



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

FEBRUARY 8, 2024

## Call to Order

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

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

Trustee Huckins was not present.

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

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

The Pledge of Allegiance was led by Senior Advisor Marty McCormack with the Illinois State Treasurer's Office. Mr. McCormack defined the Treasurer as the Chief Investment Officer for the state of Illinois. The office is responsible for investing billions of dollars on behalf of the state and its municipalities—incurring a better rate of return for municipalities across the state. He also highlighted the Treasurer's ICash program, which utilizes a database to return unclaimed property to the rightful owners and heirs.

## Audience Participation

Zoning variation applicant Nicole Xicotencatl addressed the Board in regard to the informational item concerning variations for a privacy screening fence at 2840 Briarcliff Lane. Mrs. Xicotencatl voiced opposition to options 1 and 2 for an agreement with the Village, citing undue burden. She requested the Village clarify whether the structure is considered permanent or temporary. Mrs. Xicotencatl also noted that after the privacy fence was installed, she attended court proceedings and published a petition in the newspaper prior to the installation of the privacy screen.

## Administration

### **Request to Approve a Resolution Regarding CMAP's Plan of Action for Regional Transit Report**

Presented by Village Administrator Shannon Andrews

In 2022, the Chicago Metropolitan Agency for Planning (CMAP) was tasked with identifying ways to reduce an estimated \$730 million operating budget shortfall that exists due to changes in travel behavior after COVID-19. CMAP completed their analysis and report entitled Plan of Action for Regional Transit (PART), which will be submitted to the General Assembly for consideration. Included in this report are solutions that have the potential to negatively impact McHenry County communities. This includes a potential sales tax increase and diminishing representation on transit boards for collar counties.



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The McHenry County Council of Governments (MCCG) Executive Committee recently approved a Resolution Regarding CMAP's Report Entitled Plan of Action for Regional Transit (PART). While this Resolution supports efforts to strengthen the regional transit system and identify new revenues, it seeks assurance that revenues generated from residents within the County be largely directed to improvements within the County that are unserved or underserved by transit. The Resolution also opposes the concept of consolidating the RTA, CTA, METRA, and PACE Boards into a single regional transit agency, as this has the potential to dilute the County's representation.

MCCG has requested that member agencies consider passing a similar resolution, which is attached to the agenda for review, along with a link to CMAP's full PART report.

Staff recommends a motion to approve a Resolution regarding CMAP's Report Entitled "Plan of Action for Regional Transit" (PART).

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

## **Request to Approve Windy City Amusements, Inc. Contract to Supply Amusements at Summer Sunset Festival**

Presented by Village Administrator Shannon Andrews

Attached to the agenda is a one-year agreement with Windy City Amusements, Inc. to supply amusements for the annual Summer Sunset Festival that is scheduled for August 30, 2024, through September 1, 2024.

In 2023, the Village approved a one-year agreement with Windy City Amusements, Inc. with the following changes in the terms and conditions:

- 38.5% of ride gross up to \$72,500 – changed to 38% of ride gross up to \$100,000.
- 45.5% on anything over \$72,500 – changed to 40% of ride gross on anything over \$100,000.
- \$300.00 per "fun" booth stand – changed to \$200.00 per "fun" booth stand.
- \$4,000 donation was removed.

These changes were made to address Windy City's concerns that the event has been less and less profitable for them in recent years. In exchange for these concessions, Windy City took responsibility for the operation of the ticket booth and reporting of ticket sales. This significantly reduced the quantity of staff resources that were being used to manage the event each year.

Unfortunately, the net proceeds from last year's event were \$38,000, which is approximately \$22,000 under our average revenues for the event. The contract changes outlined above account for about \$6,500 of this difference. The ticket sales on Friday and Saturday tracked closely to prior years, with Sunday's ticket sales plummeting on what should have been the festival's busiest night. Windy City attributes this to the extreme heat that Sunday night.

