

**JOINT MEETING
LIQUOR COMMISSION &
VILLAGE BOARD
MEETING MINUTES**



June 22, 2023

VILLAGE OF HUNTLEY

CALL TO ORDER:

A meeting of the Village Board and the Liquor Commission of the Village of Huntley was called to order on Thursday, June 22, 2023 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Village President Timothy Hoeft; Trustees: Vito Benigno, Mary Holzkopf, John Piwko, JR Westberg and Ric Zydorowicz

ABSENT: Trustee Ronda Goldman

IN ATTENDANCE:

Village Manager David Johnson, Deputy Village Manager Lisa Armour, Director of Public Works & Engineering Timothy Farrell, Chief of Police Robert Porter, Executive Assistant Barbara Read, Communications & Compliance Manager Sarah Palaszewski, and Village Attorney Betsy Gates-Alford.

PLEDGE OF ALLEGIANCE: Village President Hoeft led the Pledge of Allegiance.

SPECIAL PRESENTATION: None

PUBLIC COMMENTS:

Village President Hoeft invited members of the public who wish to address the Village Board or the Liquor Commission on items not on the agenda. There were no questions or comments from the public.

CONSENT AGENDA:

All items listed under Consent Agenda are considered to be routine by the Village Board and may be approved and/or accepted by one motion with a Roll Call Vote. If further discussion is needed, any member of the Board may request that an item be moved off of the Consent Agenda to Items for Discussion and Consideration.

- a) Consideration - Approval of June 8, 2023 Village Board Meeting Minutes and June 8, 2023 Village Board Meeting Minutes
- b) Consideration - Approval of the June 22, 2023 Bill List in the Amount of \$1,546,846.88
- c) Consideration - Consideration - Ordinance Approving a Simplified Residential Zoning Variance for Rear Yard Building Setback Relief in the "R-2" Single Family Residence District, 10531 Somerset Lane
- d) Consideration - Approval of Appointments to the Plan Commission and Zoning Board of Appeals:
 - i. Appointment of Don Walz

- ii. Appointment of Jeff Peterson as Vice Chair
- e) Consideration - Approval of Payout Request No. 2 to Arrow Road Construction Company for the 2023 Street Improvement Program in the amount of \$496,841.61
- f) Consideration - Approval of Payout Request No. 1 to Plate Construction, Inc. for the Jim Dhamer Drive, Del Webb Boulevard and Manning Road Improvements in the amount of
- g) \$154,731.60
- h) Consideration- Ordinance Amending the Huntley Code Regarding Protection and Preservation of Public Trees and Private Parkway Trees
- i) Consideration - Resolution Authorizing a Reimbursement Agreement for Preliminary Engineering Services with the Union Pacific Railroad Company in an Amount of \$35,000 for the Kreutzer Road Realignment Project
- j) Consideration - Resolution Approving the Letter of Agreement for Custom Work and Payment of Associated Fees to AT&T in the amount of \$61,190.44 for the Relocation of Overhead Utilities for the Church Street Streetscape Improvements

Village President Hoeft asked if the Village Board had any comments or changes to the Consent Agenda; there were none.

A MOTION was made to approve the June 22, 2023 Consent Agenda.

MOTION: Trustee Zydorowicz
SECOND: Trustee Holzkopf
AYES: Trustees: Benigno, Holzkopf, Piwko, Westberg Zydorowicz
NAYS: None
ABSENT: Trustee Goldman
The motion carried: 5-0-1

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration - Ordinance Approving the Issuance of a Video Gaming Location License to Lagos Pizzeria Inc., d/b/a Papa Saverio's Pizzeria, 12070 Princeton Drive and Preliminary Small Business Assistance Program Grant Discussion

Village President Hoeft stated the Village Board will defer Agenda Item 6A to the end of the meeting.

Village Board Agenda Item 6B):

- b) Conceptual Consideration - Resolution Approving a Lease Agreement Extension Between the Village of Huntley and the Huntley Area Chamber of Commerce for 11704 Coral Street

Village Manager David Johnson stated the Huntley Area Chamber of Commerce currently leases the former Village Hall building at 11704 Coral Street. The Chamber has leased the building since 2011. The current lease expires June 30, 2023. Due to the pending redevelopment of the building, the Chamber lease will not be renewed. The Chamber has found a new location, and is in the process of preparing the space for occupancy. During this process, it has been determined that additional time is needed to complete modifications to the space prior to occupancy.

The Chamber has contacted staff with a request to extend the lease term for up to three additional months to

allow time for the new space to be completed. The Chamber has proposed that the extension be granted in monthly increments, with one week notice by either party if the arrangement will not continue due to completion of the new Chamber space or in order for work to begin on the redevelopment project at 11704 Coral Street.

STAFF ANALYSIS

If the short-term extension is granted, the Chamber will continue to pay the agreed upon lease amount of \$500 per month while using the space. The Chamber will proceed with moving items out of the space so that they are able to vacate the premises with one week notice if necessary.

The lease requires that public access be allowed to the washrooms during the Farmers Market and other special downtown events. The Chamber is responsible for maintaining the interior of the building, and the exterior of the building is to be kept clean and free from rubbish and dirt. Monthly rent includes utilities, except for telephone and internet services.

