



**Village of Algonquin  
Minutes of the Committee of the Whole Meeting  
Held in Village Board Room  
December 10, 2019**

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

Trustee Janis Jasper, Chairperson, called the Committee of the Whole meeting to order at 7:46 p.m.

Present: Trustees Jim Steigert, Janis Jasper, Jerry Glogowski, Debby Sosine, Laura Brehmer, John Spella, and President Schmitt. A quorum was established.

Staff Members Present: Village Manager, Tim Schloneger; Public Works Director Robert Mitchard; Senior Planner, Ben Mason; Sergeant Sowizrol; Deputy Village Clerk, Michelle Weber; and Village Attorney, Kelly Cahill.

**AGENDA ITEM 2:** Public Comment – Audience Participation

**AGENDA ITEM 3:** Community Development

Ben Mason reporting

**A. Consider 2075 E. Algonquin Road PUD/Plat/SUP (redevelopment of the former Brunswick Zone site)**

Mr. Mason explained, the original plan was reviewed by Committee on September 17, 2019 and developer received general feedback to improve the following aspects of the project:

- Reduce size of signage and number of signs;
- Upgrade car wash elevations to tone down red color and scale back amount of standing seam metal material;
- Enhance screening around proposed outdoor storage yard;
- Require management and security oversight for outdoor storage yard.

The Multitenant Ground Sign reduced from original proposed height of 16 feet to 12 feet, per Village Code standards. The original elevations included substantial amount of standing seam metal material and long red canopy over vacuums. The new elevations eliminate the red canopy over vacuums, incorporate several black awnings on building to break up red color scheme, convert to flat roofs above tower elements to minimize visibility of remaining standing seam material, reduce number of wall signs to maximum of 2 as permitted by Village Code. The only remaining staff comment is to replace the red vacuums as hoses as proposed, to a black color to match the storefront windows and doors.

Within the storage facility property, the proposed 12-foot screening wall on north side of outdoor storage yard extended down the entire length of the west property line, 8-foot tall black, vinyl-coated security fence to be installed along south property line, and a portion of screening wall facing out toward Rt. 62 enhanced with arborvitae shrubs and Boston Ivy to provide a more attractive appearance. The Developer shall require all customers sign a lease / addendum form similar to Life Storage example included in packet vehicles of an industrial nature to be prohibited. All vehicles stored shall be operational Developer shall install video camera system to monitor both exterior yard and interior of facility Village property maintenance shall be permitted to have access and make inspections of the yard.

Staff recommends approval of the request for Final Plat of Subdivision, Final PUD and Special Use Permit for a self-storage facility (lot 1), automotive car wash (lot 2) and drive-through restaurant with outdoor seating (lot 3) consistent with the development plans submitted by the petitioner and conditions listed in the staff report, which include:

- The petitioner shall begin demolition of the existing miniature golf and batting cages on the property within six (6) months; and
- The vacuums and hoses for the car wash shall be black (not red).

Following some discussion by the Committee, they felt there was no need for the business owner of the car wash to go to the expense of changing the red support posts for the hoses to black. In addition, the Committee asked that the bright white background of the storage sign be toned down to a more muted tone, more complimentary to the façade of the building. Also, the regulations of the vehicles allowed to be stored, needs to be included in the PUD as well as the type of cleanup efforts, and whose responsibility it is for the cleanup (property owner of vehicle owner).

Following discussion, the majority of the Committee of the Whole (6-aye, 1-nay) would like to bring this matter to the Village Board for approval with the afore mentioned changes.

**B. Consider 2330 and 2500 Esplanade Drive PUD Amendment and Re-zoning (Lots 1 and 2 of Esplanade 2nd Resubdivision)**

Mr. Mason explained, Amanda Panozzo of Synergy Property Holdings LLC, owner of Lots 1 and 2 in the Esplanade 2nd Resubdivision, has submitted a petition for a Major Amendment to the 2005 Final PUD, to allow for residential development, and Re-zoning from B-2, General Business PUD to R-5, Multi-Family Residential PUD.

The two lots comprise a total of 7.46 acres and are zoned B-2, PUD with a Special Use Permit for the construction of residential units above commercial uses. The parcels in question, 2330 and 2500 Esplanade Drive. The lots are located behind (west) of the three-story commercial buildings, which includes Village Vintner.

The properties are zoned for business use, with the option of residential units above commercial uses. On the following page is a rendering from the original 2005 Esplanade Phase I approval depicting representations of possible commercial buildings with office or apartments on the upper stories.

The petitioner is requesting amending the 2005 PUD approval to re-zone the property to allow strictly residential uses on the parcels, such as senior housing or assisted living.

Staff appreciates and recognizes the marketing efforts made to date by the owner and broker, but does not recommend modifying the current zoning. The petitioner's narrative provided with the application is correct when it states potential purchasers proposing senior housing or assisted living concepts have 'received responses which have caused them to believe that they would be unable to develop the property in that manner'. The current zoning was intentionally established for commercial uses – consistent with the Village's Comprehensive Plan and Algonquin Corporate Campus plans – and is compatible with the existing retail to the north and east, industrially-zoned lot to the south, and mixed-use commercial and residential property to the west.

For over 20 years, the Village has not approved speculative zoning for properties without end users as part of an application, and Staff recommends retaining the underlying zoning and Special Use approval that any residential units on the subject property be located above commercial uses. The property to the west is similarly zoned for mixed-use commercial and residential, and the properties to the north, east and south all have commercial zoning.

**Planning and Zoning Recommendation:**

On November 11, 2019 the Planning and Zoning Commission considered the petition and voted 5-2 in favor of the petitioner's request for a Major PUD Amendment and re-zoning of the parcels from B-2, PUD Business to R-5, PUD Multi-Family, based on the Zoning Code's recognition that new types and procedures in land development or redevelopment are emerging and that the mixing of uses can produce satisfactory and lasting results, if property designed and planned, without adverse influence upon surrounding property (Village Code Section 21.11).

The existing B-2, Business zoning is appropriate and desirable in this location, and compatible both with the Comprehensive Plan designation for Business Park and 1998 Algonquin Corporate Campus Master Plan designation for commercial office. Overall, development of the subject property to include commercial business uses would be most appropriate given similar commercial zoning of adjacent properties on all four sides of the parcels in question. Therefore, in contrast to the Planning and Zoning Commission's recommendation, Staff continues to recommend retaining the subject property's current B-2, Business zoning designation, with the Special Use Permit that was granted in 2005 that permits the construction of residential units above commercial uses.

Staff requests feedback from the Committee as to whether it would find senior housing / assisted living a reasonable use for the property if an actual developer were to submit formal development plans for the site.

Mr. Stephen Daday and Mr. Maduar, representing the property owner, explained they have been marketing the property and had interest from developers for senior living and/or apartment residential but the zoning will not allow that type of use.

Following much discussion on the detail and the depth of research of the Comprehensive Plan put in place by the Village in 2008, the environmental impact, and other considerations, the Committee does not feel the zoning should be changed.

It was the consensus of the Committee of the Whole to deny the petitioners request.

**AGENDA ITEM 4: General Administration**

**A. Discuss and Consider Annual Funding in Support of Pioneer Center's PADS/Homeless Shelter**

Mr. Schloneger explained, the Pioneer Center for Human Services works to meet people's most basic needs of food, shelter and support through programs designed for youth, families and individuals who are experiencing homelessness. The services include McHenry County PADS, the Runaway and Homeless Youth Program, and the Homeless Youth 18-23 Program.

The Center is requesting an aggregate of \$80,000 in annual local government contributions to fund their services. Algonquin has been asked to contribute \$5,000 annually to the PADS/Homeless Shelter in Woodstock, which was included in this year's budget.

Mr. Sam Tenuto, explained in detail their program and their commitment to the community by helping the displaced and transient community.

Following supportive comments by the Committee, it was the consensus of the Committee of the Whole to move this forward to the Board for approval.

**B. Consider a Resolution Authorizing Signatories for the Village of Algonquin Banking Accounts**

Mr. Schloneger Explained, as part of our staffing transition on the Finance team, a resolution is necessary to modify authorized signatories with the Village's banking institutions. Authorized signatories include the Village Manager, Assistant Village Manager, Comptroller and Accountant.

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

**C. Consider an Agreement with Tryon Governmental Consulting for Services Beginning January 1, 2020 through the Second Wednesday, of January 2021.**

Mr. Schloneger explained, Tryon Governmental Consulting has assisted the Village with capital development project funding, with more work yet to be done. The Legislative Representation Agreement covers services from January 1, 2020 through last day of the 101st Illinois General Assembly, anticipated to be the second Wednesday of January 2021.

The \$3,000 monthly lobbyist fee provides for government relations and public affairs consulting services to the Village including all activities normally associated with state legislative lobbying, as authorized.

