

VILLAGE OF ALGONQUIN  
COMMITTEE OF THE WHOLE  
Meeting Minutes  
Algonquin Village Hall Board Room  
November 11, 2014

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

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

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

Absent: Trustees Debby Sosine and Bob Smith

In the absence of Chairperson Debby Sosine, John Spella called the meeting to order at 7:30 p.m. and announced those in attendance. A quorum was established.

(Note: Trustee Smith was seated at 7:37 p.m.)

**AGENDA ITEM 2:** Presentation by the McHenry County Economic Development Commission

Ms. Pam Cumpata, president of the McHenry County EDC, gave a brief update on the economic development of the county, both present and future, and how it may affect the Village of Algonquin.

**AGENDA ITEM 3:** Community Development  
Nothing to Report

**AGENDA ITEM 4:** General Administration

A. Consider Resolution Determining the Amount of Funds to be Levied for 2014  
Real Estate Taxes (same as previous year)

Mr. Kumbera reported staff's recommendation for the 2014 Tax Levy is \$5,481,000 which is the same as the 2013 tax levy. The Truth in Taxation benchmark for hearing purposes is 105 percent of the comparable 2013 tax extensions. This proposed levy is less than 100 percent of last year's extensions. As a result, there is no requirement for a public hearing under the Truth in Taxation Statute. Staff believes that Equalized Assessed Valuation (EAV) in the village will decrease again this year. The estimate of EAV for 2014 is \$775,508,560, 3.7 percent less than last year, which illustrates a slowing declining trend for valuations. The estimate includes reassessments of existing property (primarily residential and commercial properties) with a limited amount of new growth. The assessors in each county use a three-year history of property values, including sales experience, in determining the reassessment or current valuation. Assessments generally lag behind current market pricing by 18 months, which, in addition to prior year declines, explain the estimated EAV

decrease this year. The estimated tax rate for 2014 would be .707 per \$100 of EAV, with the increase attributed to the decline in property values.

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

B. Consider Ordinance Amending Chapter 37 of the Algonquin Municipal Code  
(Simplified Municipal Telecommunications Tax)

Mr. Kumbera reported in regard to capital infrastructure financing, in 1997 the Village Board implemented a Municipal Telecommunications Infrastructure Maintenance Fee (Ordinance 97-O-65), which is effectively Chapter 37 of the Algonquin Municipal Code present day. In 2002, the Governor signed Public Act 92-0526 which created a Simplified Municipal Telecommunications Tax Act in lieu of a Telecommunications Tax (65 ILCS 5/8-11-2) and Telecommunications Infrastructure Maintenance Fee (35 ILCS 635/1 et al.). The village's equivalent rate at the time for having Ordinance 97-O-65 recorded was 3.75 percent (present rate). Public Act 92-0526 provides for a maximum local rate of 6 percent. The types of telecommunications that are taxable include the use of local, toll, or wide area telephone services, cellular mobile telecommunication services, specialized mobile radio, and dial-up/DSL internet services. Approximately 70 percent of benchmark communities assess the full 6 percent rate as allowed by state statutes. Algonquin's rate is in the bottom 20 the percentile of the communities surveyed. The increase will assist the Street Improvement Fund and Park Fund. During discussion, Mr. Spella asked if these monies would be used to fund HOA communities that have defaulted so the village would not have to bear the burden. Mr. Mitchard responded that it would be the responsibility of the HOA homeowners to be assessed separately and not from public funds.

The Committee of the Whole consensus was to move forward for approval.

C. Consider Intergovernmental Agreement Creating the Northern Illinois Purchasing  
Cooperative

Mr. Kumbera reported the proposed new intergovernmental agreement (IGA) is largely similar to the IGA used to establish the Northern Illinois Governmental Energy Cooperative (NIGEC), but this new Northern Illinois Purchasing Cooperative (NIPC) IGA will replace the NIGEC agreement effective January 1, 2015. Changes proposed would both streamline and clarify operations of the purchasing group and make it easier for the group to operate as a regional joint purchasing body for its members for more than just electric power purchases. The proposal is for the group's name to change from the Northern Illinois Governmental Energy Cooperative to the Northern Illinois Purchasing Cooperative. The purchasing terms have been streamlined so that they apply equally to all types of purchases and not just power purchases. The previously more rigid NIGEC purchasing guidelines requiring published notice and other procedures consistent with the Illinois Governmental Joint Purchasing Act have been eliminated, and new language also allows for the waiver of bidding by a two-thirds vote of the members participating in a particular non-public works purchase initiative.

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

D. Consider Ordinance Amending Section 1.06, General Provisions, Littering, and Appendix B

Ms. Ballard reported staff has become aware of littering issues occurring near the Fox River shorelines. In particular, several complaints have been received regarding rubbish being found on the grounds at Cornish Park and Riverfront Park. The Village of Algonquin currently fines a minimum of \$25 for a littering offense, and, if not paid within ten days, the fine doubles to a maximum of \$50. Currently, if the defendant wishes to appear in court, the penalty could range from a minimum of \$25 to a maximum of \$1,000, including additional court costs. Staff recommends increasing the minimum fine from \$25 to \$100. If not paid after 10 days, it is recommended that the fine shall double to reach the maximum amount of \$200. To deter individuals from appearing in court, it is also recommended increasing the penalty in Appendix B from a minimum of \$25 to \$200. During discussion several members agreed to the increase but asked how the village is going to enforce this violation. Mr. Mitchard responded his staff and the police are in discussion on how best to enforce the ordinance.

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

**AGENDA ITEM 5:      Public Works & Safety**

**A.      Consider Two-Year Construction and Maintenance Agreement with IDOT**

Mr. Mitchard reported this housekeeping item, which is an annual submittal to each municipality requesting the passage of a resolution recognizing the Village of Algonquin's right to a blanket permit allowing work in the State of Illinois' right-of-ways without first seeking a "Permit to Construct" and posting a surety bond. The "agreement" does provide an exemption for the Village of Algonquin, allowing us to first make verbal notification of an emergency roadway opening, then following up with an after-the-fact permit for said work. Passage of this resolution provides permissions for the years of 2015 and 2016.

The Committee of the Whole consensus was to move this on to the Board for approval.

**B.      Consider Agreement with Engineering Enterprises, Inc. for Engineering Services  
Related to Water Distribution Improvements**

Mr. Mitchard requested that a purchase order agreement in the amount of \$210,000.90 be approved for professional engineering services related to design, funding, and construction oversight to realize multiple water distribution system improvements as recommended in the 2013 Water System Model Update. Several of the proposed improvements identified in the 2013 Water System Model Update planning report can be funded through the IEPA Low Interest Loan Program, which has been and is projected to continue issuing loans with a 2.0 – 2.5% interest rate. Given this low interest rate, it is staff's recommendation that the village obtain a loan through the program for improvements included in this engineering agreement. As with all forms of financing, there is some paperwork required to obtain this loan. The first overall paperwork step for an IEPA Low Interest Loan is the development of a project plan. The village recently entered into a separate agreement with Engineering Enterprises, Inc. (EEI) in the amount of \$24,184 to develop the project plan. In addition to the project plan, the IEPA Low Interest Loan Program requires applicants to pass certain resolutions and ordinances and submit a loan application, detailed financial information (more than what is included in the project plan) and other paperwork. The second phase of paperwork is generally referred to as the loan program documentation phase. EEI has included services within this agreement to help the village work through the second phase of paperwork. It is anticipated the

project plan, loan program documentation and design engineering will occur concurrently so a loan can be obtained and the project completed in the shortest amount of time. This is a very common approach with which the IEPA has had no issue. Completion of said work within FY 2015 provides answers to questions as to the level of funding and amount of debt service can be identified in the completion of the project plan and the Phase 2 documentation phase, thus enabling an informed decision-making process and increases the accuracy of future costs when considering current user and connection fees, and the need for adjustment. Considerations for financial support and subsequent increases will be accomplished in a planned water and sewer rate study to take place in FY 2016 as the next logical step in planning. Mr. Mitchard stressed that the village's water distribution system is very intricate as the grade level from the Fox River to Terrace Hill on the west side is 100 feet.

The consensus of the Committee of the Whole was to pass this item on to the Board for approval.

**AGENDA ITEM 8:** Executive Session  
Nothing to report.

**AGENDA ITEM 7:** Other Business  
Nothing to report.

**AGENDA ITEM 8:** Adjournment

There being no further business, Mr. Spella adjourned the meeting of the Committee of the Whole at 8:29 p.m.

Submitted: Jerry Kautz, Village Clerk