

**VILLAGE OF HUNTLEY
VILLAGE BOARD
August 22, 2019
MEETING MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, August 8, 2019 at 7:35 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoefl, Harry Leopold, John Piwko, and JR Westberg.

ABSENT: Trustee Niko Kanakaris

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman, Director of Public Works and Engineering Timothy Farrell, Director of Finance Cathy Haley, Chief Robert Porter, and Village Attorney John Cowlin.

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

SPECIAL PRESENTATION:

- a) Introduction of New Police Officers

Chief Porter introduced the Village's new Patrol Officers that have completed their training:

Officer Hunt thanked the Village Board and his wife for the honor of working for the Huntley Police Department.

Officer Eberle introduced his family and thanked the Village Board and Staff for the opportunity.

PUBLIC COMMENTS: None.

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration – Approval of the August 22, 2019 Bill List in the amount of \$255,533.48

Mayor Sass reported that \$88,805.00 (or 34.8%) of the total bill list is attributable to the payment of Quarterly Dispatch Services to Seecom.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve the August 22, 2019 Bill List in the amount of \$255,533.48.

MOTION: Trustee Leopold

SECOND: Trustee Piwko

AYES: Trustees: Goldman, Hoeft, Leopold, Piwko and Westberg
NAYS: None
ABSENT: Trustee Kanakaris
The motion carried: 5-0-1

b) Consideration – A Resolution Approving a Temporary Off-Premise Sign Permit for the St. Vincent de Paul Society Walk/Run 5k for the Poor, September 28, 2019

Mayor Sass reported that the St. Vincent de Paul Society (Society) is seeking approval to place seven (7) banners in the rights-of-way to advertise the Society’s annual Walk/Run 5k for the Poor to be held on Saturday, September 28, 2019. This year the event will begin on the property of St. Mary Church and continue entirely on sidewalks through the Wing Pointe subdivision back on to St. Mary property. The Village Board gave approval of this event at the February 14, 2019 meeting. At that time, it was anticipated that the event would be held downtown and on the path around Georgian Place.

Staff Analysis

The Society proposes to post the banners on September 13th and remove them no later than September 30th. The banners will be 2’ by 6’ and are proposed to be placed at the following locations:

1. Route 47 and Reed Road
2. Route 47 and Algonquin Road
3. Route 47 and Mill Street
4. Route 47 and Kreutzer Road
5. Route 47 and Dean Street
6. Huntley Road and Main Street
7. Church Entrance on Kreutzer Road

The Society acknowledges that some sites may not be under the Village’s jurisdiction. If these sites are unacceptable, the Society requests permission for other sites with the approval of the Village Manager. Additionally, no signs will be posted on private property without prior authorization of the property owner, no more than one (1) sign will be placed at any of the specified locations, and relief is required to locate the signs on Village rights-of-way.

The Village’s Sign Regulations allow off-premise signs provided they receive Village Board approval and adherence to certain standards and criteria. The below table details the criteria and the proposed signs:

Criteria	Proposed
Sign adjacent to and intended to be viewed from Route 47 only	Two of the proposed signs will be viewed from Route 47 and the others will be visible from other streets throughout the Village.
Prohibited within a residentially zoned property	Some of the property is zoned residential.
Maximum area of a sign face, whether a single sign face, two back-to-back, or a V-shaped type sign is 100 s.f.	The signs are 2’ x 6’ (12 square feet).
Maximum height is 15 feet above grade	The signs are approximately three (3’) feet high.
The location shall not obscure or interfere with an official traffic control device or railroad safety	The 2’ x 6’ banners shall be installed so as not to obstruct a driver’s view of approaching,

signal or sign, or obstruct or interfere with a driver's view of approaching, merging or intersecting traffic for a distance of 500 feet	merging or intersecting traffic.
--	----------------------------------

If approved, the request shall be subject to the following conditions:

1. A permit must be applied for and obtained from the Development Services Department.
2. The signs are to be removed no later than September 30, 2019.

Financial Impact

The temporary sign permit fees are waived by Section 156.115 of the Zoning Ordinance.

