



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

## Committee of the Whole Meeting

March 23, 2021

### Call To Order

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

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, Airport Manager Mike Peranich, Village Attorney Brad Stewart and Village Clerk Cecilia Carman.

Pledge of Allegiance was led by President Ruzanski

President Ruzanski read this statement:

I would like to take a moment to speak to all the Staff members and the entire Board of Trustees regarding the Thursday March 11<sup>th</sup> Village Board meeting. Throughout the meeting, there were questions and concerns raised regarding a specific agenda item which is a quite normal occurrence anytime the Village Board is in session. We have always valued open discussion and dialogue, and it is not uncommon that members of our board may have different opinions about certain Village issues. As the Chair of our meetings, it is critical that even when we disagree, that we do it in a way so as to not be disagreeable.

Some of the dialogue from the last meeting was vulgar, offensive and directly accusatory of individual staff in the Village. Having spoken to staff and other officials, these comments were viewed as not only rude and disrespectful but also threatening. We, as public officials, are held to the highest standards of ethical behavior including our method of communicating. Upholding these standards is our responsibility at all times. Where there are concerns with anything within the Village, I encourage us all to keep the discussion to the issues and policies and no to make personal invectives.

And if there is ever a concern with an action taken by staff, I would ask that any concerns be addressed individually with myself and/or Administrator Mullard as a first step, and should an investigation reveal that corrective action needs to be taken by any staff member, that you allow our administrator to address the issue pursuant to our personnel policies, without putting the individual under the public microscope.

I am respectfully asking that we all maintain proper decorum and language during our meetings. I have tried very hard to not be overly strict with our rules of board discussion, to ensure that we have full and meaningful discussions. However, should this behavior occur again on my watch, I will move swiftly to declare it "out of order". I hope that is not necessary.

**Audience Participation:** None at this time.

### Police:

**Officer Domagala Request for Unpaid Leave Over 61 Days** - Presented by Chief of Police Brey- Officer Domagala requested 60 days of unpaid leave starting on January 26, 2021, for medical reasons. The 60 days

of unpaid leave ends on March 27, 2021. Officer Domagala is now requested unpaid leave extending beyond 61 days requiring Village Board approval. At this time, Officer Domagala will not be returning to work, and he will be seeking a permanent non-duty disability pension. Extending his unpaid leave will allow him more time to file for his pension benefits. The recommendation is to approve unpaid leave for an additional 100 days to expire on July 5.

As outlined in the Village's rules and regulations, Officer Domagala's unpaid leave will be without loss of prior earned seniority. However, his seniority and other benefits will not accumulate during the period of unpaid leave except for group health coverage, which will be offered through COBRA.

Financial Impact: Officer Domagala's unpaid leave status from January 26 to March 27 will result in \$18,704.70 in salary and benefits savings. This amount will increase by approximately \$5,077.12 every pay period after March 27.

Staff recommends a motion to approve the unpaid leave status for Officer Domagala beyond 61 days to expire on July 5. Motion was made to place this item on the Village Board Agenda.

### **Public Works:**

**Commercial Services Activity Agreement with High Flying Eagles, LLC** - Presented by Public Works Director Tom Migatz- Staff seeks Board approval to enter into a commercial service activity agreement with High Flying Eagles, LLC.

The Lake in the Hills Airport Rules and Regulations require commercial activities which operate from the Lake in the Hills Airport to enter into an agreement with the Village. High Flying Eagles, LLC plans to continue to offer aircraft storage facilities at the airport as they have been for the previous three years. Their last commercial activity agreement was signed in 2018 and expires in April. The agreement grants High Flying Eagles, LLC access to the airport while establishing service standards, insurance requirements, and a commitment to observe airport rules, regulations and minimum standards.

The Village seeks a four year agreement this time and, if approved would be in effect April 12, 2021 through April 11, 2025. The agreement is based on the standard agreement found in the Airport Minimum Standards. Required insurance coverage has been obtained and is on file.