The 2024 agreement, which is attached to the agenda, provides the Village with the ability to supervise the ticket sales to improve controls over the proceeds. The dates and times for the event and unlimited wristband periods



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have been updated. The contract includes the ability to renew, under the same terms and conditions, for up to two additional one-year terms, however either party can terminate with 60 days written notice. If the Village experiences a second year with a similar decline in ticket sales, staff will revisit this agreement for the FY25 season.

## **Financial Impact**

The Village's FY24 budget estimates net proceeds totaling \$65,000 for the carnival.

Staff recommends a motion to Waive Competitive Bidding and Approve the Contract to Supply Amusements with Windy City Amusements, Inc. for the 2024 Summer Sunset Festival.

Trustee Dustin noted that the percentage adjustments garner close to \$7,500. He suggested pulling this item from the agenda for further review.

## **Request to Approve an Addendum to Terms of Construction Manager Agreement**

Presented by Village Administrator Shannon Andrews

On April 13, 2023, the Village entered into an agreement with Camosy Incorporated (Camosy) to serve as the Construction Manager for the new police facility. Included in that agreement is language that would allow Camosy to competitively bid for trade work on the project under terms to be provided by the Village and, if selected, the Construction Manager Agreement would be amended to include self-performed work.

Camosy has expressed interest in competitively bidding on three of the 21 active bid packages as follows:

- Bid Package—No. 3.30 Concrete Work
- Bid Package—No. 6.01 General Trades
- Bid Package—No. 6.10 Structural Carpentry

The addendum, which is attached to the agenda, would permit Camosy to competitively bid on these packages, but would require that the bid packages are received, opened, reviewed, and awarded exclusively by the Village. In addition, if Camosy is awarded any of the above bid packages, the Village would retain the right to engage a professional 3rd party to review the submitted bids and supervise Camosy's work under any bid package awarded to Camosy. Since this work would otherwise have been Camosy's responsibility as construction manager for the project, any costs the Village incurs for this 3rd party oversight would be deducted from what is owed to Camosy. Finally, Camosy would be allowed to bid on future bid packages, provided they follow the same terms and conditions, under the discretion of the Village Administrator.

The bid opening for these packages is scheduled for Monday, February 12, 2024, at 1:00pm. The remainder of the bid packages are due by 1:00pm on Tuesday, February 13, 2024.

## **Financial Impact**

The cost has not yet been determined for 3rd party oversight of self-performed work by Camosy. The scope of work would be determined once Camosy has been identified as a low bidder on one or more of the above bid packages. Any costs for work performed by a 3rd party would be assigned to Camosy.



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Staff recommends a motion to Approve an Addendum to Terms of Construction Manager Agreement Between the Village of Lake in the Hills and Camosy Incorporated Regarding Self-Performed Work by Construction Manager.

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

## Community Development

### **Request to Approve a Temporary Use Permit for a Carnival at 101 N. Randall Road**

Presented by Director of Community Development John Svalenka

Section 12 of the Zoning Code regulates temporary uses and grants the Community Development Department authority to issue temporary use permits. However, per Section 12.3, carnivals are considered special temporary uses and shall require approval by the Village Board.

The Algonquin/Lake in the Hills Chamber of Commerce has requested a temporary use permit to hold a carnival in the parking lot of the At Home store at 101 N. Randall Road over two weekends, specifically from Friday, April 19 through Sunday, April 21, 2024, and from Friday, April 26 through Sunday, April 28, 2024. The carnival would be operated by Windy City Amusements, which operated a carnival in the same location in April of 2023, and which has operated at Summer Sunset Festival and Rib Fest for many years in the past and is familiar with the Village code requirements. Windy City will provide rides, games, and their two food trailers. There will not be any alcohol sales or live entertainment at this event.

The Chamber of Commerce has named this recurring event the Cabin Fever Carnival, as it provides an opportunity for residents to come together after enduring the winter season. The event will help to fund Chamber programs and initiatives aimed at bolstering the local business community. Additionally, the Chamber has proactively reached out to over 40 businesses in the vicinity of the proposed carnival with suggested strategies regarding special promotions and advertising to help those businesses maximize their benefit from the carnival.

The Chamber of Commerce has secured written permission for the event from the At Home store and the U-Haul Moving & Storage business. The Chamber has also secured permission from the AMC Theater to provide space for overflow parking. Further, the Chamber has once again committed to providing a combination of fencing and vehicle barriers around the carnival to keep carnival attendees from accidentally walking out into traffic in the parking lot, and to keep parking lot traffic from accidentally driving into the carnival area. At least two main entry points will be clearly marked and stay open for easy ingress and egress of the public.

Village staff have reviewed the request and recommend approval.

Staff recommends a motion to approve a temporary use permit for a carnival at 101 N. Randall Road from April 19 through April 21, 2024, and from April 26 through April 28, 2024.

Trustee Dustin noted a lack of parking. Chamber Director Greg Urban confirmed that overflow parking arrangements have been made.



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Trustee Dustin asked if the equipment would remain in place between the scheduled weekends. Mr. Urban stated that the equipment will be dismantled and stored on site with perimeter fencing during the week.

Trustee Dustin asked for the wristband fee. Mr. Urban stated that the fee has not yet been determined.

President Bogdanowski asked why the carnival is planned to run for an additional weekend this year. Mr. Urban explained that the purpose is to maximize opportunities and mitigate bad weather.

Trustee Murphy voiced opposition, noting that an additional carnival is unnecessary, it is not held in an optimal location, and spans a burdensome period of time. Trustee Anderson agreed.

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

## **Informational Item Concerning Variations for a Privacy Screening Fence at 2840 Briarcliff Lane**

Presented by Director of Community Development John Svalenka

At the January 23, 2024, Committee of the Whole meeting staff presented a request from Nicole Xicotencatl regarding zoning variations to allow a 9.5-foot-tall black fabric privacy screening fence to remain in the rear yard of the residence at 2840 Briarcliff Lane. Village staff had reviewed the requested variations according to the nine standards listed in the Zoning Code and found that the requests were not supported by four of the nine factors. Therefore, staff had recommended that the variations be denied. The Planning & Zoning Commission conducted a public hearing on January 15, 2024, to consider the requested variations. Based on the staff report and the testimony provided during the public hearing, the Commission recommended denial of the requests by a vote of 4 ayes, 1 nay, and 2 absent. While all of the commissioners present at the hearing expressed sympathy with the applicant regarding the feud with her neighbor, the four commissioners voting in favor of denial indicated that the subject property does not have any unique physical characteristics to justify a zoning variation, and that it would set a bad precedent to allow such a screening fence based solely upon a dispute with a neighbor.

The Committee of the Whole received public comments supporting the approval of the variations from Ms. Xicotencatl and her family. The general consensus of the trustees was that it would be difficult to justify approval of the requested zoning variations, but the trustees requested that Village staff explore other options to allow the privacy screening fence to temporarily remain in place. The zoning variation requests were not added to the agenda for the January 25 Village Board meeting.

In response to the various questions from the trustees, Village staff performed additional research into the history of the subject property at 2840 Briarcliff Lane and the dispute with the owners of the neighboring property at 2831 Hillsboro Lane. Staff also has provided a list of potential actions that the Village Board could take to allow the privacy screening fence to remain.

### Property Histories

The Police Department has researched the calls received since 2016 for the properties at 2840 Briarcliff Lane and 2831 Hillsboro Lane, and a summary of the calls is attached to the agenda. The record shows that there were eight



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police calls between the two properties in the six years from 2016 to 2021, primarily involving complaints about dogs at 2840 Briarcliff Lane and complaints about harassment by the people living at 2831 Hillsboro Lane. The record shows four police calls in June of 2022, which coincide with both property owners filing requests for civil no-contact orders with the circuit court in McHenry County. It certainly appears that the Police had no further issues after June of 2022 up until an anonymous November 2023 complaint to the Police Department regarding the black privacy screening fence. To provide some perspective on the number of calls, within the last 12 months (1/29/2023 to 1/29/2024), the Police Department has responded to 60 calls throughout the Village that are referred to as Neighbor Trouble calls.

The Community Development Department has researched property maintenance code violation complaints received since 2016 for the properties at 2840 Briarcliff Lane and 2831 Hillsboro Lane. The records do not show any code violation complaints about 2831 Hillsboro Lane during that time. In December of 2017 the department received a complaint about too many dogs at 2840 Briarcliff Lane. At that time Ms. Xicotencatl indicated that she only had four dogs of her own and one extra puppy being watched for a friend while they were out of the country. Therefore, staff determined that there was no violation of the code that prohibits an owner from keeping more than four domestic animals.

In March of 2018 the Community Development Department received another anonymous complaint about too many dogs at 2840 Briarcliff Lane. Upon the initial visit, the Village inspector spoke with a neighbor and witnessed six dogs at 2840 Briarcliff Lane from the neighbor's property. The record shows that the next day Ms. Xicotencatl indicated that she owns 4 dogs, she had been fostering 1 dog through A&S Rescue out of Cary, IL since the summer of 2017, and that she watches 1 dog for a friend. Therefore, on March 13, 2018, the Village issued a written Notice of Violation for keeping more than 4 dogs on the premises and required the property to be brought into compliance by April 3, 2018. In response, Ms. Xicotencatl e-mailed a request to the Village to request a variation to allow the 6 dogs to remain, and the request was escalated to Village Administrator Jennifer Clough's office. Similar to the current variation request about the black fabric privacy screening fence, the e-mail request includes impassioned family-based justifications for a variation. It appears that the Village simply stopped following up on enforcement without taking any further action, so Village staff does not know if the dog violation still exists. The Village does not have record of any further code-violation complaint after April of 2018 up until the anonymous complaint in October of 2023 to the Community Development Department regarding the black privacy screening fence.

### Potential Actions

Village staff maintains the recommendation to deny the requested zoning variations and require the privacy screening fence to be removed. Zoning variations may only be approved if the evidence sustains each of the conditions and supplemental standards listed in the code, and staff finds that the evidence sustains only five of the nine conditions and standards. Based on those findings, the Planning and Zoning Commission has also recommended denial. Based on the submitted application and testimony, it appears that the only justification for the privacy screening fence is an added measure to prevent viewing and alleged video surveillance into their residential rear yard. As noted above, additional research has shown that the Police responded to 60 neighbor trouble calls throughout the Village within the last 12 months. Approval of the black fabric privacy screening fence on the subject property might set a precedent that could be applied to 60 other properties with neighbor disputes.





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The applicant has expressed the suspicion that the 2023 anonymous complaint may have come from the residents at 2831 Hillsboro Lane and has surmised that the 16-month gap in complaints to the Police Department was only possible because of the privacy screening fence. However, the complaint could have come from anyone who can see the black fabric material from their property or from the public street, and the summary of Police Department calls shows similarly long gaps between complaints in the past prior to installation of the privacy screening fence. Therefore, while it seems clear that the privacy screening fence has changed the applicant's perception of the situation, the evidence would indicate that there still may be future complaints and future variation requests, and that this situation might be better solved through mediation or civil court proceedings. Further, staff notes that the black fabric privacy screening fence was installed soon after installation of a six-foot-tall white vinyl privacy fence. As both fences were installed in quick succession, it is plausible that either one of the structures may have caused the 16-month gap in complaints to the Police Department. For example, it is possible that the complaints stopped because of the six-foot-tall privacy fence and that the black fabric material is superfluous. Also, the Village is not aware of any evidence to show whether the alleged video surveillance into Ms. Xicotencatl's rear yard has stopped or continued, and it is possible that a camera mounted on the residence of a neighboring property could still be legally recording images of parts of the applicant's rear yard regardless of the installation of the black fabric material.

If the trustees believe that there is merit to allowing the black fabric privacy screening fence to temporarily remain in place on the subject property, the Village Attorney has indicated that the Village Board could approve an ordinance to enter into a legal agreement with the property owner regarding the structure. However, there are many potential options regarding the terms of such an agreement. Staff suggests the following as some potential options:

- **Option 1:** Allow the privacy screening fence to remain in place until the subject property at 2840 Briarcliff Lane changes ownership. Under this option the screening fence would be allowed to remain in place in its current condition as long as the Xicotencatl family owns the property, which would appear to fulfill the applicant's request. However, this option would be problematic for several reasons. First, the applicant has not expressed any specific intention for how long they would own the property, so this option could result in the screening fence remaining on the property for several years or decades. The Village is not automatically notified when a property is sold, so this option would rely upon current and future Village staff actively monitoring the status of the property ownership. Further, the black fabric is a temporary type of material that will likely continue to degrade in quality over time, potentially creating a nuisance and a blight on the surrounding properties. The agreement could be drafted to require the fabric to be maintained and replaced as needed, but enforcement of this requirement would rely upon current and future Village staff actively monitoring the condition of the fabric.
- **Option 2:** Allow the privacy screening fence to remain in place for one year, with options for permit extensions. Under this option, the Village Board could enter into an agreement to grant the applicant a temporary permit to allow the privacy screening fence to remain for one year and then automatically expire. After one year the applicant would need to appear before the trustees again and would need to demonstrate that the feuding between the neighbors has not resumed, and that the temporary screening material has been properly maintained. The Village Board could then enter into another agreement to grant



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another one-year temporary permit. This option would give the Village more control of the situation. However, it should be noted that the repeated approvals could become burdensome to the trustees and to Village staff, especially if such privacy screening fences are requested by other property owners with similar neighbor disputes.

- **Option 3:** Require the black fabric material to be removed from the poles now and reevaluate in six months. Under this option, the applicant would be required to remove the temporary black fabric material from the poles, but the poles would be allowed to remain in place for six months. During this “cool-off” period, the Village would be able to evaluate whether the screening really makes a difference in the feud between the neighbors at 2840 Briarcliff Lane and 2831 Hillsboro Lane. After six months, if the Village determines that the screening is unnecessary, the Village Board could then require the poles and fabric to be completely and permanently removed. Alternatively, if the Village finds evidence of a new increase in unfounded complaints during the six-month period, the Village Board could choose between Option 1 or Option 2 above and enter into an agreement to allow the black fabric material to be re-installed.

If the trustees find that the privacy screening fence should not be allowed to remain, Village staff could be directed to add an item to the next available Village Board meeting agenda for a “Motion to pass Ordinance No. No. 2024-\_\_\_\_, An Ordinance Denying Variations for a Privacy Screening Fence at 2840 Briarcliff Lane.” This draft ordinance was included in the agenda packet for the January 23, 2024, Committee of the Whole meeting.

NOTE: If the trustees choose option 1, 2, or 3, staff will schedule the above motion accordingly for the formal closure of the application for variations.

If the trustees find that the plight of the property owner merits allowing the privacy screening fence to remain in place temporarily, Village staff suggests that the trustees discuss the three options listed above and provide direction to staff on which option to pursue:

- If the trustees recommend option 1 or option 2, Village staff could be directed to begin negotiating an agreement with the property owner for consideration at a future Village Board meeting.
- If the trustees recommend option 3, Village staff could be directed to begin enforcement action to have the temporary black fabric material removed, and to schedule this item for future review at a Committee of the Whole meeting in August of 2024.

Trustee Dustin suggested that any agreement reached should require the screening to be removed in the event that either house is listed for sale.

The direction of the Board is to implement option 3, requiring the black fabric material to be removed from the poles now and reevaluate in six months.





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## Public Works

### **Request to Award a Janitorial Cleaning Services Contract for Fiscal Year 2024**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to award Alpha Building Maintenance (“Alpha”) the second contract option year, from January 1, 2024, until December 31, 2024, for facility cleaning services in an amount not to exceed \$79,087.00.

Staff released a Request for Proposal (RFP) for facility cleaning services on October 3, 2022. A Public Works selection team reviewed and ranked all submittals following the RFP selection criteria, which consisted of length of experience and experience with similar contracts, the bidder’s quality control plan, adherence to the specifications, credibility of the bidder’s proposal, and pricing. At the November 11, 2022, meeting, the Board awarded Alpha the 2023 cleaning services, with the potential for two optional one-year extensions for 2024 and 2025.

During 2023, Alpha has exceeded staff expectations by providing a high level of professional service across all of the periodic cleaning schedules. Alpha had also provided the lowest pricing across all three years included within their proposal. Staff is recommending that the Board approve the second option year for services through December 31, 2024, at a cost not to exceed \$79,087.00.

#### **Financial Impact**

The Village’s FY24 budget includes \$79,087.00 for this contract in the Public Properties General Fund.

Staff recommends a motion to approve the second option year for custodial cleaning services with Alpha Cleaning Company for Fiscal Year 2024, in an amount not to exceed \$79,087.00.

Trustee Dustin asked if there is a reduction in cost for properties that are vacant. Director McDillon stated that while there are not many unused locations, there are special provisions.

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

### **Request to Award 2024 Grounds Maintenance Services Contract to Mark I Landscape**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to award a one-year contract to Mark I Landscape of Bartlett, IL, for the 2024 grounds maintenance services contract, for an amount not to exceed \$500,667.00.

Staff released a Request for Proposal (RFP) for grounds maintenance services on December 12, 2023. The RFP invitation was sent to sixty vendors, posted on the Village’s website, and published in the Northwest Herald. Public Works received and opened two sealed proposals on January 24, 2024, for a one-year contract with two possible one-year contract extensions for grounds maintenance services. Mark I Landscape of Bartlett, IL was the lowest responsible bidder at \$500,667.00, which is \$126,125.00 under the budgeted amount. While staff had anticipated a sizeable increase in cost for the contract renewal, in fact, this bid amount is only \$55 more than the Village’s cost



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for the same services in FY23. In addition, option year 2 has no rate increase holding the rates at \$500,667.00 and year 3 includes a 2.8% increase bringing the rates to \$514,667.00.

The Village has previously contracted with Mark I Landscape for the past three years for grounds maintenance and has been satisfied with their service and the company. The RFP results and the bid certification form are attached to the agenda for review.

### **Financial Impact**

The Villages FY24 Budget includes \$626,792.00 for grounds maintenance services (\$381,790.00 in the General Fund, \$11,762.00 in the Water Fund, and \$233,340.00 in the Special Services Areas Fund). The FY24 contract price is \$500,667.00, which is \$126,125.00 under the budgeted amount.

Staff recommends a motion to award a contract to Mark I Landscape for grounds maintenance services in 2024, for an amount not to exceed \$500,667.00.

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

### **Request to Award a Contract for Gasoline and Diesel Fuel to Avalon Petroleum**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to award a one-year contract from April 12, 2024, through April 11, 2025, to Avalon Petroleum of Kankakee, IL, for the purchase and delivery of gasoline and diesel fuel.

Staff released a Request for Proposal (RFP) for gasoline and diesel fuel on January 3, 2024. The RFP invitation was sent to eighteen vendors, posted on the Village's website, and published in the Northwest Herald. Public Works received and opened four sealed proposals on January 26, 2024, for a one-year contract with four possible one-year contract extensions to provide the Village with no lead gasoline and diesel fuel for municipal vehicles and equipment.

The bids are based on the Oil Price Information Service (OPIS) average pricing with a plus or minus markup. OPIS is a company that gathers data from multiple refineries and calculates the daily pricing for all types of fuels. The low bid submitted from Avalon Petroleum was a \$0.065 markup per gallon for no lead gasoline, \$0.075 markup per gallon for diesel and \$0.095 markup per gallon for winter-blend diesel.

