

VILLAGE OF ALGONQUIN
COMMITTEE OF THE WHOLE
Meeting Minutes
Algonquin Village Hall Board Room
June 10, 2014

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Chairperson Jim Steigert, Trustees Debby Sosine, Jerry Glogowski, Brian Dianis, John Spella, and President John Schmitt

Absent: Trustee Bob Smith

Staff Members Present: Tim Schloneger, Village Manager; Michael Kumbera, Assistant Village Manager; Bob Mitchard, Public Works Director; Jeanna Ballard; Administrative Intern. Kelly Cahill, Village Attorney, and Jerry Kautz, Village Clerk, were also in attendance.

Chairperson Steigert called the meeting to order at 7:30 p.m. and announced those in attendance.

AGENDA ITEM 2 Community Development

Nothing to report.

AGENDA ITEM 3: General Administration

A. Consider Ordinance Establishing Prevailing Wage Rates for the Village of Algonquin

Mr. Schloneger reported the Village is required by state statute to pass an ordinance establishing prevailing wage rates on an annual basis for public works projects. The Prevailing Wage Act requires contractors and subcontractors to pay laborers, workers, and mechanics employed on public works construction projects no less than the general prevailing rate of wages (consisting of hourly cash wages plus fringe benefits) for work of a similar character in the county where the work is performed.

Consensus was to move these items to the Board for approval.

B. Consider Renewal of Cable Television Franchise Agreement with Comcast of Northern Illinois, Inc.

Mr. Kumbera reported that, in 2009, the village entered into a "short-form" cable service franchise agreement with Comcast for five-year terms. This "short-form" agreement was largely similar among a number of McHenry County area towns. The execution of these agreements followed several years of changes to state law governing cable and video service providers, including the establishment of state laws regulating customer service (which has been a major municipal concern for many years). At the time, the participating communities reached the conclusion that, in light of the new state protections and the relatively uncontroversial provision of service from Comcast, it was no longer necessary to enter into protracted negotiations for a very detailed franchise agreement governing many aspects of their service. Instead, the participants, including Algonquin,

entered into a relatively short agreement that largely relied on the new and existing state and federal laws. That "short form" agreement has proven to be sufficient to address the village's needs as the village has had no material issues operating under the agreement. Accordingly, when Comcast approached the village (and its municipal partners who also have contracts up for renewal around this time) to renew the agreement, we simply updated and modified the agreement to better reflect state standards and have not otherwise recommended material changes. Accordingly, the attached proposed agreement is substantially similar in most material respects to the short-form agreement that the village has had in place with Comcast for the past several years. Like our existing agreement, it grants a five-year franchise agreement authorizing Comcast to operate in our rights of way in a manner consistent with our village code and imposes a 5 percent fee on gross revenues. This version simply references the customer service obligations of the Illinois Cable and Video Customer Protection Act which sets the default provisions for customer service standards. Similarly, because of the audit provisions of state law governing auditing, the previous version's text regarding exchange of customer lists has been omitted. Under federal law, before the village can renew this proposed franchise agreement, the village is required to afford the public adequate notice and opportunity for comment so a hearing date will be set in the near future.

Consensus was to move this forward.

C. Consider Agreement with Groot Industries, Inc. for Refuse and Recycling Services

Mr. Kumbera reported staff has negotiated an agreement with Groot Industries to provide refuse and recycling collection services in Algonquin. The services provided to the community are nearly identical to those currently received from Waste Management. The following summarizes the major provisions of the contract: 1) the contract is for a five-year term which expires August 31, 2019, and provides an option to extend for an additional five-year period; 2) the spring cleanup and fall drop-off events will continue to be provided, with a new service of document destruction being provided at the fall event; 3) recycling will continue; 4) defined time periods in the spring and fall for yard waste collection will continue to be available for leaf and bundled branch collection at no charge; 5) residential sticker rates will start at \$2.85 in 2014 with increases of 15 cents yearly until 2018, when the increase will be 20 cents. As part of the review of Groot Industries proposal, a market analysis was performed and found that Groot's rates were typically lower than the median prices in the Chicago metro area. Further, references of Groot's municipal contracts were verified and found to be in good standing. Waste Management stickers can be refunded within 30 days of the transition. President Schmitt asked if the 33-gallon containers with a red "X" painted on the side would still be used for yard waste collection. Mr. Josh Molnar of Groot Industries, Inc. indicated that Groot would replicate the existing services that are currently provided.