Mayor Sass reported that representatives of the petition were in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve a Resolution for a Temporary Sign Permit for September 13, 2019 – September 30, 2019 for Off-Premise Signs for the St. Vincent de Paul Society of St. Mary Church Huntley.

- MOTION:** Trustee Leopold
- SECOND:** Trustee Westberg
- AYES:** Trustees: Goldman, Hoefft, Leopold, Piwko and Westberg
- NAYS:** None
- ABSENT:** Trustee Kanakaris
- The motion carried: 5-0-1**

- c) Consideration – An Ordinance Approving a Special Use Permit for an Indoor Recreation Facility in the “M” Manufacturing District for Elite Athletics & Sports, located at 10611 - 10615 Wolf Drive

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that VSJ Holdings LLC (d/b/a Elite Athletics and Sports) and The Rink of Crystal Lake, Inc. have applied for a Special Use Permit for Indoor Recreation within the “M” Manufacturing zoning district. The Special Use Permit will allow VSJ Holdings LLC to operate their new business venture, Elite Athletics and Sports (Elite Athletics), in the Wolf Business Park. Per their business plan, Elite Athletics plans to be a state of the art multi-athletics training facility with their core focus on community and scholastic youth sports specific training. They will target sports specific individuals, teams and clubs looking for expert training in wrestling, football, baseball, martial arts, strength and conditioning, and more.

The 7,500 square foot unit was previously occupied by Mighty Moon Bounce House. The gym layout consists of several large open space areas for training (turf area, weight/rack area, wrestling mats with heavy bags along wall). The space also includes smaller offices, which will be utilized for offices and changing/locker rooms.

Staff Analysis

All youth athletes will be dropped off and picked up for practice sessions. Youth practice sessions will run from 5:00 p.m. to 8:30 p.m. During the week, the peak morning hour would generate 5 vehicle visits, and the peak PM hour would generate 15 vehicle visits. Weekends would typically be slower,

with 5 visitors during the peak AM hour, and 5 visitors for the peak PM hour. The petitioner estimates that at its peak, the business will utilize a maximum of 20 parking spaces at one time.

Based on the Zoning Ordinance parking requirements for Commercial Recreation (0.3 spaces per person of design capacity), twenty-three (23) parking stalls are required for the proposed facility. There are approximately 130 parking spaces within the eastern portion of the Wolf Business Park and approximately 60 parking spaces immediately north of the proposed business.

Plan Commission Recommendation

The Plan Commission reviewed the petitioners’ request on August 12, 2019, and, with no members of the public offering comments in favor or opposition to the request, recommended approval of the petition by a vote of 6 to 0, subject to the following conditions:

1. No building unit construction permits, plans or Certificates of Occupancy are approved as part of this submittal.
2. No products shall be sold on the subject premises except such products distributed in the normal course of business of the principal use and no outdoor display is permitted and/or approved as part of this submittal.
3. No Signage is approved as part of the Special Use Permit.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Promote New Business Development, Retention, and Expansion*” as a Strategic Priority, “*Attract and Retain Businesses to Enhance Tax Base and Create New Jobs*” as a goal.

Director Nordman reported that representatives of the petition were in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve an Ordinance for a Special Use Permit for an indoor recreation facility in the “M” Manufacturing zoning district for Elite Athletics & Sports, 10611-10615 Wolf Drive.

- MOTION: Trustee Hoeft**
- SECOND: Trustee Goldman**
- AYES: Trustees: Goldman, Hoeft, Leopold, Piwko and Westberg**
- NAYS: None**
- ABSENT: Trustee Kanakaris**
- The motion carried: 5-0-1**

- d) Consideration – An Ordinance Approving an Extension for Completing Required Exterior Improvements to 10501 Route 47

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that on July 26, 2018, the Village Board approved a special use permit for Sardar Motors Inc., to operate a used automobile dealership within the “B-2” Highway Service District-zoned property at 10501 Route 47. A condition of Ordinance (O) 2018-07.26, approving the special use permit, required the owner of the property to apply for façade program assistance and complete all exterior improvements to the building by August 1, 2019.

