

**VILLAGE OF HUNTLEY  
VILLAGE BOARD  
February 27, 2020  
MEETING MINUTES**

**CALL TO ORDER:**

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, February 27, 2020 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

**ATTENDANCE:**

**PRESENT:** Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoeft, Harry Leopold, and JR Westberg.

**ABSENT:** Trustees: Niko Kanakaris and John Piwko

**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, Deputy Chief Mike Klunk, Special Counsel Tom Burney, and Village Attorney John Cowlin.

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

Mayor Sass reported an amendment to the Agenda removing Item 6p) Discussion – Policy Direction Regarding a Designated Outdoor Refreshment Area (DORA) during Village-Sponsored Special Events in the Downtown Area.

**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

**A MOTION was made to Enter into Executive Session at 7:00 p.m. for a) Probable or Imminent Litigation and Pending Litigation, c) Property Acquisition, Purchase, Sales or Lease of Real Estate, and f) Appointment, Discipline or Removal of Public Officers**

**MOTION:** Trustee Leopold

**SECOND:** Trustee Westberg

**The Voice Vote noted all ayes and the motion carried.**

**A MOTION was made to Exit Executive Session at 7:26 p.m.**

**MOTION:** Trustee Leopold

**SECOND:** Trustee Westberg

**The Voice Vote noted all ayes and the motion carried.**

**PUBLIC COMMENTS:**

Chris Freeman, 7216 S. Rawson Bridge Road, Cary, introduced himself and distributed information to the Village Board regarding the 501(c)(3) organization Sleep in Heavenly Peace which is a charity that provides free handmade bunk beds to children from 3 to 17 years of age who don't have beds of their own. Trustee Leopold asked about how many beds were given away in 2019. Mr. Freeman stated that this branch of the organization began in 2018 but typically about 2% of the population would be in need.

Melissa Solis, 11330 Dean Street, stated that she looked at the plans for Country Delight and would like better sound abatement and barriers. She stated that she lives next door and they have trucks running all night long. She stated that the report states that activity takes place from 4 a.m. to 6 p.m. but she stated that it is really from 3 p.m. to 8 p.m. Ms. Solis stated that when the company was first told to not park near their fence it only happened for a while and now they are again parking along the fence adjacent to their house.

**ITEMS FOR DISCUSSION AND CONSIDERATION:**

- a) Consideration – Approval of the February 27, 2020 Bill List in the amount of \$410,023.15

Mayor Sass reported that \$40,361.04 of the bill list expenditures is from the FY19 Budget and the remaining \$369,662.11 is from the FY20 Budget. \$101,719.52(or 24.8%) of the total bill list is attributable to the payment for the purchase of A Bobcat Pro-6000 Z-Turn Mower from Rick’s Small Engine Repair (\$8,855.00), quarterly dispatch service fees to Seecom (\$88,805.00) and the final payout to Geske & Sons Inc. for the 2019 MFT Street Program (\$4,059.52).

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

**A MOTION was made to approve the February 27, 2020 Bill List in the amount of \$410,023.15.**

- MOTION: Trustee Goldman**
- SECOND: Trustee Westberg**
- AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**
- NAYS: None**
- ABSENT: Trustees: Kanakaris and Piwko**
- The motion carried: 4-0-2**

- b) Consideration - An Ordinance Approving the Issuance of a Video Gaming Location License to Pakkos Enterprises Corp d/b/a Huntley’s Tacos Locos; 12132 Route 47

Mayor Sass reported that the Village regulates video gaming licenses and terminals in the Village through its Code of Ordinances, Title XI, Section 110.60 Gaming Licenses. Pursuant to the Village of Huntley Code of Ordinance amendment approved by the Village Board in March 2017, separate approval is required for all gaming requests.

Staff Analysis

The Village is in receipt of a video gaming location license request from Ms. Rachel Pacheco, owner of Pakkos Enterprises Corp d/b/a/ Huntley’s Tacos Locos (Tacos Locos), 12132 Route 47, to install five gaming terminals. Tacos Locos received a Class “A” liquor license originally in July 2016 and has been

successfully renewed each year. A Class “A” liquor license allows for video gaming subject to Village Board approval. Ms. Pacheco has submitted preliminary plans proposing the gaming terminals be located along the south wall near the front of the restaurant. Official plans will need to be submitted to the Development Services Department staff to review ADA accessibility prior to the installation of the gaming terminals.

