

**Village Board
Special Meeting
Ganek Municipal Center ▪ 2200 Harnish Drive ▪Algonquin
June 27, 2023 ▪ 7:30 PM**

∞ AGENDA ∞

- 1. CALL TO ORDER**
- 2. ROLL CALL – ESTABLISH A QUORUM**
- 3. PLEDGE TO THE FLAG**
- 4. AUDIENCE PARTICIPATION**
(Persons wanting to address the Board/Committee must register with the Clerk prior to call to order)
- 5. APPROVE MEETING MINUTES:**
 - A. Village Board Meeting Held June 20, 2023
 - B. Committee of the Whole Meeting Held June 20, 2023
- 6. PASS ORDINANCES:**
 - A. Pass an Ordinance Approving a Major Amendment to the Final Planned Development and Approving the Final Plat of Resubdivision No. 2 of the Algonquin Commons Retail (1900 South Randall Road)
 - B. Pass an Ordinance Approving a Preliminary Planned Development for Certain Property Located North of County Line Road and between Boyer Road and Millbrook Drive (The Flats on County Line Road)
- 7. APPROVE A PUBLIC EVENT LICENSE:**
 - A. Approve the Permit/License for the AAYO Aces Round Robin Softball Tournament July 1 and 2, 2023, as well as the 2024, 2025, and 2026 Aces Round Robin Softball Tournament, at the Algonquin Lakes Fields
- 8. ADJOURNMENT**



MINUTES OF THE REGULAR VILLAGE BOARD MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF ALGONQUIN,
McHENRY & KANE COUNTIES, ILLINOIS
MEETING OF JUNE 20, 2023
HELD IN THE VILLAGE BOARD ROOM

CALL TO ORDER AND ROLL CALL: Village President Debby Sosine, called the meeting to order at 7:30 P.M. with Village Clerk, Fred Martin, calling the roll.

Trustees Present: Brian Dianis, Jerry Glogowski, Maggie Auger, Laura Brehmer, John Spella and Village President Debby Sosine

Trustees Absent: Bob Smith, Trustee Smith was present at 7:35 P.M.

Staff in Attendance: Tim Schloneger, Village Manager; Nadim Badran, Public Works Director; Dennis Walker, Police Chief; Jason Shallcross, Community Development Director; Katie Gock, Recreation Superintendent; and Kelly Cahill, Village Attorney.

PLEDGE TO FLAG: Clerk Martin led all present in the Pledge of Allegiance.

ADOPT AGENDA: Moved by Auger, seconded by Glogowski, to adopt tonight's agenda, deleting items 9A, Special Use Permit, and 16, Executive Session.

Voice vote; ayes carried

AUDIENCE PARTICIPATION:

Dennis James addressed the Board regarding his citation for not wearing a seatbelt and the deemed excessive fine. President Sosine and Attorney Cahill advised that the Board has no authority in this matter. Chief Walker provided his contact information for Mr. James to discuss further.

THE VILLAGE OF ALGONQUIN PROCLAIMS JULY AS PARK AND RECREATION MONTH

CONSENT AGENDA: The Items under the Consent Agenda are considered to be routine in nature and may be approved by one motion with a roll call vote.

A. APPROVE MEETING MINUTES

- (1) Special Liquor Commission Meeting Held June 6, 2023
- (2) Village Board Meeting Held June 6, 2023
- (3) Committee of the Whole Meeting Held June 13, 2023

Moved by Spella, seconded by Glogowski, to approve the Consent Agenda.

Voice vote; ayes carried

OMNIBUS AGENDA: The following Ordinances, Resolutions, or Agreements are considered to be routine in nature and may be approved by one motion with a roll call vote.

(Following approval, the Village Clerk numbers all Ordinances and Resolutions in order)

A. PASS ORDINANCES:

1. Pass an Ordinance (**2023-O-20**) Proposing the Establishment of Special Service Area Number 6 Within the Village of Algonquin and Providing for a Public Hearing and Other Procedures in Connection Therewith for the Property Commonly Known as the Westview Crossing Subdivision
2. Pass an Ordinance (**2023-O-21**) Proposing the Establishment of Special Service Area Number 7 Within the Village of Algonquin and Providing for a Public Hearing and Other Procedures in Connection Therewith for the Property Commonly Known as the Tails of Woods Creek Subdivision
3. Pass an Ordinance (**2023-O-22**) Proposing the Establishment of Special Service Area Number 8 Within the Village of Algonquin Providing for a Public Hearing and Other Procedures in Connection Therewith for the Property Commonly Known as the Grand Reserve Subdivision
4. Pass an Ordinance (**2023-O-23**) Proposing the Establishment of Special Service Area Number 9 Within the Village of Algonquin Providing for a Public Hearing and Other Procedures in Connection Therewith for the Property Commonly Known as the Algonquin Road Subdivision

B. ADOPT RESOLUTIONS:

1. Adopt a Resolution (**2023-R-53**) Accepting and Approving the Execution of a Non-Exclusive License Agreement with GKG Property, LLC and Bold American Fare, LLC
2. Adopt a Resolution (**2023-R-54**) Accepting and Approving the Execution of a License Agreement with GKG Property, LLC and Whiskey and Wine, LLC
3. Adopt a Resolution (**2023-R-55**) Accepting and Approving an Agreement with Tru-Green for the 2023 Lawn Fertilization Program in the Amount of \$36,151.53
4. Adopt a Resolution (**2023-R-56**) Accepting and Approving an Agreement with Hayes, Industries Inc. for the Lead Service Line Replacement Project not exceeding the Amount of \$275,000.00

5. Adopt a Resolution **(2023-R-57)** Accepting and Approving an Agreement with Martam Construction Authorizing Change Order #1, Increasing the Contract Amount by \$21,865.00, Totaling \$130,305.00
6. Adopt a Resolution **(2023-R-58)** Accepting and Approving an Agreement with Christopher Burke Engineering for the Phase III Supplement #2 for the Downtown Streetscape Roundabout, N. Harrison Street, and Main Street Bike Trail Project in the Amount of \$52,800.00
7. Adopt a Resolution **(2023-R-59)** Accepting and Approving an Agreement with Burke, LLC Authorizing Change Order #17 for the Crystal Creek Riverwalk Improvements and Harrison St Bridge Replacement Increasing the Project Amount by \$13,703.23, Totaling \$7,916,547.99
8. Adopt a Resolution **(2023-R-60)** Accepting and Approving an Agreement with Central Tree for the Removal of Trees Located Along Sandbloom Road Utility Easement in the Amount of \$32,800.00

Moved by Brehmer, seconded by Dianis to approve the Omnibus Agenda.

Roll call vote; voting aye – Trustees Dianis, Glogowski, Brehmer, Spella, Auger and Smith
Motion carried; 6-ayes, 0-nays,

APPROVAL OF BILLS: Moved by Glogowski, seconded by Brehmer, to approve the List of Bills for payment in the amount of \$1,400,925.46

Roll call vote; voting aye – Trustees Dianis, Glogowski, Auger, Spella, Brehmer, Smith,
Motion carried; 6-ayes, 0-nays

PAYMENT OF BILLS RECAP:

<u>FUND</u>	<u>DESCRIPTION</u>	<u>DISBURSEMENTS</u>
01	GENERAL	206,957.16
02	CEMETERY	1,776.00
03	MFT	26,664.24
04	STREET IMPROVEMENT	131,540.00
05	SWIMMING POOL	38,920.84
06	PARK IMPROVEMENT	72,374.95
07	WATER & SEWER	165,250.16
12	WATER & SEWER IMPROVEMENT	2,190.86
16	DEVELOPMENT FUND	7,537.00
26	NATURAL AREA & DRAINAGE IMPROV	67,695.72
28	BUILDING MAINT. SERVICE	21,819.86
29	VEHICLE MAINT. SERVICE	6,235.40
TOTAL ALL FUNDS		748,962.19

COMMITTEE OF THE WHOLE:

A. COMMUNITY DEVELOPMENT

B. GENERAL ADMINISTRATION

C. PUBLIC WORKS & SAFETY

VILLAGE CLERK'S REPORT

Village Clerk Martin announced future meetings.

STAFF REPORTS:

ADMINISTRATION:

Mr. Schloneger:

The Village is being recognized by our peers throughout Chicagoland for the quality development that is underway. Many want to know what our “secret sauce is”, which I tell them is decades of disciplined implementation of a shared vision for our community. This approach is now being furthered through the update to our Comprehensive Plan. Congratulations to the Board and staff for making Algonquin a great place for people to live, businesses to thrive, and entrepreneurs to invest.

COMMUNITY DEVELOPMENT:

Mr. Shallcross:

1. Vanessa Castellanos started as Permit Coordinator on Monday.
2. Comprehensive plan update:
 - a. Staff will attend the 6/29 Concert in the Park at Town Park to advertise the upcoming Community Visioning Workshop (7/25)

- b. The next planned Joint Committee Meeting is 7/18, at which Houseal Lavigne will present the 'Existing Conditions Memorandum', which describes where Algonquin is today in terms of demographics, development, and land use.
 - c. The Community Visioning Workshop will take place on 7/25 at St. John's Church from 6-8PM.
3. Staff attended Kane County's 'Economic Development Roundtable' last Friday; Algonquin got a lot of praise for the new Picklehaus user and restaurants coming to Randall Road.
I hope everyone had a wonderful Father's Day.

POLICE DEPARTMENT:

Chief Walker:

- 1. We wrapped up our new hire testing process back in mid-May and since we have moved into zoom interviews this week with a total of 55 candidates. Very quickly we will move into in-person interviews to narrow down the candidates we are interested in hiring and then sending away three of those selected, to the police academy in September.
- 2. We wanted to thank the Recreation Department for partnering with us on the Toy Ride Along program for the month of June. This program has been a hit with our young community members as their stuffed animals have done some park checks, traffic stops, and some other routine policing while spending a couple of days with us. This year the stuffed animals leave and return to their owners with Police i.d. cards.
- 3. We are getting ready for all things Founders and then shortly thereafter National Night Out.

RECREATION:

Ms. Gock:

Recreation staff welcome trustees to the summer concerts at Towne Park that begin on Thursday, June 22. The concerts will run every Thursday through August 10 with the exception of the July 20 concert which will be held at Spella park in conjunction with the Founders' Day festival.

PUBLIC WORKS:

Mr. Badran:

- 1. Construction season is kicking off. Souwanas, Bunker Hill, and Tunbridge are all set to begin in the coming weeks. The contractors have begun mobilizing on site and setting up traffic and erosion control.
- 2. The water main break damaged the road base on Jayne street and Public Works is looking into the best way to remediate the street. Any type of temporary patch will be expensive and will not be a final solution. The roadway may need to have an emergency reconstruction performed. The road will remain closed until a determination can be made on the best repair method.

CORRESPONDENCE:

None

OLD BUSINESS:

None

EXECUTIVE SESSION:

None

NEW BUSINESS:

Approve a Public Event Permit, Event Liquor License and Waive all Fees for the Algonquin Founder's Days at Spella Park July 20, 22, 22, and 23 and Parade July 22, 2023

Moved by Auger, seconded by Glogowski to approve the Public Event Permit and Liquor License for Founder's Days and waive all fees

Roll call vote; voting aye – Trustees Dianis, Glogowski, Brehmer, Spella, Auger and Smith
Motion carried; 6-ayes, 0-nays,

ADJOURNMENT: There being no further business, it was moved by Glogowski, seconded by Auger, to adjourn the Village Board Meeting

Voice vote; all voting aye

The meeting was adjourned at 8:03 PM.

Submitted:

Village Clerk, Fred Martin

Approved this 27th day of June 2023

Village President, Debby Sosine



Village of Algonquin
Minutes of the Committee of the Whole Meeting
Held On June 20, 2023
Village Board Room
2200 Harnish Dr. Algonquin, IL

Trustee Spella, Chairperson, called the Committee of the Whole meeting to order at 8:03 p.m.

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Trustees, Jerry Glogowski, John Spella, Laura Brehmer, Maggie Auger, Brian Dianis, Bob Smith, President, Debby Sosine and Clerk, Fred Martin.

A quorum was established

Staff in Attendance: Tim Schloneger, Village Manager; Nadim Badran, Public Works Director; Dennis Walker, Police Chief; Jason Shallcross, Community Development Director; Katie Gock, Recreation Superintendent; and Kelly Cahill, Village Attorney

AGENDA ITEM 2: Public Comment

None

AGENDA ITEM 3: Community Development

Mr. Shallcross:

A. Consider a Public Event for the AAYO Aces Round Robin Softball Tournament July 1 and 2 at the Algonquin Lake Fields

Tim Moran, on behalf of Algonquin Aces, is seeking approval for a Public Event/Entertainment License for the Algonquin Aces July Tournament occurring on July 1 & 2.

This is a non-profit event that will be held for the Girls Fast Pitch Softball Tournament at the Algonquin Lakes Fields. The applicant expects up to 100 participants between 7 am and 5 pm on Saturday, July 2, and Sunday, July 3.

RECOMMENDATION:

Staff has reviewed the request and recommends approval with the following conditions outlined below:

- Village Police officers and other officials shall have free access to the event at all times to ensure that the event is in compliance with the Municipal Code;
- All garbage/debris from the event shall be deposited in on-site trash bins by the event coordinator. The Village will pick up trash on Sunday and Monday mornings;
- Any on-site food truck operators will need to apply for a separate permit through the Village of Algonquin;
- Any temporary tents or structures shall be properly weighted or tied down in accordance with manufacturers' instructions. No cooking under tents unless the tent is certified for such use. In the event of unfavorable weather conditions, any temporary tents or structures shall be vacated and removed, and no temporary tent or structure shall be used for shelter.
- The event coordinator is responsible for suspending or canceling the event in case of structural concerns, electrical malfunctions, or storms that may include wind in excess of 40 mph, lightning, tornado warnings, unruly crowds, or any other issues that may pose a risk or danger to the public.
- The applicant shall abide by all provisions of the Algonquin Municipal Code with specific attention to the Public Event/Entertainment section along with all provisions/requirements of the Public Event/Entertainment License Application checklist and the application provided.

In addition, Staff recommends that the Village Board grant a three (3) year approval for the Algonquin Aces to hold a Softball Tournament in July. The applicant would still be required to submit a Public Event License to Staff and Staff would have the authority to administratively approve the event so long as there are no major differences from the requested Public Event License

It is the consensus of the Committee to move this on to the Village Board for approval.

B. Consider an Amendment to Ordinances 2003-O-44 and 2004-O-44 to Approve a Final Plat of Resubdivision No. 2 for the Algonquin Commons Planned Unit Development

Sherry DeVoge, the "Petitioner", is seeking approval of a major amendment to Ordinances 2003-O-44 and 2004-O-44 and as amended as Ordinances 2010-O-39, 2022-O-42, and 2023-O-17 and approval of a Final Plat of Resubdivision No. 2, the "Request". The "Subject Property" is located west of Randall Road between

County Line Road and Corporate Parkway and is commonly known as the Algonquin Commons. The Final Plat will subdivide Lot 1 into eight (8) lots. The Petitioner is making this request as a requirement of their Lender to refinance.

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission reviewed the request for the major amendment at the June 12, 2023, Planning and Zoning Commission Meeting.

The Planning and Zoning Commission accepted staff's findings as the findings of the Planning and Zoning Commission and recommended approval with a vote of 6-0, subject to staff's recommended conditions. No public input was received for this case.

RECOMMENDATION:

Staff recommends approval of a major Amendment Ordinance to 2003-O-44 (*An Ordinance Issuing A Special Use Permit and Approving a Final Plat of Subdivision and Final planned Development for a 600,000 Square Foot Retail Center*) and Ordinance 2004-O-44 (*An Ordinance Issuing A Special Use Permit and Approving A Final Plat of Subdivision For Phase II of the Algonquin Commons Retail Center*) which were previously amended as Ordinance 2010-O-39 (*An Ordinance Approving a Preliminary and Final PUD Amendment for Lot 2 of Algonquin Commons*), Ordinance 2022-O-42 (*An Ordinance Approving a Major Amendment to the Final Planned Development and Approving the Final Plat of Resubdivision of Phase II of the Algonquin Commons Retail Center*), and Ordinance 2023-O-17 (*An Ordinance Approving a Major Planned Algonquin Commons, - PUD Amendment, Final Plat of Resubdivision No. 2 Development Amendment for the Algonquin Commons and approval of a Final Plat of Subdivision Algonquin Commons Resubdivision No. 1*) and approval of a Final Plat of Resubdivision No. 2, as outlined in the Planning & Zoning Staff Report for Case No. PZ-2023-10, subject to the following conditions and final staff approval of all plans:

- a. The Final Plat of Resubdivision titled "Final Plat of Subdivision Algonquin Commons Resubdivision No. 2", as prepared by Jacob & Hefner Associates, with the latest revision date of May 23, 2023

It is the consensus of the Committee to move this on to the Village Board for approval.

C. Consider a Preliminary Planned Development for the Flats on County Line Road Senior Housing Development

Wyllys Mann, the "Petitioner" representing Pivotal Housing Partners, applied for a Preliminary Planned Development to develop Senior Housing on the 3.77-acre property located on the north side of County Line Road between Boyer Road and Millbrook Drive as shown on the Preliminary PUD Plan as "The Flats on County Line Road" referred herein as the "Subject Property". Proposed site improvements include six (6) one-story buildings, one (1) two-story building, parking facilities, landscaping, and a detention area. In total, there would be forty (40) one-bedroom units and five (5) two-bedroom units.

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission reviewed the request for the major amendment at the June 12, 2023, Planning and Zoning Commission Meeting. One person from the audience made a comment that showed support for the development, but they recommended contacting other communities to find out how the facilities are maintained after they are built. Prior to the Public Hearing, staff also received questions from four (4) walk-ins and one (1) phone call, all of which showed support for the project.

The Planning and Zoning Commission accepted staff's findings as the findings of the Planning and Zoning Commission and recommended approval with a vote of 6-0, subject to staff's recommended conditions.

RECOMMENDATION:

Staff recommends approval of the Preliminary Planned Development Plan, as outlined in the Planning & Zoning Staff Report for Case No. PZ-2023-01, subject to the following conditions and Staff review comments:

- a. The Preliminary Plan titled "Site Dimensional and Paving Plan", as prepared by Manhard Consulting, and last revised June 6, 2023. The final site plan shall be revised so that all buildings, accessory structures, and patios/decks meet the twenty-foot (20') building setback line. Retaining walls may be constructed in the building setback;
- b. The Building Elevations and Floor Plans, as prepared by Pivotal Housing Partners, and last revised May 12, 2023. The Final Building Elevations shall be revised to include additional architectural features between buildings by varying the color, gables, and front door locations. All porches shall be constructed with concrete if built on the ground or a maintenance-free composite decking if built above grade;
- c. The Preliminary Engineering Plans titled "Proposed Improvements for The Flats at County Line Road", as prepared by Manhard Consulting, and last revised June 6, 2023;
- d. The Photometrics Plan, as prepared by Chicago Lightworks, and last revised May 11, 2023. The final photometric plans shall ensure that all lighting is dark sky compliant;
- e. The Preliminary Landscape Plan, as prepared by Manhard Consulting, and last revised June 6, 2023;

- f. A Final Plat shall be included with the Final Submittal that includes a twenty-foot (20') perimeter landscape easement, a twenty-foot (20') building setback, and a permanent Conservation and Stormwater Management easement over the stormwater management area;
- g. The primary occupant's age shall be at least 62 years of age and if there is a waiting list for occupancy the Management Company shall prioritize residents that reside in the Village of Algonquin, subject to The Fair Housing Act.

It is the consensus of the Committee, with Trustee Smith dissenting, to move this on to the Village Board for approval.

