



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2022

Call to Order

The meeting was called to order at 7:30 pm.

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

Motion to allow Trustee Murphy to attend telephonically was made by Trustee Harlfinger and seconded by Trustee Huckins. On roll call vote, Trustees Anderson, Bojarski, Dustin, Harlfinger, and Huckins voted Aye. No Nays. Motion carried.

Also present were Village Administrator Fred Mullard, Assistant Village Administrator Shannon Andrews, Chief of Police Mary Frake, Finance Director Pete Stefan, Public Works Director Tom Migatz, Community and Economic Development Director Josh Langen, Administrative Services Manager Peter D'Agostino, Assistant Director of Community Development Ann Marie Hess, Village Attorney Brad Stewart, and Village Clerk Shannon DuBeau.

Pledge of Allegiance was led by Trustee Bojarski.

Audience Participation

None.

Police

Request to Approve Sergeant Appointment Above Authorized Staffing Level

Presented by Chief of Police Mary Frake

The department has a projected retirement in July of this year that will create an opening for a Sergeant position. To expedite the transition and training, the department would like to have the candidate identified and appointed on or about May 10, 2022. The current Sergeant's eligibility list expires June 1, 2022. The Police Commission has the Sergeant's promotional process tentatively scheduled for June 25, 2022 and July 11, 2022 to establish a new eligibility list. Authorizing the level of Sergeant positions to go from seven (7) to eight (8), for a period of approximately ten (10) weeks, will allow the candidate to be ready to assume this supervisory role on or about June 6, 2022 as opposed to approximately September 12, 2022.

Financial Impact

The estimated salary differential for a new Sergeant from May 10, 2022 to July 11, 2022 is \$1,302.00.

Staff recommends a motion to approve and authorize the Police Department to exceed the authorized staffing level and appoint a Sergeant on or around May 10, 2022 for the projected vacancy in July, 2022.

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



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2022

Public Works

Request to Approve Affiliate Organization Agreements

Presented by Administrative Services Manager Peter D'Agostino

Staff seeks Board approval to enter into three-year agreements with five organized recreational Affiliate Organizations (AO).

Since 2005, the Village has had formal agreements with not-for-profit AOs that provide organized recreational opportunities on Village-owned property. These agreements are a necessary tool in defining the responsibilities of both the AOs and the Village. Defined responsibilities include facility usage and maintenance, equipment usage, advertising, meeting requirements, insurance requirements, fees, general obligations, and conditions. The existing recreation agreements expired at the end of 2021 and staff plans to negotiate three-year agreements with each AO, starting in 2022.

Cost Recovery Analysis Exercise

To ensure the Village is being fiscally responsible with its assets while also supportive of its AOs, staff compiled the Village's costs to maintain the amenities used by each AO to determine if a cost recovery standard would be an appropriate tool to use to determine fees. While there are different cost recovery standards, staff found that the National Recreation and Parks Association (NRPA) 2021 performance review reported that the median amount of revenue recovered by park and recreation agencies with a similar population as the Village was 24.4% in 2020. As such, staff applied a percentage to each Village cost identified in the cost recovery spreadsheet that was no higher than 24.4% of the total cost, with lesser percentages if park patrons or other affiliate groups also have access to the service or amenity. However, after completing this exercise, staff learned that the NRPA model would result in an average fee increase of 37% across all six affiliate groups.

Rate Comparison and Parks and Recreation Board Recommendation

Concerned that the NRPA model would result in burdensome cost increases for the AOs, staff then completed an analysis comparing the Village's current AO rates to the rates that neighboring government park entities charge. This second analysis, which is included in the agenda as Attachment 1, was equally as challenging as the first analysis as neighboring park entities use different rate structures. After completing this analysis, staff presented rate recommendations to the Parks and Recreation (P&R) Board at their March 3rd meeting. At this meeting, the Parks and Recreation Board recommended rate adjustments for Blackhawks Lacrosse and the United Cricket Club but not the other four AOs as the current rates for those were among the highest rates when compared to neighboring park entities. An agreement with Blackhawks Lacrosse with the new increased rates was presented for the Board's consideration. However, staff plan to present the Board with a new agreement with the United Cricket Club at a future meeting as the new agreement/rates are still being reviewed by this AO.