Services include but are not limited to working with State of Illinois Officials to review the Capitol Plan of the Village and its financial impact on Village constituencies: briefing the Governor's office; representation at legislative hearings; advocacy to certain legislators, regulators and their staffs on the Village Capitol Plan; giving timely reports to the Village on the progress of a statewide capitol bill and its impact on the Village.

Following clarification of what is covered under the \$3,000.00 monthly fee, it was the consensus of the Committee to bring this item to the Board for approval.

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

Bob Mitchard reporting:

**A. Consider an Intergovernmental Agreement with Lake in the Hills for the Emergency Water Interconnect**

An Intergovernmental Agreement (IGA) with the Village of Lake in the Hills to establish two (2) water system interconnections, for providing an additional water source during instances of emergency or planned maintenance. The intent is not to provide a means of bulk water sales to either community, and ensures water conservation restrictions are strictly observed by each community during periods of activation. The IGA establishes each community's commitment to the design, construction, operation, and maintenance of the physical structures, as well as serving to demonstrate a sense of "good neighbor" and providing for a mutually beneficial solution in times of need. The agreement is substantially the same agreement this Board approved with Carpentersville in 2015 for the two emergency interconnects that we established with that community. Staff members from each community have fully vetted the agreement and confirmed that it is comprehensive and meets the needs of both Villages.

This IGA has received unanimous approval from the Village of Lake in the Hills's Board of Trustees. It is the recommendation of Public Works that the Committee of the Whole consider this IGA and forward the item on to the Village Board for final approval.

Ms. Sosine asked about the timing of the project. Mr. Mitchard explained, it should be completed within the next 12 months and the cost will be split with Lake in the Hills.

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

**B. Gaslight Park Tennis Courts Reconstruction Discussion**

Mr. Mitchard explained, although the funds have been budgeted to replace the tennis courts at Gaslight Park, we have also just approved the Parks and Recreation Comprehensive Plan. He would like direction from the Committee as to what should be done:

- Move forward in the planning and full reconstruction of the courts at Gaslight Park \$250,000;
  - Remove it completely and restore it to grass, upwards of \$35,000;
  - Do nothing but put a lock on the gate and signage until the comprehensive plan is completed
- He believes that the comprehensive plan is an opportunity to insure we are expending the community funds in the most beneficial ways. Unfortunately, we have an expensive facility that needs attention directly.

Ms. Brehmer asked if there were any other tennis courts such as Willoughby Farms Park tennis courts and basketball court being considered? They too are in really bad shape and are a liability concern.

Ms. Sosine asked about the liability concerns and feels putting any money towards the courts, prior to the plans completion, would not be fiscally wise.

Mr. Mitchard feels confident that if he placed signage on the fencing around the courts explaining the temporary closure, and locked the gates, would limit the liability exposure without spending significant tax payer dollars.

It was the consensus of the Committee of the Whole to lock the gates of the tennis courts that may be a liability with signage explaining the temporary closure.

#### **B. Consider and Agreement with Trotter & Associates for the Phase 3 Construction Oversight Services and an Amendment to a Prior Phase 2 Design Services Contract**

Construction Oversight Services and Design Services (Phase 1 and Phase 2) are not reimbursable through the IEPA low-interest loan program, so we will have to pay for these services through the Water and Sewer Fund balance. There are no monies for engineering and construction at the WWTP listed in the current Water and Sewer Improvement Fund due to the cash flow issues of ongoing payments and loan reimbursements from the State when pay requests are submitted by the contractor. The loan will need to be paid down in installments, once construction on the project is completed. The engineering fees will need to be paid out, based on hours spent on construction engineering service by the engineers, over the next 24 to 28 months of construction activity.

In addition, the previously approved contract for Phase 2 Engineering with Trotter Associates for design services, and a letter from their office requesting additional monies for supplemental design services related to several changes in project scope during project development that increased the overall value of the construction estimate. Following review of the documents provided, and consideration of the many changes throughout the project, the additional fees are warranted.

It is, therefore, our recommendation that the Committee of the Whole consider an agreement with Trotter Associates and take the necessary action to move the decision on to the full Board of Trustees to approve a contract for \$1,433,394.00 to provide additional design services and construction oversight and management services to complete the WWTP Phase 6B maintenance upgrades.

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

#### **C. Consider an Amendment to the Master Agreement Work Order Form for Supplemental Contracted Engineering Services with Christopher Burke Engineering**

The Master Agreement Work Order Form for supplemental contracted engineering services to get our department through the very busy current fiscal year, ends April 30, 2020.

