



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

JUNE 25, 2024

## Call to Order

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

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

Motion to allow Trustee Harlfinger to attend telephonically was made by Trustee Huckins and seconded by Trustee Dustin. On roll call vote, Trustees Anderson, Murphy, Bojarski, 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, Parks and Recreation Director Randy Splitt, Deputy Chief of Support Services Matt Mannino, Village Attorney Brad Stewart, and Village Clerk Shannon DuBeau.

The Pledge of Allegiance was led by President Bogdanowski.

## Audience Participation

Civil servant Jack McKay addressed the Board on behalf of District 52 State Representative Martin McLaughlin. Mr. McKay shared that Representative McLaughlin's office is located at 28662 W. Northwest Highway, Suite A, in Lake Barrington where assistance is available for state unemployment benefits, FOID card and CCL applications, Secretary of State issues, Department of Insurance assistance, and more. In addition, Representative McLaughlin will be jointly hosting Coffee and Conservation meetings on July 16<sup>th</sup> and July 31<sup>st</sup> in Algonquin and Libertyville respectively, a prescription drug drop-off and shred event will take place on September 7<sup>th</sup> at the district office, and a Mobile DMV event will be hosted on September 11<sup>th</sup> at the Algonquin Township building. Representative McLaughlin is available to be scheduled for community events.

## Administration

### **Request to Approve a Video Gaming License Request for Rinconcito De Veracruz, Inc.**

Presented by Village Administrator Shannon Andrews

Rinconcito De Veracruz, Inc. presented their business plan to the Village Board on July 11, 2023, for a Class A liquor license and video gaming at 2122 W. Algonquin Road, at which time the Village Board verbally provided its support. On September 1, 2023, Rinconcito De Veracruz was issued a Class A liquor license and started the process with the Illinois Gaming Board to secure their Video Gaming License. With the submission of the application (attached to the agenda), they are now requesting approval from the Village for three Video Gaming Licenses, one for each machine.

Staff has reviewed the request and finds that all provisions of Chapter 33, Section 33.31 have been met. In addition to the license fees of \$500 per machine, a tax of 30% is imposed on the net terminal income and is collected by the Illinois Gaming Board. One-sixth of this tax is collected and deposited into the Local Government Video Gaming



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Distributive Fund. These monies are distributed on a monthly basis across those municipalities that have not prohibited video gaming. The amount will be in proportion to the tax revenue generated from video gaming within Lake in the Hills as compared to the total revenue generated statewide.

The owner, Luis Mendez, was present at the Committee of the Whole meeting.

Staff recommends a motion to approve the Video Gaming License request from Rinconcito De Veracruz, Inc. and issue the three licenses.

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

## **Request to Approve an Addendum to the GMP Amendment with Camosy Construction**

Presented by Village Administrator Shannon Andrews

The Village Board approved a Guaranteed Maximum Price ("GMP") of \$23,036,508, for the construction of the new police facility at the March 28, 2024, Board of Trustees meeting. This action allowed Camosy to initiate work on the project, which has been progressing nicely over the past two months. Since that time, it was identified that additional changes would be required to improve the accuracy of the GMP as follows:

- 1) The final landscaping bid was received after the approval of the GMP. The cost has been updated to \$327,825, for a savings of \$25,825.
- 2) An error was identified with the transposition of numbers for Fire Protection bid, which has been updated to \$225,272 for a savings of \$27,000.
- 3) While the cost of Pre-construction Services is accurate at \$49,750, it should be charged as a flat rate outside of the GMP. These costs and the associated fees have since been removed from the GMP.

Once the above changes are made, the Total Cost of Work is recalculated. Since the insurance premiums, project contingency, and construction fees are taken as a percentage of Total Cost of Work, these too required adjustments. Lastly, staff worked with the Village Attorney to determine the appropriate calculation for contingency and determined that Cost of Work should include both Labor and insurance premium costs according to the contract. Since this had not been previously captured, it resulted in an increase to Contingency in the amount of \$23,598; however, any Contingency funds not utilized will be returned to the Village.

The resulting GMP after these adjustments is calculated to be \$22,955,139 for a savings of \$81,369. Accordingly, the contract amendment, which is attached to the agenda, has been prepared for the Board's consideration.

It should be noted that the Village is in receipt of the first invoices for the new police facility, which have been attached to the agenda for review. Camosy invoices are initially submitted to Dewberry Architects, who review the charges and recommend release of payment. Staff then perform our own internal review of the charges to make sure they are in alignment with the GMP. Due to the delays in finalizing the GMP amendment, staff is requesting separate Board approval for the Preconstruction Services and Payment #1. Moving forward, these progress



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payments would not require separate Board action, as they will be approved through their submission on the Schedule of Bills throughout the length of the project.

If during the course of the project, a change order is required to increase or decrease a contract by a total of \$25,000 or more, this would generate a separate request for Board action.

## **Financial Impact**

The original Board approved GMP was \$23,036,508. The GMP amendment will bring the GMP to \$22,955,139, which is a reduction of \$81,369.

Pay application #1 to Camosy is in the amount of \$258,638, with another \$1,930 being held as retainage. Preconstruction Services were established by RFP at the beginning of the project at the flat rate of \$49,750.00.

Staff recommends a motion to Approve the Addendum to Document A133-2019, Exhibit A on the agenda, to the A133 Standard Form of Agreement between Owner and Construction Manager and a motion to Approve the Application and Certificate for Payment #1 in the amount of \$258,638.00 and Payment of Preconstruction Services in the amount of \$49,750.00 to Camosy Construction.

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

## **Request to Approve an Ordinance Amending the Special Temporary Use and Special Event Permitting Process**

Presented by Village Administrator Shannon Andrews

The Village has comprehensive regulations in Section 8.14 of the Lake in the Hills Municipal Code regarding special event permits for events in Village parks and rental facilities. These Special Event Permit regulations include requirements for sound amplification, food vendors, signage, tents, lighting, electrical systems, liquor licensing, raffle licensing, insurance, and public safety issues, and all such special event permits must be approved by the Village Board. These existing regulations have served the Village well for the review and approval of large events in Village parks, such as the annual Summer Sunset Festival and Rockin' Rib Fest.

Temporary outdoor events on private property are currently regulated by the temporary use regulations in Chapter 12 of the Zoning Code. This chapter primarily includes standards for the temporary outdoor activities of commercial businesses, such as outdoor sales and displays of merchandise, which can be reviewed and approved by Village staff. Section 12.3 lists tent meetings, carnivals, circuses, and civic use of public property as special temporary uses, and these specific uses require additional approval by the Village Board. For example, Village Board approval was required for the carnival hosted by the Algonquin/Lake in the Hills Chamber of Commerce in April 2024 in the parking lot of the At Home store at 101 N. Randall Road.

While all carnivals and similar events require Village Board approval, carnivals operated on private property are not subject to the full list of standards in the Special Event Permit regulations that apply to carnivals operated in public



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parks. Village experience with existing annual events has shown that the Special Event Permit regulations are effective in ensuring that large public events are operated safely, in that the standards require submittal of an emergency action plan or incident action plan. Therefore, staff is proposing several code amendments to make the same review standards apply to all large outdoor events. Specifically, staff is proposing that the Special Event Permit regulations be moved to a separate chapter of the Municipal Code (a new Section 20) and be amended to apply throughout the Village. Also, staff is proposing amendments to Section 12 of the Zoning Code, as detailed below.

The Temporary Use Chart in Section 12.4 of the Zoning Code lists all of the authorized temporary uses, and Section 12.3 lists the “special” temporary uses that require additional Village Board approval. Currently the list of special temporary uses in Section 12.3 only includes tent meetings, carnivals, circuses, and civic use of public property. Staff has proposed amending Section 12.3 by expanding this list to match the list of uses in the Special Event Permit regulations. As proposed, carnivals, circuses, car shows, races, and parades would always require approval of a Special Event Permit instead of a temporary use permit, regardless of the anticipated number of attendees. A list of other similar events would require approval of a Special Event Permit when the anticipated number of attendees will exceed 100 people. On residential properties, a Special Event Permit would only be required for outdoor events that are operated for profit and when the anticipated number of attendees will exceed 100 people.

Within the Temporary Use Chart in Section 12.4, carnivals are listed as only being allowed in the B2, B-3, B-4, and M-1 zoning districts, subject to limits on the time, days, number, and parking. Since carnivals would always require a Special Event Permit under the proposed regulations, they are proposed to be deleted from the chart in Section 12.4. Further, the language in the first row of the Temporary Use Chart in Section 12.4 has been completely revised to clarify the types of outdoor shows and sales that are subject to temporary use regulations.