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

Blackhawks Lacrosse

As shown below, the Village charged this AO \$8.00 per participant in 2021. This is the same rate charged by the Crystal Lake Park District. However, after reviewing the rates charged by neighboring park entities, the Parks and Recreation Board recommended rate increases starting in 2023 as this AO has already started accepting registrations for the 2022 season.

Affiliate Organization: Blackhawks Lacrosse		
2022 fee if the organization used facilities owned by:	2022 Season Fee	Rate Structure
LITH (using NRPA Model)	\$328 minimum	\$8.00/participant
Crystal Lake Park District	\$504	\$8.00/participant
LITH (2021 Actual Fee)	\$504	\$8.00/participant
LITH (2022 Proposed Fee)	\$504	\$8.00/participant
LITH (2023 Proposed Fee)	\$630	\$10.00/participant
LITH (2024 Proposed Fee)	\$756	\$12.00/participant
School District 158 (Huntley Raiders Lacrosse)	\$1,260*	\$28.00/hour
Cary Park District	\$2,250*	\$50.00/hour

Huntley Park District – Huntley Raiders Lacrosse does not use their fields.

*Assumes 63 participants

Village of Algonquin – n/a

*Assumes 45 hours of use (actual use in 2021)

Financial Impact

All revenue that the Village receives will be determined at a later date, based on each AOs actual season.

Staff recommends the following:

- Motion to approve a three-year recreation agreement with the Lake in the Hills Youth Athletic Association.
- Motion to approve a three-year recreation agreement with the Algonquin Lake in the Hills Soccer Association.
- Motion to approve a three-year recreation agreement with Junior Eagles Football.
- Motion to approve a three-year recreation agreement with Junior Eagles Cheerleading.
- Motion to approve a three-year recreation agreement with Blackhawks Lacrosse.

Trustee Huckins asked if the AOs have already agreed to the rates. Peter stated that they have agreed and signed off of these rates.

Trustee Anderson asked why certain groups for Woodstock are listed as having no fees. Peter explained that this is just a difference in taxes and rates per municipality.



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2022

President Bogdanowski asked for examples of costs associated with AO groups. Peter explained AO fees cover the cost to maintain softball and baseball fields solely used by the AOs, which is separated from the cost of maintaining parking lots and toilets—items that are shared by all park users.

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

Director Migatz thanked Peter for his outstanding work.

Request for Approve Turtle Island Park Improvements Extension of Final Completion Date

Presented by Public Works Director Tom Migatz

Staff seeks Board approval of a Resolution granting Copenhaver Construction an extension of the final date of completion for the Turtle Island Park Improvements Project from November 13, 2020, to July 28, 2021, and a waiver of liquidated damages.

The Village Board awarded a contract to Copenhaver Construction in the amount of \$354,552.00 on May 14, 2020 for improvements to Turtle Island. The project received an Open Space Lands Acquisition and Development (OSLAD) grant through the State of Illinois. The grant reimburses the Village for fifty percent (50%) of the actual construction cost, not to exceed \$205,100.00.

The contract required that Copenhaver Construction fulfill substantial completion of the contract requirements by October 30, 2020, and the final date of completion of November 13, 2020. Difficulties in completing the roof to the point that it no longer leaked and installation of remaining planting material resulted in an actual completion date of July 28, 2021. Copenhaver failed to repair the leak on two separate occasions prior to that date resulting in their need to bring in a second roofer, C3 Construction, to perform the task. C3 Construction removed the initial roofing material and installed a new roof that has not leaked since installation. Additionally, Copenhaver installed many of the required plant materials near the end of the 2020 growing season. They were unable to install some of the remaining plants, necessitating that they plant them in 2021. They completed all work by the grant stipulated deadline of the July 31, 2021.