*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 *See included site plan*
- The preparation and variety of food and beverages offered *See included menu*
- The creation and operation of a commercial kitchen on the premises *Existing kitchen is a commercial kitchen*
- 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 *50 seats would be required by code for 5 terminals. Petitioner is presenting twenty four seats at nine tables*
- The source of proposed or actual revenue derived from the establishment generated by food and drink sales *Tacos Locos has been in business for six years.*
- The number of employees at the establishment and their proposed function; *Currently has 9 employees.*
- Any other factors as determined relevant by the Village Board

The petitioner’s application has been approved by the Illinois Gaming Board and is subject to the Village’s approval. The Village Board previously approved a video gaming location license for Tacos Locos, but the petitioner did not install the machines.

#### Financial Impact

Payment for five terminals as well as the terminal operator fee will be processed upon approval of the gaming location.

#### Legal Analysis

Section 110.60 of the Village Code of Ordinances regulates video gaming in the Village. The application has been reviewed and is on file.

Mayor Sass reported that Rachel Pacheco, owner of Huntley Tacos Locos was in attendance to answer questions.

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

Trustee Leopold stated that if they do not have the required number of seats for five (5) machines then they should lessen the amount of machines and add more seating.

Trustee Goldman asked if they would consider having only three (3) machines. Ms. Pacheco said that they could move forward with three (3) machines.

Trustee Leopold asked the petitioner to come back with a new floor plan showing 30 seats and 3 machines.

There were no other comments or questions.

c) Consideration – An Ordinance Approving a Special Use Permit for the Outside Storage of Vehicles for Country Delight Inc., 11713 Mill Street

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that Country Delight Dairy (“Country Delight”) is the contract purchaser of the former Dean Foods plant located at 11713 Mill Street. The plant, which is located on the south side of Mill Street, sits on approximately ±9.8 acres that is bound by Mill Street to the north, Dean Street to the west, Martin Drive and Grove Street to the south, and the Union Pacific Railroad to the east. Country Delight is also purchasing the ±6.8 acres Dean’s transportation facility which is located on the north side of Mill Street; however, the property is not included as part of this petition.

The former plant at 11713 Mill Street is zoned “M” Manufacturing which allows warehouse storage and manufacturing as permitted uses; however, the outside storage of vehicles requires the approval of a Special Use Permit by the Plan Commission and Village Board of Trustees. Country Delight’s proposed outside storage of the semi-tractor trucks and semi-trailers triggers the requirement for a Special Use Permit. The approval of a Special Use Permit is required prior to Country Delight occupying the property.

Staff Analysis

Country Delight is proposing to utilize the former Dean’s plant on the south side of Mill Street for the storage and distribution of milk and dairy products. They have also stated that as their company grows they intend to expand their distribution lines and begin production of their own. Country Delight has been transporting milk for Dean Foods and operating out of the transportation facility on the north side of Mill Street under a Special Use Permit that allowed the outside storage of vehicles by Dean Foods (Ordinance (O)2015-11.45). This Special Use Permit has expired. Upon approval of the Special Use Permit, Country Delight will shift their truck parking to the former plant on the south side of Mill Street and utilize the building for their distribution operation.

The proposed storage and distribution by Country Delight at 11713 Mill Street will include the outside storage of 30 tractor trucks and 30 semi-trailers within the parking area to the south of the plant in accordance with the proposed site plan. The site plan also includes the creation of 73 employee parking spaces within the parking area to the south of the plant.

Country Delight has stated the truck traffic will be one-third (1/3) of the truck traffic compared to when Dean Foods was in operation. The hours of operation will be weekdays from 4:00 AM to 6:00 PM. Country Delight anticipates having approximately 75-105 employees. The following is a summary of the positions:

- 10-15 Office Operations
- 5-10 Salesmen
- 10-20 Warehouse Employees (Distribution and Production Operations)
- 50-60 Drivers

In conjunction with the request for a Special Use Permit, Country Delight is required to make several improvements to the property to bring it into conformance with Zoning Ordinance requirements. These improvements include resurfacing the truck storage lot, installing solid fencing to screen the truck parking from residential properties, and installing landscaping along the Dean Street frontage. In addition to these improvements, they have also proposed to paint the exterior of the building and repair/replace broken dock doors.

