



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

## Call to Order

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

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

The Pledge of Allegiance was led by Trustee Murphy.

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

Also present were Village Administrator Shannon Andrews, Assistant Village Administrator Trevor Bosack, Chief of Police Matt Mannino, 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.

## Audience Participation

Lake in the Hills resident Deb Sims addressed the Board regarding neighboring properties with overgrown and unmanaged landscaping. She reported that the overgrowth on one of the properties contains nuisance species and has obstructed the street view. Director Svalenka, who is familiar with the properties, stated that one property hosts a pollinator garden and the other utilizes permaculture. He explained that both are categorized as naturalized landscaping and do not inherently violate any Village ordinances. He added that the turf portion of the lots needs to be maintained. Trustee Huckins questioned the legality of an obstructed street view. Director Svalenka stated that there is a height limit, and it will be looked at.

David Wells, the owner of the property utilizing permaculture, refuted the claims explaining that his landscaping was meticulously researched and planned with the goal of creating a food forest. Unfortunately, buckthorn has taken over. He has been in contact with professionals to eradicate it. Mr. Wells indicated that he would like to come to a resolution and understanding with the complainant. President Bogdanowski stated that the Board and staff are here to make sure the ordinances are being followed; the remaining issues will need to be resolved among neighbors.

## Presentation

Hitchcock Design Group Principal Doug Fair presented the Board with the Parks Master Plan strategies and Master Plan review. He gave an overview of previous phases, an implement phase update, a needs and strategies overview, an action plan, and the next steps.

President Bogdanowski inquired about the draft booklet review period. Mr. Fair stated that any concerns should be brought to staff during the review period.



## Administration

### Informational Item Concerning the FY2025 Compensation Plan

Presented by Village Administrator Shannon Andrews

#### Cost Of Living/Merit Increases

For all non-represented employees, the Village’s Personnel Rules and Regulations establishes that the COLA increase may vary from year to year based on budget approval and will be set when possible, based upon the change in the National Consumer Price Index (CPI) for the change in the month of June of the current fiscal year compared to the preceding fiscal year rounded to one decimal point. Based on this, the COLA recommended for the Fiscal Year 2025 Budget would be 3.0% to align with the policy.

In addition, the Village’s Personnel Rules and Regulations also establishes that the Board will determine the maximum possible merit adjustment for the upcoming fiscal year. After multiple years being held at 1%, staff is recommending an increase to a maximum of a 2% merit increase in July of 2025. This merit increase will help to incentivize staff to reach for top performance standards. This increase would be distributed based on employee review scores as follows:

COLA Cost of Living Adjustment Increase	PERFORMANCE BASED INCREASE				
	Score: 0 - 1.99 Increase 0%	Score: 2.0 - 2.33 Increase 50%	Score: 2.34 - 2.57 Increase 75%	Score: 2.58 - 3.0 Increase 75%	LTW Bonus 25%
3.0%	0.00%	1.00%	1.50%	1.50%	0.50%

#### Wage Adjustments

When the 2024 Compensation Schedule was submitted for the Board’s consideration, it was structured to allow for an initial 10% compression between the sergeant and the highest paid officer. It was understood that the MAP 90 contract would be expiring mid-year, and salary adjustments may require an initial reset to sergeant salaries to retain alignment. With the Board’s recent approval of the MAP 90 side letter agreement, the new rate for the top paid officer will be \$115,686.85, which leaves a 5.0% compression to the lowest paid sergeant. This does not incentivize officers to pursue advancement opportunities when they arise.

In addition, sergeants hired prior to 2022 fell under a pay philosophy where they received larger pay increases early in their position, up until they reached the fully trained “position point” of the role. After reaching the position point, increases were significantly reduced for longevity employees. This pay philosophy was abandoned in 2022 in favor of balancing the availability of increases between new and longevity employees. As such, there is a sizeable gap in pay for the three most recent sergeants hired after 2022, who are no longer advancing at an accelerated rate.



To correct these issues, staff is recommending the following salary adjustments to realign the sergeant positions and restore a compression rate of 10% by January 1, 2025.