Although Copenhaver completed the project by the grant deadline, the Contract states the Contractor shall pay liquidated damages of \$500 a day past the original due date. Staff believes that Copenhaver worked in good faith to complete the project on time; however, extenuating circumstances prevented them. As such, staff seeks Board approval to waive liquidated damages and grant Copenhaver Construction and extension of project completion to July 28, 2021.

Staff is collecting the remaining documents for final submission to the Illinois Department of Natural Resources for the remaining grant money owed to the Village in the amount of \$102,550.00.

Financial Impact

Staff seeks to collect the remaining grant award of \$102,550.00.

Committee of the Whole Meeting
March 8, 2022



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2022

Staff recommends a motion to approve a Resolution granting Copenhagen Construction an extension of the final date of completion for the Turtle Island Park Improvements Project from November 13, 2020, to July 28, 2021 and a waiver of liquidated damages.

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

Request to Approve Aviation Fuel Contract Extension

Presented by Public Works Director Tom Migatz

Staff seeks Board approval of a one-year contract extension for aviation fuel with Arrow Energy of Saline, Michigan, in an amount not-to-exceed \$317,094.70.

On March 14, 2019, the Village Board awarded Arrow Energy of Saline, Michigan, a three-year contract, from April 8, 2019 to April 7, 2022, for the purchase of aviation fuel for resale. The contract includes two optional one-year renewals. Arrow Energy has been providing fuel to the airport since 2014 and their service has been acceptable. As such, staff recommends approval of the first one-year contract extension from April 8, 2022 to April 7, 2023, in an amount not-to-exceed \$317,094.70.

Financial Impact

The Fiscal Year (FY) 2022 Village Budget includes \$317,094.70 in the Airport Fund for the purchase of aviation fuel for resale. During the first two months of 2022, the airport has purchased \$33,008.16 worth of fuel under the initial three-year contract term. Staff is requesting authority to spend up to \$317,094.70, during the one-year contract extension term but staff will return to the Board should staff need approval to exceed the FY 2022 Budget or the one-year contract extension amount.

Staff recommends a motion to approve a one-year contract extension for aviation fuel with Arrow Energy of Saline, Michigan, in an amount not-to-exceed \$317,094.70.

Trustee Huckins asked if the Village has increase fuel prices at the airport. Administrator Mullard explained that the fuel prices fluctuate based on the cost of the fuel that is delivered. This takes place every few months.

Trustee Anderson asked if this one-year contract extension accounts for the upcoming construction. Director Migatz confirmed this. Director Mullard added that this is considered an on-demand contract.

Trustee Dustin questioned the text which states this is not to exceed a certain dollar amount. Administrator Mullard explained that if the dollar amount is in danger of being exceeded, staff will come back to the Board for further approval.

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



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2022

Request to Approve Commercial Services Activity Agreement with AKC Aviation

Presented by Public Works Director Tom Migatz

Staff seeks Board approval to enter into a commercial services activity agreement with AKC Aviation.

The Lake in the Hills Airport Rules and Regulations require commercial activities that operate from the airport to enter into an agreement with the Village. The agreement gives them access to the airport while establishing service standards, insurance requirements, and a commitment to observe the airport rules, regulations, and minimum standards. AKC Aviation, an aircraft brokerage company, wishes to renew its agreement with the Village. The agreement will be effective from June 1, 2022 through June 1, 2027.

AKC Aviation has been part of Lake in the Hills Airport since 2007 offering brokerage services to a variety of aircraft owners. Kent Seaver, the President, guides both buyers and sellers through the process and charges a nominal fee for his time. The business brings use tax fees to the State of Illinois coffers. At the local level, AKC brings aircraft that would not normally visit Lake in the Hills to the area for pre-buy services which utilize based businesses, inspections, and most importantly, aviation fuel. They are an asset to the airport.

Financial Impact

The Airport Operating and Maintenance Fund will receive \$305.58 annually from the commercial activity fees, subject to annual increases approved by ordinance.

