

**VILLAGE OF ALGONQUIN**  
**SPECIAL VILLAGE BOARD MEETING**  
**March 9, 2021**  
**7:45 PM**

In light of the current COVID-19 public health emergency, Governor J.B. Pritzker's Gubernatorial Disaster Proclamation, and the Village's Continuation of Proclamation of Local Disaster Emergency in response thereto, the Village President has determined that an entirely in-person meeting is not practical or prudent because of the disaster. This meeting will be held remotely and in-person, but there will be a limit of ten (10) in-person seats available for the public in the Village Board Room. The following information is being made available to the public for the purpose of public participation in the spirit of transparency and an open meeting process. The complete Committee of the Whole packet is posted at the Algonquin Village Hall and may be viewed online via the Village Board's link on the Village's website, [www.algonquin.org](http://www.algonquin.org). If you would like to listen to the meeting, please go to <https://algonquin.zoom.us/j/94106464350> or dial in (877)853-5257, (888)475-4499, or (312)626-6799 **webinar ID 941 0646 4350**. If you wish to submit any public comment, please contact the Deputy Village Clerk in advance of the meeting at 847-658-5609 or [meetingcomments@algonquin.org](mailto:meetingcomments@algonquin.org) or during the comment during the meeting public comment portion of the meeting after logging into the zoom meeting, please raise your hand and you will be called on, if you are dialing in, dial \*9 to raise your hand. The Village will attempt to read such public comments during the public commentary portion of the meeting. Any comments received during the meeting but after the public commentary portion has ended will be provided in writing to the Village Board members after the meeting.

Remote meetings will be recorded for the purpose of accurate meeting minutes.

**-AGENDA-**

1. Call to Order
2. Roll Call – Establish Quorum
3. Public Comment – Audience Participation  
(see above instructions for public participation)
4. Adopt the following Resolutions:
  - A. Pass an Ordinance Rescinding Ordinance 2018 – O – 24 and Authorizing the Village of Algonquin, to Borrow Funds from the Illinois Environmental Protection Agency Water Pollution Control Loan Program
5. Adjournment



**VILLAGE OF ALGONQUIN**  
*GENERAL SERVICES ADMINISTRATION*

**- M E M O R A N D U M -**

DATE: March 4, 2021

TO: Tim Schloneger, Village Manager

FROM: Michael Kumbera, Assistant Village Manager

SUBJECT: *Illinois Environmental Protection Agency (IEPA) Loan Amendment*

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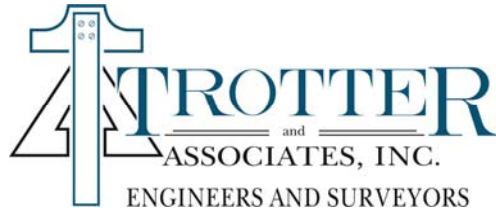
Attached is a memo from the Village's engineering consultant summarizing the steps and details to increase the approved loan amounts for three (3) sanitary sewer/ wastewater projects funded by the Illinois EPA's Water Pollution Control Loan Program. This is the result of final construction costs for each of the individual projects.

A draft ordinance is also attached which is currently being reviewed by the Village Attorney's office. Public Works Director Bob Mitchard and myself will be available prior to and at the meeting for any questions.

**Recommendation**

Staff recommends that the Village Board approve this Ordinance, subject to Village Attorney review and approval, at their special meeting on March 9, 2021.

C: Robert Mitchard, Public Works Director  
Susan Skillman, Comptroller



## Memorandum

**Date:** December 29, 2020  
**To:** Bob Mitchard, Public Works Director  
**From:** Trotter & Associates, Inc - Jillian Kiss, PE  
**Subject:** Request for Information  
IEPA Sewer Loan Increase Request - #5550, #5553 & #5554

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Trotter & Associates, Inc. (TAI) is requesting the Village of Algonquin's assistance to provide updated financial information to increase the approved loan amounts for three sanitary sewer/ wastewater projects funded by the Illinois EPA's Water Pollution Control Loan Program. Please return all information and signed documents to Jillian Kiss - [j.kiss@trotter-inc.com](mailto:j.kiss@trotter-inc.com) at TAI's St. Charles office.

### Requested Information from Client:

1. Please provide Debt Obligations (and amortization schedules) currently being paid by the revenue source pledged to repay the loan
2. Please describe plans for debt issuance over the next three years for the wastewater system.
3. Please provide a 5-year financial projection using the IEPA's sample worksheet, or similarly formatted worksheet. A copy of a projection prepared by the Village in 2018 is enclosed for reference. Please include the debt service associated with the full amount authorized to borrow (\$26,200,000). Estimated annual payments for each of the three sewer loans are listed in the table on Page 2.
4. Please provide a written narrative to accompany the financial projection.
5. Please provide a Loan Authorizing Ordinance (AO) to authorize borrowing \$26,200,000 from the IEPA Water Pollution Control Loan Program. Village Ordinance 2018-O-24 authorizes borrowing up to \$24,703,400. The Village may either rescind Ordinance 2018-O-24 and pass a new, larger AO; or enact a separate Ordinance authorizing the balance (\$1,496,600) to be borrowed for construction expense overages associated with the loan projects.
  - a. IEPA recommends that a draft of the Ordinance be reviewed by Ms. Stephanie Flowers, IEPA Legal Counsel. She can be contacted at [Stephanie.Flowers@illinois.gov](mailto:Stephanie.Flowers@illinois.gov). The authorizing amount for the project is defined on Page 2.