AGENDA ITEM 4: General Administration

Ms. Gock:

A. Presentation – Presidential Park Design Update

The Presidential Park project team has made significant progress on the overall park design which is scheduled to be constructed in 2024. The design incorporates the policy guidance from the Parks and Recreation Comprehensive Master Plan and Presidential Park Master Plan, as well as captures the vision of developing high-quality community parks that create a unique and memorable experience for both residents and visitors to our community.

Alternative Features

The current project cost estimate for Presidential Park construction is \$7,070,393, which will continue to be refined as the project is further designed and value engineered. At this stage in the design process, there are seven (7) alternative features that our design team requires a direction for inclusion/exclusion in the final design document:

1. Natural Stone Veneer Seatwalls \$91,451
2. Park Sign and Seatwall (Playground/Soccer Area) \$24,600
3. Soccerball Climbers \$63,554
4. Baseball Themed Climbers \$149,984
5. Artificial Turf Play Surfacing (Playground Area) \$199,998
6. Sod Championship Field Outfield \$50,565
7. Baseball Field Archway Sign \$46,125

Requested Action

Staff is requesting the Committee of the Whole review the attached concepts and provide feedback at Tuesday's meeting if there are any of the seven (7) features/alternatives that should be eliminated from the project scope. No formal Board action on this item is required at this time.

The Board gave direction for staff to proceed with the concept as presented including all alternative design features

AGENDA ITEM 5: Public Works & Safety

Mr. Badran:

A. Consider Certain Vehicles as Surplus

The following vehicles are proposed to be declared surplus as part of the Village's program with Enterprise Fleet Management. The program achieves the lowest total cost of operation by cycling out vehicles on a timely basis.

Unit #: 206

Year: 2019

Make: Hyundai

Model: Sonata

ID/VIN: KME24L39KA093705

Description: Enterprise lease vehicle to be turned in replaced with 2023 GMC Sierra.

It is the consensus of the Committee to move this on to the Village Board for approval.

B. Consider Certain Equipment as Surplus

Unit #: 642

Year: 2008

Make: Kubota

Model: RTV1100

ID/VIN: KRTV110081017676

Description: Kubota UTV with 3026 hours. Past useful life with the Village. Replaced with new Bobcat UTV.

Make: OTC
Model: 5203
Description: 3 Ton Jack, needs repairs
Unit #: 907
Year: 2008
Make: Bobcat
Model: S300
ID/VIN: 531117390

Description: Skid steer with 4025 hours. Past useful life with Village.

Description: 5 Picnic Table removed from Hill Climb Pavilion.

Description: 9 benches removed from Downtown

Description: 17 Trash Cans removed from Downtown

Year: 2022

Make: Acme Engineering

Model: PRN 145 G 115/1/60/Open with TOL With Plug

ID/VIN:

Description: fan and shroud shipped to Village mistakenly. Tried to return manufacturer told us to keep.

It is the consensus of the Committee to move this on to the Village Board for approval.

C. Consider an Agreement with Water Well Solutions Illinois, LLC for the Motor Replacement in Well 9

Presented is a proposal for Water Well Solutions Illinois, LLC for the motor replacement in Well 9. About a month ago, the motor on this well blew up for unknown reasons. Therefore, this well is currently out of service and is in high demand due to the current drought conditions. Water Well Solutions Illinois has done all of well rehabilitation, motor replacements and well maintenance for the past 10 years and is very familiar with the Village's operations. Therefore, we would like to use them to perform this emergency replacement. This replacement is not budgeted as it is an emergency due to the motor failure.

The cost for the replacement is \$34,295.50. We plan to pay from this out of the water operating budget in account 07700400 44418. We currently have \$40,000 in this line item to remove and inspect Well 7. We plan to postpone that until next year so we can perform this more critical motor replacement.

Therefore, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of Water Well Solutions Illinois, LLC to perform replacement of the motor in Well 9 for the amount of \$34,295.50.

It is the consensus of the Committee to move this on to the Village Board for approval.

D. Consider an Agreement with HR Green for the Design Services for Surrey Lane Streambank Restoration

Presented is the proposal with HR Green, Inc. for design services for Surrey Lane Streambank Restoration in the amount of \$101,231.00.

The Surrey Lane Preserve is located on Village-owned property between Surrey Lane and Zange Drive. The preserve contains a stream tributary to Dixie Creek, which flows to Ratt Creek and eventually the Fox River. The restoration of the Surrey Lane Preserve was completed in 2016 by the Village. Upstream of the preserve is a 1,300-foot stream that runs through a drainage easement in the rear yard of residential homes on Surrey Court and Zange Drive. The stream contains a highly eroded channel with invasive brush. Staff has determined that if the streambank is not properly restored, the erosion will expand beyond the existing easement limits and continue destroying more private property from the homeowners that back up to the stream.

The project scope involves restoring the highly-eroded upstream channel of the Surrey Lane Preserve by re-establishing and stabilizing the streambank. Due to this project's sensitive nature and location, a public meeting with the affected homeowners is proposed to inform and educate the residents about the proposed improvements.

HR Green has successfully been the design engineer on four of the Village's stream restoration projects over the last three years. Their knowledge and experience with this type of work and with the Village makes them an ideal candidate to complete the design for this project. Funding for this work is budgeted in the Natural Area & Drainage capital fund this fiscal year in the amount of \$95,000. Based on the proposed design schedule, a small amount of funds will be budgeted for next fiscal year to complete the final design and bidding process.

Therefore, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of design services for Surrey Lane Streambank Restoration to HR Green, Inc. for \$101,231.00.

It is the consensus of the Committee to move this on to the Village Board for approval.

E. Consider an Agreement with HR Green for the Woods Creek Reach 8 Phase 1 & 2 Engineering Services

Presented is the proposal with HR Green, Inc. for design services for Woods Creek Reach 8 in the amount of \$158,240.00.

This reach of Woods Creek is directly downstream from Reaches 6 and 7, which are currently in the design phase. This project is the final Reach of Woods Creek within the Village of Algonquin. The section to the north resides in Lake in the Hills. The project is also part of a larger initiative in the Village of Algonquin to restore our creeks to healthy functioning stormwater systems. Over the past years, the Village has been concentrating on restoration in the Woods Creek Watershed. This project is surrounded by over 100 acres of native restoration projects undertaken by the Village in the past ten years. This signifies the importance of continuing to ecologically restore this riparian corridor.

This project's scope has expanded to include the tributary to the west from Fairway View Drive to Brookside Avenue. This section is considered a remnant fen classified as a critical area for restoration. As such, the inclusion of the critical tributary to the west provides a great opportunity for an EPA Section 319 Grant. Staff has been successful with prior 319 grants, and this project is an excellent candidate. The 319 grant provides funding for a maximum of 60% of the construction costs.