Staff Analysis

On May 21, 2019, staff sent a letter to the property owner reminding him of the need to complete the required exterior improvements by the August 1st deadline. The owner later submitted an incomplete façade improvement assistance program application on July 19, 2019. After meeting with staff on July 24, 2019, the property owner submitted a letter, dated July 29, 2019, requesting a twelve (12) month extension to complete the required exterior improvements. The owner cited a pending insurance claim for damage sustained to the existing roof from wind and hailstorms as the reason for requesting the extension.

Also submitted with the extension request were three (3) designs being considered by the owner. These designs are preliminary in nature and do not identify proposed materials or colors.

Legal Analysis

Failure to apply for façade program assistance and complete the required exterior improvements by August 1, 2020, shall constitute grounds for the revocation of the special use permit for Sardar Motors.

Director Nordman reported that Tommy Kondraros, property owner, was in attendance to answer questions.

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

Trustee Piwko stated that they had one year to complete the work and at the last minute they informed the Village that they cannot complete it. Trustee Piwko stated that he did not think that they will complete it if given another year.

Trustee Leopold asked what has taken them so long. Mr. Kondraros stated that it has taken time to get quotes and work through some insurance issues.

Trustee Hoeft asked how long the work would take to be completed once a contractor is hired and scheduled. Mr. Kondraros stated that it would take upwards of two (2) months. Trustee Hoeft stated that if construction starts in September then it could be finished in December.

Trustee Westberg stated that the work can be completed in six (6) months. Mr. Kondraros stated that it could be completed in six (6) months but he would prefer eight (8) months.

Trustee Leopold stated that he could not support a one-year extension but would agree to a 6-month extension.

Mayor Sass stated that they also need to do something with the parking lot as the water doesn't drain.

Village Manager Johnson stated that the parking lot is in violation.

Director Nordman stated that the petitioner is expected to submit the Façade Improvement application within the next several weeks.

It was the consensus to give the petitioner an extension of six (6) months.

A MOTION was made to approve an Ordinance approving a six month extension for completing required exterior improvements to 10501 Route 47.

MOTION: Trustee Hoeft
SECOND: Trustee Westberg
AYES: Trustees: Goldman, Hoeft, Leopold, and Westberg
NAYS: Trustee Piwko
ABSENT: Trustee Kanakaris
The motion carried: 4-1-1

- e) Consideration – A Resolution Authorizing a Master Pole Attachment Agreement With New Cingular Wireless PCS, LLC (AT&T) to Define the Terms and Conditions for Implementation of Small Wireless Facilities

Director of Public Works and Engineering Timothy Farrell reported that in July 2018, the Village adopted ordinance (O)2018-07.29 regulating small cell wireless facilities in response to Illinois Public Act 100-585 (known as the Small Wireless Facilities Deployment Act). An ordinance amendment (O)2019-01.04 was adopted in January 2019 consistent with the Federal Communications Commission “Declaratory Ruling and Third Report and Order” that issued new federal regulations pertaining to small wireless facility regulations.

Staff Analysis

New Cingular Wireless PCS, LLC (AT&T) desires to install, maintain and operate small wireless facilities in and/or upon certain utility poles, wireless support structures and/or real property owned by the Village of Huntley. The agreement provides the framework for implementation of these communication services in a manner consistent with the Small Wireless Facilities Deployment Act, the Illinois Cable and Video Competition Act, the Illinois Telephone Company Act, the Telecommunications Act of 1996, the Middle Class Tax Relief and Job Creation Act of 2012, the Simplified Municipal Telecommunications Tax Act, 35 ILCS 636/5-1, et. seq. and Federal Communication Commission Regulations.

The Master Pole Attachment Agreement is intended to define the general terms and conditions which would govern the relationship between AT&T and the Village with respect to particular sites at which the Village may wish to permit AT&T to install, maintain and operate small wireless facilities as set forth in the Agreement.

Financial Impact

The Ordinance sets an application fee of \$650 for an application to collocate a single small wireless facility on an existing utility pole or wireless support structure and \$350 for each small wireless facility addressed in a consolidated application. Also, an application fee of \$1,000 is required for each small wireless facility that includes the installation of a new utility pole or wireless support structure.

Legal Analysis

The Village’s Special Counsel, the Filippini Law Firm has reviewed the Master Pole Attachment Agreement.