The Planning & Zoning Commission considered the proposed text amendments to the Zoning Code on Monday, June 17, 2024, and voted unanimously in favor of changes. An Ordinance capturing the changes discussed above to both the Zoning Code and Municipal Code has been attached to the agenda for review.

With the proposed changes to the Municipal and Zoning Code outlined above, the Special Event Permit Regulations and Application also requires an update to better align it to the revisions. In addition, the following adjustments have been made:

- 1) The fee schedule has been updated to remove the fee for an inspection of popup tents and remove the security deposit, which was burdensome to smaller events and often waived for larger events. A statement has been added to the General Regulations to place responsibility for damage to Village property on the Sponsoring Individual/Organization.
- 2) Temporary signage must not be placed more than three weeks prior to the event.
- 3) Sound Amplification was merged with Lighting and Sound System Utilization to reduce redundancy.
- 4) Minimum information to be included on an Incident Action Plan has been outlined.

The proposed revisions to the Special Event Permit Regulations and Application, and Fee Schedule are attached to the agenda for review.



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Staff recommends a motion to Approve an Ordinance Adding Chapter 20, "Special Events" to the Lake in the Hills Municipal Code, Amending Chapter 8, "Parks, Lakes and Beaches" of the Lake in the Hills Municipal Code, and Amending Section 12, "Temporary Uses" of the Lake in the Hills Zoning Code and a motion to Approve the changes to the Special Event Permit Regulations and Application, and Fee Schedule.

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

## Public Works

### **Request to Approve Task Order No. 2024-8 for the Barbara Key Park Restoration Project**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to award Baxter-Woodman a task order for the design & permitting for the Barbara Key Park Restoration Project.

Barbara Key Park is one of the most nature-centric amenities within the Village of Lake in the Hills. It features two ponds and a bike path and is a gateway to the Fen. The front detention pond at Barbara Key Park receives stormwater from the industrial park flowing westward, causing a buildup of silt. The goal of this project is to restore the Barbara Key front pond water body and surrounding wetland to its previous state, resulting in a combination of desired outcomes such as improved water quality, improved water circulation, increased water depths, better control of invasive species, reduced erosion in the watershed, improved fish habitat, bank stabilization, and better access for recreational activities.

Baxter-Woodman is the Village's stormwater and lakes engineering consultant. Village staff requests approval of the task order (attached to the agenda) to hire Baxter-Woodman to design, permit, and provide bid services for the Barbara Key Park Restoration Project. If approved, Baxter-Woodman will begin design work so the Village can award and start the project next spring, with an estimated completion deadline of late 2025.

### **Financial Impact**

The FY2024 Budget includes \$52,000 for engineering and \$420,000 for dredging and restoration of Barbara Key Park. An initial task order with Baxter-Woodman was approved at a cost of \$9,500.00 and consisted of the conceptual plan for the project. This second task order, at \$55,950.00, will put the total cost of preliminary engineering services at \$65,450.00, which is over budget by \$13,450.00. However, the deferral of the Woods Creek Lake dredging project has freed up enough funds to cover the overage.

Staff recommends a motion to Approve Baxter & Woodman Task Order No. 2024-8, for the Barbara Key Park Restoration Design & Permitting, at a cost not to exceed \$55,950.00.

Trustee Dustin asked if a grant is being applied toward the dredging cost. Director McDillon stated that this project is not eligible for a grant. Trustee Dustin asked when the next dredging will be needed. Director McDillon explained that the Barbara Key front pond has never been dredged before, and the results are expected to last at least 20



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years. Trustee Bojarski asked if the project will include preventative measures. Director McDillon stated that stabilization is planned for the stream banks in an effort to increase longevity.

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

## **Request to Approve the Village Hall Exterior Painting and Interior Door Staining Project**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to accept the bid and award a contract to Tron Restoration of Vernon Hills to paint the exterior trim and stain the interior doors at Village Hall, in an amount not to exceed \$27,690.00.

On May 9, 2024, Village staff released a Request for Proposal (RFP) for the project to the Village's website. A public notice was published in the Northwest Herald and staff contacted twenty-seven vendors to notify them of this opportunity. On May 17, 2024, five sealed proposals were opened with responses ranging from a high bid of \$91,740.00 to a low bid of \$27,690.00 from Tron Restoration. Due to the wide range of bid prices, staff verbally confirmed with Tron Restoration to ensure they are aware that the job is subject to prevailing wage.