The resurfacing of the truck storage lot is necessary due to a majority of the lot being in poor condition with much of the asphalt severely cracked and crumbling. Country Delight will be resurfacing the truck storage lot/parking areas on the parcel to accommodate its fleet of vehicles and employee parking. The striping of the lot will create parking for 30 tractor trucks, 30 trailers, and 73 employee parking spaces.

The fencing surrounding the storage lot will also be modified to provide screening in accordance with Zoning Ordinance requirements. The proposed solid white fencing used to screen the truck parking area would replace the portions of the existing chain link fence that are adjacent to properties that are residentially zoned. The fencing is proposed to extend along the Dean Street frontage, starting at the southwest corner of the main building, and extend south and southeast along the Martin Drive frontage of the property, and then north along the Union Pacific railroad tracks on the east property line (see exhibit).

The proposed landscaping will be installed along Dean Street in an area that was previously occupied by asphalt and a maintenance building that collapsed last year. The proposed landscaping includes 11 deciduous trees and 14 evergreen trees in addition to shrubs and perennials.

#### Dean Foods Transportation Facility – North Side of Mill Street

Country Delight also has the north Transportation Facility under contract; however, the property and any approvals required for use of this property are not included in this current petition. Country Delight has stated that they do not currently have a user for the property.

On November 5, 2015, the Village Board approved Ordinance (O) 2015-11.15, granting a Special Use Permit and site plan approval for the reconstruction and expansion of the truck storage lot for the Dean Foods transportation facility on the north side of Mill Street. The plan presented by Deans IL Dairies LLC, and approved by the Village Board, called for constructing the improvements in five phases. The first four phases were constructed in accordance with the approved plans; however, the fifth phase was never completed. The fifth phase consisted of paving the truck parking area located north of the transportation building.

On September 26, 2018, Village staff sent Dean Foods a letter stating that failure to complete the improvements in accordance with the approved plans was a violation of Ordinance (O) 2015-11-15 and Section 156.106(C)(5) of the Zoning Ordinance which requires all off-street parking areas to be improved with an all-weather, durable and dustless surface. Staff requested that a plan be provided for removing the gravel lot and restoring the area to grass since Dean Foods was ceasing operations in Huntley and did not intend to complete the work in accordance with the approved plans.

Country Delight has been operating, and continues to conduct operations, out of the north Transportation Facility. As such, Country Delight and Dean Foods have requested permission to allow Country Delight to continue outside storage of trucks on the north parcel until no later than June 1, 2020 to coincide with the deadline to pave, landscape, and fence the south property. The petitioner has stated that in the interim he would need to keep trucks on the north property while work is being completed on the south lot. Upon completion of the improvements to the south lot, the petitioner would complete restoration of the north property by removing the gravel rather than complete the improvements as required by Ordinance (O) 2015-11.15.

#### Plan Commission Recommendation

The Plan Commission reviewed the petitioner's request and conducted the required public hearing on

October 14, 2019. Mr. John Staab spoke on behalf of his mother who is the owner of the duplex at 11303 Dean Street. Mr. Staab expressed that he was concerned with the amount of truck traffic that would be utilizing Mill Street and requested that Dean Street be considered for truck traffic in the future. No other residents spoke in opposition or support of the project.

As part of the public hearing, Country Delight requested the ability to park additional trucks on the property without having to return to amend the Special Use Permit. Following discussion by the Plan Commission, it was recommended that up to 40 tractors (trucks) and 40 trailers may be stored on the property without having to amend the Special Use Permit, provided that a revised parking/storage lot striping plan is submitted to, and approved, by Village staff. This was added to the Plan Commission's recommendation as a condition of approval.

At the conclusion of the public hearing the Plan Commission recommended approval of the petition by a vote of 6 to 0, subject to the following conditions:

1. In accordance with the approved site plan, not more than 30 tractors (trucks) and 30 trailers shall be parked on the site at any one time.
2. The parking of tractors (trucks) and trailers shall only occur in designated spaces as indicated on the approved site plan.
3. The landscaping, fencing, and resurfacing of the truck storage lot/parking areas for Country Delight's fleet of vehicles and employee parking shall be completed no later than June 1, 2020.
4. Country Delight shall be issued a temporary certificate of occupancy until such time that the required landscaping, fencing and resurfacing of the truck storage lot/parking areas for Country Delight's fleet of vehicles and employee parking are complete. The temporary certificate of occupancy shall expire on June 1, 2020.
5. Failure to complete the required landscaping, fencing, and resurfacing of the truck storage lot/parking areas for Country Delight's fleet of vehicles and employee parking by June 1, 2020 shall be a violation of the Special Use Permit conditions and shall constitute grounds for revocation of the Special Use Permit.
6. The width of employee parking stalls shall be 10 feet and the width of the drive aisle shall be 25 feet in accordance Zoning Ordinance requirements for parking stall dimensions.
7. The landscape plan shall be revised to replace the GroLow Sumac with a different species of shrub.
8. The use of the parking spaces within the right-of-way along Mill Street shall require a license agreement between Country Delight Dairy LLC and the Village of Huntley.
9. The location of the fence along Dean Street shall not obstruct sight lines for vehicles exiting the site.
10. The solid fencing shall be extended to run along the east lot line of the truck storage lot.
11. Curb shall be installed along Dean Street in the area where the landscaping will abut the Dean Street pavement.
12. In accordance with Section 156.068(M) of the Zoning Ordinance, the special use must be established within six (6) months or the Special Use Permit shall be null and void.
13. A cash bond in the amount of 120% of the estimated cost shall be provided for the required landscaping, fencing, and resurfacing of the truck storage lot/parking areas for Country Delight's fleet of vehicles and employee parking.
14. In accordance with Section 156.068(L) of the Zoning Ordinance, upon the conditions of approval being met the applicant shall file an affidavit with the Village Manager stating so. Upon receipt, the Village shall complete an inspection to verify that such conditions and limitations have been met. The required cash bond shall not be returned until the Village has confirmed that all conditions and limitations of the Special Use Permit have been met.

15. No building construction permits, plans, or Certificates of Occupancy are approved as part of the Special Use Permit.

***Condition added by the Plan Commission:***

16. A maximum of 40 tractors (trucks) and 40 trailers may be stored on the site subject to a revised parking/storage lot striping plan being submitted to, and approved, by Village staff.

***Staff recommended Village Board conditions:***

17. A detailed plan and estimate of probable cost shall be provided for the restoration of the unfinished truck parking lot at the Dean Foods transportation facility on the north side of Mill Street. The plan and estimate of probable cost shall be provided to Village staff for review and approval by no later than April 1, 2020.

18. A cash bond in the amount of 120% of the estimated cost for restoring the unfinished truck parking lot improvements at the Dean Foods transportation facility shall be provided to the Village within 10 business days of the Village approving the estimate of probable cost.

19. The restoration of the unfinished truck parking lot improvements at the Dean Foods transportation facility on the north side of Mill Street shall be completed by no later than July 31, 2020.

20. The Dean Foods signage on the building on the north side of Mill Street shall be removed immediately.

21. A landscape maintenance plan shall be provided for the upkeep of the landscaping on the north property shall be provided to the Village within ten (10) business days of the Village approving the Special Use Permit. The maintenance plan shall include specific details for maintaining the berm along the east lot line, including repairing erosion, annual mulching, and the replacement of evergreen trees determined by the Village to be in poor condition.

22. The metal building located at the north end of the Dean Foods transportation facility property, north of Mill Street, shall be removed no later than June 1, 2020.

23. A certificate of occupancy shall be required for the use of the north Transportation building.

24. Failure to remove all vehicles from the north Transportation building site shall be considered a violation of the Special Use Permit conditions and shall constitute grounds for revocation of the Special Use Permit.

25. In accordance with Section 156.073, Industrial Performance Standards for properties zoned "M", operations at the facility shall meet all requirements of the State of Illinois Pollution Control Act, including acceptable levels for noise vibration, smoke and particulate matter, odors and similar nuisances as found in the State of Illinois Pollution Control Act, as amended.

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

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

Trustee Westberg noted the resident's concerns with the noise and asked if the Reefers are left on. Joe McMahon, Country Delight Dairy owner, stated that the Reefers are left on but the trucks are turned off.

Trustee Golden asked for confirmation that currently the Special Use allows for 30 trucks to be parked and they are asking if they could go up to 40 trucks without amending the Special Use. Mr. McMahon stated that was correct.

Trustee Westberg asked for confirmation of the designated open times to be from 4 a.m. to 6 p.m. Mr. McMahon stated that it could be earlier and later.

Mr. McMahon stated that the trailers will be backed in with the Reefers facing west.

Trustee Leopold noted that in 1999 he saw 100 trucks in that lot; this will be much less.

There were no other comments or questions.

**A MOTION was made to approve an Ordinance Approving a Special Use Permit for the Outside Storage of Vehicles for Country Delight Inc., 11713 Mill Street.**

**MOTION: Trustee Leopold**

**SECOND: Trustee Hoeft**

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

**NAYS: None**

**ABSENT: Trustees: Kanakaris and Piwko**

**The motion carried: 4-0-2**

- d) Presentation and Policy Direction Regarding Refunding Current Debt Certificates and Potential Issuance of New General Obligation Debt and Authorization to Execute an Engagement Letter with Bernardi Securities

Director of Finance Cathy Haley reported that the Village currently has two outstanding Debt Certificates from 2015 and 2017. The Downtown TIF Debt Certificates have an outstanding balance of \$3,285,439 (including interest), and the Debt Certificates issued for the East and West Wastewater Treatment Facilities have an outstanding balance of \$3,248,700 (including interest). With municipal bond yields at the lowest since 1956, the Village requested Bernardi Securities to provide information on refunding of the debt for potential savings. In addition, the Village asked for information for new debt to be issued to provide funding for Streetscape Improvements along Church and Mill Streets, Catty Site improvements (separate from the passenger rail project), and Village and dry utility improvements/relocations.

Director Haley introduced Mr. Robert Vail, Director of Public Finance from Bernardi Securities who reviewed a presentation:

With municipal yields so low savings can be gained by refunding the current debt certificates held at American Community Bank. The proposed refunding is as follows:

- Refunding the 2017 Debt Certificates without changing the term, providing net savings of approximately \$200,000
- Refunding and extending out the 2015 debt certificates to 2037 with level debt service, which would reduce the existing annual payment from \$323,000 to ±\$191,000
- New debt of \$4 million for downtown projects, with the term also out to 2037 and level debt service

Currently, the downtown debt of the 2015 Debt Certificates has annual debt service of \$323,000. With the 2015 refunding and \$4 million in new project debt service, the annual payment would be approximately \$490,000. Therefore an increase in total payments of approximately \$167,000 would result from the refunding and new debt, with all of the TIF debt maturing when the TIF expires (last collection 2037). The new debt of \$4 million would have a two-year period for the funds to be spent.

Village Manager Johnson clarified that the proposed new debt did not include costs associated with the Catty building redevelopment. He stated that the current proposal from Landmark 11117 for the Catty building would require an additional debt of \$5 million.



Trustee Leopold asked what the Village's current outstanding debt was; Village Manager Johnson reported that the current debt is about \$3M.

Trustee Leopold stated that since it was such a large sum, could it be issued incrementally. Mr. Vail stated that it needs to be issued at one time and that the Village will have 3-years to spend 90% of the funds. Village Manager Johnson reported that at least 50% of the funds will be used the first year.

Trustee Leopold asked if this will require pledge funds; Village Manager Johnson stated that the same ones will be used.

Trustee Leopold noted that the \$3 million obligation for wastewater treatment plant upgrades and stated that he wanted to make a statement for the public. Trustee Leopold stated that the Village has paid approximately one-half million on an unfunded mandate imposed by the State of Illinois EPA. We had to borrow the \$3 million; we paid \$500,000 and we still have to pay over \$3 million thanks to our state.

Trustee Westberg asked what happens to the money the Village receives from the State for Amtrak; would the money go into the General Fund or would we pay the debt off faster. Village Manager Johnson stated that initial costs would be paid by the Village and reimbursed by the State. The \$4 million would not include anything with the Amtrak passenger improvements.

Trustee Leopold asked if a pre-payment can be made. Mr. Vail stated that there is a call feature. Trustee Leopold stated that we would not be able to pay it off for 10 years; Village Manager Johnson concurred.

Trustee Goldman noted that interest rates would not be determined until at least March.

Trustee Leopold asked if the Village kept all the current debt, could the Village get a certificate only for the additional funding needed. Mr. Vail stated that the interest would be higher and the Village's rating would be dinged. Trustee Leopold noted that the Village is saving money with a lower interest rate.

Trustee Hoeft noted that the Village is not locked into an interest rate until at least March. Mr. Vail agreed and stated that if something changes in the stock market, we are not locked in until it closes.

**A MOTION was made to approve the authorization and execute an Engagement Letter with Bernardi Securities.**

**MOTION: Trustee Hoeft**

**SECOND: Trustee Westberg**

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

**NAYS: None**

**ABSENT: Trustees: Kanakaris and Piwko**

**The motion carried: 4-0-2**

e) Consideration - A Resolution Approving a Professional Services Agreement with Sikich for

## Part-Time Accounting Services in Excess of \$20,000

Director of Finance Cathy Haley reported that the Village entered into a professional services agreement with Sikich on January 2, 2020 for accounting services previously provided through the vacant part-time accountant position currently in the FY20 budget. Since this date, Sikich has provided the following services and assistance:

- Reconciled all Village investments through January 2020 with 5/3 Bank, which holds 41 investment instruments
- Reconciled through January 2020 all SSA bank statements (6-10) with US Bank, all BMO Harris bank statements for Payroll, Accounts Payable and the General Operating account, the money market account, petty cash and CD investments held at American Community Bank, all Illinois Funds bank accounts, and the police pension money market and investment accounts
- Booked all state shared revenues immediately upon notification such as sales tax, income tax, video gaming tax and telecom tax
- Completed and reconciled debt service from American Community Bank through December 2019
- Completed reconciliation of lockbox payments for water billing for all deposits hitting the bank and all on-line payments running through Illinois Funds E-pay have been reconciled to date

### Staff Analysis

Current expense for this project through February 7, 2020 totals almost \$15,500. In order to continue with this monthly process, staff is requesting to continue utilizing the expertise of Sikich for all bank reconciliations, revenue recognitions, investment reconciliations, and debt reconciliations. In addition, a monthly process to analyze and reconcile all payable and receivables on the Village's balance sheet will be created by the staff at Sikich and reviewed by the Director of Finance on a monthly basis.

### Financial Impact

The FY20 budget include \$59,541 in the budget for wages, IMRF and FICA costs to hire a part-time accountant. To maintain continuity of operations within the Finance Department and not disrupt the monthly progress Sikich has made, staff is requesting to continue utilizing their services.

Under the terms of the Village's purchasing manual, any expenditure exceeding \$20,000 within a single fiscal year for a project must be submitted to the Village Board for approval. As the cost of this contract begins to approach \$20,000, Village staff is seeking Village Board approval to continue with these services and professional expertise provided by Sikich.

### Legal Analysis

The Village has the legal authority to allow expenditures to Sikich in excess of \$20,000, with the total of such payments not to exceed budgeted amounts.

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

Trustee Goldman asked and received clarification that costs will not exceed \$59,541.

There were no other comments or questions.

**A motion of the Village Board for a Resolution Approving a Professional Services Agreement in Excess of \$20,000 with Sikich LLP for Part-Time Accounting Services.**

**MOTION: Trustee Goldman**

**SECOND: Trustee Leopold**  
**AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**  
**NAYS: None**  
**ABSENT: Trustees: Kanakaris and Piwko**  
**The motion carried: 4-0-2**

- f) Consideration – Approval of the Village of Huntley 2020 Street Improvement Program:
- i. Consideration - Approval of a Resolution to Appropriate \$1,200,000 in Motor Fuel Tax Funds for Maintenance of Streets and Highways for the 2020 Street Improvement Program
  - ii. Consideration - Approval of a Resolution Authorizing a Bid Award and a Construction Contract with Schroeder Asphalt Services, Inc. for the 2020 Street Improvement Program

Director of Public Works and Engineering Timothy Farrell reported that the 2020 Street Improvement Program targets the resurfacing of the Northbridge subdivision consisting of approximately 64,000 square yards of roadway along nearly 3.0 centerline miles. Northbridge was originally constructed in four phases between the years 2004 and 2006.

The proposed rehabilitation method will consist of a combination of the following three methods of pavement rehabilitation:

- Edge Grind & Overlay (1.5’)
- Grind & Overlay (1.5’ - 2’)
- Full Depth Pavement Removal & Replacement (4’)

All three rehabilitation methods will include spot repairs to curb and gutter (at locations of poor drainage, deteriorated concrete or at ADA ramps) PCC sidewalk repairs (at trip hazards equal to or greater than ½”, and ADA accessible ramp retrofits), and select qualifying PCC driveway apron replacements. Also included would be any necessary structure adjustments, replacement of damaged public utility frames and lids in the roadway, and replacement of defective roadway drainage structures along with the installation of subsurface roadway underdrains in identified design locations. All pavement markings will be replaced in kind and all crosswalk locations will be evaluated for the placement of additional pavement markings and pedestrian crossing signage. The Option No. 1 bid includes crack sealing of the pavement edges in Georgian Place subdivision that was resurfaced in 2019.

In terms of the driveway apron repairs, 2” of heaving/settlement are the criteria used to warrant replacement, consistent with past practice. Based on field measurements, one driveway apron is identified for replacement at a cost of approximately \$2,020. There are an additional 93 driveway aprons or flares with settlement/heaving below 2” to 1.5”. A heaving/settlement concrete driveway apron evaluation and cost analysis table is included for review. Also consistent with past practice, concrete spalling alone does not meet the criteria to warrant replacement of a driveway apron. Field observations identified a total of six driveway aprons with minor spalling. A spalling concrete driveway apron evaluation and cost analysis table is also included for review. For property owners wishing to address concrete aprons not meeting the criteria for replacement, the Village may consider offering the 50/50 Program that would provide a 50% cost share up to a maximum of \$500, again consistent with past practice. The Village has \$75,000 budgeted in the Sidewalk Replacement Program that can be earmarked for any qualifying 50/50 Sidewalk Program requests.

On February 13, 2020, the Village received bids from five contractors for the 2020 Street Improvement Program. The bid results are summarized in the bid tabulation summary table.

COMPANY	BASE BID AMOUNT	OPTION #1 BID AMOUNT
<i>Engineer's Estimate</i>	<i>\$1,503,752.25</i>	<i>\$1,527,152.25</i>
SCHROEDER ASPHALT SERVICES, INC.	\$1,358,122.81	\$1,375,018.81
PLOTE CONSTRUCTION, INC.	\$1,434,235.41	\$1,448,407.41
BROTHERS ASPHALT PAVING, INC.	\$1,438,345.51	\$1,452,337.51
ARROW ROAD CONSTRUCTION CO.	\$1,521,590.91	\$1,534,802.91
J.A. JOHNSON PAVING CO.	\$1,566,283.46	\$1,615,783.46*

\*Corrected from As-Read Bid

Staff Analysis

Staff has reviewed the bids and all is in order for consideration of the bid award to the lowest, responsible bidder, Schroeder Asphalt Services, Inc. in the Option No.1 Bid amount of \$1,375,018.81 contingent upon IDOT approval of the Motor Fuel Tax (MFT) resolution for the appropriation of funds. Work is anticipated to begin on or about June 1, 2020, with a project completion date of August 19, 2020. In an effort to limit the duration of the disturbance from the construction activity throughout the subdivision, the contract requires construction start and completion phasing. Northbridge Drive and west will be completed in the first phase, and east of Northbridge Drive will be completed in the second phase.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote Sound Financial Management and Fiscal Sustainability* as a Strategic Priority, and “enhance asset management program to sustain level of service at economical life cycle cost” as an objective.

Financial Impact

The FY20 Budget includes funding for the 2020 program in the amount of \$475,000.00 for engineering and partial construction costs from the Streets Improvements and Roads & Bridges Fund, 420-00-00-8001 and \$1,200,000.00 for construction costs from the MFT Fund, 460-00-00-8001. The IDOT MFT appropriation is a procedural requirement for the use of MFT funds. 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 asked if the Village Board had any comments or questions.

Trustee Leopold asked if last year’s amount was also \$1.2M; Director Farrell stated that it was also \$1.2M.

There were no other comments or questions.

**A MOTION was made to approve a Resolution to Appropriate \$1,200,000 in Motor Fuel Tax Funds for Contract Construction for the 2020 Street Improvement Program**

- MOTION:** Trustee Leopold
- SECOND:** Trustee Westberg
- AYES:** Trustees: Goldman, Hoeft, Leopold and Westberg

**NAYS: None**  
**ABSENT: Trustees: Kanakaris and Piwko**  
**The motion carried: 4-0-2**

**A MOTION was made to approve a Resolution Authorizing a Bid Award and Construction Contract with Schroeder Asphalt Services, Inc. in the Option No.1 Bid amount of \$1,375,018.81 for the 2020 Street Improvement Program**