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

Trustee Leopold asked if there was a specific location; Director Farrell stated that there is not a specific location noted except that it would be on Route 47.

There were no other comments or questions.

A MOTION was made to approve a Resolution Authorizing a Master Pole Attachment Agreement with New Cingular Wireless PCS, LLC (AT&T).

MOTION: Trustee Westberg

SECOND: Trustee Goldman

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

NAYS: None

ABSENT: Trustee Kanakaris

The motion carried: 5-0-1

- f) Consideration – Approval of Payout Request No. 3 to Geske & Sons, Inc. for the 2019 MFT Street Program in the amount of \$451,217.55

Director of Public Works and Engineering Timothy Farrell reported that on February 28, 2019, the Village Board approved a resolution appropriating \$985,000.00 in Motor Fuel Tax Funds for Maintenance of Streets and Highways for the 2019 Street Improvement Program and a Resolution Authorizing a Bid Award and Construction Contract to Geske & Sons, Inc. in the amount of \$1,538,779.75 for the resurfacing of Georgian Place Subdivision for a total length of 18,960 ft. (3.6 miles). On June 27, 2019, the Village Board approved a Change Order in the amount of \$26,900 to complete Potomac Court modifications bringing the awarded contract amount to \$1,565,679.75.

Geske & Sons, Inc. has submitted the third payout request for the 2019 MFT Street Program. Staff and the Village’s project engineer, CBBEL, has reviewed the request and all is in order for approval of payout request No. 3.

Staff Analysis

Pay Request	Total Completed Work	Retention	Previous Payments	Amount Requested
#1	\$285,589.15	\$28,558.91 (10%)	\$0.00	\$257,030.24
#2	\$757,764.88	\$75,776.48 (10%)	\$257,030.24	\$424,958.16
#3	\$1,192,848.37	\$59,642.42 (5%)	\$681,988.40	\$451,217.55

Financial Impact

The FY2019 Budget includes funding for the 2019 program in the amount of \$915,000.00 for engineering and partial construction costs from the Streets Improvements and Roads & Bridges Fund, 420-00-00-8000 and \$985,000.00 for construction costs from the MFT Fund, 460-00-00-8001. The full amount of the MFT appropriation will be used for construction. Any unexpended budget funds will remain in the Streets Improvements and Roads & Bridges Fund.

Mayor Sass stated that the project is basically completed and looks good. Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve Payout Request No. 3 to Geske & Sons, Inc. in the amount of \$451,217.55 for the work completed under the 2019 Street Improvement Program.

MOTION: Trustee Hoeft

SECOND: Trustee Leopold
AYES: Trustees: Goldman, Hoeft, Leopold, Piwko and Westberg
NAYS: None
ABSENT: Trustee Kanakaris
The motion carried: 5-0-1

g) Consideration – Approval of Payout Request No. 1 to J.A. Johnson Paving Co. for the 2019 Edge Mill & Overlay Program in the amount of \$87,592.84

Director of Public Works and Engineering Timothy Farrell reported that on March 28, 2019, the Village Board approved a Resolution Authorizing a MPI contract extension to J.A. Johnson Paving Co. in the amount of \$169,170 for the Edge Mill & Overlay Program including Sun City NH 15 and Automall Drive. Borden Street was later added to the program, as well.

J.A. Johnson Paving Co. has submitted the first payout request for the 2019 Edge Mill & Overlay Program for the completion of Sun City NH 15. Village staff has reviewed the request and all is in order for approval of the payout request No. 1.

Staff Analysis

Pay Request	Total Completed Work	Retention	Previous Payments	Amount Requested
#1	\$87,592.84	0.00	\$0.00	\$87,592.84

Financial Impact

The FY19 Budget includes \$75,000 for the Edge Mill & Overlay and a fund surplus from the favorable Georgian Place Subdivision Street Improvements bid in the Streets Improvement and Roads & Bridges Fund, line item 420-00-00-8001.

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

Trustee Leopold asked if there were any statistics to indicate how long this process would hold up. Director Farrell stated that it had a similar time frame or longer than full reconstruction. Trustee Leopold stated that the residents in N3 were very happy with the work.