6. A legal opinion that the enacted ordinance is in accordance with the State statute with respect to the validity and enforceability of the loan recipients' obligations and the absence of conflicts with other agreements, bonds or ordinances. The legal opinion of Ordinance 2018-O-24 is enclosed for reference.

***Amount to Authorize the Village to Borrow***

The total Authorizing Ordinance amount should equal \$26,200,000.

<b>Project</b>	<b>Loan Number</b>	<b>Revised Est. Loan Amount</b>	<b>Loan terms</b>	<b>Est. Annual Repayment Amount</b>	<b>Estimated Repayment Start Date<sup>(1)</sup></b>
Wastewater Treatment Facility Phase 6B Improvements	L17#5550	\$16,905,000	20 year, i=2.00%	\$1,033,900	April 2022
Downtown Streetscape Stage 2 Utility Improvements	L17#5553	\$2,813,800	20 year, i=1.84%	\$169,500	February 2021
Downtown Streetscape Stage 3 Utility Improvements	L17#5554	\$6,467,300	20 year, i=2.00%	\$395,600	April 2021
Total Amount to be Borrowed =		\$26,200,000			

<sup>(1)</sup> *Repayment Start date estimated as substantial completion date plus three months*

**Enclosures:**

1. 5-year projection, dated 2018
2. Village Ordinance 2018-O-24
3. Legal opinion of Ordinance 2018-O-24

**ORDINANCE NO. 2021 - 0 - \_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE 2018-O-24  
AUTHORIZING THE VILLAGE OF ALGONQUIN, KANE AND MCHENRY COUNTY, IL,  
TO BORROW FUNDS FROM THE  
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY WATER POLLUTION CONTROL LOAN PROGRAM AND  
REPEALING ORDINANCE 2021-O-06 THAT PREVIOUSLY AMENDED ORDINANCE NUMBER 2018-O-24.**

**WHEREAS**, the Village of Algonquin, McHenry and Kane Counties, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village’s home rule powers and functions as granted in the Constitution of the State of Illinois; and

**WHEREAS**, pursuant to Ordinance 2018-O-24, the Village President and Board of Trustees of the Village of Algonquin ("the Corporate Authorities") determined that it was advisable, necessary, and in the best interest of the public health, safety, and welfare to improve the Village’s Wastewater Treatment Facility and to make Certain Utility Improvements to Downtown Streetscape Stages 2 and 3, described collectively in that ordinance as the “Project”; and

**WHEREAS**, pursuant to Ordinance 2021-O-06, based on final costs for a portion of the Project, the Corporate Authorities further determined that it was appropriate to request a loan increase from the State of Illinois’ Water Pollution Control Loan Program to cover an additional \$202,700 in expenses for the Project for a total loan amount of \$24,905,990.09; and

**WHEREAS**, the Project costs for the entire project – including Wastewater Treatment Facility Phase 6B Improvements, Downtown Streetscape Stage 2 Utility Improvements and Downtown Streetscape State 3 Utility Improvements -- have now been received, and it has been determined by the Village’s consulting engineers, Trotter and Associates, that the Project costs and associated loan amounts needed for the project shall be as follows:

Project	Loan Number	Revised Est. Loan Amount	Loan terms	Est. Annual Repayment Amount	Estimated Repayment Start Date <sup>(1)</sup>
Wastewater Treatment Facility Phase 6B Improvements	L17#5550	\$16,905,000	20 year, i=2.00%	\$1,033,900	April 2022
Downtown Streetscape Stage 2 Utility Improvements	L17#5553	\$2,813,800	20 year, i=1.84%	\$169,500	February 2021
Downtown Streetscape Stage 3 Utility Improvements	L17#5554	\$6,467,300	20 year, i=2.00%	\$395,600	April 2021
Total Amount to be Borrowed =		\$26,200,000			

<sup>(1)</sup> Repayment Start date estimated as substantial completion date plus three months

; and

**WHEREAS**, based on the Village’s consulting engineers analysis, the total revised estimated loan amount should be \$26,200,000 (instead of \$24,703,400 as previously determined by Ordinance 2018-O-24 and instead of \$24,905,990.09 as previously determined by Ordinance 2021-O-06) which is a total increase in the amount to be borrowed of \$1,496,600 over the original approved loan amount to cover construction expense overages associated with the Project.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF ALGONQUIN, McHenry and Kane counties, Illinois, as follows:

**SECTION 1:** That Ordinance 2021-0-06 is hereby repealed.

**SECTION 2:** That Section 2 of Ordinance 2018-0-24 passed on August 21, 2018 shall be amended to read as follows:

**SECTION 2. DETERMINATION TO BORROW FUNDS**

It is necessary and in the best interests of the Village of Algonquin to construct the Project for the public health, safety, and welfare, in accordance with the plans and specifications, as described; that the System continues to be operated in accordance with the provisions of the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq.; and that for the purpose of constructing the Project, it is hereby authorized that funds be borrowed by the Village of Algonquin in the aggregate principal amount (which can include construction period interest financed over the term of the loan) not to exceed \$26,200,000.

**SECTION 3:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**SECTION 4:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5:** This Ordinance shall be in full force and effect as of March 9, 2021, subsequent to its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye:

Voting Nay:

Abstain:

Absent:

APPROVED:

\_\_\_\_\_  
Acting Village President Debby Sosine

(SEAL)

ATTEST: \_\_\_\_\_  
Village Clerk Maggie Auger

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_