Tron is a new contractor working for the Village. Staff contacted their work references who each responded positively, stating they were very satisfied with their results and that they were professional, on time, and had no issues. They further stated that they would use the company again in the future. As such, Village staff recommends awarding a contract to Tron Restoration for \$27,690.00.

### **Financial Impact**

The FY2024 budget for this project is \$26,000.00. Tron's bid of \$27,690.00 is over budget by \$1,690.00; however, there are sufficient savings on other projects within the budget to offset.

Staff recommends a motion to accept the bid and award a contract for the Village Hall Exterior Painting and Interior Door Staining Project with Tron Restoration, in an amount not to exceed \$27,690.00.

Trustee Huckins asked if the agreement includes a timeframe. Director McDillon stated that the start to finish requirements are built into the contract.

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

## **Request to Approve the Well 14 Roof and Gutter and Well 12 Siding Replacement Project**

Presented by Public Works Director Ryan McDillon

Staff seeks Board approval to accept the bid and award a contract to C3 Construction of Crystal Lake to replace the roof and gutters on Well 14 and replace the siding on Well 12, in an amount not to exceed \$90,777.00.



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Village staff released a Request for Proposal (RFP) for the Well 14 Roof and Gutter & Well 12 Siding Replacement Project on June 22, 2024. The RFP invitation was posted on the Village's website, published in the Northwest Herald, and sent to fifty-three separate vendors. Public Works received and opened two sealed responses on May 30, 2024, with a high bid of \$119,000.00 from All American Exterior Solutions and a low bid of \$90,777.00 from C3 Construction.

The budgeted amount for this project was \$75,000.00, which did not anticipate the additional specifications identified during the online Q&A period, which were subsequently added to the project's scope. While both bids are higher than initially anticipated, staff believes they accurately reflect the costs of the project with those additional specifications included.

C3 Construction has a long history of providing quality services and professional results on many successful projects for the Village over the years. Staff seeks Board approval for a contract award with C3 Construction in an amount not to exceed \$90,777.00.

### **Financial Impact**

The FY2024 Budget includes \$44,000.00 for the Well 12 Siding Replacement and \$31,000.00 for the Roof Replacement, for a total of \$75,000.00. The low bid for both projects was \$90,777.00, which is \$15,777.00 over budget. Savings on other projects are expected to offset the additional expense.

Staff recommends a motion to accept the bid and award a contract to C3 Construction for the Well 14 Roof and Gutter and Well 12 Siding Replacement Project, in an amount not to exceed \$90,777.00.

Trustee Dustin asked for the location of Well 12. Director McDillon stated that Well 12 is located on McKenzie Drive.

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

## Parks & Recreation

### **Request to Approve an IGA for Use of Facilities with Community Unit School District 300**

Presented by Parks & Recreation Director Randy Splitt

Staff is recommending approval of an Intergovernmental Agreement with Community Unit School District 300 for the use of Lincoln Prairie School for the Parks and Recreation Department's Beyond the Bell After School Program ("BTB"). This agreement allows Parks and Recreation to offer a program that directly services the Lake in the Hills community who attend D300 Lincoln Prairie School.

Under this agreement, the Village will be allowed access to the school's gymnasium, multipurpose room, and outdoor grounds consisting of playgrounds and fields. Due to the limitations of current Parks and Recreation facilities, the school facility is an ideal location that allows a safe and enjoyable atmosphere for activities that include play, study, and social interaction amongst each other. This location provides a comfort level for the parents as their children are in a central and convenient location to assist with their daily schedules.

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The agreement, which is attached to the agenda, is for a 5-year term beginning July 1, 2024, and ending June 30, 2029. In addition to outlining the parameters for the use and scheduling of the property, the agreement also requires that Village employees follow background check procedures in accordance with the Illinois School Code. The BTB After School Program coincides with the D300 school calendar.

Staff recommends a motion to approve an Agreement Regarding the Use of Facilities between the Community Unit School District 300 and the Village of Lake in the Hills.

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

## Board of Trustees

None.

## President

President Bogdanowski will deliver a Parks and Recreation proclamation at Thursday's Board of Trustees meeting.

## 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 7:51 pm.

Submitted by,

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

Shannon DuBeau  
Village Clerk