There were no other comments or questions.

A MOTION was made to approve Payout Request No. 1 to J.A. Johnson Paving Co. in the amount of \$87,592.84 for the work completed under the 2019 Edge Mill & Overlay Program.

MOTION: Trustee Leopold
SECOND: Trustee Westberg
AYES: Trustees: Goldman, Hoeft, Leopold, Piwko and Westberg
NAYS: None
ABSENT: Trustee Kanakaris
The motion carried: 5-0-1

h) Transmittal of Second Quarter FY2019 Financial and Investment Reports for the Village of Huntley

Director of Finance Cathy Haley reported that submitted for review and acceptance were the Village's second quarter FY2019 Financial and Investment Reports, which included:

1. FY2019 Second Quarter Financial and Investment Report Review
2. FY2019 Revenue and Expense Detail

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

Trustee Goldman asked if the revenue reported included the Kane County Property Tax; Director Haley stated that it did include Kane County's Property Tax.

There were no other comments or questions.

A MOTION was made to accept and place on file the following reports for the Village of Huntley:

- 1. FY2019 Second Quarter Financial and Investment Report Review**
- 2. FY2019 Revenue and Expense Detail**

MOTION: Trustee Leopold

SECOND: Trustee Hoeft

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

NAYS: None

ABSENT: Trustee Kanakaris

The motion carried: 5-0-1

- i) Consideration – Authorization to Seek Letters of Interest for the Redevelopment of the Catty Property at 11117 S. Church Street

Village Manager David Johnson reported that on February 8, 2018, the Board authorized staff to issue a Request for Proposals to solicit development proposals for the site. The RFP was made available to the public for approximately 60 days, with no proposals submitted by the April 30th deadline. Staff has continued to market the property through various means, including listing the site for sale on CoStar/Loopnet. To date, the listing has been viewed over 1,000 times. Over 20 different entities have toured the building.

At this time, at least four parties have expressed interest in the property. The proposals range from re-use of the structure, a combination of re-use of a portion and razing a portion of the structure, and complete razing.

Staff Analysis

In order to determine if any of the proposed uses are acceptable to the Village and to identify a developer with the financial capability to complete a project, Staff is seeking the Board's authorization to seek Letters of Interest from any interested parties no later than September 30, 2019. The process would require a less formal submittal than the previous Request for Proposals but would serve as a starting point for the Village Board to direct Staff to continue discussions and enter into formal negotiations for the sale and redevelopment of the property if a satisfactory proposal is identified.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote New Business Development, Retention, and Expansion* as a priority, "continue downtown revitalization efforts" as a goal, and "redevelop Catty property" as an objective.

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

Trustee Leopold requested that the document drop the word “financial” and just have it state assistance. Village Manager Johnson stated that wording could be removed; however, the bottom line is that all are asking for financial assistance.

There were no other comments or questions.

It was the consensus of the Village Board to authorize seeking Letters of Interest for the Redevelopment of the Catty Property at 11117 S. Church Street.

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT: None

VILLAGE PRESIDENT’S REPORT:

UNFINISHED BUSINESS: None

NEW BUSINESS:

Trustee Piwko stated that at the August 20th Concert in the Square, a gentleman came up to him and thanked the Village Board for the concerts. Mayor Sass stated that he wants to add more funds for the concerts and get more sponsorships.

Trustee Goldman stated that she knows it was not a Village issue but wanted to know if the Verizon problem that took place earlier in the week got resolved as many people were without phone service. Village Manager Johnson stated that Staff will look into the issue.

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 7:40 p.m. to Enter into Executive Session for a) Probable or Imminent Litigation and Pending Litigation.

MOTION: Trustee Piwko

SECOND: Trustee Westberg

The Voice Vote noted all ayes and the motion carried.

A MOTION was made at 7:48 p.m. to Exit Executive Session.

MOTION: Trustee Westberg

SECOND: Trustee Leopold

The Voice Vote noted all ayes and the motion carried.

POSSIBLE ACTION ON ANY CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:49 p.m.

MOTION: Trustee Hoeft

SECOND: Trustee Piwko

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary