

VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
April 13, 2017
MINUTES

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, April 13, 2017 at 7:02 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Ronda Goldman, Timothy Hoeft, Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg.

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Chief Robert Porter and Village Attorney John Cowlin.

PLEDGE OF ALLEGIANCE: Mayor Sass led the Pledge of Allegiance.

PUBLIC COMMENTS:

Chief Porter introduced Officer Anthony Juliano to the Village Board and gave a brief description of Officer Juliano's background and education. Officer Juliano thanked the Village Board for the opportunity and stated that he was honored to be working for the Village.

CONSENT AGENDA:

- a) Approval of the March 9, 2017 Village Board, March 16, 2017 Committee of the Whole and the March 23, 2017 Village Board Meeting Minutes
- b) Approval of a Resolution approving a Façade Improvement Assistance Program Grant for Lisa Rossow and Lynn Klein, 11810 E. Main Street
- c) Approval of a Resolution Awarding a Municipal Partnership Initiative (MPI) Contract to J.A. Johnson Paving Company in the amount not to exceed \$50,000 to complete 2017 Pavement Patching
- d) Approval of a Resolution Approving a Bid Award to Visu-Sewer, Inc. to Complete Sewer Televising, Jetting and Lining
- e) Approval of a Resolution Approving a Budget Amendment and Change Order to Muscat Painting in the Amount of \$10,125.00 for the Village of Huntley Streetlight Pole Base Repainting Program

- f) Approval of an Ordinance Adopting the Amended and Restated Village of Huntley Personnel Manual
- g) Approval of the April 13, 2017 Bill List in the amount of \$255,440.25

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

A MOTION was made to approve the Consent Agenda.

MOTION: Trustee Kanakaris

SECOND: Trustee Westberg

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The Motion Carried: 6-0-0

ITEMS REMOVED FROM THE CONSENT AGENDA: None

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration of a Resolution Authorizing Execution of Business Development Agreement Estoppel and Consent to Assignment – Viking TDC to Huntley Tax Holdings, LLC, Huntley Grove Commercial

Village Manager David Johnson reported that in March, 2007, the Village approved a Business Development Agreement with TDC Huntley, LLC (Tucker Development) to assist with the development of Huntley Grove, which includes Walmart, Autozone, McDonald's, Burger King, a multi-tenant retail building, and additional outlots at the southeast corner of Rt. 47 and Kreutzer Road. The agreement provides for a sales tax rebate to the developer that totals \$4,325,000. To date, approximately \$2,031,085 has been paid to the developer, with \$2,293,914 remaining to be paid. The sales tax generated from all businesses on the site is split 50/50 between the developer and the Village.

Staff Analysis

In 2012, the bank holding the loans on the property sold the loans to an Ohio-based firm. Tucker Development joint ventured with the buyer in a new entity (Viking-TDC Huntley, LLC) and has continued to lease and manage the project. As part of this process, on May 10, 2012, the Village approved an Estoppel and Confirmation Agreement confirming the status of the original Business Development Agreement, acknowledging that neither party was in default at that time, and that the Village acknowledged that the assignment of TDC's rights under the Business Development Agreement was permitted under the agreement. Viking-TDC is now seeking to assign all of its right, title and interest in, to and under the Business Development Agreement to Huntley Tax Holdings, LLC (HTH). To do so requires Village Board approval of a second estoppel agreement with consent to make the assignment to HTH.

Financial Impact

The terms of the original Business Development agreement remain in place.

Legal Analysis

The Village Attorney has reviewed the agreement and all is in order for approval.

A motion of the Village Board Approving a Resolution Authorizing Execution of a Business Development Agreement Estoppel and Consent to Assignment - Viking TDC to Huntley Tax Holdings, LLC, Huntley Grove Commercial

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Leopold asked for confirmation that just the owner has changed; Village Manager Johnson concurred.

There were no other comments or questions.

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT: None

VILLAGE PRESIDENT'S REPORT:

Mayor Sass reported that Village offices will be closed on April 14th for the spring holiday.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION:

- a) Probable or Imminent Litigation and Pending Litigation
- b) Contractual
- c) Property Acquisition, Purchase, Sale or Lease of Real Estate
- d) Appointment, Employment, Dismissal, Compensation, Discipline and Performance of an Employee of the Village of Huntley
- e) Collective Bargaining
- f) Appointment, Discipline or Removal of Public Officers
- g) Appointment of a Public Officer
- h) Review of Closed Session Minutes
- i) Other

A MOTION was made at 7:09 p.m. to enter into Executive Session for a) Probable or Imminent Litigation and Pending Litigation, Property Acquisition, Purchase, Sale or Lease of Real Estate, and Review of Closed Session Minutes

MOTION: Trustee Piwko

SECOND: Trustee Hoeft

A MOTION was made at 7:21 p.m. to exit Executive Session.

MOTION: Trustee Leopold

SECOND: Trustee Kanakaris

ACTION ON CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:22 p.m.

MOTION: Trustee Westberg

SECOND: Trustee Hoeft

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary