

VILLAGE OF ALGONQUIN  
COMMITTEE OF THE WHOLE  
Meeting Minutes  
Algonquin Village Hall Board Room  
August 14, 2012

**AGENDA ITEM 1:** Roll Call to Establish a Quorum

Present: Chairperson – Trustee Bob Smith; Trustees Brian Dianis, Jerry Glogowski, John Spella, Debby Sosine, Jim Steigert and President John Schmitt

Absent: Trustee

Staff Members Present: William Ganek, Village Manager; Bob Mitchard, Public Works Director; Russ Farnum, Community Development Director; Russ Laine, Chief of Police; Michael Kumbera, Management Assistant; Kelly Cahill, Village Attorney; Jerry Kautz, Village Clerk

Chairperson Smith called the meeting to order at 7:30 p.m. and established a quorum with all Committee members present.

**AGENDA ITEM 2:** Community Development  
No items to discuss.

**AGENDA ITEM 3:** General Administration

A. Consider Public Event Permit for Taste of St. Margaret Mary at St. Margaret Mary Church Grounds – August 26, 2012

St. Margaret Mary Church (111 South Hubbard Street) has applied for a Public Event/Entertainment License for August 26, 2012. The event, which is being called “Taste of St. Margaret Mary,” will take place on the church grounds from the hours of 12:00 to 8:00 p.m. and will be open to the public. There is an admission fee of \$1 to enter the tent area. Due to this event including outdoor amplified musical performances and an outdoor pony ride, the Village Board’s approval is required. The event is a community builder which provides food, games, an art show and music. Security will be provided by volunteer church members who are police officers in other communities. Parking will be provided within the church and adjacent school parking areas. No additional signs have been requested. The necessary liquor permit and raffle permit have been applied for, and the required Certificate of Insurance noting the village as additional insured has been provided. The church is requesting that the Public Event permit fee be waived due to their nonprofit status. A member of the church was present tonight to answer questions.

Following discussion, it was the consensus of the Committee of the Whole to move forward to the Board for approval.

B. Consider Intergovernmental Agreement with the Algonquin/Lake in the Hills Fire Protection District for Riverfront Park Memorial

Mr. Ganek reported that, in April, the Committee of the Whole heard a presentation by the Algonquin/Lake in the Hills Firefighters' Association concerning their request to use a portion of Riverfront Park for a Firefighters' 911 Memorial. Since that time, staff has worked with the Association to ensure that all issues have been addressed in order for this project to be completed. Now that these details have been resolved, the Firefighters' Association would like Village Board members to approve this project for Riverfront Park and execute this inter-governmental agreement for the long-term maintenance of the memorial. The details are contained in the proposed agreement. Matt Berg and Dan Teson from the Fire District were there to answer questions.

Consensus of the Committee of the Whole was to move forward to the Board for approval.

C. Discussion on Video Gaming Pursuant to State Regulations

A Video Gaming Terminal (VGT) is defined as any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including, but not limited to, video poker, line-up, and blackjack as authorized by the Illinois Gaming Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. This is not applicable to machines that are used for amusement purposes only.

Four types of locations may possess video gaming terminals:

1. Licensed establishment: A licensed establishment is any licensed retail establishment where alcoholic liquor is served for consumption on the premises.
2. Licensed fraternal establishment: A licensed fraternal establishment is a location where a fraternal organization that derives its charter from its national parent organization regularly meets.
3. Licensed veterans' establishment: A licensed veterans' establishment is a location where a qualified veterans' organization that holds a charter from its national parent organization regularly meets.
4. Licensed truck stop establishment: A licensed truck stop establishment is a facility of at least 3 acres with a convenience store, separate diesel islands for fueling commercial motor vehicles, parking spaces for commercial vehicles, and that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month.

There is only one type of approved video gaming locations currently in the village and that is option 1. Licensed Establishment, above. Fraternal, Veterans', and Truck Stop locations do not

currently exist within Algonquin's corporate boundaries. A key criterion for Licensed Establishments is that they must serve alcoholic liquor for on-premise consumption which requires a liquor license from the village. Accordingly, as the establishment must have a liquor license, VGTs are effectively prohibited according to Chapter 33 of the Algonquin Municipal Code. State statute does provide for certain Location restrictions in which VGTs may be placed. A Licensed Establishment may NOT be located within 100 feet of either a school or place of worship as defined under the Religious Corporation Act (805 ILCS 110/0.01 et seq.). Schools are defined as an elementary or secondary public school, or an elementary or secondary private school registered with or recognized by the State Board of Education.

