



Village of Algonquin  
Minutes of the Committee of the Whole Meeting  
Held in Village Board Room  
June 26, 2018

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

Present: Trustees Janis Jasper, Jerry Glogowski, Laura Brehmer, Jim Steigert, and President Schmitt John Spella (seated at 7:32).

Absent: Debby Sosine. A quorum was established.

Staff Members Present: Village Manager, Tim Schloneger; Public Works Director, Bob Mitchard, Village Clerk, Jerry Kautz; and Attorney, Kelly Cahill.

Trustee Steigert, Chairman, called the Committee of the Whole meeting to order at 7:30 p.m.

**AGENDA ITEM 2:** Public Comment  
None

**AGENDA ITEM 3:** Community Development  
None

**AGENDA ITEM 4:** General Administration

**A. Consider an Ordinance Repealing Ordinance No. 2017-O-12, Small Cell Antenna / Tower Siting Provisions, Repealing Chapter 5.19, Amending Chapter 39 and Providing for the Regulation of and Application for Small Wireless Facilities in Village Rights of Way**

Reporting: Tim Schloneger & Kelly Cahill

The new Small Wireless Facilities Deployment Act (Public Act 100-0585) (the "Act") became effective June 1<sup>st</sup> of this year. The new Act makes small cell devices a permitted use both in municipal rights-of-way and in exclusively commercial and industrial districts, although it does not fully preempt zoning in other zoning classifications. The Act also sets time limits and sets procedures that municipalities must follow when applications for small cell placements in these districts are received, and it requires municipalities to accept small cell devices on their municipally owned poles in the right of way as well as on privately held poles in these districts.

The Act establishes maximum fees that can be charged both for each application and for the actual use of municipally owned poles. The Act does not permit municipalities to recover costs in excess of the application fee amount regardless of the cost to process any application. Small Cell applications can be denied only if certain specific terms or conditions have not been met.

The Act gives Municipalities until the end of July to adopt ordinances implementing the provisions of that Act, and the IML has drafted a model "Small Cell Ordinance" to help its members implement the requirements of the Act. This model ordinance was drafted with input from many groups and individuals as well as from members of the telecommunications industry. As a result, future small cell facility applicants should be relatively familiar with the provisions of the new ordinance. Most of the provisions of the model ordinance are mandated by state law, but we have adapted the ordinance for your consideration and use with those modifications that are permitted by the Act. The new Small Cell Ordinance will be added as a new section of your existing code provisions for Utility Construction in the Right of Way (often referred to as the "Right of Way Ordinance"). The Small Cell Ordinance also modifies provisions of your Right of Way Ordinance to specifically reference these special requirements for small wireless facilities.

Because the existing Right of Way Ordinance already includes an administrative variance process for other right of way matters, this ordinance proposes using the variation procedure in the Right of Way Ordinance to consider pole height requests. This is an administrative procedure that avoids the necessity for a public hearing for requests for height exceptions and allows you a chance to discuss possible changes and adjustments directly with an applicant so that you can negotiate reasonable

accommodations and changes as conditions of any grant of variance. If you would like to discuss the possible advantages and disadvantages of putting this through the zoning process instead, please let us know. Similarly, the Act permits municipalities to impose requirements related to the spacing requirements of ground-mounted equipment in the right of way and undergrounding, but it must be subject to some type of process for requesting exceptions or variances. The existing Right of Way Ordinance contains some very general language in both regards.

During discussion, Mr. Schloneger explained this agreement is just a start that will help the Village to have a better say regarding future restrictions that can be put in place for regulating small cell antennas placements.

Following discussion, it was the consensus to move this item on to the Board for approval.

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

**A. Consider an Agreement with A-Lamp Construction for the Gaslight Roadway Improvement Project**

Reporting: Bob Mitchard

Bids have been received on the Gaslight Drive Roadway Rehab (VoA16-07-07A) project that the Village of Algonquin is proposing. This project was identified in the running of the Village Roadway Asset Management System known as IMS (Infrastructure Management System software). Each bid was reviewed to ensure conformance with the bid specifications (certification, security, cost, etc.).

**Analysis:**

Per the bid requirements, all firms submitted a cost based on 65 line items. This project has a tight cost spread, as there is only a 7% cost difference from the max and min bids received. The 3 bids fell within \$73K of each other indicating competitive bidding.

**Budget Information:**

This project has an engineer's estimate of \$1,391,000.00, which is 22% higher than bids (if you remove the 10% contingency, it is down to 12%). This indicates that the contractors have a strong understanding of the work portrayed. This project is budgeted in the FY2018/19 in the Street Improvement fund (04900300-43370) in the amount of \$1,300,000.00. This indicates a 17% reduction in cost between budget and low bid.

**Recommendation:**

The Village has never contracted directly with A-Lamp. However, we have worked with A-Lamp on the Highlands of Algonquin Roadway project as they were the concrete sub-contractor to Arrow Road. This project is considered average in complexity and A-Lamp has a long history of performing concrete work. It is for those reasons and the analysis conducted that Staff recommends A-Lamp Construction for award in the amount of \$1,039,153.44 for the subject project contract.

In response to a question, Mr. Mitchard said this contract covers replacing asphalt, curbing, and some concrete work.

The Committee of the Whole consensus to move this item forward to the Board for approval.

**B. Consider an Agreement with Applied Ecological Services, Inc. for Phase 1 Engineering Services for the Woods Creek Reach 4 Project**

Woods Creek Reach 4, this reach of Woods Creek is directly downstream from the creek restoration that was completed in 2017 as part of the Illinois Environmental Protection Agency 319 Water Quality Grant. It is also part of a larger initiative in the Village of Algonquin to restore our creeks to healthy functioning storm water systems. Over the past 11 years, the Village has been concentrating on restoration in the Woods Creek Watershed. This project is surrounded by over 150 acres of native restoration projects undertaken by the Village. Of the surrounding projects, Applied Ecological Services was responsible for designing and installing the Spella Fen Buffer Restoration, the Spella Detention Naturalization, the Spella Pollinator Project and the Spella Wetland Restoration. They also completed the engineering design for reach 2 & 3 of the Woods Creek restoration mentioned above. Their knowledge and experience with this area and the Woods Creek Watershed makes them a nice fit to perform the work on this project. Funding for this work is budgeted in the Park Improvement Fund. Money in this fund is used for park improvements and upgrades as well as natural area maintenance and wetland/natural area projects. Staff's recommends that the Committee of the Whole take action to

move this matter forward to the Village Board for approval of design services for Woods Creek Reach 4 to Applied Ecological Services, Inc. for \$50,000.00.

The Committee of the Whole consensus to move this item forward to the Board for approval.

**AGENDA ITEM 7:** Executive Session

None

**AGENDA ITEM 8:** Other Business

None

**AGENDA ITEM 9:** Adjournment

There being no further business, the Committee of the Whole meeting was adjourned at 7:45 p.m.

Submitted: Jerry Kautz, Village Clerk