HR Green has successfully been the design engineer on four of the Village's stream restoration projects over the last three years. Their knowledge and experience with this type of work make them a nice fit to perform the work on this project.

Funding for this work is budgeted in the Natural Area & Drainage capital fund this fiscal year in the amount of \$130,000. The overage amount is due to the added tributary area and the cost to complete the 319 Grant. The additional funds will be taken from the anticipated available funds from Dixie Creek Reach 3 Streambank Restoration.

Therefore, it is our recommendation 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 8 to HR Green, Inc. for \$158,240.00.

It is the consensus of the Committee to move this on to the Village Board for approval.

F. Consider an Agreement with HR Green for the Souwanas Outfall Stabilization Design Engineering Services

Presented is the proposal with HR Green, Inc. for design services for the Souwanas Outfall Stabilization in the amount of \$42,787.00.

Village staff responded to a call from the resident regarding erosion occurring on private property due to the outfall at the west end of Souwanas Trail that outlets to the Fox River. Based on the field inspection and conversations with the resident, the outfall has eroded several feet of land from the homeowner's property. Additionally, a number of vulnerable trees are on the brink of falling into the outfall due to erosion and poor stability of the surrounding soils. The outfall and bank are located within the village-owned Souwanas Trail right-of-way (ROW).

The proposed drainage improvements along Souwanas Trail as part of the federally funded roadway and underground project will carry additional flow from the street and parkway. The drainage profile will be converted from open drainage (ditch), the closed drainage (curb and gutter with inlets, manholes, etc.). A 24-inch pipe will connect to the existing 36- inch pipe that will outlet to the Souwanas outfall. The additional flow will likely accelerate the erosion of the bank and homeowner's property.

Staff has asked HR Green for a proposal to come up with a solution and complete the design to either pipe the drainage flow to the outfall, if feasible or reshape and stabilize the outfall. In order to avoid mobilizing equipment after the federally funded Souwanas Trail project, staff is proposing to perform this work concurrently. The construction is anticipated in spring 2024.

This project is unfunded but is being proposed as an emergency improvement as the outfall is within Village ROW. Staff feels a cost savings may be possible if approval to forego a formal bid process and utilize Benchmark Construction, the general contractor for the Souwanas and Schuett project. Available, unused funds from the High Hill Subdivision Improvements will be proposed to fund the design of this project.

Therefore, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of design services for the Souwanas Outfall Stabilization to HR Green, Inc. for \$42,787.00.

It is the consensus of the Committee to move this on to the Village Board for approval.

G. Consider an Amendment to the Agreement with Christopher Burke Engineering for the On-Site Construction Observation Services for the Trails of Woods Creek Development

Presented is a proposal to amend an agreement to perform construction observation of onsite development improvements within the Trails of Woods Creek Subdivision Development in the amount of \$51,500.00.

On September 15, 2020, an agreement was executed between the Christopher B. Burke Engineering, LTD. (CBBEL) and the Village of Algonquin for on-site construction observation of site development activities, including public improvements per the approved Trails of Woods Creek Development plans in the amount of \$295,166.00. As development continues and revisions to Phase 2 of the subdivision development have occurred, CBBEL is submitting the attached amendment.

CBBEL will be compensated through the provided Escrow account from Pulte Homes for the services proposed. These funds will be replenished at the request of Village staff, as needed.

Therefore, it is our recommendation that the Committee of the Whole take action to move this matter forward to the Village Board for approval of design services for the Souwanas Outfall Stabilization to HR Green, Inc. for \$51,500.00.

It is the consensus of the Committee to move this on to the Village Board for approval.

H. Consider a Resolution Requesting Permission from the Illinois Department of Transportation to Close a State Highway on Saturday, July 22 for the Founder's Days Parade

Chief Walker:

Proposed is a Resolution for Road Closure required by the State of Illinois in order to close a section of IL Route 62 for the Founders Parade on Saturday, July 22, 2023. This resolution, after it has been passed by the Board, signed by the Village President and attested to by the Village Clerk is returned to the Police Department. We will forward it to the Illinois Department of Transportation to obtain their written permission for this road closure.

It is the consensus of the Committee to move this on to the Village Board for approval.

AGENDA ITEM 6: Executive Session
None

AGENDA ITEM 7: Other Business
Trustee Spella inquired about the sinkholes created from the watermain break this week on Jayne Street, the repairs and Route 31 safety.

AGENDA ITEM 8: Adjournment
There being no further business, Chairperson Spella adjourned the meeting at 9:01 p.m.

Submitted: _____
Fred Martin, Village Clerk

ORDINANCE NO. 2023 – O _____

AN ORDINANCE APPROVING A MAJOR AMENDMENT TO THE FINAL PLANNED DEVELOPMENT AND APPROVING THE FINAL PLAT OF RESUBDIVISION NO. 2 OF THE ALGONQUIN COMMONS RETAIL CENTER (1900 SOUTH RANDALL ROAD)

WHEREAS, the Village of Algonquin (the “Village”), 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, a petition was submitted to the Village by Sherry DeVoge, representing Algonquin 1, LLC, the owner, to amend the Final Planned Development and approve the Final Plat of Resubdivision No. 2, approved and regulated by Ordinances 2003-O-44 and 2004-O-44, as amended by Ordinances 2010-O-3, 2022-O-42, and 2023-O-17, for the property commonly known as Algonquin Commons; and

WHEREAS, the property is legally described in Exhibit A, attached hereto and incorporated herein (hereinafter referred to as the “Subject Property”); and

WHEREAS, the Planning and Zoning Commission reviewed the request at a public hearing on June 12, 2023, after due notice in the manner provided by law; and

WHEREAS, the Planning and Zoning Commission, after deliberation, accepted the findings of fact outlined in the staff report for Case No. PZ-2023-10 and recommended granting an amendment to the Final Planned Development and approving the Final Plat of Resubdivision No. 2; and

WHEREAS, the Village Board has considered the findings of fact, based upon the evidence presented at the public hearing and presented to the Planning and Zoning Commission by the petitioners.

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: a major amendment to the Final Planned Development for the Subject Property amending Ordinances 2003-O-44 (*An Ordinance Issuing A Special Use Permit and Approving a Final Plat of Subdivision and Final planned Development for a 600,000 Square Foot Retail Center*) and 2004-O-44 (*An Ordinance Issuing A Special Use Permit and Approving A Final Plat of Subdivision For Phase II of the Algonquin Commons Retail Center*) which were previously amended as Ordinances 2010-O-39 (*An Ordinance Approving a Preliminary and Final PUD Amendment for Lot 2 of Algonquin Commons*), 2022-O-42 (*An Ordinance Approving a Major Amendment to the Final Planned Development and Approving the Final Plat of Resubdivision of Phase II of the Algonquin Commons Retail Center*), and 2023-O-17 (*An Ordinance Approving a Major Planned Development Amendment for the Algonquin Commons and approval of a Final Plat of Subdivision Algonquin Commons Resubdivision No. 1*), and the Final Plat of Resubdivision No 2. for the Subject Property are hereby approved, subject to the following documents and conditions:

- A. The Final Plat of Resubdivision titled “Final Plat of Subdivision Algonquin Commons Resubdivision No. 2”, as prepared by Jacob & Hefner Associates, with the latest revision date of May 23, 2023.

SECTION 2: That all requirements set forth in the Algonquin Zoning Ordinance, as would be required by any owner of property zoned in the same manner as the Subject Property, shall be complied with, except as otherwise provided in the Ordinance.

SECTION 3: The findings of fact on the petition to amend the Final Planned Development for the Subject Property are hereby accepted.

SECTION 4: 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 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Aye:

Nay:

Absent:

Abstain:

APPROVED:

Village President Debby Sosine

(SEAL)

ATTEST: _____
Village Clerk Fred Martin

Passed: _____

Approved: _____

Published: _____

EXHIBIT A

Legal Description of the Subject Property

PARCEL 1: LOT 1 IN ALGONQUIN COMMONS, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 6, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 19, 2006 AS DOCUMENT NUMBER 2006K007237, IN KANE COUNTY, ILLINOIS

PARCEL 2: EASEMENTS FOR ROADWAYS, WATERMAIN, SANITARY SEWER, STORM SEWER AND DETENTION FACILITY FOR THE BENEFIT OF PARCEL 1 AS SET FORTH AND DEFINED IN AMENDED AND RESTATED DECLARATION OF EASEMENTS, RESTRICTIONS AND MAINTENANCE AGREEMENT FOR ALGONQUIN COMMONS LIFESTYLE CENTER RECORDED OCTOBER 12, 2004 AS DOCUMENT 2004K132533.

PARCEL 3: LOT 2 IN ALGONQUIN COMMONS, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 6, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 19, 2006 AS DOCUMENT NUMBER 2006K007237, IN KANE COUNTY, ILLINOIS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL LAND TAKEN FOR PUBLIC ROAD PURPOSES BY PLAT OF DEDICATION RECORDED MARCH 6, 2009 AS DOCUMENT 2009K016937 AND CERTIFICATE OF CORRECTION RECORDED MARCH 6, 2009 AS DOCUMENT 2009K016938, DESCRIBED AS FOLLOWS:

THAT PART OF LOT 2 IN ALGONQUIN COMMONS, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 6, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF ALGONQUIN, DUNDEE TOWNSHIP, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 19, 2006 AS DOCUMENT 2006K007237, IN KANE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 IN MILLBROOK MARKETPLACE RECORDED AS DOCUMENT NUMBER 2002R0114204, IN MCHENRY COUNTY, ILLINOIS; THENCE NORTH 89 DEGREES 46 MINUTES 32 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF COUNTY LINE ROAD PER SAID MILLBROOK MARKETPLACE, 109.88 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 28 SECONDS WEST, PERPENDICULAR TO THE LAST DESCRIBED COURSE, 80.00 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY LINE ROAD PER SAID ALGONQUIN COMMONS, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 2 IN SAID ALGONQUIN COMMONS; THENCE SOUTH 89 DEGREES 46 MINUTES 32 SECONDS EAST, ALONG SAID LINE 529.32 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 46 MINUTES 32 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 100.00 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 28 SECONDS WEST PERPENDICULAR TO THE LAST DESCRIBED COURSE, 14.00 FEET TO A

POINT ON A LINE 14.00 FEET SOUTHERLY OF AND PARALLEL TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 89 DEGREES 46 MINUTES 32 SECONDS WEST, ALONG SAID PARALLEL LINE, 100.00 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 28 SECONDS EAST, PERPENDICULAR TO THE LAST DESCRIBED COURSE 14.00 FEET TO THE POINT OF BEGINNING.

PARCEL 4: EASEMENTS FOR ROADWAYS, WATERMAINS, SANITARY SEWER, STORM SEWER AND DETENTION FACILITIES FOR THE BENEFIT OF PARCEL 3 AS SET FORTH AND DEFINED W DECLARATION OF EASEMENTS, RESTRICTIONS AND MAINTENANCE AGREEMENT DATED OCTOBER 8, 2003 AND RECORDED NOVEMBER 4, 2003 AS DOCUMENT NO. 2003K194483, KANE COUNTY, ILLINOIS AS AMENDED AND RESTATED BY AMENDED AND RESTATED DECLARATION OF EASEMENTS, RESTRICTIONS AND MAINTENANCE AGREEMENT FOR ALGONQUIN COMMONS LIFESTYLE CENTER AND THE EXCHANGE AT ALGONQUIN COMMONS MADE EFFECTIVE AS OF NOVEMBER 4, 2003 AND RECORDED OCTOBER 12, 2004 AS DOCUMENT NO. 2004K132533, KANE COUNTY, ILLINOIS

Commonly known as 1900 South Randall Road, Algonquin, in Kane County, Illinois 60102

ORDINANCE NO. 2023 – O _____

**AN ORDINANCE APPROVING A PRELIMINARY PLANNED DEVELOPMENT FOR
CERTAIN PROPERTY LOCATED NORTH OF COUNTY LINE ROAD AND
BETWEEN BOYER ROAD AND MILLBROOK DRIVE
(THE FLATS ON COUNTY LINE ROAD)**

WHEREAS, the Village of Algonquin (the “Village”), 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, a petition was submitted to the Village by Wyllys Mann, representing Pivotal Housing Partners, the Petitioner, and The Church of Jesus Christ of Latter-Day Saints, the current owner on record, to approve a preliminary Planned Development for Senior Housing, for the property located north of County Line Road and between Boyer Road and Millbrook Drive; and

WHEREAS, the property is legally described in Exhibit A, attached hereto and incorporated herein (hereinafter referred to as the “Subject Property”); and

WHEREAS, the Planning and Zoning Commission reviewed the request at a public hearing on June 12, 2023, after due notice in the manner provided by law; and

WHEREAS, the Planning and Zoning Commission, after deliberation, accepted the findings of fact outlined in the staff report for Case No. PZ-2023-01 and recommended granting approval of a preliminary Planned Development; and

WHEREAS, the Village Board has considered the findings of fact, based upon the evidence presented at the public hearing and presented to the Planning and Zoning Commission by the petitioners.

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: A preliminary Planned Development is hereby approved for the Subject Property, subject to the following documents and conditions:

- A. The Preliminary Plan titled “Site Dimensional and Paving Plan”, as prepared by Manhard Consulting, and last revised June 6, 2023. The final site plan shall be revised so that all buildings, accessory structures, and patios/decks meet the twenty-foot (20’) building setback line. Retaining walls may be constructed in the building setback;
- B. The Building Elevations and Floor Plans, as prepared by Pivotal Housing Partners, and last revised May 12, 2023. The Final Building Elevations shall be revised to include additional architectural features between buildings by varying the color, gables, and front door locations. All porches shall be constructed with concrete if built on the ground or a maintenance-free composite decking if built above grade;

- C. The Preliminary Engineering Plans titled “Proposed Improvements for The Flats at County Line Road”, as prepared by Manhard Consulting, and last revised June 6, 2023;
- D. The Photometrics Plan, as prepared by Chicago Lightworks, and last revised May 11, 2023. The final photometric plans shall ensure that all lighting is dark sky compliant;
- E. The Preliminary Landscape Plan, as prepared by Manhard Consulting, and last revised June 6, 2023;
- F. A Final Plat shall be included with the Final Submittal that includes a twenty-foot (20’) perimeter landscape easement, a twenty-foot (20’) building setback, and a permanent Conservation and Stormwater Management easement over the stormwater management area;
- G. The primary occupant’s age shall be at least 62 years of age;
- H. An owners association shall be created and restrictive covenants recorded, prior to any occupancy of any unit in the buildings, outlining maintenance responsibilities for all common areas on the Subject Property. Such restrictive covenants shall be submitted to the Village for review and approval prior to occupancy of any unit. Should the owners association fail to properly enforce said covenants, after notice and opportunity to correct, the Village may, but shall not be obligated to, perform this work and the costs incurred in connection therewith shall be assessed against the owner(s) of the property in the association. The approved restrictive covenants shall not be revised so that they adversely affect the Village’s rights nor shall the owners association be dissolved without the consent of the Village.

SECTION 2: That all requirements set forth in the Algonquin Zoning Ordinance, as would be required by any owner of property zoned in the same manner as the Subject Property, shall be complied with, except as otherwise provided in the Ordinance.

SECTION 3: The findings of fact on the petition to approve a Preliminary Planned Development for the Subject Property are hereby accepted.

SECTION 4: 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 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Aye:

Nay:

Absent:

Abstain:

APPROVED:

Village President Debby Sosine

(SEAL)

ATTEST: _____
Village Clerk Fred Martin

Passed: _____

Approved: _____

Published: _____

EXHIBIT A
Legal Description of the Subject Property

That part of the southeast quarter of section 31, township 43 north, range 8 east of the third principal meridian, described as follows:

Commencing at the southwest corner of the southeast quarter of said section 31; thence north 01 degrees 07 minutes 45 seconds east along the west line of the west line of said southeast quarter, a distance of 20.01 feet; thence north 89 degrees 37 minutes 35 seconds east, along a line 20.00 feet north of and parallel to the south line of said southeast quarter of section 31, a distance of 330.88 feet to the place of beginning; thence continuing north 89 degrees, 37 minutes, 35 seconds east, a distance of 451.43 feet; thence north 00 degrees 19 minutes 50 seconds west, a distance of 252.55 feet; thence north 23 degrees 59 minutes 18 seconds west, a distance of 133.95 feet; thence south 88 degrees 14 minutes 47 seconds west, a distance of 266.21 feet; thence north 41 degrees 45 minutes 37 seconds west, a distance of 84.61 feet; thence southeasterly along a non-tangential curve, said curve being concave southeasterly with a radius of 195.00 feet and an arc length of 18.05 feet, having a chord bearing of south 50 degrees 53 minutes 29 seconds west, and a chord distance of 18.04 feet, thence south 48 degrees 14 minutes 23 seconds west, a distance of 83.56 feet; thence southwesterly along a curve said curve being concave northwesterly with a radius of 830.00 feet and an arc length of 85.72 feet, having a chord bearing of south 51 degrees 11 minutes 55 seconds west, a chord distance of 85.68 feet; thence south 39 degrees 57 minutes 30 seconds east, a distance of 106.99 feet; thence south 00 degrees 19 minutes 50 seconds east, a distance of 230.11 feet to the place of beginning, in McHenry county, Illinois

Excepting therefrom:

That part of the southeast quarter of section 31, township 43 north, range 8 east of the third principal meridian described as follows:

Commencing at the southeast corner of said southeast quarter; thence north 01 degrees 09 minutes 54 seconds east along the west line of said southwest quarter, 20.01 feet to a point on a line 20 feet north of and parallel with the south line of said southeast quarter; thence north 89 degrees 39 minutes 44 seconds east along said parallel line, 330.88 feet for a point of beginning; thence north 00 degrees 17 minutes 41 seconds west, 20.0 feet; thence north 89 degrees 39 minutes 44 seconds east, parallel with the south line of said southeast quarter, 451.43 feet; thence south 00 degrees 17 minutes 41 seconds east, 20.0 feet to a point on said parallel line; thence south 89 degrees 39 minutes 44 seconds west along said parallel line, 451.43 feet to the point of beginning in McHenry County, Illinois.

Said property, containing approximately 3.77 acres is located north of County Line Road and Between Boyer Road and Millbrook Drive Algonquin, in McHenry County, Illinois 60102



Village of Algonquin

2200 Harnish Drive, Algonquin, IL
(847) 658-2700 | www.algonquin.org

AGENDA ITEM

<u>MEETING TYPE:</u>	Committee of the Whole
<u>MEETING DATE:</u>	June 20, 2023
<u>SUBMITTED BY:</u>	Patrick Knapp, Senior Planner
<u>DEPARTMENT:</u>	Community Development
<u>SUBJECT:</u>	Algonquin Aces/AAYO Round Robin, July 1 & 2, 2023

ACTION REQUESTED:

Tim Moran, on behalf of Algonquin Aces, is seeking approval for a Public Event/Entertainment License for the Algonquin Aces July Tournament occurring on July 1 & 2.

DISCUSSION:

This is a non-profit event that will be held for the Girls Fast Pitch Softball Tournament at the Algonquin Lakes Fields. The applicant expects up to 100 participants between 7 am and 5 pm on Saturday, July 2, and Sunday, July 3.

RECOMMENDATION:

Staff has reviewed the request and recommends approval with the following conditions outlined below:

- Village Police officers and other officials shall have free access to the event at all times to ensure that the event is in compliance with the Municipal Code;
- All garbage/debris from the event shall be deposited in on-site trash bins by the event coordinator. The Village will pick up trash on Sunday and Monday mornings;
- Any on-site food truck operators will need to apply for a separate permit through the Village of Algonquin;
- Any temporary tents or structures shall be properly weighted or tied down in accordance with manufacturers' instructions. No cooking under tents unless the tent is certified for such use. In the event of unfavorable weather conditions, any temporary tents or structures shall be vacated and removed, and no temporary tent or structure shall be used for shelter.
- The event coordinator is responsible for suspending or canceling the event in case of structural concerns, electrical malfunctions, or storms that may include wind in excess of 40 mph, lightning, tornado warnings, unruly crowds, or any other issues that may pose a risk or danger to the public.
- The applicant shall abide by all provisions of the Algonquin Municipal Code with specific attention to the Public Event/Entertainment section along with all provisions/requirements of the Public Event/Entertainment License Application checklist and the application provided.

In addition, Staff recommends that the Village Board grant a three (3) year approval for the Algonquin Aces to hold a Softball Tournament in July. The applicant would still be required to submit a Public Event License to

Staff and Staff would have the authority to administratively approve the event so long as there are no major differences from the requested Public Event License before you today.

ATTACHMENTS:

- Public Event License Application

Indemnification, Waiver and Release

To be signed by all: applicant, sponsor, organizer, promoter and permittee/licensee.

The Permittee/Licensee shall indemnify and hold harmless the Village, its officers, boards, commissions, agents, elected, elected officials, and employees (collectively, "the Village Indemnitees") from any and all costs, demands, expenses, fees and expenses, arising out of: (a) breach or violation by the Permittee/Licensee of any of its certifications, representations, warranties, covenants or agreements in its application and permit/license issued by the Village; (b) any actual or alleged death or injury to any person, damage to any property or any other damage or loss claimed to result in whole or in part from the negligent performance by or on behalf of the Permittee/Licensee; or (c) any negligent act, activity or omission of permittee or an or its employees, representatives, subcontractors or agents.

The Permittee/Licensee agrees to indemnify, defend and hold harmless the Village Indemnitees against and from any and all losses, claims, demands, causes of action, actions, suits, proceedings, damages, costs and/or liabilities of every kind and nature, whatsoever (including, but not limited to expenses for reasonable legal fees, and disbursements and liabilities assumed by the Village in connection therewith), to persons or property, in any way arising out of or through the acts or omissions of the Permittee/Licensee, its servants, agents or employees, or to which the negligence of the Permittee/Licensee shall in any way contribute.

Permittee/Licensee hereby waives and releases all claims against the Village Indemnitees or arising out of the issuance of a permit to Permittee/Licensee for any and all injuries to persons or damage to property from any cause arising at any time during the event listed herein or the issuance of the Permit/License.

The term "Permittee/Licensee" refers to the applicant, as well as any sponsor, organizer, promoter of the event. Each undersigned represents and warrants that he/she has authority to execute this Indemnification, Waiver and Release Agreement on behalf of the person or entity for which he/she has signed.

Permittee/
Licensee: _____

Circle all
that apply: Applicant Sponsor Organizer Promoter

By: _____
 [Print] *Tim Moran*

 [Signature]

Date: _____



Village of Algonquin
PUBLIC EVENT/ENTERTAINMENT LICENSE APPLICATION

In order for the Village of Algonquin to assist you with your Public Event, please fill out the information below and return to the Ganek Municipal Center (2200 Harnish Drive) or permits@algonquin.org at least 45 days prior to the event.

Please type or print legibly.

Official Name of the Event: _____

Sponsoring Organization:

Name: _____ Contact Name: _____

Address: _____

City, State, ZIP: _____

Phone: _____ Email: _____

Event Coordinator:

Name: _____

Home Address: _____

City, State, ZIP: _____

Phone: _____ Email: _____

Event Information:

Describe the Nature of the Event: _____

New Event _____ Repeat Event _____ If repeat, will anything be different this year? _____

Event Address: _____

Date(s) and Time(s) of the Event: _____

Rain Date(s), if applicable: _____

Set-Up Date/Time: _____

Maximum Number of Attendees/Participants Expected: _____

Admission Fee: Yes _____ No _____ If Yes, list fee(s) to be charged: _____

How will the revenue be used (include donations to non-profit or charitable organizations): _____

Event Website: _____

Event Details:

Describe provided security, including who will be providing the security (name and contact information), hours, and a security plan: __

Describe parking or traffic control, including the location of extra parking and the number of spaces allocated, and how overflow parking will be handled: _____

Will there be a need for road closures? Yes _____ No _____ If Yes, please explain: _____

Are you requesting Algonquin Police Officer(s) presence? Yes _____ No _____ If Yes, to perform what function?

Do you want a fire truck or ambulance present? Yes _____ No _____ If Yes, for what hours and to perform what function? _____

Are you wishing to post temporary sign(s) announcing the event? Yes _____ No _____ If Yes, please describe desired size, location and date(s) that the signage will be displayed: _____

Do you wish to serve alcoholic beverages? Yes _____ No _____

If Yes, do you have DRAM Shop Insurance for the sale/consumption of alcohol? Yes _____ No _____ *If Yes, attach a copy of the policy.*

Will you have live entertainment? (e.g. bands, D.J., amplified sound, etc.) Yes _____ No _____

If Yes, please describe type, band name(s), and hours of performance and if there will be a stage: _____

Do you foresee any other special needs for this event? (Physical set-up assistance, waste removal, portable toilets and hand washing stations, electricity, generator, running water, tent(s), etc.): _____

Do you plan on holding a raffle during this event? Yes _____ No _____
(Must be an Algonquin-based, non-profit organization)

Name of on-site contact during the event (please print): _____
On-site contact's cell number: _____
On-site contact's work number: _____
On-site contact's home number: _____

Affidavit of Applicant:

I, the undersigned applicant, or authorized agent of the above noted organization, swear or affirm that the matters stated in the foregoing application are true and correct upon my personal knowledge and information for the purpose of requesting the Village of Algonquin to issue the permit herein applied for, that I am qualified and eligible to obtain the permit applied for and agree to pay all fees, to meet all requirements of the Algonquin Village Code, and any additional regulations, conditions, or restrictions set forth in the permit and to comply with the laws of the Village of Algonquin, the State of Illinois, and the United States of America in the conduct of the Public Event described herein. In addition, Applicant certifies, by signing the application, that, pursuant to 720ILCS 5/11-9.4(c), no sex offenders are employed by the carnival operator, and that no carnival employees are fugitives from Illinois or any other state's law enforcement agencies. I (or the above named organization) further agree(s) to hold harmless and indemnify the Village, its officials, employees and successors and assigns, for any and all liability, damages, suits, claims and demands for damages at law or in equity it incurs as a result and arising either directly or indirectly out of the public event noted above including but not limited to damages and attorney's fees.

Tim Moran

Signature of Applicant

Date

Printed Name of Applicant