessory to the principal use of the lot and in the case of a vehicle owned by an employee at a business that operates 24 hours a day.

Where a dwelling is the principal use, commercial parking would not be considered accessory to that principal use, as opposed to a business and, therefore, would not be allowed. Only residential passenger vehicles and those vehicles accessory to residential land uses would be allowed to be parked overnight.

The Planning and Zoning Commission conducted a public hearing on February 16, 2021 for the petitioner's request. The Commissioners voted 4-0 to recommend approval of the rezoning from B-2, Neighborhood Convenience, to B-1, Business - Transitional at the February 16, 2021 meeting. There were no public comments.

Staff recommends a motion to Motion to approve an Ordinance approving a map amendment to rezone 1203 Crystal Lake Road, Parcel 19-20-308-006, from B-2, Neighborhood Convenience, to B-1, Business - Transitional.

Trustee Harlfinger voiced concern this property has never been a single family home. Community and Economic Development Director Josh Langen stated the owners did present plans that ensure a nice transition to a home and there will be no business present. Trustee Huckins asked if a semi-truck will be allowed to be parked in the driveway. Community and Economic Development Director Josh Langen stated no that was the reason this was denied in the past. Trustee Dustin added at the Planning and Zoning Meeting the owners did present a very detailed and appealing plan of the remodel and there was no mention of a trailer or truck as part of the plan.

Motion was made to place on the Village Board Agenda.

Board of Trustees:

Trustee Huckins thanked Public Works Director Migatz and staff for the incredible job they did with the snow removal. He saw many comments on social media that most residents concur.

Trustee Dustin began a discussion concerning the development of businesses on Route 31 and 47. Trustee Harlfinger stated there could be issues with adding water and sewer lines that may impede on private property. Administrator Mullard stated the UIC students have researched these sub areas and did look into the cost of water and sewer. The Sanitary District also needs to be involved in these changes. He mentioned Cary and Algonquin are working with CMAP on developing Route 31. Their development could help spur development on the Village side of RT. 31. Lastly he mentioned Water Superintendent McDillon has been working with Flood Brothers who have showed interest in developing a transfer station on Pyott Road.

Trustee Bojarski: None

Trustee Bogdanowski stated the Sunset Fest Committee will be meeting with the carnival company the first Saturday in March and Denise Wasserman is rejoining as co-chair of the Sunset Fest committee along with Diane Murphy.

Trustee Harlfinger: None

President: On Thursday he will be asking for advise and consent for the appointments of Finance Director/Treasurer Peter Stefan and Planning & Zoning Commissioner James E. Dixon.

Audience Participation: None

Adjournment: There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:26 pm

Submitted by,

Cecilia Carman
Village Clerk