**Financial Impact:** A monthly fee of \$36.72 equating to the storage of two aircraft will be collected from High Flying Eagles, LLC providing \$440.64 in revenue to the Airport Operating and Maintenance Fund.

Staff recommends a motion to approve the Commercial Service Activity Agreement with High Flying Eagles, LLC.

Trustee Dustin asked about the fee for storage and Director Migatz explained the pricing. Trustee Huckins asked about length of the lease. Airport Manager Peranich explained why there are 3 and 4 year terms.

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

**Lease Agreement with Saban Holding Properties, LLC for Office Space at the LITH Airport** - Presented by Public Works Director Tom Migatz- Staff seeks Board approval to enter into a lease agreement Saban Holding Properties, LLC for office space at the LITH Airport.

The previous owner, S&K Aviation, is selling the building at 8397 Pyott Road to Saban Holding Properties, LLC. The Village has had a month-to-month lease with S&K since 2018 and would like to remain in the current space. There are currently no other options for office space rental at the airport with comparable location, amenities, and price. The office provides roughly 1,600 feet of space including a reception area and two private offices, one of which is sub-leased to Pilot Flight Training Courses, LLC. The previous arrangement for office space included a base price of \$950 per month for a two year lease. After the initial term, the lease was automatically renewed on a month-to-month basis. A lease amendment was signed in 2017 with the previous owner to split any revenue from subleased space equally between the Village and building owner. Adding Pilot Flight Training Courses to the office increased the Village's rent to \$1,125 per month. The new owner will allow the Village to keep all money received from a sublease in exchange for paying the same rate previously established at \$1,125. Staff believes this is a fair deal.

Saban Property Holdings, LLC is proposing a 12 month agreement with renewable 12 month terms.

Financial Impact: The Village would pay a monthly fee of \$1,125 to Saban Property Holdings, LLC from the Airport Fund. This amount is included in the 2021 approved budget, so no amendment will be necessary.

Staff recommends a motion to approve the lease agreement with Saban Property Holdings, LLC for office space at 8397 Pyott Road. Motion was made to place this item on the Village Board Agenda.

**Airport Ground Lease for 8397 Pyott Road Building** - Presented by Public Works Director Tom Migatz- Staff seeks approval to enter into a twenty-year ground lease for the hangar at 8397 Pyott Road with Matt Saban of Saban Holding Properties, LLC. 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. Matt Saban with Saban Property Holdings, LLC is requesting a new ground lease for the hangar at 8397 Pyott Road. The previous owner, S&K Aviation, sold the building to Saban Holding Properties, LLC on March 19, 2021. This lease is for the period of March 26, 2021 to March 25, 2041. The lease includes an option to renew for four additional five-year terms. Mr. Saban has signed the appropriate lease form and has acceptable proof of insurance on file. 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 \$9,783.96 annually from the ground lease, 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 the hangar at 8397 Pyott Road with Matt Saban of Saban Holding Properties, LLC. Motion was made to place on the Village Board Agenda.

**2021 Playground and Skate Park Replacement Project** - Presented by Public Works Director Tom Migatz- Staff seeks Board approval to award a contract for the replacement of the playground equipment at Ford School Park and award a contract for the replacement of the skating equipment at Sunset Park. As both projects went through the process at the same time, they are submitted together for your consideration. This year, the Village plans to replace all the existing skate equipment at Sunset Park, as well as all the existing playground equipment including the swings at Ford School Park. After the Board approved the FY2021 budget last December staff began to gather feedback from residents through an online survey on potential features to consider including in the subject locations. Staff included the survey results in the Request for Simplified Proposals (RFSP) released to vendors in January. An RSFP seeks conceptual designs from interested vendors within budget constraints without seeking final pricing until later in the process. The Village received nine design concepts for the Ford School Park Playground and seven design concepts

for the Sunset Park Skate Park. After receiving the RFSP design concepts, staff released a separate survey for each location asking residents to rank each design concept in order of preference. The results from these two surveys went to the Parks and Recreation Board members before their February 4th meeting. February 4th Parks and Recreation Board Meeting At its February 4th meeting, the Parks and Recreation Board used public input to narrow the RFSP submittals down to three design concepts for each location. Following that meeting, the selected vendors were asked to participate in a Request For Proposal (RFP) process that requested pricing and a final design concept using input gathered to that point. Request For Proposal (RFP) The RFP opening for both projects occurred on February 19th and copies of both the bid tabulation and final design concepts are included in this report. Despite several efforts to inform and remind all selected vendors of the RFP opportunity, one skate park vendor disregarded staff’s communication efforts and decided to decline the opportunity. After receiving the final design concepts, staff released another round of surveys for each location asking residents to rank each final design concept in order of preference. The results from the final design concept surveys are included as Attachment 2.

March 4th Parks and Recreation Board Meeting

On March 4th, after reviewing the final design concepts as well as the results from the final design concept surveys, the Parks and Recreation Board provided award recommendations to Village staff. The award recommendations are shown in the table below.

Location	Final Design Survey Results	Park and Recreational Board Recommendations	
	Highest Overall Score	Recommendation	Color Choice
Sunset Skate Park	One	One	No changes
Ford School Park Playground	Two	Two	See attachment 4

It should be noted that none of the Ford School survey respondents were non-residents but 16 nonresidents responded to the Sunset Skate Park survey. Because the surveys are intended only for residents, staff removed all 16 non-resident survey responses. Doing so did not change Sunset Park design concept one’s position as the preferred design.

Attachments 3 and 4 show the design concept plans, colors and pricing that the Parks and Recreation Board recommends for each location. Staff seeks Board approval to award a contract for the replacement of the playground equipment at Ford School Park and award a contract for the replacement of the skate equipment at Sunset Park.

**Financial Impact**

The 2021 Playground and Skate Park Replacements are included in the 2021 Village budget in the following funds:

Location	Fund	Budget	Awarded Amount	Amount under budget
Sunset Skate Park	General	\$230,000.00	\$230,000.00	00.0
Fords School	General	\$157,500.00	\$157,500.00	\$500.0

Staff recommends a motion to award a contract to American Ramp Company of Joplin, MO, for the replacement of the Sunset Skate Park in the amount of \$230,000.00.

Staff recommends a motion to award a contract to the Green-up Company of Plainfield, IL, for the replacement of the Ford School Park Playground in the amount of \$157,000.00.

Trustee Dustin asked about the survey. Publics Director Migatz explained the results. Trustee Bojarski stated she is happy to see the Skate Park well used and there is equipment for beginners as well.

Motion was made to place on the Village Board Agenda.

**Award a Contract for the purchase of valves and actuators** - Presented by Public Works Director Tom Migatz- Staff seeks Board approval to award a contract for the purchase of valves and actuators from the Dorner Company of Sussex, Wisconsin in the amount of \$43,107.00.

Similar to the rehabilitation projects performed at Wells 14, 12, 6 and 11, the Well 10 and 16 rehabilitation projects include valve and actuator replacements performed by Village staff. It was determined that purchasing valves and actuators for both Well 10 and Well 16 at the same time would save administrative time, and provide a cost savings on shipping. In February 2021, the Village sent an RFP invitation to multiple vendors, posted notice on the Village's website, and published the request in the Northwest Herald. Staff opened three RFP submittals on March 9, 2021. The Dorner Company of Sussex, Wisconsin, submitted the low bid of \$43,107.00 followed by LAI Ltd. at \$48,150.00 and Joseph D. Foreman & Co. at \$63,213.00.

The Village has purchased valves and actuators from the Dorner Company in the past and staff have been pleased with the products that they have supplied. Therefore, staff recommend procuring the valves and actuators from Dorner Company of Sussex, Wisconsin.

**Financial Impact:** The Village's 2021 budget includes \$25,000.00 for professional engineering oversight and \$250,000.00 for the electrical and mechanical componentry upgrade work for a total budget of \$275,000.00 for both upgrade projects. If approved, the valve and actuator purchases for both projects will total \$43,107.00, leaving \$231,893.00 for the SCADA system improvements for Wells 10 and 16.

Staff recommends a motion to to award a contract for the purchase of valves and actuators from the Dorner Company of Sussex, Wisconsin in the amount of \$43,107.00. Motion was made to place on the Village Board Agenda.

**Award a Contract for the 2021 Grounds Maintenance Services** - Presented by Public Works Director Tom Migatz- Staff seeks Board approval to award a contract to Mark I Landscapes Inc., of Bartlett, IL, for the grounds maintenance services in 2021, in an amount not to exceed \$478,173.31.

#### Original Bid

Village staff released a Request for Proposal (RFP) for the grounds maintenance services contract on October 26, 2020. The RFP invitation was sent to over forty vendors, posted on the Village's website, and published in the Northwest Herald. Between the date staff released the RFP and the bid opening date, forty-six vendors registered as a plan holder on the Village's website. Of that total, twenty-five were landscaping vendors, six were co-workers of someone that already registered, four were firms that publish construction projects, two were engineering firms, five were janitorial firms and the remaining four were employees of firms that do not perform landscaping.

The Village of Lake in the Hills held a non-mandatory pre-proposal meeting at 10:00 am on Tuesday, December 8, 2020 virtually on GoToMeeting. In attendance were Guy Fehrman – Streets Superintendent,

Tom Migatz – Public Works Director, Peter D’Agostino – Administrative Services Manager, Stephanie Raupp – Administrative Specialist I, a representative from Mark 1 Landscape, Kris Guy – Evergreen Landscape, John Geiger – Sebert Landscaping, Katherine Featherstone – Blackstone Landscape Inc., Terry Farmer – Woodland Commercial Landscape, and Kyle Cook. One potential bidder asked if a performance bond was a requirement. Staff responded by informing the potential bidder that the successful bidder would need to provide the Village with a performance bond.

Public Works received and opened three sealed bids on January 29, 2021. After reviewing each bid, staff determined that all three bids were non-responsive. Two of the bids did not contain complete pricing and the vendor that submitted the third bid did not provide unit pricing. After discussing each bid, staff determined that it was in the best interest of the Village to request Board approval to reject all bids. The Board approved rejection of the bids on March 11, 2021.

### Rebid

On March 1, 2021, staff rebid the grounds maintenance service contract and made some adjustments to the RFP document to make it easier for vendors to provide unit pricing and provide accurate totals. The RFP invitation was sent to over forty vendors, posted on the Village’s website, and published in the Northwest Herald. Between the date staff released the RFP and the bid opening date, sixteen vendors registered as a plan holder on the Village’s website. Of that total, ten were landscaping vendors, three were firms that publish construction projects and the remaining three were employees of firms that do not perform landscaping. Staff did not hold a pre-bid meeting for this offering. On March 11, 2021 three sealed bids were opened for grounds maintenance services. Mark I Landscape was low bid at \$478,173.31. Mark I Landscape supplied references that were called and verified. The feedback from the references regarding Mark I Landscape’s service, quality of work and timeliness was positive. Village staff conducted a site visit to Mark I Landscape’s facility to check out their landscaping equipment and feel their equipment and the number of employees assigned to the contract is appropriate for the 2021 grounds maintenance contract. The RFP results, a recommendation letter, and the bid certification form are attached for your review.

**Financial Impact:** The 2021 Village Budget includes \$445,629.00 for grounds maintenance services in the General Fund, Water Fund and Special Service Areas. Given the low bid received and if services are fully conducted as described, the General Fund will be over budget by \$53,415.75, with the Water Fund and Special Service Areas under budget by \$3,773.85 and \$17,097.59 respectively. Historically, the Village has experienced a savings of approximately \$41,000.00 per season as the contract allows for the suspension of services as conditions warrant. Since the General Fund will be over budget by \$53,415.75, staff will request a budget amendment to account for this; however, staff does anticipate that some of this General Fund overage may be reduced through suspension of services.