Staff recommends a motion to approve the commercial services activity agreement with AKC Aviation.

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

Community Development

Informational Item Concerning Updates to Chapter 24 of the Municipal Code

Presented by Assistant Director of Community Development Ann Marie Hess

To promote and protect the safety and welfare of the residents of Lake in the Hills, staff is proposing updates to Chapter 24 (building regulations) of the Municipal Code. The proposed updates to the chapter include adopting by reference the most recently published International Series of Building Codes (2021 editions), National Electrical Code (2020 edition), and the most current state mandated codes that apply to building construction at the local level. The state codes pertain to plumbing, energy conservation, and accessibility of buildings. These updates are provided as an informational item in order to solicit comments and questions from the Village Board. A final draft with any recommended changes will be provided for adoption at the second set of Village Board meetings in March.

An update will provide a unified approach for all building codes that will be in effect in the Village of Lake in the Hills. Chapter 24 is being reformatted to locate local provisions within the context of the codes, and to generally improve the formatting of the chapter. Where provisions appear to be removed, they have either been addressed



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

by the new code editions or relocated to the administrative sections of this Chapter. Amendments and insertions to the model codes that are adopted by reference in the chapter, are proposed for the following reasons:

- To maintain coordination with ordinance provisions currently in effect in our Village, including provisions within other chapters of the Municipal Code.
- To address local construction practices.
- To have clearly stated, therefore user-friendly, building and property maintenance codes.

Comparable Communities

A survey of communities indicates that the Village should adopt an updated building code, which can best be addressed by adopting the latest published codes of the International Code Council (ICC Codes). Additionally, the Village will benefit in higher scoring with the ISO (Insurance Service Organization) upcoming review for building permitting operations by having the most up-to-date model codes adopted. This will also position the Village to maintain an elevated ISO score through the next ISO review cycle in three years.

IRC is International Residential Code IBC is International Building Code (Commercial)

VILLAGE OR CITY	ICC model codes adopted	IRC edition currently adopted	IBC edition currently adopted	LOCAL AMENDMENTS
CARY	✓	2003	2003	Yes
LAKEWOOD	✓	2006	2006	Yes
HUNTLEY	✓	2012	2012	Yes
LAKE IN THE HILLS	✓	2012	2012	Yes
CRYSTAL LAKE	✓	2018	2018	Yes
ALGONQUIN	✓	2018	2018	Yes

Financial Impact

The approved FY 2022 budget amount for Community Development Department publications is \$800.00. This will be used for purchasing code and training publications. The 2022 training budget for the Community Development Department’s three inspectors and assistant director is \$6,500, of which \$5,000 is allocated for staff training and ICC certifications pertaining to adoption of new codes.

Ann Marie presented an overview of the proposed code adoption to the Board, which included an optional residential sprinkler code. The Board discussed past conversations around the topic of residential sprinklers. Trustee Harlfinger recalled that in the past, the topic was not well received.

President Bogdanowski stated that he appreciates staff efforts to ensure that the Village is up to date. However, he voiced a concern that adopting the latest building codes may put the Village at a disadvantage in terms of new development, as the cost of code requirements may dissuade builders. Trustee Huckins echoed similar concerns,



Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

MARCH 8, 2022

pointing to the large gap between our 2012 codes and the 2021 edition, skipping the 2015 and 2018 editions. Ann Marie stressed the importance that current building codes play in the Village receiving a favorable ISO rating, which can affect the rates set for individuals and businesses in the Village. She added that any new code can be appealed if someone feels it is overreaching.

President Bogdanowski asked if the amendments shown are amendments that we are already operating under. Ann Marie stated that most are. She also stated that modern technology is addressed in the new codes, which is lacking in the older versions.

Board of Trustees

None.

President

None.

Adjournment

A motion to adjourn the meeting was made Trustee Bojarski and seconded by Trustee Anderson. All in favor by voice vote.

There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:42 pm.

Submitted by,

A handwritten signature in black ink that reads "Shannon DuBeau".

Shannon DuBeau
Village Clerk