



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

MAY 9, 2023

## Call to Order

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

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

The Pledge of Allegiance was led by President Bogdanowski.

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

Also present were Village Administrator Shannon Andrews, Assistant Village Administrator Ashley Eccles, Chief of Police Mary Frake, Finance Director Pete Stefan, Public Works Director Ryan McDillon, Parks & Recreation Director Trevor Bosack, Director of Community Development John Svalenka, Village Attorney Brad Stewart, and Village Clerk Shannon DuBeau.

## Audience Participation

None.

## Finance

### **Request to Approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2022**

Presented by Finance Director Pete Stefan

As part of the process to close Fiscal Year 2022, one final housekeeping budget amendment is being proposed for five separate funds as summarized below.

#### **General Fund**

The net effect on the total General Fund budget will be zero as both revenues and expenditures are proposed to increase by \$32,400.

Due to higher program registrations in the Recreation Division, an additional \$10,200 in part-time salaries and \$14,600 in contractual payments were needed in FY22. Also, an additional \$7,600 was required for the 2022 Summer Sunset Festival. The total \$32,400 in expenditures is offset entirely by additional revenue generated by recreation program registrations and the 2022 Summer Sunset Festival.

#### **Police Seizure Fund**

Three categories of costs were incurred in the Police Seizure Fund in FY22. \$8,000 was spent on laser measurement technology equipment, software, and training to assist with crash and crime scene mapping needs; \$17,800 was



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needed for the female locker room expansion project; and \$300 was spent on liquor compliance checks. It should be noted that no budget is established for this fund as part of the annual budget process as this fund cannot supplant other funds available in the budget. Expenditures are only made from this fund once forfeiture revenue has been confirmed and received.

### **Veterans Memorial**

Fund An additional \$100 is required in the Veterans Memorial Fund to cover the credit card processing fees for memorial brick purchases made online.

### **Special Service Area #4A Fund**

Due to unanticipated wildlife trapping and relocation services required in FY22 in Special Service Area #4A, an additional \$2,100 is required to cover those costs in this fund.

### **Special Service Area #24 Fund**

An additional \$700 is required in the Special Service Area #24 Fund to cover in-house labor and equipment costs for Harvest Gate detention maintenance related to mowing, spraying, and tree removal activities.

### **Financial Impact**

There is no financial impact of approving the proposed budget amendment Ordinance as these are budgetary dollars only, however, it will ensure that all funds have sufficient budgets for Fiscal Year 2022 to cover all expenditures incurred.

Staff recommend a motion to approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2022.

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

## Community Development

### **Request to Approve an Ordinance Amending Chapter 45, "Potable Water", and Appendix B, "Comprehensive Fine and Fee Schedule", of the Lake in the Hills Municipal Code**

Presented by Director of Community Development John Svalenka

Resident David Manuel of 65 Hilltop Drive raised a concern that he had been charged the full cost of a water tap-in fee (\$11,800.00) when he applied for a permit to rebuild a portion of his home damaged due to fire. Staff had applied the fee to the permit because during construction, Mr. Manuel had upgraded the number of fixture units in the home and in doing so, upgraded the service line from  $\frac{3}{4}$ " to 1", which is the Village's new minimum standard for single family homes. The tap-in fee is traditionally intended to be a one-time cost at the time of new construction, to account for the impact of the new water service on the water system infrastructure.

As staff were reviewing Mr. Manuel's concern, it was agreed that the second tap-in charge should not have been applied. In addition, there was deeper discussion and support for adding language regarding fees for upgraded



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services that would allow staff to charge the difference between two tap sizes, as the current Code was found to be silent on this issue. In addition, it was identified that the current fee structure for tap-ins needed to be reworked to eliminate future confusion. Therefore, staff has drafted amendments to Section 45.31 of the Municipal Code to resolve the inconsistencies in the fee structure and to allow the Village to charge fees equal to the difference between tap sizes in certain circumstances.

Several years ago, the Illinois Department of Public Health (IDPH) published a memorandum on water services attached to public water supplies. The memorandum clearly documents that a combined water service, serving both the domestic water system and fire protection systems is required when connected to a public water main to prevent fire protection supply lines from creating dead ends. The Village has implemented the requirement in the IDPH memorandum for all new buildings, but Section 45.25 of the Municipal Code still includes language that requires establishments to maintain separate water services for domestic and fire suppression purposes. Therefore, staff have also drafted amendments to Section 45.25.

Finally, the tap-in fees established by Section 45.31 of the Municipal Code are also reflected in the Comprehensive Fine and Fee Schedule in Appendix B of the Municipal Code. Therefore, staff has drafted amendments to Appendix B to reflect the corrections in Section 45.31.

Staff recommend approval of the Ordinance (attached to the agenda) and ask for the authority to issue a refund to Mr. Manuel in the amount of \$11,800, as he should not have been charged a second tap-in fee.

### **Financial Impact**

With Board approval, the refund due to Mr. Manuel is calculated to be \$11,800.00.

Staff recommend a motion to Approve the Ordinance Amending Chapter 45, "Potable Water", and Appendix B, "Comprehensive Fine and Fee Schedule", of the Lake in the Hills Municipal Code, and to authorize the Village Administrator to issue a refund to Mr. David Manuel in the amount of \$11,800.00.

President Bogdanowski questioned whether the homeowner has completed other requirements. Director Svalenka stated that there is still time to complete the items.

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

## Public Works

### **Request to Waive the Competitive Bidding Process and Award a Pavement Rejuvenator Contract**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to award a contract to Corrective Asphalt Materials of Sugar Grove, IL, for the 2023 Pavement Rejuvenator Project in the amount of \$42,000.00.



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The Village is in the seventh year of applying a pavement rejuvenator product to help prolong the life cycle of Village streets. An asphalt rejuvenator is a maltene-based petroleum product designed to penetrate and seal the surface, thereby preventing raveling and stripping. The Village, along with the Village of Algonquin, Cary and the City of Woodstock, have partnered together through the McHenry County Municipal Partnering Initiative to jointly procure pavement rejuvenator application services. The Village applies the product to 100% of all resurfaced roadways from the previous year.

This year the McHenry County Municipal Partnering Initiative joined the Lake-Cook Municipal Partnering Initiative for the Reclamite contract. Corrective Asphalt Materials (CAM) is the sole provider of this product. In 2023, CAM provided the Lake-Cook Municipal Partnering Initiative with updated pricing for 2023. The updated pricing includes a 10% price increase as the industry continues to experience a great deal of challenges regarding inflationary cost increases. The Option 1 pricing is the one the Village has participated in all previous years. The updated pricing for 2023 is \$1.03 per square yard, up from \$0.94, which is an increase of \$0.09 and includes sweeping, cleanup, traffic control and resident notification. If the contract award is approved, Village staff will hire CAM to apply their pavement rejuvenator product to all sections of pavement that were resurfaced in 2022, estimated to total 40,350 square yards.

## **Financial Impact**

The FY23 Village Budget contains \$42,000.00 in the General Fund for pavement rejuvenator application services and the total expense for 2023 are expected to be under budget at \$41,560.50.

Staff recommend a motion to waive the competitive bidding process and award a contract to Corrective Asphalt Materials for the 2023 Pavement Rejuvenator Project in the amount of \$42,000.00.

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

## **Request to Approve a Change Order for the Leroy Guy Basketball Court Renovation**

Presented by Public Works Director Ryan McDillon

Staff is seeking Board approval for a Resolution approving a change order in the amount of \$19,500.00 for the Leroy Guy Basketball Court Renovation being performed by Obsidian Asphalt Paving Incorporated (Obsidian) and approve the Ordinance for the corresponding budget amendment.

At the February 9, 2023 Village Board meeting, Obsidian Asphalt Paving Incorporated (Obsidian) was awarded a contract in the amount of \$28,700.00 to replace the asphalt surface of the basketball court at Leroy Guy Park. Obsidian's Request for Proposal (RFP) response for the project had assumed that there would be a minimal amount of base work necessary to complete the project. Unfortunately, when Obsidian lifted the existing surface of the 25-year-old court, it was found that the sub-base soil under the court was deficient and required additional mitigation falling outside the original scope of the RFP.



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Obsidian has provided a quote or an additional \$19,500.00 for the mitigation necessary to complete the project. This brings the project total to \$48,200.00, requiring a change order prior to proceeding. It also changes the categorization of the project to be a capital expenditure, requiring a budget amendment to shift the expenditure from the General Fund to the Capital Improvement Fund (CIP).

Responses to the original RFP had ranged from a high of \$66,000.00 to a low of \$28,700.00 from Obsidian; however, none of the responses had contemplated or included pricing for the base work necessary on this project. Although staff have not worked with Obsidian Paving in the past, their references provided staff with positive feedback on other similar projects they performed.

### **Financial Impact**

The FY23 Village Budget included \$27,500.00 for this project within the General Fund. The cost for this project has now escalated to \$48,200.00, which is \$20,700.00 over budget. A budget amendment will be required to shift the expenditure from the General Fund to the CIP. This will reduce the General Fund budget by \$27,500.00 in line item 30.32-61.08 and increase the CIP budget by \$48,200.00.

Staff recommend a motion to approve the Resolution approving a change order in the amount of \$19,500.00 for the Leroy Guy Park Basketball Court Renovation Project and to approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2023.

Trustee Huckins read the contract specifications listed under Asphalt Reconstruction and Expansion, which state the excavation depth shall be 8". He asked how much additional excavating is needed. Director McDillon explained that a further 8" of excavation is needed as a result of issues with the original sub-base installation and moisture.

President Bogdanowski asked why the necessary depth is double what was contracted. Director McDillon explained that the existing gravel is problematic—a good sub-base is needed below the gravel. President Bogdanowski requested requirements for testing moving forward. Director McDillon agreed to add contingencies to the SOP.

Trustee Anderson asked how many other courts may have the same issue. Director McDillon stated that Ken Carpenter Park, set to be resurfaced in 2025, will likely have similar issues. It continually floods and will likely have water under the court. A complete sub-base should be included in the contract.

Trustee Huckins asked if SSA Funding is possible. Administrator Andrews stated that Leroy Guy Park is not part of the SSA dollars.

Trustee Huckins asked if Cattail Park is compliant. Director McDillon will get back to the Board with an answer.

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



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## Board of Trustees

Trustee Anderson briefed the Village Board on the recent Parks and Recreation Board meeting, announcing that participants are needed for the Walk a Mile fundraiser for NISRA (Northern Illinois Special Recreation Association), which will take place on May 18<sup>th</sup>. Cocktails and hors d'oeuvres will be served from 6 pm – 8:30 pm. The Parks and Recreation Board discussed the Parks Master Plan and announced that the beach is scheduled to open on May 27<sup>th</sup>.

## President

None.

## Adjournment

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

There being no further business to discuss, the Committee of the Whole meeting was adjourned at 7:51 pm.

Submitted by,

A handwritten signature in cursive script that reads "Shannon DuBeau".

Shannon DuBeau  
Village Clerk