

**PUBLIC HEARING BEFORE THE CORPORATE AUTHORITIES OF
THE VILLAGE OF ALGONQUIN, MCHENRY & KANE COUNTIES, IL
HELD IN VILLAGE BOARD ROOM, ALGONQUIN, IL ON
JANUARY 7, 2014**

RE: Proposed Special Service Area for the Coves III Subdivision

CALL TO ORDER: President Schmitt call the hearing to order at 7:15 p.m. Present: Trustees Jerry Glogowski, Brian Dianis, John Spella. Jim Steigert. Absent: Debby Sosine, Bob Smith. Staff in attendance; Tim Schloneger, Village Manager; Russ Farnum, Director of Community Development; Bob Mitchard, Director of Public Works; Katie Parkhurst, Senior Planner. Attorney Brad Stewart and Village Clerk Jerry Kautz also attended.

(**Clerk's Note:** Trustee Smith was seated at 7:18 p.m. and Trustee Sosine was seated at 7:24 p.m.)

PUBLICATION: The publication was examined and found to be in order. It was published in the *Northwest Herald* at the prescribed time of 15 days before this hearing. Residents surrounding the area were notified by mail.

DISCUSSION: Ms. Katie Parkhurst reported the Cove III Subdivision received preliminary approval in 1999 when the property was annexed and received final approval in 2004. The final approval consisted of 156 townhome units. The subdivision was started and 19 units were constructed, sold, and are now occupied. Then the housing market crashed and no additional units were constructed. Plote Homes amended the development plans for Phase 3 of the Cove Subdivision to change the product type from townhomes to single-family homes. The revised plat of subdivision was approved by the Village Board in March of this year. The development will consist of 41 townhome units and 65 single-family units.

Backup Special Service Area (SSA)

The Homeowners' Association is responsible for the maintenance of all common areas within the development, including the stormwater detention facilities. Over the years, the village has learned that homeowners' associations disband, cannot raise enough revenue, or do not have the expertise to manage the common areas. The village's position in the past has been to lien properties if work was to be done by the village. More recently the village has determined that backup Special Service Areas (SSA) may be a more appropriate mechanism for ensuring the long-term maintenance of common areas.

The village is requesting the developer (Plote Homes and William Ryan Homes) work with staff to propose a backup SSA to cover the Cove III residential development (to include the existing 19 occupied units and the future units).

The backup SSA for the Cove III would include but not be limited to:

1. Maintenance, restoration, landscaping, repair, replanting and reseedling of open space, common areas, landscaped areas, and natural areas, all in accordance with best management practices, as deemed necessary and appropriate by the village's corporate authorities; and
2. Maintenance, restoration, and repair of compensatory storage areas, detention areas, drainage ways and facilities, stormwater drainage ways and areas, retaining walls, floodplains, and bioswales, within the Area including but not limited to maintenance of landscaping, including grass and shrub trimming, tree plantings, fertilizing and dead material replacement, mosquito abatement and removal of debris, obstructions or other impediments, as well as parking spaces, as deemed necessary and appropriate by the village's corporate authorities; and
3. Professionals', contractors' and consultants' fees and costs associated with the provision of the special services described above as deemed necessary and appropriate by the village's corporate authorities (collectively, the "Special Services").

The backup SSA would have a not-to-exceed rate of .600 percent per annum of assessed value, as equalized, to be levied against the real, taxable property included in the Special Service Area.

PUBLIC COMMENT:

1. Arnie Rutkowski, 1195 Kingshill Drive, Algonquin, asked repeatedly why the Cove homeowners would be taxed in the SSA. President Schmitt explained in detail that this SSA would only be used if the Homeowners' Association (HOA) did not fulfill its financial responsibilities in the upkeep of the property owned by such HOA. This measure is protection for all village taxpayers in the event of a nonpayment where the village has to step in and do repairs. Mr. Schmitt told those present that it has been alright up to now and does not expect problems, but this action does ensure protection for the taxpayers. If any tax assessments had to be instituted, they would only apply towards the repairs that would have to be made by the village. The assessment would be on the following year's property tax. Once paid, the SSA would no longer apply unless another default occurred in the future.

2. Cove residents Carrie McNeil and a Jeff Morris asked similar questions.

BOARD COMMENT:

1. Trustee Smith asked what services are actually the HOA responsibilities versus the individual homeowner. Ms. Parkhurst responded she would have to review the Cove III covenants and report back.

ADJOURNMENT: President Schmitt adjourned the Hearing at 7:51 p.m.

Submitted: _____
Jerry Kautz, Village Clerk