FINANCIAL IMPACT

The monthly rent is proposed to remain at \$500.00 per month.

LEGAL ANALYSIS

All is in order for Village Board consideration.

ACTION REQUESTED

A motion of the Village Board for a Resolution Approving a Lease Extension between the Village of Huntley and the Huntley Area Chamber of Commerce for 11704 Coral Street.

There were no questions or comments from the Village Board.

A MOTION was made to approve a Resolution Approving a Lease Agreement Extension Between the Village of Huntley and the Huntley Area Chamber of Commerce for 11704 Coral Street

MOTION: Trustee Holzkopf
SECOND: Trustee Benigno
AYES: Trustees: Benigno, Holzkopf, Piwko, Westberg, and Zydorowicz
NAYS: None
ABSENT: Trustee Goldman
The motion carried: 5-0-1

Village Board Agenda Item 6C):

- c) Consideration – Resolution Approving a Construction Period Extension for Completion of the Redevelopment of The Cornell Building, 11117 S. Church Street

Village Manager Dave Johnson stated the developer of The Cornell (Huntley Mill Associates, LLC) was in attendance at the June 8th Village Board meeting to provide an update on construction activity at the former Catty property located at 11117 S. Church Street. As discussed, construction delays have occurred and the developer has requested an extension of the July 30, 2023, date for substantial completion of the redevelopment of the building.

STAFF ANALYSIS

The property at 11117 S. Church Street is being redeveloped for 37 multi-family units. In follow-up to the discussion with the Village Board on June 8th, a resolution is presented for consideration that extends the Construction Period deadline of July 30, 2023 to September 30, 2023 as provided for in Section 2.2(b) of the Redevelopment Agreement between the Village of Huntley and Huntley Mill Associates, LLC approved on April 14, 2022.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “*Strong Local Economy*” as a strategic focus and the following goal: “*Location of Choice for Residents.*” The addition of rental housing units in the downtown will provide another housing option for those seeking to live in Huntley.

FINANCIAL IMPACT

None.

LEGAL ANALYSIS

The Resolution provides for the extension of the substantial completion date from July 30, 2023 to September 30, 2023.

ACTION REQUESTED

A motion of the Village Board is requested for a Resolution Approving a Construction Period Extension for Completion of the Redevelopment of The Cornell Building, 11117 S. Church Street.

Trustee Benigno questioned if the developer is certain they will be completed by September 30th. Village Manager David Johnson confirmed in the affirmative.

A MOTION was made to approve the Resolution Approving a Construction Period Extension for Completion of the Redevelopment of The Cornell Building, 11117 S. Church Street

- MOTION:** Trustee Piwko
- SECOND:** Trustee Westberg
- AYES:** Trustees: Benigno, Holzkopf, Piwko, Westberg and Zydorowicz
- NAYS:** None
- ABSENT:** Trustee Goldman
- The motion carried: 5-0-1**

Village Board Agenda Item 6D):

- d) Consideration - Resolution Approving Construction Period Extensions for the Completion of the Redevelopment of the Coral Street Fire House Property, 11808 Coral Street

Village Manager Dave Johnson stated the developer (Coral Street Fire House, LLC) of the former Fire Station property at 11808 Coral Street and the restaurant operator (DC Cobbs) were in attendance at the June 8th Village Board meeting to provide an update on construction activity. As discussed, construction delays have occurred and the developer and restaurant operator have requested extensions of the June 30, 2023, date for final certificates of occupancy for the apartments and the restaurant opening date.

STAFF ANALYSIS

The property located at 11808 Coral Street was the former site of the Huntley Fire Protection District Station One. The redevelopment of the site includes construction of a new building, with the first floor to serve as restaurant space leased by DC Cobbs and the upper three floors to include 18 apartment units. In follow-up to the discussion with the Village Board, a resolution is presented for consideration that extends the Construction Period deadline of June 30, 2023 to August 31, 2023 for the 18 apartment units and October 31, 2023 for the restaurant as provided for in Section 4.2 (a) and (b) of the Redevelopment Agreement between the Village of Huntley and Coral Street Fire House, LLC approved on March 10, 2022.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “*Strong Local Economy*” as a strategic focus and the following goals: “*Location of Choice for New and Expanding Businesses of all Sizes,*” and “*Location of Choice for Residents.*” The addition of a new restaurant will offer additional dining opportunities, with the addition of rental housing units in the downtown providing another housing option for those seeking to live in Huntley.

FINANCIAL IMPACT

None.

LEGAL ANALYSIS

The Resolution provides for the extension of the date for final certificates of occupancy for the apartments from June 30, 2023 to August 31, 2023, and extends the date for the restaurant opening from June 30, 2023 to October 31, 2023.

ACTION REQUESTED

A motion of the Village Board is requested for a Resolution Approving Construction Period Extensions for Completion of the Redevelopment of the Coral Street Fire House Property, 11808 Coral Street.

There were no questions or comments from the Village Board.

A MOTION was made to approve the Resolution Approving a Construction Period Extension for Completion of the Redevelopment of Coral Street Fire Property, 11808 Coral Street

- MOTION:** Trustee Benigno
- SECOND:** Trustee Zydorowicz
- AYES:** Trustees: Benigno, Holzkopf, Piwko, Westberg, and Zydorowicz
- NAYS:** None
- ABSENT:** Trustee Goldman
- The motion carried: 5-0-1**

Village Board Agenda Item 6E):

- e) Consideration – Resolution Authorizing a Professional Services Agreement with Christopher B. Burke Engineering, LTD in an Amount Not to Exceed \$80,000 for a Road Diet and Bike Lane Connectivity Study

Village President Hoeft opened public comment for Agenda Item 6E.

John Zeller, resident of Sun City and co-chair of Walkers and Bicyclists for a Safer Community, explained that his group is made up of residents of Sun City and the Road Diet and Bike Lane Connectivity Study is of great interest

to his group. According to Mr. Zeller, this study is important because Sun City is the only residential development to have speed limits of 35mph and the only residential development that is golf cart permissible in Huntley. According to Mr. Zeller, some residents with disabilities in Sun City are fearful to walk across the wide streets, which results in barriers to their mobility. On behalf of Walkers and Bicyclists for a Safer Community, they strongly encourage and endorse this resolution.

David Ruby, resident of Sun City, stated he was involved in an accident in Sun City in November of 2020. Mr. Ruby was struck by a vehicle, which caused him severe injury. He stated that a Road Diet would have prevented the accident from occurring. Therefore, he requests that the Board approve the resolution.

Todd Kane, resident of Sun City, resides near Del Webb Blvd. Although he is not a bicyclist, he is a runner. He has observed a lot of close calls between pedestrians and vehicles. He no longer rides his bicycle on the main roads. He witnessed a driver clip a bicyclist. Mr. Kane is in support of passing this resolution.

Bob Stoltz, resident of Sun City and co-chair of Walkers and Bikers for a Safe Community, stated he is in support of the Road Diet. Road Diet benefits all road users and reduces motor vehicle crashes. Mr. Stoltz also stated that emergency response is improved when a road diet study is implemented due to the addition of turn lanes. He expressed gratitude to the Village Board on their ongoing dialogue and communication.

Director of Public Works and Engineer Tim Farrell stated the Village is committed to maintaining and improving the quality of life enjoyed by residents. Safe pedestrian and bike routes are an essential part of doing so. The Village often receives requests from citizens for pedestrian and bike accommodations that require traffic calming solutions at various locations throughout the Village and connectivity to the multi-use path network. Traffic calming is the act of balancing vehicular with pedestrian and bike access for safe transportation environments. The Village has been proactive in improving pedestrian safety including upgrading crossings with enhanced pavement markings, pedestrian signage, and where warranted, rapid reflective flash beacons (RRFB) such as at Haligus Road and Scott Drive for a controlled crosswalk condition. On April 28, 2022, the Village passed a roadway weight limit ordinance to regulate over-weight trucks from traveling on local roadways thereby enhancing roadway traffic and pedestrian safety. The Police Department mobilizes the speed trailer at select locations to increase driver awareness. Staff continues to receive requests to explore opportunities for additional traffic calming improvements and connectivity to multi-use paths.

STAFF ANALYSIS

A Road Diet Evaluation would supplement pedestrian and bicycle improvements already demonstrated or in progress. A road diet would consider lane reductions or narrowing of lane widths to accommodate systematic improvements such as shared bike lanes for enhanced safety, comfort and connectivity of non-motorized road users by decreasing or calming motorized vehicle speeds. Shared bike lanes would be a key component of the road diet and would be established with logical termination points to the existing multi-use path network. The evaluation would explore improvements that could be implemented without significant infrastructure improvements and would consider roadway widths of 36-feet or greater. The vast majority of residential roadways in the Village that meet the 36-ft width criteria are mainly in Sun City, and the fact that the Village-wide bike network connectivity is limited for Sun City, it is proposed to focus the Road Diet Evaluation to Sun City.

On September 8, 2022, the Village Board directed staff to budget a Road Diet and Bike Lane Connectivity Study for FY23. The existing Sun City bike path network would be evaluated for overall connectivity and integration with possible shared bike lanes included in the road diet. Staff has reviewed a proposal from Christopher B.

Burke Engineering, LTD and all is in order for Village Board consideration.

A meeting will be requested with select Sun City stakeholders including bike advocates and Sun City staff to better understand desired improvement locations and specific concerns. A technical memorandum will be generated including exhibits with existing and proposed typical roadway sections.

2022-2025 Strategic Plan Alignment

The Strategic Plan identifies *“Healthy, Safe and Attractive Community”* as a strategic focus and the following goal: *“A Safe Community.”* A Road Diet and Bike Lane Connectivity Study would provide a basis to plan and potentially implement pedestrian and bike accommodation improvements and connectivity to the Village multi-use path network.

Financial Impact

The FY23 Budget includes funding for the Road Diet and Bike Lane Connectivity Study in the Street Improvements and Roads & Bridges Fund, 420-00-00-8001.

Legal Analysis

None required.

Action Requested

A motion by the Village Board for a Resolution Authorizing a Professional Services Agreement with Christopher B. Burke Engineering, LTD in an Amount Not to Exceed \$80,000 for a Road Diet and Bike Lane Connectivity Study.

Trustee Benigno asked if this study will extend outside of Sun City. Director Farrell stated the study will focus on Sun City; however, the findings can be applied to other areas in the community. Trustee Piwko stated that there is a need for a road diet study in Del Webb but it should also focus on areas outside of Del Webb due to families biking around the community. Trustee Westberg questioned if golf carts are able to use the bike lane. Director Farrell stated that the study will address that inquiry and he did not have an answer yet. Trustee Westberg cautioned the use of golf carts in the bike lane. Trustee Holzkopf is in support of the study and echoes Trustee Westberg’s comments. Trustee Zydorowicz asked if the Village has budgeted for this study. Director Farrell confirmed in the affirmative. Trustee Benigno stated the importance to highlight road signage to warn drivers that there are cyclists and golf carts on the road in Sun City.

A MOTION was made to approve the Resolution Authorizing a Professional Services Agreement with Christopher B. Burke Engineering, LTD in an Amount Not to Exceed \$80,000 for a Road Diet and Bike Lane Connectivity Study

- MOTION:** Trustee Holzkopf
- SECOND:** Trustee Zydorowicz
- AYES:** Trustees: Benigno, Holzkopf, Piwko, Westberg, and Zydorowicz
- NAYS:** None
- ABSENT:** Trustee Goldman
- The motion carried: 5-0-1**

Village President Hoeft stated the Village Board will defer Village Board agenda item 6F to the end of the meeting.

Village Attorney Betsy Gates-Alford provided opening statements to the Liquor Commission hearing. Both

applicants are corporate entities: one is an LLC and one is a corporation. Therefore, to attain a local liquor license, they must be in good standing and meet license eligibility requirements, including to be of good character and reputation in the Village and not to be convicted of certain offenses that would disqualify them unless the local liquor control commission determines they would not be impaired by that prior conviction. Candidates would be disqualified if they had a previous village liquor license revoked or if they were an employee of the Village of Huntley.

Liquor Commission Agenda Item 3A):

- A. Consideration - Ordinance Amending the Huntley Code of Ordinances - Business Regulations, Alcoholic Beverages Chapter 110 Section 110.24 - Limitation on Licenses - Adding One Class "A" License and Issuing a Class "A" Liquor License to Lagos Pizzeria Inc., d/b/a Papa Saverio's Pizzeria, 12070 Princeton Drive

Chairman Hoeft said the Village of Huntley regulates the sale of alcoholic beverages through its Liquor Control Ordinance in Title XI, Business Regulations, Chapter 110 Alcoholic Beverages, Video Gaming and Electronic Sweepstakes Machines.

STAFF ANALYSIS

Consideration is requested to amend Section 110.24 of the Code of Ordinances to increase the number of available Class "A" licenses from 19 to 20 in order to issue a liquor license to Papa Saverio's Pizzeria. The Class "A" license would also allow make the applicant eligible for a Video Gaming Location License, which is being requested for consideration as a separate Village Board agenda item. If approved, the request is subject to the following conditions:

1. All requirements of the Village of Huntley Liquor Control Ordinance shall be in compliance prior to the liquor license becoming effective.
2. Petitioner must show proof of the State of Illinois Liquor License before the Village of Huntley Class "A" Liquor License becomes effective.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies "*Strong Local Economy*" as a strategic focus and the following goals: "*Location of Choice for New and Expanding Businesses of all Sizes.*" The expansion of Papa Saverio's allows for dine-in seating.

FINANCIAL IMPACT

The fee for a Class "A" License is \$1,500.00.

LEGAL ANALYSIS

Section 110.24 of the Code of Ordinances limits the number of available licenses in each class. There is no available Class "A" license. Therefore, if the Liquor Commission approves the request from the applicant, the code must be amended to create one additional Class "A" license.

ACTION REQUESTED

A motion of the Liquor Commission to Approve an Ordinance Amending the Huntley Code of Ordinances – Business Regulations, Alcoholic Beverages, Chapter 110, Section 110.24 – Limitation on Licenses, Adding one Class "A" License and Issuing a Class "A" Liquor License to Lagos Pizzeria Inc., d/b/a Papa Saverio's Pizzeria, 12070 Princeton Drive.

Chairman Hoeft invited owners, Chris and Jaime Lago to approach the dais for questions from the Village Board. Ms. Lago stated they have been franchise owners since 2011 and are looking forward to expanding their location to offer a sit-down dining option. Mr. and Mrs. Lago intend to maintain their current hours of business. There was no questions or comments from the Village Board.

A MOTION was made to approve an Ordinance Amending the Huntley Code of Ordinances - Business Regulations, Alcoholic Beverages Chapter 110 Section 110.24 - Limitation on Licenses - Adding One Class "A" License and Issuing a Class "A" Liquor License to Lagos Pizzeria Inc., d/b/a Papa Saverio's Pizzeria, 12070 Princeton Drive:

- 1. Petitioner must provide all applicable documents required by the Village of Huntley Code of Ordinances.**
- 2. Petitioner must show proof of the State of Illinois Liquor License before the Village of Huntley Class "A-1" Liquor License becomes effective.**

MOTION: Commissioner Holzkopf

SECOND: Commissioner Zydorowicz

AYES: Commissioners: Benigno, Holzkopf, Piwko, Westberg, and Zydorowicz

NAYS: None

ABSENT: Commissioner Goldman

The motion carried: 5-0-1

Village Board Agenda Item 6A):

- a) Consideration - Ordinance Approving the Issuance of a Video Gaming Location License to Lagos Pizzeria Inc., d/b/a Papa Saverio's Pizzeria, 12070 Princeton Drive and Preliminary Small Business Assistance Program Grant Discussion

Deputy Village Manager Lisa Armour stated Papa Saverio's Pizzeria currently occupies 1,477 square feet located at 12070 Princeton Drive and is expanding into the adjacent vacant space to the south, approximately 1,150 square feet. At this time, Papa Saverio's is a carry out and delivery only pizzeria. The applicant has submitted an application for a Video Gaming Location License to operate six video gaming machines at this location. The existing restaurant includes a full commercial kitchen. The owner has informed staff it is her intent to include six video gaming machines with the expansion of the existing carry-out facility. The expansion will provide a bar area and dine-in seating. The gaming machines will be located in the adjacent unit within a newly constructed gaming area. The petitioner has submitted a building permit application for the expansion and building plans are under review by the Development Services Department. An initial floor plan layout is attached. The gaming area will be required to comply with all Village screening requirements.

Per Village Code, video gaming cafes are prohibited. The following is an excerpt from the code defining a video gaming café along with the criteria as presented by Papa Saverio's Pizzeria.

Video Gaming Café. A "video gaming cafe" shall be defined as an establishment whose primary or major focus is to operate video gaming terminals as defined under the Illinois Video Gaming Act and the service of alcohol and food is incidental to the operation of video gaming. The following factors may be considered when determining if an establishment is a video gaming café:

- The layout and design of the establishment
- The preparation and variety of food and beverages offered

- The creation and operation of a commercial kitchen on the premises
- The number of video gaming terminals relative to the customer seating capacity of the establishment is less than 10 customer seats for each terminal, excluding terminal seats Petitioner’s plan is for 42 seats at tables and at the window counters.
- The source of proposed or actual revenue derived from the establishment generated by food and drink sales
- Papa Saverio’s Pizzeria has been in business at the current location since 2003 and the service of food is the primary business
- The number of employees at the establishment and their proposed function; Currently has eight employees, with plans for additional employees including a bartender and another cook
- Any other factors as determined relevant by the Village Board

Approval of the gaming location license would be subject to all requirements of the Village having been met prior to the license becoming effective.

The petitioner has also submitted an application for the Small Business Assistance Program Business Start-Up, Location and Expansion Grant Program. The adjoining unit, 12080 Princeton, is approximately 1,150 square feet and is currently unfinished. In order to complete this project, the unit will require the construction of a second bathroom, electrical work, installation of new flooring, framing, drywall and paint. Plumbing and trenching is needed for the new bathroom construction as well as the bar area. Fixtures and equipment purchases will include tables, chairs, barstools, barware, a new POS system, fountain drink machines, ice machines, storage and more to complete the 42 seat sit-down restaurant, featuring a bar and the proposed six video gaming machines.

The expansion results in an additional 74% in gross leasable square footage, exceeding the minimum 20% increase requirement for this grant.

Anticipated total of start-up and expansion costs: \$60,000

Anticipated grant amount to be requested: \$20,000 (grant program allows for up to 50% of qualifying expenditures, maximum of \$20,000)

Staff will continue to work with the petitioner to determine the eligible expenses under the Business Start-Up, Location and Expansion Grant Program and to obtain all documentation required per the program parameters.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies *“Strong Local Economy”* as a strategic focus and the following goals: *“Location of Choice for New and Expanding Businesses of all Sizes.”* The expansion of Papa Saverio’s Pizzeria allows for dine-in seating.

FINANCIAL IMPACT

Payment for the Gaming License fees in the amount of \$500 per machine (\$3,000 for six machines) and the Terminal Operator fee in the amount of \$1,000 will be required. The anticipated Small Business Assistance Program Grant amount is \$20,000.

LEGAL ANALYSIS

Section 110.60 of the Village Code of Ordinances regulates video gaming in the Village. The application has been reviewed and must be in compliance with Section 110.60 Video Gaming prior to becoming effective.

ACTION REQUESTED

A motion of the Village Board for an Ordinance Approving the Issuance of a Video Gaming Location License Lagos Pizzeria Inc., d/b/a Papa Saverio’s Pizzeria, 12070 Princeton Drive.

No questions or comments from the Village Board.

A MOTION was made to approve an Ordinance Approving the Issuance of a Video Gaming Location License Lagos Pizzeria Inc., d/b/a Papa Saverio’s Pizzeria, 12070 Princeton Drive.

