



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

FEBRUARY 20, 2024

## Call to Order

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

Roll call was answered by Trustees Huckins, Dustin, Bojarski, Murphy, and President Bogdanowski. Trustee Anderson was not present.

Motion to allow Trustees Harlfinger to attend telephonically was made by Trustee Huckins and seconded by Trustee Bojarski. On roll call vote, Trustees Bojarski, Murphy, Dustin, and Huckins 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, Village Attorney Brad Stewart, and Village Clerk Shannon DuBeau.

The Pledge of Allegiance was led by Village Clerk Shannon DuBeau.

## Audience Participation

Shanna Zalud of Image 1:27 Photography spoke in opposition to a Conditional Use for Doerner Jewelers to Operate a Pawn Shop at 9239 S. IL Route 31. Ms. Zalud stated that a majority of unit owners in the complex oppose allowing Doerner Jewelers on premises. Ms. Zalud is worried that the pawn portion of Doerner Jewelers will become a more prevalent part of their business.

Liz Chabalowski of Crystal Blue Diving spoke in opposition to a Conditional Use for Doerner Jewelers to Operate a Pawn Shop at 9239 S. IL Route 31. Mrs. Chabalowski has concerns about Doerner's clientele and the safety of Crystal Blue Diving's employees and customers.

Ron Strobel of Simply Windows and Doors spoke in opposition to a Conditional Use for Doerner Jewelers to Operate a Pawn Shop at 9239 S. IL Route 31. Mr. Strobel expressed that pawn shops are not known for helping to improve areas—they are known for crime.

Shannon Olson of Owens & Associates Counseling & Therapy Center delivered a petition against Doerner Jewelry and Pawn Shop's Conditional Use to President Bogdanowski. Ms. Olson feels that Doerner's presence will not benefit her business. She explained that Owens & Associates clients are dealing with addiction and conflicts. Because of this, she feels that having Doerner's in the vicinity would not be safe for their sense of security.

Helen Muchow of Complete Family Wellness spoke in opposition to a Conditional Use for Doerner Jewelers to Operate a Pawn Shop at 9239 S. IL Route 31. Mrs. Muchow wants her patients to feel safe coming to her office.



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Christina Kastning of Lash Out Spa and Permanent Makeup spoke in opposition to a Conditional Use for Doerner Jewelers to Operate a Pawn Shop at 9239 S. IL Route 31. Because Lash Out Spa and Permanent Makeup's services offer relaxation, peace, and serenity, Ms. Kastning feels that Doerner's would deter new clients.

## 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

At the Board of Trustees meeting on February 8, 2024, the trustees considered a request from the Algonquin/Lake in the Hills Chamber of Commerce for 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 in April. The motion to approve the temporary use permit failed (2 aye, 3 nay), and those voting against the motion indicated that they were not in favor of allowing the carnival to take place over two weekends. Therefore, the Chamber of Commerce has submitted a revised application that would reduce the carnival to one weekend, specifically from Friday, April 26 through Sunday, April 28, 2024. The other details of the request remain the same and are summarized below.

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 has reviewed the revised request and recommends approval.

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

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



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## **Request to Approve an Ordinance Granting Conditional Uses and a Development Plan for a Planned Development for Starbucks at 4501 W. Algonquin Road**

Presented by Director of Community Development John Svalenka

Wilhelm Kreuzer of Evolve Commercial Real Estate, on behalf of Algonquin LIH, LLC, proposes to develop a 2,450-square-foot Starbucks café with a drive-through and outdoor patio on an existing vacant lot at 4501 W. Algonquin Road. The subject property is Lot 2 within the Lake Pointe Center commercial development owned by Plote at the northeast corner of Algonquin Road and Lakewood Road. The lot is located directly east of the existing CVS Pharmacy at 4511 W. Algonquin Road.

The subject property is within the B-3 General Business zoning district. The Starbucks café meets the definition in the Zoning Code of a restaurant, which is permitted by right in the B-3 zoning district. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code, the proposed drive-through is allowed in the B-3 zoning district only with the approval of a conditional use. Also, per the Permitted and Conditional Use Chart, the proposed accessory outdoor patio is allowed in the B-3 zoning district only with the approval of a conditional use for an "outdoor use accessory to a principal use." The applicant has requested approval of both of these conditional uses.

In 2004, the entire Lake Pointe Center subdivision was approved as a Planned Development, which includes the subject property. In accordance with Section 25.5 of the Zoning Code, a Development Plan must be prepared and submitted for all new construction within a Planned Development. Therefore, the applicant has requested approval of a development plan for the Planned Development on the subject property. The applicant has also requested the granting of an exception from the Zoning Code as part of the development plan to allow the proposed drive-through signage.

Village staff reviewed the requested conditional uses and development plan according to the standards listed in the Zoning Code. In general, staff found that the requests meet all seven standards for conditional uses and meets the standards for a development plan, subject to compliance with the following conditions:

1. Final engineering details must be submitted to the Village and shall be subject to final approval by the Village Engineer.
2. Final landscape details must be submitted to the Village and shall be subject to final approval by the Village Community Development Department.
3. The building shall include exterior elevations consisting of a minimum of 75 percent brick to comply with the standards in Section 24.16.P of the Municipal Code.

The Planning & Zoning Commission conducted a public hearing on February 12, 2024, to consider the proposed development. The Commission recommended approval of the requests by a vote of 7-0, subject to the conditions above.



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Staff recommends a motion to approve an ordinance granting conditional uses and a development plan for a planned development for Starbucks at 4501 W. Algonquin Road.

Trustee Huckins asked if the lighting had been addressed. Director Svalenka stated that the current code of standards has been met.

Trustee Bojarski questioned the signage. Director Svalenka stated that the typical circle logo sign will appear on each side of the building. In addition, the business will have a free-standing monument sign. All other signs will be directional and driving signs. The monument sign will be 6 feet tall.

Trustee Bojarski questioned the flow of traffic. Director Svalenka believes that 17 cars will fit in the drive-through lane. Trustee Bojarski mentioned that the entrance and exit are very limited on that corner. Director Svalenka stated that if traffic congestion becomes an issue, a traffic light can be added to the Lakewood Road exit.

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

## **Request to Approve an Ordinance Granting a Conditional Use for Doerner Jewelers to Operate a Pawn Shop at 9239 S. IL Route 31**

Presented by Director of Community Development John Svalenka

Doerner Jewelers is a family-owned full-service jewelry store business founded in 1963 and incorporated under its current name in 1993. Their current store at 115 S. Main Street in downtown Algonquin has an in-house master jeweler, provides onsite repairs and custom design, carries loose diamonds and offers a full line of jewelry. The Algonquin store location is closing soon, and the owners of Doerner Jewelers have signed a lease to move their retail store to the tenant space at 9239 S. IL Route 31 in Lake in the Hills.

The subject property at 9239 S. IL Route 31 is within the B-4 Commercial Business zoning district, where retail sales is listed as permitted use. However, in addition to retail jewelry sales, the owners also operate a business named Niles Loan & Diamond Broker, Inc. that offers loans on the collateral of diamonds, jewelry, coins, watches, silver flatware, etc. To lend money on the deposit or pledge of physically delivered personal property meets the definition of a pawnbroker in Illinois. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code a "pawn shop" is allowed in the B-4 zoning district only with the approval of a conditional use. Therefore, Gabrielle Gutierrez of Doerner Jewelers has requested approval of this conditional use to allow a pawn shop to be operated accessory to the retail jewelry store.

Village staff reviewed the requested conditional use according to the standards listed in the Zoning Code. In general, staff found that the request meets all seven standards for a conditional use, subject to compliance with the following conditions:

1. Outdoor sales and the outdoor display of goods for sale shall be prohibited.



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2. The accessible parking space located directly east of the tenant space must be brought into compliance with the requirements of the Illinois Accessibility Code.
3. A retail jewelry store must be the principal use of the property, and the pawn shop use shall only be operated accessory to and within a bona fide retail jewelry store on the property.

The Planning & Zoning Commission (PZC) conducted a public hearing on February 12, 2024, to consider the request. A large group of business owners from other units in the building attended the hearing, and the PZC accepted testimony from six people who spoke against the requested conditional use. In general, those speaking against the request indicated their opinion that a pawn shop would bring crime and criminals to the property. However, based on the findings of fact, the Commission recommended approval of the request by a vote of 7-0, subject to compliance with the listed conditions.

Staff recommends a motion to approve an ordinance granting conditional use for Doerner Jewelers to operate a pawn shop ancillary to and within a retail jewelry store at 9239 S. IL Route 31.

Trustee Bojarski asked if their signage would indicate that the business is a jeweler or a pawn shop. Gabriele Gutierrez of Doerner Jewelers stated that the channel sign on the building will say Doerner Jewelers and the stencil letters on the door will read "Niles Loan and Diamond Brokers."

Trustee Huckins asked for confirmation that it will not be advertised as a pawn shop. Mrs. Gutierrez provided pictures of her current business for a visual reference to the signage.

Trustee Dustin questioned the percentage of operations. Mrs. Gutierrez stated that the largest portion of her business is custom-made jewelry, 25% is repairs, 10% is sales, 20% is loans—meaning jewelry is given as collateral in 30-day increments.

Trustee Dustin asked for the percentage of clientele that return for their collateral. Mrs. Gutierrez stated that 98% of clients reclaim their collateral.

Trustee Bojarski asked if Doerner's could survive without the loan business. Mrs. Gutierrez stated that it could, though she wants to continue to offer loans because some people need extra money at times.

Trustee Huckins asked how long the business operated in Algonquin. Mrs. Gutierrez answered with 20 years.

Trustee Dustin asked if there have been any problems. Mrs. Gutierrez recalled one domestic issue and one grab and run.

President Bogdanowski confirmed that the new location will be leased and asked if the conditions of use will be enforceable to the owner of the property or to the lessee. Director Svalenka stated that the agreement will be tied to both the lessee and the property owner.



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Trustee Harlfinger asked if the business of purchasing jewelry is the reason Doerner's needs to hold a pawn license. Mrs. Gutierrez stated that the pawn license is needed for the loan portion of the business.

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

## Public Works

### **Request to Accept a Bid and Award a Contract for the Public Works Garage and Well 11 Floor Renovation Project**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval for a contract award with YAD Construction of Oak Park, IL, for the renovation of two floors in the Public Works garage mechanics bays and Well 11, in an amount not to exceed \$64,869.01.

On January 24, 2024, Village staff released a Request for Proposal (RFP) for the Public Works Garage and Well 11 Floor Renovation Project to the Village's website, a public notice was published in the Northwest Herald, and Village staff contacted twenty-two vendors to notify them of this opportunity. On February 9, 2024, three sealed proposals were opened, and pricing ranged from a low of \$64,869.01 from YAD Construction to a high of \$108,000.00 from an alternate service contractor.

YAD is a new contractor working for the Village. Staff contacted their work references and were pleasantly surprised to discover that each of them who responded did so positively, stating they were very satisfied with their results and that they were professional, were on time, and had no issues, and stated they would use them again in the future and were pleased with their performance. As such, Village staff recommends awarding a contract with YAD Construction for \$64,869.01.

#### **Financial Impact**

The FY24 Capital Improvement Fund budget includes \$50,000.00 for the Public Works garage floor. The bid from YAD for this portion of the project was \$40,941.24, which is \$9,058.76 under budget.

The FY24 Water Operating and Maintenance Fund budget includes \$24,000.00 for the Well 11 floor. The bid from YAD for this portion of the project was \$23,927.77, which is \$72.23 under budget.

Staff recommends a motion to accept the bid and award a contract for the Public Works Garage and Well 11 Floor Renovation Project with YAD Construction, LLC. in an amount not to exceed \$64,869.01.

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



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## **Request to Accept a Bid and Award a Contract for the Ken Carpenter Park and Lynn Dillow Park Basketball Court Renovation Project**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval for the award of a contract for the renovation of two basketball courts at Ken Carpenter and Lynn Dillow Parks with Evans & Son Blacktop, Inc. ("Evans") of West Chicago, IL, in an amount not to exceed \$50,469.00.

On January 25, 2024, Village staff released a Request for Proposal (RFP) for the Ken Carpenter and Lynn Dillow Parks Basketball Court Renovation Project to the Village's website, a public notice was published in the Northwest Herald, and Village staff contacted sixty-three vendors to notify them of the opportunity. On February 7, 2024, eight sealed proposals were opened, ranging in price from a low of \$50,469.00 from Evans to a high of \$123,790.00 from an alternate service contractor. Evans has previously been awarded contracts from the Village for similar projects, where staff have been pleased with their performance. As such, staff recommend awarding a contract with Evans for \$50,469.00.

### **Financial Impact**

The Village's FY24 Capital Improvement Fund Budget includes \$110,000.00 for this work. The contract with Evans is \$50,569.00, which is \$59,531.00 under budget.

Staff recommends a motion to accept the bid and award a contract for the Ken Carpenter and Lynn Dillow Basketball Court Renovation Project to Evans & Son Blacktop, Inc., in an amount not to exceed \$50,469.00.

Trustee Huckins asked when Lynn Dillow Park was built. Director McDillon was unsure but offered to follow-up.

Trustee Huckins asked if Ken Carpenter is currently concrete or asphalt. Director McDillon stated that it is asphalt, and all basketball courts will be constructed with asphalt moving forward.

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

## **Request to Approve the Commercial Activity Agreement with Blue Skies Flying Services, Inc.**

Presented by Public Works Director Ryan McDillon

The Lake in the Hills Airport Rules and Regulations require commercial activities that operate from the Lake in the Hills 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 and regulations and minimum standards.

Blue Skies' agreement is due for renewal with the new agreement to be in effect through December 31, 2024, under the same terms and conditions. Blue Skies services include aircraft flight training, aircraft rental, aircraft rides, aircraft storage, and aircraft maintenance.





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## **Financial Impact**

The Village receives \$37.46 for Aircraft Storage Fees for two (2) aircraft, \$581.57 for Flight School Rental Fees for eleven (11) aircraft, and \$253.30 for Mechanics Fees for two (2) mechanics. These fees total \$872.33/month or \$10,467.96/year in commercial activities fees. Flight instructor fees of \$96.93/instructor/year are billed separately as new instructors are added to their roster. Hangar rent is paid through a separate lease agreement.

Staff recommends a motion to approve the Lake in the Hills Airport Agreement Authorizing Services (Commercial Activity Agreement) with Blue Skies Flying Services, Inc. through December 31, 2024.

Trustee Dustin recommended revising fees moving forward. Director McDillon stated that fees increases were halted because of the NOTAM issues. Administrator Andrews added that this round of contracts will end in December of 2024 to allow for adjustments to the fee structure at the end of this year.

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

## **Request to Approve the Commercial Activity Agreement with Finefield Aviation, Inc.**

Presented by Public Works Director Ryan McDillon

The Lake in the Hills Airport Rules and Regulations require commercial activities that operate from the Lake in the Hills 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 and regulations and minimum standards.

Finefield Aviation's agreement is due for renewal with the new agreement to be in effect through December 31, 2024, under the same terms and conditions. Finefield Aviation has been servicing aircraft since 1979 and specializes in Beechcraft. The aircraft maintenance business includes a team of four (4) mechanics that are covered under this agreement.

## **Financial Impact**

Finefield Aviation's operations generate \$319.40/month or \$3,832.80/year in commercial activities fees for four (4) aircraft mechanics. Hangar rent is paid through a separate lease agreement.

Staff recommends a motion to approve the Lake in the Hills Airport Agreement Authorizing Services (Commercial Activity Agreement) with Finefield Aviation, Inc. through December 31, 2024.

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





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## Request to Approve the Commercial Activity Agreement with Mobile Avionics Technologies

Presented by Public Works Director Ryan McDillon

The Lake in the Hills Airport Rules and Regulations require commercial activities that operate from the Lake in the Hills 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 and regulations and minimum standards.

Mobile Avionics Technologies' agreement is due for renewal with the new agreement spanning a 14-month term through December 31, 2024, under the same terms and conditions. The aircraft avionics installation and repair business has just one mechanic who is covered under this agreement.

### Financial Impact

Mobile Avionics Technologies generates \$126.65/month or \$1,519.80/year in commercial activities fees for one (1) aircraft mechanic.

Staff recommends a motion to approve the Lake in the Hills Airport Agreement Authorizing Services (Commercial Activity Agreement) with Mobile Avionics Technologies, Inc. through 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 Huckins and seconded by Trustee Dustin. All in favor by voice vote.

There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:19 pm.

Submitted by,

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

Shannon DuBeau  
Village Clerk