Consensus of the Committee of the Whole was to move this item on to the Board for approval.

D. Consider Amendment to the Intergovernmental Agreement with the Village of Cary Adding Inspection Services to Chief Building Official and Plan Review Services

Mr. Schloneger reported this is an amended intergovernmental agreement with the Village of Cary, adding inspection services to the existing agreement for the sharing of services of our chief building official (building commissioner) and our plan review services. This is the identical agreement the village has with Huntley and Carpentersville for these same services. Due to financial constraints and the slower building climate, the Village of Cary has decided that they will be able to save resources

by not only using the Village of Algonquin chief building official and plan review service but also utilizing inspection services of our staff. This agreement is also positive for the Village of Algonquin as the services of our building commissioner can be put to full use, and the village will gain another revenue opportunity.

Consensus of the Committee of the Whole was to move this item on to the Board for approval.

- E. Consider Resolution Requesting Permission for Temporary Closure of a State Highway for the 2014 Founders' Days Parade

Mr. Schloneger reported this is a housekeeping measure required each year for the Founders' Days parade. A resolution will be forwarded to the State of Illinois.

The consensus of the Committee of the Whole was to move on to the Board for approval at the next board meeting.

- F. Public Event Permit Requests:

- (1) Algonquin/Lake in the Hills Chamber of Commerce Cruise Nights – July 8, 15, 22 and 29, 6 – 8 p.m. (Fountain Square Development)

Mr. Schloneger reported the Algonquin/LITH Chamber of Commerce has submitted a Public Event/Entertainment License Application requesting to sponsor a series of cruise nights within the Fountain Square development parking lot area(s) on July 8, 15, 22, and 29, 2014. This is a new location for this event. Due to their request for the use of outdoor amplified music involving a DJ; Village Board approval is necessary. The cruise night series would involve four Tuesday evenings from the hours of 6 to 8 p.m. There are no admission fees and the event is open to the public.

Consensus of the Committee of the Whole was to move this item on to the Board for approval.

- (2) Eastgate Manor Summer BBQ Hollywood Style - Friday, August 1, 2014, 3 – 6 p.m.

Mr. Schloneger reported Eastgate Manor (101 Eastgate Court) has applied for a Public Event/Entertainment License for Friday, August 1, 2014. The event, which is being called "Summer BBQ Hollywood Style," will take place within the development's backyard area from the hours of 3 to 6 p.m. and will be open to the public. There are no admission fees. Due to this event including an outdoor amplified musical performance by a band, pony rides and a petting zoo, Village Board approval is required. The actual band has yet to be determined, but past bands have been low key due to this being a retirement home/assisted living care setting. Parking will be provided within Eastgate Manor's lot and the adjacent strip center's parking areas.

Consensus of the Committee of the Whole was to move this item on to the Board for approval.

AGENDA ITEM 4: Public Works & Safety

- A. Consider Bids for Center Street Sea Wall

Mr. Mitchard reported three bids were received with Continental Construction being the low bid for the project at \$39,410. Mr. Fell from Christopher Burke Engineering checked references on Continental and in each case found the contractor to be responsive and completing work on time and within budget. The village's budget for the Center Street sea wall repair project is \$32,000, and the engineer's estimate for the work was \$29,650.00. The project came in slightly over the budgeted amount; however, the village received \$26,409.75 from FEMA due to damage to this facility from the May 2013 flooding along the Fox River. Per FEMA regulations, the village must repair the facility within 15 months of receiving the reimbursement money. Therefore, the village needs to move forward with awarding this bid so that it can be constructed by the September deadline. The village saved \$700,000 on the Copper Oaks street improvement project. Money to fix the sea wall is budgeted in the same line item as this project; we will, therefore, have adequate funds to cover overage. During discussion, it was noted that one line item for traffic control was \$5,000 which seemed excessive. Mr. Mitchard explained that this is common procedure for construction companies to build in their profit on projects and is legal to do.

Following discussion it was the consensus of the Committee of the Whole to forward this item for Board approval.

AGENDA ITEM 5: Executive Session
Nothing to report.

AGENDA ITEM 6: Other Business
Nothing to report.

AGENDA ITEM 7: Adjournment

There being no further business, Chairperson Steigert adjourned the meeting of the Committee of the Whole at 7:51 p.m.

Submitted: Jerry Kautz, Village Clerk