Specific to the Licensed Establishment, up to five VGTs may be placed at each Licensed Video Gaming Location. Further, VGTs must be located in an area restricted to persons 21 years of age and over, the entrance to which is within the view of at least one employee who is at least 21 years of age. For all Locations that restrict admittance to patrons 21 years of age or older, a separate restricted area is not required. For all Locations that admit individuals under the age of 21, a physical barrier to the gaming area, including, but not limited to, a short partition, gate or rope shall be required. No barrier shall visually obscure the entrance to the gaming area from an employee of the Location who is over the age of 21.

(NOTE: During discussion, the following list of speakers strongly voiced their support and requested the Village Board change its ordinances that prohibit VGTs at present to allow VGTs in village bars and restaurants. Economic reasons and to be competitive with establishments in surrounding communities were the main reasons. Valerie Hellyer, 7 S Main; Chris McSwain, 6502 Highline, Crystal Lake; Rick and Tom Geschrey, 102 Rohlwing, Palatine; Randy Errington, 647 Philip, Bartlett; Frank Gumma, 9906 Fox Shores, Algonquin; Jeff Battaglia, 1320 South Main, Algonquin; Tom Schneider, 1575 Edgewood, Algonquin; Teresa Szybowicz, 12230 West 143rd Street, Homer Glen; Steve Churak, no address; and Ken Fishleigh, 300 Eastgate, Algonquin.)

The Board discussed concerns about how best to keep tight control on gambling aspects and with keeping control of minors. Chief Laine said he has spoken to counterparts of his in other states with VGTs, and they reported no significant increase in criminal activity. If this passes, however, he did recommend video surveillance. Gambling tax revenue to the village was also discussed. Trustees Steigert and Dianis had concerns as both were uncomfortable with allowing all establishments where alcohol is consumed the ability to have VGTs. Also, as with liquor violations, gambling might be an enforcement problem in keeping minors from using the machines. It was noted from those in favor that safeguards are built into the regulations.

Afterward Chairman Smith asked for consensus to direct staff to further review and tighten up the proposed ordinance, then report back to the Committee. In favor of doing so: Glogowski, Smith, Schmitt, Spella, Sosine. Against: Steigert and Dianis. Therefore, there was majority consensus to move on to staff to research the types of restrictions that should be considered under a proposed video gambling ordinance. Mr. Ganek could not determine how long it would take to research the options and return to Committee with a draft ordinance.

**AGENDA ITEM 4: Public Works & Safety**

**A. Consider Resolutions for Road Resurfacing and Construction Projects Partially Funded by STP Funds**

- (1) Bunker Hill Drive from Square Barn Road to Saratoga Circle
- (2) Sleepy Hollow Road from County Line Road to Village Limits
- (3) Main Street from Railroad Street to Edward Street
- (4) Highland Avenue from Tanglewood Drive to Haegers Bend Road

Mr. Mitchard stated these are federal dollars that are available through the Council of Mayors Surface Transportation Program (STP). Selection for funding is based on tallying eligible points through an application process detailing the project. Staff is preparing to submit applications for the above road resurfacing and reconstruction projects. The attached resolutions confirm our 20 percent cost share for each project, up to the statutory cap of \$1,500,000, should it be selected and placed on the funding list.

Consensus of the Committee of the Whole was to move forward to the Board for approval.

**B. Consider Ordinance Declaring Certain Property and Equipment as Surplus**

Mr. Ganek reported the following village equipment is deemed surplus and should be considered surplus:

**Unit Number Department--Reason**

28	Police--age and mileage
72	Police--mileage
74	Police--wrecked
200	Police--age and mileage
621	Parks--age
681	Parks--age
682	Parks--age
683	Parks--age
684	Parks--age

Consensus of the Committee of the Whole was to move forward to the Board for approval.

**C. Presentation and Observations of the Continuous Flow Intersection (CFI) in Loveland, Colorado**

Both President Schmitt and Trustee Glogowski gave an overview of their trip to Loveland, Colorado to review and study a CFI intersection. They provided a homemade video of different angles and traffic patterns. This was for informational purposes only with no discussion following.

**AGENDA ITEM 5:** Executive Session  
No items to discuss.

**AGENDA ITEM 6:** Other Business  
No items to discuss.

**AGENDA ITEM 7:** Adjournment

There being no further business, Chairperson Smith adjourned the meeting of the Committee of the Whole at 9:15 p.m.

Submitted: Jerry Kautz, Village Clerk