MOTION: Trustee Benigno
SECOND: Trustee Holzkopf
AYES: Trustees: Benigno, Holzkopf, Piwko, Westberg, and Zydorowicz
NAYS: None
ABSENT: Trustee Goldman
The motion carried: 5-0-1

Liquor Commission Agenda Item 3B):

- B. Consideration - Accepting the Surrender of a Class "A" Liquor License from The Bowl-Hi Lanes Partnership d/b/a Bowl-Hi Lanes and Ordinance Approving the Issuance of a Class "A" Liquor License to Wolf Koukla, LLC d/b/a Bowl-Hi Lanes, 10520 Rt. 47

Chairman Hoeft stated that Wolf Koukla, LLC, d/b/a Bowl-Hi Lanes, owned by Buffy and Dimitrios Yatos, is the contract purchaser of Bowl-Hi Lanes. Wolf Koukla LLC has submitted an application for a Class “A” liquor license for Bowl-Hi. Bowl-Hi-Lanes Partnership, the current owner of Bowl-Hi, will surrender the Class “A” Liquor License effective the date of closing, which is expected within the next month. Bowl-Hi’s existing license will no longer be in effect upon the sale of the business.

STAFF ANALYSIS

Chairman Hoeft stated with the surrender of the license by Bowl-Hi Lanes Partnership, one Class “A” license will be available for issuance to the new owners of Bowl-Hi if so approved by the Liquor Commission. If the license is not approved for Wolf Koukla, LLC, then Section 110.24 of the Code of Ordinances should be amended to reduce the number of Class “A” licenses by one. If the current owner remains in operation, the license would not be surrendered.

Village President Hoeft invited Buffy Yatos to address the Village Board and provide an introduction to her plans for Bowl-Hi Lanes. Ms. Yatos stated she intends to remodel the bar-side of the bowling alley. She wishes to make Bowl-Hi a more family-friendly location and to keep the bar-side separate from the rest of the bowling alley. She has worked for Bowl-Hi over the last year to assist the business in getting more organized and compliant. Ms. Yatos stated that the recent January 2023 police incident at Bowl-Hi occurred when she was on vacation.

Commissioner Holzkopf stated that Ms. Yatos’ response on her application was misleading based upon the results of the background check. Staff recently met with Mr. and Mrs. Yatos to discuss the results of their background check, including her May 2018 arrest. After meeting with staff, Ms. Yatos wrote a letter to the Village Board describing her May 2018 arrest from her perspective and detailing her recommendation for the current Bowl-Hi owners to install ID verification machines and security cameras. Commissioner Holzkopf stated that the Village Board recommended the installation of ID verification machines and security cameras. Commissioner Holzkopf requested clarification from Ms. Yatos on her May 2018 police interaction where she

physically blocked police from entering her home during a party of approximately 75 underage individuals consuming alcohol in the Yatos family home. Ms. Yatos stated she did not block police officers from entering her home; she stated she touched the officer's hand to stop him from entering the basement without a search warrant. Commissioner Holzkopf inquired more about the Yatos family business, Warehouse Barbell. Ms. Yatos stated that the fitness facility started off in her basement then grew to over 600 customers and is now located adjacent to Bowl-Hi. Commissioner Holzkopf questioned Ms. Yatos' self-identification of "public servant" in her letter to the Village Board. Ms. Yatos explained that they participate in the local Chamber of Commerce and provide back to the community through those related endeavors, including local special events. Commissioner Holzkopf expressed hesitation believing the May 2018 timeline of events as described by Ms. Yatos. Ms. Yatos stated that her recollection of the timeline of events is accurate. Commissioner Holzkopf concluded that as a commissioner, she needs to ensure that issuing a liquor license is in the best interest of the Village.

Commissioner Benigno stated that he has similar concerns as Commissioner Holzkopf. Commissioner Benigno asked Ms. Yatos why the Commission should approve her request for a liquor license. Ms. Yatos stated that by not approving the liquor license, there would be no bowling entertainment in Huntley. Ms. Yatos commits to a healthier and cleaner establishment as the new owner of Bowl-Hi. Commissioner Benigno questioned how will Ms. Yatos commit to not having similar negative past incidents occur again at Bowl-Hi. Ms. Yatos stated that her children are now over the age of 21 and it was a one-time occurrence. Ms. Yatos stated she is committed to ensuring it does not happen again.

Commissioner Piwko requested clarification on Ms. Yatos' statement of Huntley not having a bowling alley if unable to attain a liquor license. Ms. Yatos stated that the current Bowl-Hi owners will not sell to a new owner who is unable to obtain a liquor license. Ms. Yatos stated the current Bowl-Hi owners are confident in Ms. Yatos' plans for the future of Bowl-Hi. Commissioner Piwko confirmed that Ms. Yatos is aware of the January 2023 public safety incident at Bowl-Hi. Ms. Yatos confirmed she is aware and is committed to verifying everyone's age who enters the bar area of Bowl-Hi.

Commissioner Zydorowicz questioned Ms. Yatos on her thought process while returning to her home in May of 2018 to an underage drinking party at her home. Ms. Yatos candidly expressed her shock and stated she spent her Mother's Day weekend in county jail. Commissioner Zydorowicz asked Ms. Yatos how she has changed after the May 2018 incident. Ms. Yatos stated she became a tougher mom. Commissioner Zydorowicz asked if Ms. Yatos is BASSET certified; Ms. Yatos confirmed in the affirmative and stated she has been certified on and off throughout the last five years. Commissioner Zydorowicz asked of the age range of customers at her family's adjacent fitness facility, Warehouse Barbell. Ms. Yatos stated all participants are between the ages of 18 and 40 with 20% being between the ages of 18 and 21. Commissioner Zydorowicz asked Ms. Yatos how she will ensure the 20% of underage customers do not go next door to drink at Bowl-Hi; Ms. Yatos stated they are there to work out and be healthy, not to consume alcohol.

Chairman Hoeft stated there has been significant consideration over the conditions of Bowl-Hi receiving a liquor license. He detailed his concern that Ms. Yatos stated that she was out of town during Bowl-Hi's January 2023 incident, and questioned how Ms. Yatos will ensure an incident won't happen again when she goes on vacation in the future. Ms. Yatos stated she will educate her employees daily. Chairman Hoeft inquired if Ms. Yatos was aware of the Bowl-Hi's current owners' commitments and conditions to the Village Board in response to the January 2023 underage alcohol consumption incident. Ms. Yatos stated she was only made aware last week of the commitments and conditions Bowl-Hi owners made to the Village Board. Chairman Hoeft expressed his disappointment in the current Bowl-Hi owners for not sharing those commitments and conditions. Chairman Hoeft recommends that this be continued to the next Liquor Commission meeting so Mr. and Mrs. Yatos can be

made aware of the conditions the current Bowl-Hi owners committed to in order to improve the safety of their establishment. Village Attorney Betsy Gates-Alford explained that the referenced conditions are in response to an underage drinking incident in January of 2023, which includes a fine, a probationary period, no liquor sales in the outdoor dining areas, implementation of ID scanner, installation of security cameras, and participation in public safety meetings with the Police Department.

Commissioner Zydorowicz asked Ms. Yatos if she was made aware of the conditions last week, and Ms. Yatos confirmed in the affirmative. Village Manager Johnson stated that the intention is not to have the conditions rolled over to a new applicant, but to draft new conditions applicable to the new applicant. Chairman Hoeft inquired if it would be the same guidelines given to the current owners of Bowl-Hi. Village Manager Johnson confirmed that would be the intention. Village Attorney Gates-Alford concurred with Village Manager Johnson's statements. Commissioner Benigno stated he would like to see Ms. Yatos' plan of action on how she will implement safe practices. Ms. Yatos stated that was acceptable. Trustee Piwko recommended the Police Department conduct surprise inspections of Bowl-Hi. Chairman Hoeft recommended that Bowl-Hi have a healthy and open communication with the Police Department.

A MOTION was made to table to the next Liquor Commission Meeting on July 13, 2023 the Surrender of a Class "A" Liquor License from The Bowl-Hi Lanes Partnership d/b/a Bowl-Hi Lanes and Ordinance Approving the Issuance of a Class "A" Liquor License to Wolf Koukla, LLC d/b/a Bowl-Hi Lanes, 10520 Rt. 47

MOTION: Commissioner Westberg
SECOND: Commissioner Piwko
AYES: Commissioners: Benigno, Piwko, Westberg, and Zydorowicz
NAYS: Commissioner Holzkopf
ABSENT: Commissioner Goldman
The motion carried: 4-1-1

Village Board Agenda Item 6F):

- a) Consideration Transmittal - Annual Comprehensive Financial Report for the Fiscal Year-End December 31,2022

Finance Director Cathy Haley stated the Annual Comprehensive Financial Report (ACFR) for the fiscal year-end December 31, 2022, has been completed and is transmitted to the Village President and Board of Trustees to accept and place on file. The Village received a "clean" unmodified opinion. The auditor's opinion: Village's financial records are presented fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, and, where applicable, cash flows, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The Village was the victim of fraudulent activity in late 2022. This is reflected on page 71 as shown under contingencies under the finance section. This did not involve any illegal activity by any Village employee. The Village's insurance carrier has advised staff today that the loss will be covered in its entirety.

The Annual Comprehensive Financial Report (ACFR) for the fiscal year-end December 31, 2022, has been completed and is transmitted to the Village President and Board of Trustees to accept and place on file.

The narrative below identifies the components included in the audit summary presentation by Brian LeFevre, Partner in Charge, Government Services, Sikich LLP.

STAFF ANALYSIS

Pages 1 – 3: Independent Auditor’s Report; Less than 3/10 of 1% of all government agencies nationwide and only 1 out of 20 in the State of Illinois receive a “clean” unmodified opinion. The Village of Huntley is one of these agencies. The auditor’s opinion: Village’s financial records are presented fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Village of Huntley, Illinois, as of December 31, 2022, and the respective changes in financial position, and, where applicable, cash flows, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

MD&A5: Table 1; The Statement of Net Position mirrors the basic accounting equation, assets = liabilities + equity. Deferred outflows and inflows are noncurrent assets and liabilities and must be presented separately in accordance with GASB Statement No. 68, Accounting and Financial Reporting for Pensions GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions.

MD&A7: Table 2; The Change in Net Position compares the revenue and expenses for the current and prior fiscal years’ Governmental and Business Activities. Governmental Activities reports a \$12,110,789 increase in net position. Business Activities reports an increase of \$2,252,132 in net position.

Pages 5 - 6: The Village’s cash position remains strong; cash and investments total \$46.4 million; the Village Board governs an operation with assets in excess of \$264 million.

Pages 7 - 8: The Statement of Activities displays the cost of providing services to Village residents. In 2022, the cost totaled \$33.7 million.

Page 9: Governmental Funds - fund balances total \$26 million. General Fund reserve policy requirements equal 25% of operating expenditures during the prior twelve-month period. The General Fund balance assignments are listed below:

Non-spendable in form – prepaid items	\$ 51,995
Non-spendable in form – advances	\$ 3,180,000
Assigned for future capital projects	\$ 5,658,057
Assigned for future operations, 25% fund reserve	\$ 4,295,503
Unassigned	\$ 1,757,370
<hr/> Total General Fund balance Dec 31	<hr/> \$14,942,925

Page 11: Statement of Revenues, Expenditures and Changes in Fund Balances summarizes the resources used during the year. The General Fund reports a Net Change in Fund Balance totaling \$3,266,240.

Removing Transfers included in Other Financing Sources reports the Excess of Revenues over Expenditures as follows:

General Fund Net Change in Fund Balance	\$ 3,266,240
Transfers in:	\$ (10,000)

Transfers out:	\$ 5,352,950
General Fund Excess of Revenues over Expenditures:	\$ 8,609,190

Page 15: The Proprietary Funds Statement of Revenues, Expenditures and Changes in Net Position report an operating gain in the water funds and an operating loss in the wastewater funds before capital grants and contributions. Removing depreciation, a non-cash transaction updates net income (loss) in both funds.

	Business-Type Activities		
	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
Operating Revenues	\$3,428,855	\$3,269,152	\$6,698,007
Operating Expenses - Less Depreciation	<u>\$2,564,861</u>	<u>\$2,601,174</u>	<u>\$5,166,035</u>
Operating Income/(Loss)	<u>\$863,994</u>	<u>\$667,978</u>	<u>\$1,531,972</u>

The Benefits Fund is an internal service fund reporting employer and employee contributions for health insurance and life benefits. The fund reports a decrease in Net Position totaling (\$45,697).

Page 18 - 19: The Village of Huntley Police Pension Fund reports a net decrease of (\$993,396), and includes assets totaling \$15.25 million as of December 31, 2022.

Pages 33 - 38: Long-term debt instruments reported as of December 31, 2022, are Downtown TIF 2020 General Obligation Refunding Bonds, Net Pension Liability for IMRF and Police, Other Postemployment Benefits (OPEB), Two Installment Contracts, Asset Retirement Obligations, Compensated Absences, 2022 General Obligation Bonds, and the Wastewater 2020 General Obligation Refunding Bonds.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “Organizational Excellence” as a strategic focus and the following goal: “Fiscal Responsibility.” The findings of the ACFR demonstrate the Village’s commitment to this goal and that the Village is a good steward of public dollars entrusted to it to ensure the resources needed to provide services are available today and in the future.

FINANCIAL IMPACT

Not applicable.

LEGAL ANALYSIS

Not required.

ACTION REQUESTED

Staff requests the Village Board accept and place on file the December 31, 2022, Annual Comprehensive Financial Report.

Trustee Benigno complemented Staff and stated the report was easy to understand.

A MOTION was made to accept and place on file the December 31, 2022, Annual Comprehensive Financial Report:

MOTION: Trustee Holzkopf
SECOND: Trustee Piwko
AYES: Trustees: Benigno, Holzkopf, Piwko, Westberg, and Zydorowicz
NAYS: None
ABSENT: Trustee Goldman
The motion carried: 5-0-1

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT: None

VILLAGE PRESIDENT’S REPORT: Village President Hoeft acknowledged the upcoming special events: Farmer’s Market, Sew Hop’d Mini Zoo Day, and the first Tuesday night concert. He invited everyone to come out to the special events to support local businesses. Village President stated that Village offices will be closed on Tuesday, July 4th.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: There is no Executive Session for either the Village Board or the Liquor Commission. There is no action on closed session items for either the Village Board or the Liquor Commission.

POSSIBLE ACTION ON ANY CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further business to discuss, a motion was made at 8:25 p.m. to close the Village Board.

MOTION: Trustee Piwko
SECOND: Trustee Benigno
The Voice Vote noted all ayes and the motion carried.

There being no further business to discuss, a motion was made at 8:25 p.m. to close the Liquor Hearing.

MOTION: Commissioner Westberg
SECOND: Commissioner Zydorowicz
The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Sarah Palaszewski
Communications & Compliance Manager