

VILLAGE OF ALGONQUIN
COMMITTEE OF THE WHOLE
Meeting Minutes
Algonquin Village Hall Board Room
January 22, 2008

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Chairperson – Trustee Dianis; Trustees Glogowski, Smith, Spella, Sosine, and Steigert; and President Schmitt

Staff Members Present: William Ganek, Village Manager; Jeff Mihelich, Assistant Village Manager; Jenna Kollings, Assistant Village Manager; Bob Mitchard, Public Works Director; Katie Parkhurst, Senior Planner; Russ Laine, Chief of Police; Wade Merritt, Strategic Traffic Sgt; Kelly Cahill, Village Attorney

AGENDA ITEM 2: Community Development

- A. Famous Dave's – (2007-20)/Southeast Corner of County Line Road and Randall Road – Lot 5 in the Galleria Shopping Center, Current Zoning B-2 PUD General Retail. Final Planned Development – 6,530 Square Food Restaurant

Ms. Parkhurst provided a brief overview of the location, architecture, landscaping, and signage proposed for Famous Dave's. She specifically noted that the representatives from Famous Dave's have been very cooperative in working with staff on all issues.

President Schmitt asked for clarification on the color scheme of the building. Mr. Mihelich reviewed the different colors and materials on the sample board and where they will be utilized on the building. Mr. Ganek asked which elevation would be along Randall Road. Mr. Mihelich pointed out the correct one on the design board.

Mr. Glogowski stated he appreciated all the efforts of Village staff and Famous Dave's, and was especially pleased with the landscaping.

Ms. Sosine asked if there had been an analysis done on parking, specifically mentioning cross parking. Mr. Mihelich stated parking and cross parking is looked at on all projects and as an incentive, there is typically a 10% credit to those businesses that allow cross parking.

Ms. Sosine also asked if there would be recyclable containers in the garbage enclosures. Mr. John Britton, representative from Famous Dave's, replied yes. Ms. Sosine also agreed that the project is very nice.

Chairperson Dianis asked about the smoker to be used at the restaurant. He wanted to know how it worked and for how long. Mr. Britton replied that the smoker is used on all meats for the restaurant. Hickory wood is used to create smoke and then the smoker itself will draw the smoke across the meat and out a chimney flue. The actual amount of smoke coming out is very minimal; usually there is a slight smell of cooked meat. The smoker runs overnight and typically is not in use during restaurant business hours. Mr. Dianis voiced concern over the westerly wind blowing smoke and/or odors into the nearby subdivision and to the mall itself. Mr. Britton replied that they (Famous Dave's) strive for being good neighbors. He added that out of 160 stores, they have had only one complaint. Mr. Mihelich then added that the Village could add a provision that if the smell or the smoke becomes bothersome, then we could require the restaurant to take further remediation measures.

The Committee of the Whole recommended unanimously that the Petition for a Final Planned Unit Development for Famous Dave's, Lot 5 in the Algonquin Galleria, be forwarded to the Village Board for consideration.

- B. Randall Crossing – (2007-21)/Southwest Corner of County Line Road and Randall Road, Current Zoning B-2 PUD General Retail. Final Plat of Subdivision – Three Commercial Lots

Ms. Parkhurst provided an overview on Randall Crossing. The petitioner is requesting that the single lot be subdivided to give each of the three buildings its own lot.

The Committee of the Whole recommended unanimously that the Petition for Final Plat of Subdivision for Randall Crossing be forwarded to the Village Board for consideration.

- C. Consider Annual Approval of the Official Village of Algonquin Zoning Map for 2008

Ms. Parkhurst summarized the changes made to the 2007 Zoning Map. She included in the packet the 2008 Zoning Map for approval.

The Committee of the Whole recommended unanimously that the Official Village of Algonquin Zoning Map for 2008 be forwarded to the Village Board for consideration.