	Current Salary	Adj. Salary	Annualized Budgetary Impact	January 1, 2025 Salary w/ 3% COLA
Sergeant 1	\$123,843.72	\$126,296.56	\$2,640.48	\$130,085.54
Sergeant 2	\$122,058.04	\$124,475.26	\$2,602.14	\$128,209.64
Sergeant 3	\$121,149.60	\$123,548.88	\$2,582.82	\$127,255.44
<b>Total:</b>			<b>\$7,825.44</b>	

**Staffing Adjustments**

**1) Part-time Office Assistant converts to Part-Time Administrative Specialist I**

Net Budgetary Impact to the General Fund is (\$7,981.20)  
Net Budgetary Impact to the Water Fund is \$15,878.58

The role of the part-time office assistant in the Public Works Department had been relocated to Parks & Recreation when the Department was reformed; however, the position had been held vacant to allow sufficient time for management to assess the needs of the Department(s) after the creation of the Administrative Services Manager position.

After much collaboration, it was agreed that the Public Works Department continues to have the greatest need for administrative support. The Parks Division responsibilities are being successfully managed through the efforts of the Customer Service team working in collaboration with the Director of Parks and Recreation. Our new Administrative Services Manager is continuing to find ways to work efficiently utilizing the existing staff.

With the administrative needs of the Airport now being absorbed by one of the two existing Administrative Specialists, the re-location of the part-time position back to Public Works would help to stabilize the workload. This grade 55 position would be partially dedicated to the Water Division by assisting with purchasing, attending bid openings, processing invoices, preparing agenda items, supporting water billing, and performing other administrative responsibilities as needed. This will allow the full-time Administrative Specialists to focus on supporting the remaining divisions of the Department.

In FY2024, the position had been budgeted as an Office Assistant for 988 hours out of the General Fund; however, the workload is closer in alignment to the Administrative Specialist I position. The General Fund and Water Fund will split the hours of the part time position between them, which will result in a reduction to the General Fund of \$7,981.20 and an increase to the Water Fund of \$15,878.58, which will be handled by interfund transfers.



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

## New Position Requests

The Village continually weighs the availability of funds against the staffing levels necessary to provide the desired services to the community. The Fiscal Year 2025 Budget will contain staffing requests for one (1) new position, which is intended to correct deficiencies in the operations. The creation of this position will better equip the Village to provide the standard of services the residents have come to expect.

### 1) **Support Services Sergeant** – Budgetary Impact of Request: \$117,012.60 + Benefits

Policing has fundamentally changed through the years, with a heavy burden being placed on the department's support services team. The Deputy Chief of Support Services who leads this division is stretched thin managing investigations, records, public information and programming, social services, police information technology, and school resources. In addition to all of this, the Deputy Chief is responsible for budgeting, scheduling, policy management, and accreditation, with new responsibilities being added to the division each year.

In late 2025, the Department will undertake a major move of its operations into the new police facility. Planning for a smooth transition will take the entire year leading up to the move. Policies will need to be reviewed in advance and amended based on the new equipment that will be in place or procedures under the new building configuration. Updates to procedures will be a continual process after moving to keep pace with changes in workflows and prepare for accreditation in 2026.

The Department is seeking to add the position of Support Services Sergeant, who can assist with policy management, accreditation oversight, and the department transition to the new building. In addition to assisting the Deputy Chief in the day-to-day management of the division, the position would assist in the oversight of community programming, the Police Cadets program, as well as officer and cadet recruitment. The position would also be responsible for developing the Incident Action Plans for the Village's major events.

The addition of this position will allow the Deputy Chief to appropriately focus on bigger picture management of the division, including the short- and long-term planning necessary to meet the growing and changing needs of the community.

While the new sergeant position would increase the department's sworn staffing levels, the position itself would be filled through an internal promotion. The estimated starting salary at the 62PD grade level is \$127,255.44, plus benefits. The Village would then recruit for the open officer position, which is anticipated to be filled with a lateral hire at a starting salary up to a maximum of \$97,128.72, plus benefits, depending on experience. The net budgetary impact would be \$117,012.60, plus benefits.

## FY2025 Compensation Schedule

A copy of the proposed FY2025 Compensation Schedule is attached to the agenda for the Board's consideration. Salaries for all positions have been adjusted to reflect the recommended 3.0% COLA increase, with the exception of the sergeant position, which has been adjusted for a 10% compression to the top paid officer. The FY2024 budget had included funds to perform a more comprehensive professional review of these salaries, but with the transition of staff in the Human Resources Division, this project has been deferred to FY2025.



