

VILLAGE OF ALGONQUIN
COMMITTEE OF THE WHOLE
Meeting Minutes
Algonquin Village Hall Board Room
August 23, 2011

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Chairperson – Trustee Robert Smith; Trustees John Spella, Debby Sosine, Jim Steigert, Brian Dianis and President John Schmitt

Staff Members Present: William Ganek, Village Manager; Bob Mitchard, Public Works Director; Russ Farnum, Community Development Director; Katie Parkhurst, Senior Planner; Ben Mason, Senior Planner; Kelly Cahill, Village Attorney; Jerry Kautz, Village Clerk

Chairperson Smith called the meeting to order at 7:30 p.m. and established a quorum with all Committee members present except for Messrs. Glogowski and Steigert. Mr. Glogowski was seated at 7:34 p.m.

AGENDA ITEM 2: Audience Participation

Mary Stratejcruk, 326 Jefferson, Algonquin, is very concerned about drainage backup on her property after the State of Illinois began working on the western bypass. She said they eliminated a culvert along her property line, and this caused flooding damage during the summer rains. She presented photos to back up her claim. Mr. Mitchard responded that he and his staff have met with civil engineers and the State contractors about grading issues. The Village is representing Ms. Stratejcruk in this matter and these issues will be addressed. Bob Mitchard will keep in communication with her until this is resolved

AGENDA ITEM 3: Community Development

A. Case No. 2004-26, Prairie Path, Extending PUD Approval

Mr. Farnum reported the annexation agreement for this project was approved in 2004, with final plat and PUD approved in 2005. The recession has caused the project to be put in limbo, but the Village has an obligation to approve a two-year PUD extension by the wording of the annexation agreement. Following discussion, it was the consensus of the Committee of the Whole to move forward to the Board for approval.

B. Case No. 2004-16, Rothbart Building 3, Extending PUD Approval

Ms. Parkhurst reported, as with the previous item, this final planned development is requesting a two-year extension. The bad economy has caused a downtrend in commercial building. Following discussion, it was the consensus of the Committee of the Whole to move forward to the Board for approval.

C. No Limits Arcade – (2011-05)/Winding Creek Plaza – Special Use Permit for an Arcade, Existing Zoning B-2

Mr. Mason reported this project requires a special use permit as a game room. The business owner is proposing an all-ages entertainment center, with approximately 60 classic arcade games and pinball machines. Rather than each machine being coin operated, the games would offer unlimited free play, and customers would pay a flat entry fee for the day. The business will employ two managers as well as several part-time employees. The proposed hours of operation are 10 a.m. to 11 p.m. Sunday through Thursday and 10 a.m. to 1 a.m. Friday and Saturday. The petitioner has plans to have vending machines with prepackaged snacks and soft drink beverage items; however, no alcohol will be served. While the arcade would be open to all ages and is intended to be family oriented, Village staff has discussed the potential for people to loiter outside the business in the parking lot; the petitioner shall, therefore, be required to install a video surveillance system that provides constant coverage of the parking lot. The Planning and Zoning Commission has reviewed this plan and recommends approval, with the stipulation that they have 80 percent of the games for “all ages.” During discussion, it was the request of the owners of the business to have the fee per machine waived. Mr. Schmitt told them that other than the fees for this type of business, it is the only revenue that the Village would get and does not offset services what the Village would have to provide. Mr. Glogowski suggested that the amount of revenue this business will acquire will certainly offset the license fee per machine. The owners, Messrs. Slota and Battaglia, said their business hours are only from 3-9 during the week (different hours than indicated on their petition), and they only charge one fee to enter and then allow customers to play games for as long as they want. They feel that the license fee per machine (over 60 of them) would make it cost prohibitive. At this time, Mr. Schmitt suggested that there could be an amendment worked out for a bulk amount. In other words, the business will pay the current fee per machine for up to 60 machines, but when the machines are replaced or sold, the new machines would not be charged a license fee for the remainder of that year. Anything over 60 machines would be charged the normal fee. During the final conversation, it came to light that the owners intend to sell used machines, so this could also be classified as a retail business. Staff was not aware of this as it was not brought up during meetings with the owners. Mr. Slota apologized for the oversight. Following discussion, it was the recommendation of the Committee of the Whole to have staff draft an amendment of the ordinance to allow for the bulk machine plan as described above and to forward the project to the Board for approval.

D. School of Expressive Arts and Learning – (2011-06)/2654 Corporate Parkway – Special Use Permit for a Private School, Existing Zoning I-1

The above school is planned for the Rothbart Building in the Industrial District on Corporate Parkway. This plan was reviewed by the Planning and Zoning Commission on August 8, 2011, and they recommend the approval of the special use permit. Ms. Karen Larson, director of students, and Gary Rothbart, developer, were present to answer questions. A special use permit is required for all schools. The School of Expressive Arts and Learning (SEAL) would occupy a tenant space of 6,785 square feet. The classrooms would be constructed in the front office area, and the rear warehouse area would be used for recreational activities for the students. No outside play area is proposed. SEAL is a therapeutic day school program serving elementary through high school students who may be emotionally disturbed, learning disabled,

mentally impaired, autistic, or have traumatic brain injury or other impairments. The school is certified through the Illinois State Board of Education and provides an alternative for the local school districts to better serve students in this environment. Currently, the school operates one facility in Lombard and one in Romeoville, both in industrial parks. After review, Village staff feels this is a good plan, and the location would be appropriate for this type of school. Tenant build-out plans will be submitted for review and approval prior to any work being done in the tenant space. The special use permit shall be valid for a period of three years from the date of Village Board approval. The students will be brought to the location by school bus which will be parked so as not to interfere with other tenants. During discussion, members of the Committee of the Whole were overwhelmingly in favor of this school. Therefore, the consensus of the Committee of the Whole was to move this on for approval.

E. "B-P" Business Park – (2011-08)/Amending Zoning District

Mr. Farnum explained the Business Park Zoning District requires updating. In addition to minor modifications to this portion of the Zoning Ordinance, there is an unused church that was in place on Boyer Road before the Village annexed the property. The intention was to demolish the church and build a warehouse. Due to the poor economy, the demolition never took place, so the plan will be to allow a church use permit for five years from Board approval date. After that period of time, any occupiers would have to move and the building will be torn down. An amendment to the "B-P" classification would allow a church use for only the first five-year period. Following discussion it was the consensus of the Committee of the Whole to move the amendment forward to the Board for approval.

AGENDA ITEM 4: General Administration

A. Consider Public Event Request for the McHenry County Defenders for "It's Our River Day" – September 17, 2011

Ms. Cynthia Kenner, a volunteer for the McHenry County Defenders, reported on the event. Since there will be amplified music, Board approval is required. Trustees thought this a very good event, and consensus was to move to the next Board meeting for approval.

B. Consider Ordinance Granting a Final Amendment to the 2010-2011 Fiscal Year Budget

Mr. Ganek reported that any final in the 2010-2011 fiscal budget require an amendment ordinance. Changes include General Fund expenditure for failed landscaping paid for with AT&T restricted cash, carryover payments from previous budgets, Grand Reserve Letter of Credit to upgrade property, Park Improvement Fund, and Water & Sewer Improvement and Construction. The harsh winter caused an additional expenditure for cul-de-sac plowing. Following discussion, it was the consensus to move this ordinance forward for Board approval.

C. Consider Ordinances Abating a Portion of the 2011 Property Taxes:

1. Consider General Obligation Bonds, Series 2005A
2. Consider General Obligation Bonds, Series 2005B
3. Consider General Obligation Refunding Bonds, Series 2010

Mr. Ganek explained that this action is required annually so that property taxes are not used to make Bond payments. The Village Treasurer has determined that there is sufficient cash in the form of certificates of deposit in the appropriate funds, avoiding an increase of property taxes. The consensus of the Committee of the Whole was to approve the ordinances at the next Board meeting.

AGENDA ITEM 5: Public Works & Safety

A. Consider Ordinance Declaring Certain Property as Surplus

Mr. Mitchard reported the following vehicles are considered surplus as they were recently replaced: 1997 Ford one-ton dump truck, a 2002 Ford F-350 super duty dump truck, and a 2002 Ford Explorer. The consensus of the Committee of the Whole was to approve the ordinances at the next Board meeting.

AGENDA ITEM 6: Executive Session

No items to discuss.

AGENDA ITEM 7: Other Business

No items to discuss.

AGENDA ITEM 8: Adjournment

There being no further business, Chairperson Smith adjourned the meeting of the Committee of the Whole at 9:09 p.m.

Submitted: Jerry Kautz, Village Clerk