The previously approved agreement has served us well, but we are nearing the end of the agreed amount, and to extend quality services to our customers and developers, we need an additional amount approved.

I have attached the latest invoice for these services as they currently stand and anticipate the current balance to get us only through the end of the calendar year.

With the winter season upon us, and the slowing of construction, we anticipate the ability to control the time being invoiced through diligent management. John Heinz, Engineer VI, is reducing his time here in Algonquin, moving to other assignments within the CBBEL purview, and will be replaced, in part, by Victor Ramirez, Engineer V, as the lead in our office. Victor works three days per week, and Doug Paulus, Engineer 4, will fulfill the remainder of the services. We are proposing an additional \$100,000 in the agreement, however, we are not anticipating that we will use the entire amount for the reasons stated above.

This arrangement has been extremely successful assisting with a very active schedule of engineering issues and reviews, and has improved customer service to all of our constituents. Our staff has also benefited from the experience of these three individuals by being exposed to critical thinking and collaborative problem solving, and just being allowed and expected to fill their role within the organization. We intend, via the budget process, to propose some retooling of our staff and organizational structure to reduce the need for this level of service from CBBEL moving forward. I anticipate that we will need to budget for some supplemental services from CBBEL during the transition period, probably taking us

through the 2020 construction season, to get processes in place and any new staff onboard, and up to speed.

Therefore, it is my recommendation that the COTW consider the amendment and move the approval on to the full Board of Trustees for additional \$100,000.00 in contracted engineering services with Christopher B. Burke Engineering Ltd.

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

- D. Consider an Agreement with Trotter & Associates for the Phase 3 Construction Engineering Services for Stage 3 Wet Utilities (N. Harrison/LaFox Dr.) Engineering Services Agreement with Trotter Associates for Phase 3 Construction Oversight Services for the Downtown Streetscape Stage 3 Wet Utilities project that continues the 30-inch deep sewer from Port Edwards area to Zimmerman Park, at the corner of Center and LaFox River Drive. The project also will replace old water main and lead services in the same areas, as needed.**

Construction Oversight Services (Phase 3) and Design Services (Phase 1 and Phase 2) are not reimbursable through the IEPA low-interest loan program, so we will have to pay for these services through the Water and Sewer Fund balance. There are no monies for engineering and construction of the Stage 3 Wet Utilities listed in the current Water and Sewer Improvement Fund due to the cash flow issues of ongoing payments and loan reimbursements from the State when pay requests are submitted by the contractor. The loan will need to be paid down in installments, once construction on the project is completed. The engineering fees will need to be paid out, based on hours spent on construction engineering service by the engineers, over the next 10 to 14 months of construction activity.

It is, therefore, our recommendation that the Committee of the Whole consider an agreement with Trotter Associates and take the necessary action to move the decision on to the full Board of Trustees to approve a contract for \$556,670.00 to provide construction oversight and management services to complete the Phase 3 Construction Oversight Services for the Downtown Streetscape Stage 3 Wet Utilities project. This number includes a pass-through charge for communication services provided by Metro Strategies.

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

- E. Consider an Agreement with RMS Utility Services for the Harper Drive Culvert Lining Project**

Utilities Department performed an on-site evaluation on the 72" culvert that runs directly under Harper Drive located just north of Edgewood Drive. During our evaluation we discovered pitting and deterioration forming within the interior wall. I am requesting that we repair and line the entire 72" high x 96" wide x 62' long corrugated culvert to insure structural integrity for years to come. Funds totaling \$140,000.00 were requested and approved within the FY2019/20 Budget under Street Improvement, Account Number 04900300-43370 (Infrastructure Maintenance – Harper Drive Culvert Repair).

We have received back two proposals, Spectrum Contracting Corporation - \$151,150.00 and RMS Utility Services - \$85,000.00. It is therefore, my recommendation to award the Harper Drive Culvert Lining Project to RMS Utility Services in the amount of \$85,000.00.

Following clarification on the product to be used and the large variance of the 2 proposals submitted, it was the consensus of the Committee of the Whole to move this item forward for Board approval.

**AGENDA ITEM 6:** Executive Session

None

**AGENDA ITEM 7:** Other Business

Ms. Brehmer thanked Public Works and the other staff members for putting together the Holiday Tree Lighting event. It was very well attended and impressive.

**AGENDA ITEM 8:** Adjournment

Being no further business, the meeting was adjourned at 9:48 pm.

Submitted by: Michelle Weber, Deputy Village Clerk