Based on the prices submitted by all vendors and our estimated consumption, Avalon Petroleum's bid provides the lowest overall cost to the Village. The Village has previously contracted with Avalon Petroleum for gasoline and diesel fuel and was satisfied with their service and the company. The RFP results and the bid certification form are attached to the agenda for review.

### **Financial Impact**

The Fiscal Year 2024 Village Budget includes \$289,580 in the General Fund for the purchase of gasoline and diesel fuel for the Village's fleet.



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Staff recommends a motion to accept the proposal and award a one-year contract from April 12, 2024, through April 11, 2025 to Avalon Petroleum for no lead gasoline and diesel fuel.

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

## **Request to Approve the Rejection of Bids for the 2024 Bike Path Resurfacing Project**

Presented by Public Works Director Ryan McDillon

A Request for Proposal was issued for the 2024 Bike Path Resurfacing project and sent to multiple vendors, posted to the Village website, and published in the Northwest Herald. On January 19th, 11 sealed bids were opened, and Evans and Sons Construction was the apparent low bid at \$43,432.00. Unfortunately, unusual circumstances resulted in two additional bids being received after the bid opening.

The first had been properly addressed to the Public Works building, but was hand delivered to the Village Hall the day before the bid opening. Accordingly, it was stamped as being accepted on January 18, but was not internally delivered to the Public Works Department until 15 minutes after the bid opening. Since the Village considers this submission to have been valid, the envelope was opened to find a bid from Patriot Maintenance in the amount of \$38,000.00, making it the new low bid for the project.

The second late bid was delivered on January 23, 2024. In this case, the envelope was left sealed and considered unresponsive.

In light of the challenges with the bidding process, staff believes it is in the Village's best interest to reject these bids and waive competitive bidding. This will allow staff to enter into a contract directly with the low bidder, Patriot Maintenance, under the same terms and conditions contained within the proposal.

### **Financial Impact**

A contract with Patriot Maintenance in the amount of \$38,000.00 would be \$37,000.00 under the FY24 budgeted amount of \$75,000.00.

Staff recommends a motion to Reject All Bids and Waive Competitive Bidding for the 2024 Bike Path Resurfacing project.

Trustee Bojarski asked if the Village has worked with Patriot Maintenance in the past. Director McDillon stated that the Village has not worked with the company, but their references were checked.

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

## **Request to Approve a Budget Amendment to the General Fund for a Large Format Printer and Equipment**

Presented by Public Works Director Ryan McDillon



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Staff is seeking Board approval for an Ordinance approving a budget amendment in the amount of \$24,140.00 for the purchase of a large format printer and equipment from IT Supplies of Rolling Meadows, IL.

The 2007 large format printer in the Public Works Department recently broke down. Parts needed to repair the printer are obsolete and no longer available. The printer is used year-round to make street signs, banners, stickers, labels, decals, and corrugated signs.

Staff released a Request for Quotation (RFQ) for a large format printer and equipment on January 9, 2024, with a submission deadline date of January 19, 2024. The RFQ invitation was sent to five vendors. Public Works received one quotation from IT Supplies of Rolling Meadows, IL, who was the sole responsible bidder at \$24,140.00.

Since this is an unbudgeted expenditure, staff is requesting a budget amendment in the amount of \$24,140.00 to the General Fund account 30.30-70.16 for the large format printer and equipment.

### Financial Impact

The FY24 Village Budget does not include the purchase of a large format printer and equipment. A budget amendment will be required to the General Fund line item 30.30-70.16 increasing it by \$24,140.00.

Staff recommends a motion to pass Ordinance No. 2024-\_\_\_\_ An Ordinance Approving a Budget Amendment to the Operating Budget for the Fiscal Year Ending December 31, 2024.

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

## Board of Trustees

None.

## President

None.

## Adjournment

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

There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:20 pm.

Submitted by,

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

Shannon DuBeau  
Village Clerk