AGENDA ITEM 3: General Administration

- A. Review Capital Budgets for 2008-2009
 - 1. Proposed Water and Sewer Improvement and Construction Budget
 - 2. Proposed Street Improvement Budget
 - 3. Proposed Park Improvement Budget

Mr. Ganek presented the financial projections for Capital Funds for the next five years. He provided an overview on what capital funds are and the projects that are included. He pointed out the Village is in "savings mode" due to new development being slow.

Mr. Ganek then gave a brief summary of what projects and costs were for the Water and Sewer Improvement and Construction Fund, adding that it makes up approximately 30% of the total Capital Budget.

President Schmitt asked if the water tower on Hanson Road is to be painted in 2008. Mr. Mitchard replied after an assessment is done on the status of the water tower structurally; more than likely it will be painted in the fall. Mr. Steigert then asked if the Village seal will be put on the tower at that time. Mr. Ganek stated yes, that he thinks it will be the new standard.

President Schmitt asked if the new deep well project was going to be next to treatment plant number three. Mr. Mitchard stated it would be to the southwest of number three.

Mr. Ganek then presented the Motor Fuel Tax Fund. This fund accounts for approximately 6% of the total Capital Budget. He specifically pointed out a project that will provide a demonstration of the scarification process at Providence and Butterfield Drives. In this process a machine will loosen two inches of the top layer of a road, inject an asphalt product, and relay the asphalt. Completion of this process should take about a week.

Mr. Steigert asked if notifications will be sent to residents and to Village officials of when it is taking place. Mr. Ganek said yes.

Mr. Ganek then continued by presenting the Street Improvement Budget which accounts for approximately 59% of the total Capital Budget. He listed the projects to be completed including South Hanson Road, Arrowhead Subdivision, Ratt Creek Tributary Phase 1 and Phase 2, and Huntington Hill wall repairs.

Mr. Ganek also talked about the Park Improvement Fund. This fund is responsible for 5% of the total Capital Budget. Projects include reforestation and wetland mitigation development.

He continued by going over the 5-Year Capital Improvement Plan, noting that it does not include the Park Improvement Fund. The numbers shown in the packet are assuming there is modest growth/development over the next five years.

Mr. Spella asked what the expected life span is for a road using the scarification process. Mr. Mitchard stated that the process has been used successfully in other municipalities including Algonquin Township. Mr. Vince Kilcullen added that it's expected to last 7-10 years. Mr. Spella then asked how long traditional methods are expected to last. Mr. Mitchard replied 12-15 years. Ms. Sosine asked if the scarification process can be done more than one time on a single road. Mr. Mitchard stated yes, that it can be done as many times as needed, as long as the road base doesn't fail or become contaminated.

Ms. Sosine then asked if the projected revenues in the next five years are based on current rates. Mr. Ganek replied yes.

Mr. Smith asked how roads in newer subdivisions are holding up in comparison to older roads in the Village. Mr. Mitchard stated that newer roads are expected to last 15-20 years for pavement and asphalt (with a possibility of 25 years). This is mainly due to inspections and close monitoring of new roads being put in, which turns out a superior product.

With no official action to be taken on this issue, Chairman Dianis closed the discussion to move on to the next item.

AGENDA ITEM 4: Public Works & Safety

A. Presentation of Water and Sewer Rate Study

Representatives from Baxter and Woodman presented to the Committee their Water and Sewer Rate Study. They provided an overview on what they look for when conducting the study and the different components of a rate study, and summarized three different alternatives for increasing the Water and Sewer Rates.

Scenario one would increase the rate by 4% each year beginning in 2009; however, it would not provide for infrastructure maintenance savings for future projects. Scenario two would increase the rate by 5.4% beginning in 2009 and would allow for limited savings of the infrastructure maintenance fund until two bonds are paid off. Scenario three would increase the rate by 7% each year starting in 2009 and would fully fund the infrastructure maintenance fund. The consultant recommended going with scenario three.

Baxter and Woodman also provided comparisons to other municipalities in the area. Using the assumption that no other community increases their rates, the Village's rates are on the low end for average (6,000 gallons/month) and the lowest rate for low water usage (3,000 gallons/month).

Chairperson Dianis asked, in regards to Table 2, why the number of permits issued does not match the amount of pumped water. Baxter and Woodman stated it depends on the type of business how much water is used.

Mr. Smith asked where he can look to see the comparison rates for businesses in regards to the other municipalities. Mr. Ganek replied that residential projects and non-residential projects pay the same rate for water and sewer; the differences will be in the connection fees. Mr. Smith asked how Algonquin compares to Elgin. The Baxter and Woodman representatives said they didn't include Elgin in their study. Mr. Smith stated that he would like to know that kind of information so that it could be used in bringing in new businesses to the Village. Mr. Ganek replied that the consultants were not contracted to find the marketable rates but what rates the Village needs for future use. Chairperson Dianis then asked if they knew the difference in connection fees for other Municipalities. Mr. Ganek stated that information was not available.

Mr. Ganek continued stating that no one recommends scenario one. Scenario three is strongly recommended, but scenario two is still a viable option. He added that in scenario three, the connection fees can be modified for non-residents, where commercial tap-on fees would not have as large an increase as residential.

Mr. Steigert expressed his support for scenario three, with the modification to the non-resident connection fees as Mr. Ganek proposed.

At this time Chairperson Dianis requested a poll from the Trustees as to which arrangement they are in favor of. All six Trustees and President Schmitt agreed on scenario three with the modification to the non-resident connection fees.

The Committee of the Whole recommended unanimously that the Water and Sewer Rate Study, Scenario 3, be forwarded to the Village Board for consideration.

- B. Consider Contracts for Red Light Camera Enforcement
 - 1. Contract for Red Light Monitoring Services
 - 2. Debt Services Collection Agreement

Ms. Kollings presented the contracts for red light camera enforcement. She gave a brief history of the ordinance passed in September 2007. She also gave background on the company that the Village staff is recommending. ACS State & Local Solutions, Inc. offers a complete turnkey operation, including installation and maintenance of the equipment to be used. Along with equipment management, ACS will provide complete services as to the mailing of citations, collection of debt, and scheduling of hearings if required.

Sgt. Merritt then showed a brief presentation outlining the steps that are taken in the ticketing process starting with the proposed locations of the red light cameras, how violators are identified, how violations are verified, and the different roles of ACS and the Algonquin Police Department.

Mr. Glogowski asked which approaches will have a camera at Algonquin Road and Randall Road. Sgt. Merritt stated that it hasn't been decided yet. Mr. Glogowski asked the same question about Rt. 31 and Rt. 62. Sgt. Merritt said the camera will be for the southbound Rt. 31 approach.

Mr. Glogowski then asked what the cost for installation and maintenance is. Sgt. Merritt stated that installation and maintenance are included in the monthly rate of \$4950.00.

Mr. Glogowski asked if violations include any vehicles sitting in the middle of an intersection when a light turns red. Sgt. Merritt said that violations only apply to cars that are behind the painted white line when the light turns red. President Schmitt then presented a situation of a car sliding into the intersection due to a patch of ice. Sgt. Merritt replied that a police officer will review all potential violations and can make the decision whether or not to issue a citation.

President Schmitt asked if the program will help solve the problem of the line of cars in a left turn lane that hold up cross traffic while turning on red lights. Sgt. Merritt said state mandates that the Village can only ticket those that were behind the white line at the time of the light turning red. President Schmitt asked if it used the actual painted white line, or if it is determined by a certain number of feet from the center of the intersection. Sgt. Merritt replied that there has to be a white line painted on the road.

Mr. Spella asked what the plan was for making the community aware of the new program. Sgt. Merritt said that they plan on sending out notices through the Chamber of Commerce, Rotary Clubs, media, handouts, etc. Also, there will be photo enforcement signs at each intersection where the cameras will be installed. Mr. Spella stated this is something we can address through the Village newsletter as well.

Mr. Spella asked if tinted license plate covers will hinder the effectiveness of the camera system. Sgt. Merritt stated that the cameras can see through the tinted covers. Ms. Barbara Roberts of ACS stated that their company has done extensive testing with all the products that have been offered to the public to hinder the license plate numbers being read by cameras, and, in some cases, it actually improved the clarity of the pictures.

Mr. Smith asked if the monthly costs include the equipment. Ms. Kollings stated yes. He then asked if the Village would have the option to own the equipment at the end of the contract with a price reduction. Ms. Kollings stated no.

Ms. Sosine asked if these contracts included Kane County. Sgt. Merritt stated no, that they were at least two months away from finalizing their permits and fees. Ms. Sosine asked if it was a monthly fee or one-time fee. Sgt. Merritt said it's a one-time fee. Ms. Sosine then asked if McHenry County was charging a permit fee. Sgt. Merritt stated no.

Ms. Sosine asked why there would be a 30-day warning period. Ms. Kollings said that it is to let the public know that the camera system has been implemented, and also for the Village to test out the system and make sure the process is learned and performed correctly.

Ms. Sosine asked in regards to Section 8(B), Termination for Convenience, if this type of enforcement could be ruled illegal. Ms. Cahill explained that anyone has the right to challenge the law as unenforceable, and if such a situation occurs and the program is ruled illegal, the Village can terminate the contract.

Mr. Spella asked for clarification on the fees per approach, asking if, for example, it would be \$4950 for the eastbound approach and then another \$4950 for the westbound approach. Sgt. Merritt stated yes, the fee is per approach, not per intersection.

Mr. Smith then asked what the current fine is for a red light violation. Sgt. Merritt stated \$75.00. Mr. Smith asked if there are going to be issues with the program charging \$100.00 per violation. Sgt. Merritt said that the red light enforcement program is a civil issue, where an officer making a traffic stop would make it a moving violation and all information is reported to the Secretary of State. Police Chief Laine added that when a moving violation is issued, there is a distribution of fees through the county, and, by using a local ordinance, it remains a civil matter and all fees stay within the Village.

Mr. Spella asked if violations through the red light enforcement program will count against a person's license. Sgt. Merritt replied no.

Chairman Dianis asked if after the revenues from the fines are used to fund the in-house adjudication court and the cost of the red light program itself, where the leftover funds will go. Ms. Kollings said that they will go into the general fund.

Chairman Dianis asked if anyone knew the amount of warnings Lake In The Hills issued in their 30-day warning period. Sgt. Merritt stated that there were conflicting reports, but approximately 168-172 warnings were issued.

Chairman Dianis asked if ACS had a plan for equipment upgrades and if the system the Village will be using is the most up to date equipment. Ms. Roberts replied that it is in the best interest of ACS to optimize the equipment on the street, and, as technology changes, they will have to assess the situation.

Chairman Dianis asked in regards to the service agreement, there seems to be an inconsistency with the number of hours the system has to be down before ACS will prorate the monthly fee to the Village. Mr. Ganek thinks that the original contract stated 72 hours, but the Village requested 48 hours. Ms. Kollings will re-look at those numbers and have a firm answer for the Board before the next meeting.

The Committee of the Whole recommended unanimously that the contract for Red Light Monitoring Services and the Debt Services Collection Agreement be forwarded to the Village Board for consideration.

AGENDA ITEM 5: Executive Session

None necessary.

AGENDA ITEM 6: Other business

Mr. Glogowski has been in contact with Nancy White from the McHenry County Historical Society in regards to a historical one-room schoolhouse that is currently on the property of Stonegate Nursery (which has been sold). Ms. White would like to acquire the school. Mr. Mihelich stated he would keep that in mind.

President Schmitt offered a compliment to the Public Works Department, specifically for snow removal. He received a note from a citizen who lives on a cul-de-sac who said they did an excellent job. Mr. Glogowski added that he received a comment from another resident who was not pleased with the snow removal. Mr. Mitchard stated he would look into those issues.

AGENDA ITEM 7: Adjournment

There being no further business, Chairman Dianis adjourned the meeting of the Committee of the Whole at 9:50 pm.

Respectfully Submitted,


Susan Morgan, Recording Secretary