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

## **Financial Impact**

As discussed within the memo.

Staff is seeking the Board's direction to incorporate the following recommendations into the Fiscal Year 2025 Budget as summarized below:

- 1) Establish the FY2025 COLA to be 3.0%
- 2) Establish the FY2025 maximum merit increase for non-sworn positions to be 2.0%
- 3) Implement the Wage Adjustments as outlined
- 4) Implement the Staffing Adjustments as outlined
- 5) Implement the New Position Request as outlined
- 6) Implement the FY2025 Compensation Schedule

Trustee Harlfinger addressed parallels between the request for a support services sergeant and the 2023 staffing projections that proposed a commander position. Administrator Andrews stated that the 2023 projection included the commander position as a potential future necessity. She explained that the proposed sergeant position would be a very specific role, whereas the commander position would be an overarching leadership role. President Bogdanowski noted that an additional sergeant will not cause the reporting structure to change as it would have with the commander position.

Trustee Anderson questioned population growth and supporting data. Chief Mannino explained that the police department's workload and tasks have increased independent of changes in population.

Trustee Huckins asked if the additional position is a current need or a future need. Chief Mannino stated that it is needed now but is being planned for the FY25 budget. He stated that sworn staff numbers will increase from 41 to 42.

Chief Mannino summarized responsibilities that will be appointed to the community relations sergeant.

The consensus of the Board is to move forward with the recommendations.

## **Request to Approve an Ordinance Authorizing the Disposal of Surplus Property**

Presented by Village Administrator Shannon Andrews

The Illinois Municipal Code requires the adoption of an Ordinance to dispose of surplus property. The Village property listed in Exhibit A is no longer necessary or useful to the Village. In order to allow for disposal or sale, the attached Ordinance declares the property as surplus. The Ordinance authorizes the Village Administrator to determine the appropriate means of disposal. Staff will sell items with value and dispose of other items appropriately.

## **Financial Impact**

Any money received from the sale of these items will be returned to the appropriate fund.



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

Staff recommends a motion to adopt the ordinance declaring Village property as surplus.

Trustee Dustin asked if the trailer is being replaced. Director McDillon explained that Public Works primarily uses a different trailer with twice the weight capacity. The trailer in question has had its frame rewelded many times and thus has reliability issues.

Trustee Dustin noted that the diesel truck engine does not have many miles. Director McDillon stated that it has needed many repairs and is out of warranty.

Trustee Dustin questioned the state of the plow. Director McDillon stated that it has been heavily used and Public Works plows usually go to auction their truck.

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

## Finance

### **Request to Approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2023**

Presented by Finance Director Pete Stefan

As part of the process to close Fiscal Year 2023, one final housekeeping budget amendment is being proposed for six separate funds as summarized below.

#### **General Fund**

The net effect on the total General Fund budget will be an increase of \$5,536 due to the combined effect of:

- A total of \$4,444 in “negative expenditures” to account for the reimbursement from Special Service Area #4A Fund for General Fund labor and equipment costs incurred for increased detention maintenance and a fountain replacement.
- An interfund transfer out in the amount of \$9,980 to the Police Seizure Fund for the cost of a sanitizing system purchased during the pandemic that was reimbursed by a grant program.

#### **Police Seizure Fund**

In addition to the transfer in of \$9,980 for the cost of the sanitizing system, five expenditure line items were used in FY23. \$5,000 was spent on the Law Enforcement Joint Training Facility, \$393 was spent on the purchase of 15 publications, \$1,994 was spent on award ribbons, uniform bars, and other supplies for the Awards Banquet, \$127 was spent conducting liquor compliance checks, and \$2,773 was spent on supplies for the McHenry County Major Investigations Assistance Team. 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 the forfeiture revenue has been confirmed and received.



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

## **Public Safety Cadets Program Fund**

A total of \$235 was spent during the first year of operations of the Public Safety Cadets Program Fund for CPR/AED training for the cadets plus the cost of a nameplate.

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

An increase of \$5,209 is reflected in Special Service #4A Fund due to labor, equipment, and supplies costs for increased detention maintenance and a drinking fountain replacement plus rodent trapping and relocation costs.

## **Lakes Projects Fund**

An additional \$309,071 is required in the Lakes Projects Fund to close out the fund as of December 31, 2023. \$159,115 is needed to cover the final costs of the Reach 11 Project and the Reach 12 Project stormwater engineering review. An additional \$149,956 in transfers out is also needed to close out the fund to the CIP Fund.

## **CIP Fund**

The CIP Fund budget amendment is comprised of increased transfers revenue of \$149,956 to account for the receipt of the residual fund balance transfer from the closing of the Lakes Projects Fund.

## **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 2023 to cover all expenditures incurred.

Staff recommends a motion to approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2023.

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

## **Request to Approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2024**

Presented by Finance Director Pete Stefan

As part of the FY25 budget preparation process, FY24 estimates are developed to provide reliable projections for the FY25 beginning fund balances. This year's review of FY24 activity has identified the following three funds that will require budget amendments for FY24:

### **General Fund**

There are five departments/divisions of the General Fund that are projected to need additional budget authority for the remainder of FY24 as follows:

*Finance Department* – The completion of the FY22 audit stretched into early FY24 and, although sufficient funds were budgeted for the audit in FY23, a portion of those audit services were performed in FY24 requiring a carry over budget amendment in the amount of \$10,233.





# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

*Police-Administration* – Two areas require attention in the Police-Administration budget for FY24. First, there was one new Public Safety Employee Benefits Act benefit awarded in FY24 for a former Police Officer injured in the line of duty requiring an additional \$25,300 in health insurance costs being assessed to the Village. There was also a need for an additional \$29,752 to cover the costs of dues for the McHenry Technology Lab, Regional Training Center (RTC), and RTC Range.

*Police-Patrol* – FY24 saw some significant vehicle maintenance costs in the Police-Patrol Division which required the replacement of the engine in Squad 162, major accident-related repairs to Squad 174, and several other vehicle repairs requiring the need for an additional \$23,350 in FY24.

*Parks & Recreation-Parks* – Additional coverage at the beaches was necessary in FY24 for safety and customer service concerns which require an additional \$7,082 in part-time salaries and FICA costs.

*Interfund Transfers* – With carnival revenues falling short of projections again in FY24 for the Summer Sunset Festival, the General Fund will be providing an interfund transfer to the Festival Fund in the estimated amount of \$11,000 to make up for the revenue shortfall.

## **Police Seizure Fund**

No budget is established for the Police Seizure 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. In FY24, the following expenditures are projected: \$15,163 related to drone video and records redaction licenses and storage; \$45,363 for Flock Safety Cameras, panic button service, and tobacco compliance checks; \$3,850 for a GETAC tablet and camera; plus \$1,000 for a 2019 Dodge Ram Pickup Truck purchased from the McHenry County Sheriff's Office.

## **Festival Fund**

An additional \$4,063 was spent on bands, lighting, and electricity at the 2024 Summer Sunset Festival and another \$478 was spent on web hosting and domain registration costs for [www.summersunsetfest.com](http://www.summersunsetfest.com).

## **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 to cover all expenditures projected to be incurred in Fiscal Year 2024.

Staff recommends a motion to approve an Ordinance Approving Budget Amendments to the Operating Budget for the Fiscal Year Ending December 31, 2024.

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





# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

## **Request to Approve a Bond Financing Team for Police Facility Bond Issue**

Presented by Finance Director Pete Stefan

The Village's seed money for the construction of the new Police Facility is projected to be depleted in early 2025. Therefore, in order to be able to issue bonds to complete the construction project, the Bond Financing Team needs to be established.

Staff is recommending that Speer Financial, Inc. remain as the Municipal Advisor for the bond issue having served in that capacity for the 2019 Special Service Area #51 bond issue for water main improvements to an unincorporated area at the eastern boundary of the Village. With Zukowski, Rogers, Flood & McArdle serving as Local Counsel, that leaves the following three roles to fill – Bond Counsel, Rating Agency, and Paying Agent/Registrar.

Staff solicited fee quotes for the three open roles from firms actively involved in bond issuances and is recommending the following firms who provided the lowest fee quotes for their respective roles:

- Bond Counsel – Chapman and Cutler - \$12,500
- Rating Agency – Standard and Poor's - \$23,000
- Paying Agent/Registrar – Zions Bank - \$850

Combined with Speer Financial, Inc. (\$36,750 Municipal Advisor Fee plus \$3,250 Speer Auction Fee) and Zukowski, Rogers, Flood & McArdle (\$4,200 estimated fee for Local Counsel), total costs of issuance are estimated at \$80,550 or less than 0.6% of the estimated par amount of the bonds which is significantly lower than the 2.2% incurred with the most recent 2019 bond issue.

### **Financial Impact**

Total costs of issuance for the new Police Facility bond issue (other than the underwriter's discount) are estimated to be \$80,550, which will be included in the proposed FY25 budget.

Staff recommends a motion to approve the Bond Financing Team for the new Police Facility bond issue as Speer Financial, Inc. as Municipal Advisor; Zukowski, Rogers, Flood & McArdle as Local Counsel; Chapman and Cutler as Bond Counsel; Standard and Poor's as Rating Agency; and Zions Bank as Paying Agent/Registrar.

President Bogdanowski asked if this was accounted for in the police department facility plan. Administer Andrews confirmed that it is in alignment with the funding plans.

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



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

## Community Development

### **Informational Item Concerning a Potential Self-Storage Facility Rental Tax**

Presented by Director of Community Development John Svalenka

At the September 24, 2024 Committee of the Whole meeting staff presented an informational item requesting direction regarding the potential to enact a Self-Storage Facility Rental Tax. Staff noted that self-storage facilities as a whole do not offer great benefit to the community. The facilities do not create or provide many jobs and do not generate sales tax revenue (minus trivial amounts for boxes/packing supplies if sold on site). Additionally, they do not generate consistent foot traffic for an area to result in increased spending to surrounding businesses. While the facilities do generate property tax revenue, they often do not generate the same EAV as retail or industrial uses. Therefore, staff seeks feedback from the Village President and Board of Trustees regarding a potential Self-Storage Facility Rental Tax that would generate revenue in lieu of sales tax.

Like sales tax, a Self-Storage Facility Rental Tax would be added to the gross price for the rental or leasing of storage accommodations. Staff is recommending a 5% fee, which matches the fee currently collected for this tax by the City of McHenry and the Village of Carpentersville. As an example, a 10'x10' storage unit rented for \$84.00 per month would generate \$4.20 in tax to be paid by the renter of the unit. The tax would be collected by the storage facilities and paid directly to the Village on a monthly basis. To offset the administrative costs associated with the collection of the tax, the storage facility operators would have the option to deduct 5% of the collected amount as an offset. In the previous example, of the \$4.20 collected the business could retain \$0.21 and remit the remaining \$3.99 to the Village.

Such a tax would be imposed upon the rental or leasing of all self-storage facility accommodations and all outdoor vehicle storage facility accommodations in the Village. Therefore, the tax would apply to traditional self-storage buildings containing separately divided storage rooms such as Extra Space Storage, Life Storage, U-Haul, etc., but would also apply to outdoor vehicle storage such as the truck storage lots recently approved along Route 31 for Plote and Bluff City Materials. It should be noted that the Police Department has documented a significant number of responses to existing outdoor vehicle storage businesses in the Village. For example, the Police responded to the outdoor truck storage yard at 8813 S. Route 31 a total of 12 times in the one-year period from May 2023 through April 2024. The proposed tax would help to offset the increased costs to the Village for Police service at these businesses.

Staff estimates, based on the number of units and recent pricing in the several locations in Lake in the Hills, this tax would generate approximately \$120,000 annually. Just like with sales tax, not all storage units or spaces are rented by Lake in the Hills residents or businesses, so some portion of the revenues would be money coming into the community from non-residents.

### **Additional Information**

At the September 24, 2024, Committee of the Whole meeting, the Village President and Trustees requested additional information regarding the proposed tax:



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

- How would the proposed tax be collected and enforced? The tax would be collected by the operator of the storage facility from the tenant when collecting the rent for use of the facility. Specifically, the facility would be required to give every tenant a bill that lists the rent due and shows the tax separately. Then, at the end of each calendar month, each storage facility in the Village would file with the Finance Department a tax payment and a monthly tax return showing tax receipts from the prior month. The Village would have the discretion to request additional evidence from the facility owner documenting reported rentals to substantiate correct payment, and owners found in violation of the code could be assessed daily fines. The Finance Department already collects several taxes in this manner (electric utility tax, general amusement tax, and video gaming terminal amusement tax), and has processes in place to collect this kind of tax.
- Would the proposed tax apply to the rental of airplane storage facility accommodations at the LITH airport? The Municipal Code defines “vehicle” by using the same definition as the Illinois Vehicle Code, and separately defines “aircraft” by using the same definition as the Federal Aviation Administration. Based on these definitions, airplanes are not vehicles, and the rental of airplane storage space would not be subject to the proposed tax. However, staff notes that the Municipal Code already requires payment of a monthly fee of \$18.73 per aircraft for such storage accommodations at the airport. Therefore, if the Village Board wishes to apply the 5% Self-Storage Facility Rental Tax to the rental of aircraft storage accommodations, staff suggests that the easiest solution would be to simply increase the existing aircraft storage fee by 5%. Staff could be directed to draft ordinance language to increase the aircraft storage fee now, or the Village can wait to consider any increase to this fee as part of the next comprehensive review of the full airport commercial activity fee schedule.
- Did other municipalities have difficulty implementing the proposed tax? Staff spoke with a representative of the Village of Carpentersville, which approved a self-storage facility rental tax on October 5, 2021. At that time Carpentersville had three existing storage facilities and one newly proposed facility. All four storage owners were notified ahead of time, but just one of the owners provided public comments about the tax at the October 5 meeting. Specifically, Mr. Kyle Lindley owns a business named Carpentersville Self-Storage, and he voiced his opposition to the tax. (It should be noted that Mr. Lindley also owns Pyott Road Self-Storage and Big Stuff Storage in Lake in the Hills.) Regardless, the Carpentersville Village Board approved the tax on the consent agenda, and it went into effect on December 1 of that year. Carpentersville staff indicated that they have not had any issues collecting the tax.

Staff requests direction on whether to initiate the process to amend the Municipal Code to enact a Self-Storage Facility Rental Tax, and whether to amend the existing aircraft storage fee. If the Village Board should provide direction to move forward, following is a proposed anticipated schedule for the process:

- Village staff would mail notices to all self-storage facilities and outdoor vehicle storage facilities in the Village. Such notice is not required but would be in keeping with the spirit of open and transparent government.
- A proposed ordinance would be scheduled for consideration at the Committee of the Whole and Board of Trustees meetings in the second week of November.



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

- If an ordinance imposing the new tax is passed, staff would again mail notices to all self-storage facilities and outdoor vehicle storage facilities in the Village. Staff anticipates that the ordinance would not take effect until January 1, 2025, which would provide business owners with six weeks to plan for collection of the tax.

Trustee Dustin asked if the Lakewood and Algonquin self-storage facility was charged a flat fee upon opening. Attorney Stewart recalled the facility being charged a fee similar to an impact fee with an expiration term.

Trustee Dustin asked if any of the airport lessees use the space for non-aircraft storage. Administrator Andrews stated that the airport is no longer used for non-aircraft storage.

The Board gave consent to bring this item forward at a future meeting.

## **Request to Approve an Ordinance Granting a Variation to Reduce the Minimum Front Yard for an Attached Garage at 332 Hiawatha Drive**

Presented by Director of Community Development John Svalenka

The existing single-family detached residence at 332 Hiawatha Drive is a typical raised ranch. The applicant, Peter Wisniewski, purchased the home in 2007. Mr. Wisniewski plans to renovate and construct additions onto the front and rear of the residence to add living space and create a more usable garage. The lot is steeply sloped and drops 22 feet in elevation from the front lot line along Hiawatha Drive to the rear lot line along Goose Lake. The floor of the existing lower-level garage is over 14 feet lower than the street and is accessed by a steep asphalt driveway. As a part of the project, a new two-car garage is proposed to be added onto the front of the upper level of the house.

The subject property is within the R-2 zoning district. In accordance with Section 7.4 of the Zoning Code a minimum front yard of 25 feet is required to be maintained in the R-2 district. The proposed attached garage would be set back only 6.66 from the front lot line. Therefore, the applicant has requested approval of a variation from Section 7.4 of the Zoning Code to reduce the required front yard from 25 feet to 6.66 feet.

On May 25, 2023, the Village President and Board of Trustees adopted Ordinance number 2023-22 granting the requested variation. Pursuant to Section 23.10 of the Zoning Code, an ordinance approving a variation shall be valid for no longer than one year from the date of adoption unless a building permit has been issued for the work that required the variation. Unfortunately, the applicant experienced delays and has not yet obtained a building permit for the proposed addition. As a result, Ordinance number 2023-22 expired on May 25, 2024, and is no longer in force.

The Wisniewski family still intends to renovate and construct additions at their residence. Therefore, the applicant has submitted a new application requesting approval of the same variation. Village staff reviewed the variation request according to the standards listed in the Zoning Code and found that the request still meets all conditions and standards for the granting of a variation.



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

The Planning & Zoning Commission conducted a new public hearing on October 14, 2024, and recommended approval of the request by a vote of 5-0.

Staff recommends a motion to approve an ordinance granting a variation to reduce the minimum front yard for an attached garage at 332 Hiawatha Drive.

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

## **Request to Approve an Ordinance Granting Conditional Use for Automotive Service at 9114 Virginia Road, Suite 111**

Presented by Director of Community Development John Svalenka

Top Tier Tints is a business that applies window tinting to vehicles. The business is owned by Mr. Francisco "Frank" Gomez, who has signed a lease to operate the business in Suite 111 of the multitenant building at 9114 Virginia Road. The service provided by the business meets the definition of "automotive service" in the Zoning Code. The subject property is located within the B-4 Commercial Business zoning district. In accordance with the Permitted and Conditional Use Chart in Section 11 of the Zoning Code "automotive service" is allowed in the B-4 zoning district only with the approval of a conditional use. Therefore, Mr. Gomez has requested approval of this conditional use.

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 conditional use, subject to compliance with the condition that all automotive service work must take place inside the building and no exterior automotive service work shall be allowed on the subject property.

The Planning & Zoning Commission conducted a public hearing on October 14, 2024, to consider the requested conditional use. The Commission recommended approval of the request by a vote of 5-0.

Staff recommends a motion to approve an ordinance granting a conditional use for automotive service at 9114 Virginia Road, Suite 111.

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

## Public Works

### **Request to Approve an Amended and Restated Ground Lease – Pyott Road Solar LLC**

Presented by Public Works Director Ryan McDillon

At the August 22, 2024 meeting, the Village Board approved the reassignment of a ground lease to Pyott Road Solar LLC, a subsidiary of Cenergy Power Corporation ("Cenergy"). Shortly after, Staff was approached with a request for an amended and restated ground lease that would adjust the term of the agreement to allow Cenergy additional time to finalize FAA approval and complete construction.

Under the existing lease, the Development and Construction Period was scheduled to end on December 8, 2024. However, in order to retain funding for the project, the proposed amendment would extend this Period through



# Village of Lake in the Hills

600 Harvest Gate, Lake in the Hills, Illinois 60156

COMMITTEE OF THE WHOLE MEETING

OCTOBER 24, 2024

December 8, 2025, with the opportunity to further extend for one additional 6-month period concluding on June 8, 2026. In exchange, Cenergy has agreed to pay a one-time lump sum Construction Commencement payment of \$12,000.00. They have also agreed to increase the monthly payments within the Development and Construction period to \$1,360/month or \$16,320 annually. This rate matches what the Village would have received if the lease had been transitioned to the Operations Period on schedule.

## Financial Impact

The Airport Fund will receive a one-time lump sum Construction Commencement payment of \$12,000.00 within 30 days of the Lease Effective Date. In addition, the Airport Fund will receive \$16,320.00 annually from the ground lease during the Development and Construction Period. This figure will increase by 2% in December of 2025 and every four years thereafter.

Staff recommends a motion to approve the amended and restated ground lease with Pyott Road Solar LLC, a subsidiary of Cenergy Power Corporation.

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 Bojarski and seconded by Trustee Huckins. All in favor by voice vote.

There being no further business to discuss, the Committee of the Whole meeting was adjourned at 8:50 pm.

Submitted by,

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

Shannon DuBeau  
Village Clerk