Staff recommends a motion to award a contract to Mark I Landscape of Bartlett, IL, for grounds maintenance services in 2021, in an amount not to exceed \$478,173.31. Motion was made to place on the Village Board Agenda.

**Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2021** - Presented by Public Works Director Tom Migatz- Additional funds are being requested in the 2021 Fiscal Year Budget to fund unanticipated costs in the Public Works Department within the General Fund as outlined below:

In the Public Works – Public Properties Division of the General Fund, \$3,000 is being requested to fund the conversion of an existing tennis court into a pickleball court.

30.32.70.08 Supplies & Parts Buildings – \$3,000

Staff conducted an analysis of the costs to install a new court, which was \$34,904.50. The alternative was to repurpose an existing tennis court by repainting and converting it into a dedicated pickleball court with a specialized net for only \$3,000 using in-house labor. At their February 4, 2021 meeting, the Parks Board voted unanimously in favor of recommending this alternative.

In the Public Works – Public Properties Division and in the Public Works – Streets Division of the General Fund, \$35,316 and \$18,100 respectively is being requested to cover unanticipated cover grounds maintenance expenses as follows:

30.32.61.04 Grounds Maintenance – \$35,316

30.30.61.04 Grounds Maintenance – \$18,100

These amendments are necessary to fund unanticipated expenses related to the Grounds Maintenance contract. The total contract cost is \$32,544 over budget with a total bid \$478,173, however the impact is spread unevenly across the General Fund, SSA's and Water. While the SSA's and Water funds are actually projected to be below the budgeted amount by \$(20,871), the General Fund bears the weight of the increase of \$53,416. This increase is split between divisions with \$35,316 anticipated to come from the Public Properties Division and \$18,100 coming from the Streets Division.

Staff fully anticipates the actual impact to the General Fund budget to be much less than this, as the Village has been able to reduce its contractual rates by an average of approximately \$41,000 across all funds as a result of service suspensions throughout the season. It is expected that this savings would help to offset the General Fund expenses by approximately \$25,000.

**Financial Impact:** Approving the proposed Ordinance will provide authorization to expend an additional \$53,416 from General Fund for the Grounds Maintenance Contract and \$3,000 for the conversion of a tennis court to a pickleball court. The total increase in the General Fund of \$56,416 will be coming from the fund balance and the 2020 General Fund operating results, which are estimated to be sufficient enough to cover these additional costs.

Staff recommends a motion to approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2021.

Trustee Huckins asked what the conversion to pickle ball court entails. Public Works Director Migatz explained the price breakdown and the steps to convert.

Motion was made to place on the Village Board Agenda.

**Board of Trustees:**

Trustee Murphy - None

Trustee Bojarski stated she agreed the meetings are a place to ask appropriate questions and it should be a respectful conversation.

Trustee Dustin - None

Trustee Bogdanowski - None

Trustee Harlfinger stated he wanted to comment on the last set of meetings. He believes harsh words sometimes need to be said. Since the meetings he has spoken to Administrator Mullard and did get some reassurance for the new bids that were presented. He will not apologize for what he said and that moving forward the Staff needs to communicate better with the Board.

Trustee Huckins - None

**President:**

President Ruzanski stated that he will read a proclamation for Ann Miller Day at the Village Board meeting on Thursday.

**Audience Participation:** None

Motion to enter into Closed Session to discuss the purchase or lease of real property for the use of the public body (5 ILCS 2 (C) (5)) was made by Trustee Harlfinger and seconded by Trustee Huckins. On roll call Trustee Bogdanowski, Harlfinger, Huckins, Dustin, Murphy and Bojarski voted Aye. No nays. Motion carried.

Committee of the Whole reconvened at 8:25pm. Roll call was answered by Trustee Huckins, Harlfinger, Bogdanowski, Dustin, Bojarski and Murphy.

**Adjournment:** Motion to adjourn the meeting was made by Trustee Murphy and seconded by Trustee Huckins. On roll call vote Trustees Huckins, Harlfinger, Bogdanowski, Dustin, Bojarski and Murphy vote Aye. No Nays. Motion carried. 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