**MOTION: Trustee Hoeft**  
**SECOND: Trustee Leopold**  
**AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**  
**NAYS: None**  
**ABSENT: Trustees: Kanakaris and Piwko**  
**The motion carried: 4-0-2**

- g) Consideration – A Resolution Approving a Proposal for Professional Construction Engineering Services for the 2020 MFT Street Improvement Program – Christopher B. Burke Engineering, Ltd in an Amount Not To Exceed \$107,815.50

Director of Public Works and Engineering Timothy Farrell reported that a Proposal for Construction Engineering Services for the 2020 Motor Fuel Tax (MFT) Street Program has been received from Christopher B. Burke Engineering, Ltd. (CBBEL). Services will include construction engineering for the rehabilitation of the Northbridge Subdivision consisting of approximately 64,000 square yards of roadway along nearly 3.0 centerline miles. Northbridge was originally constructed in four phases between the years 2004 and 2006.

#### Staff Analysis

The proposed rehabilitation method will consist of a combination of the following three methods of pavement rehabilitation:

- Edge Grind & Overlay (1.5’)
- Grind & Overlay (1.5’ - 2’)
- Full Depth Pavement Removal & Replacement (4’)

All three rehabilitation methods will include spot repairs to curb and gutter (at locations of poor drainage, deteriorated concrete or at ADA ramps) PCC sidewalk repairs (at trip hazards equal to or greater than ½”, and ADA accessible ramp retrofits), and select qualifying PCC driveway apron replacements. Also included would be any necessary structure adjustments, replacement of damaged public utility frames and lids in the roadway, and replacement of defective roadway drainage structures along with the installation of subsurface roadway underdrains in identified design locations. All pavement markings will be replaced in kind and all crosswalk locations will be evaluated for the placement of additional pavement markings and pedestrian crossing signage. Crack sealing of the pavement edges in Georgian Place subdivision that was resurfaced in 2019 is also included in the work scope.

#### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote Sound Financial Management and Fiscal Sustainability* as a Strategic Priority, and “enhance asset management program to sustain level of service at economical life cycle cost” as an objective.

Financial Impact

The FY20 Budget includes funding for the 2020 program in the amount of \$475,000.00 for engineering and partial construction costs from the Streets Improvements and Roads & Bridges Fund, 420-00-00-8001 and \$1,200,000.00 for partial construction costs from the MFT Fund, 460-00-00-8001. A not-to-exceed amount of \$107,815.50 is identified in the proposal but cost savings may be realized. For instance, in 2019, Georgian Place Construction Engineering services came in under \$95,000, which was more than \$30,000 below the not-to-exceed contract amount.

Director Farrell reported that Engineer Greg Sanders from CBBEL was 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 Approving a Proposal for Professional Construction Engineering Services for the 2020 MFT Street Program – Christopher B. Burke Engineering, Ltd. in an amount not to exceed \$107,815.50.**

- MOTION: Trustee Hoeft**
- SECOND: Trustee Goldman**
- AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**
- NAYS: None**
- ABSENT: Trustees: Kanakaris and Piwko**
- The motion carried: 4-0-2**

h) Consideration – Resolution Adopting a Complete Streets Policy for the Village of Huntley

Director of Public Works and Engineering Timothy Farrell reported that safe accommodations for all users and a connected network are important needs of any transportation system. Complete Streets are defined as improvements that provide safe, connected transportation networks for pedestrians, cyclists, transit users, freight, emergency services, and motor vehicles. Such improvements include, but are not limited to, bicycle facilities, streetscaping, pedestrian treatments, refuge islands, access control and lower speeds on local roads. Complete Streets provides significant health, safety, environmental, economic, and social benefits.

Staff Analysis

The purpose of this policy is, first and foremost, to ensure that all users of the transportation system are accommodated. This policy suggests that whenever practical the Village develop and maintain a safe and equitable transportation system that anyone can access, utilize, and enjoy. This policy should be observed whenever practical when planning, designing, constructing, and operating Village streets. Nothing in the policy is legally binding for the Village to take any specific action.

Many jurisdictions within Kane and McHenry Counties and the Chicago region have already adopted Complete Streets policies. By adopting a Complete Streets policy the Village of Huntley is helping to implement the Chicago Metropolitan Agency for Planning (CMAP) ON TO 2050 Plan for the Chicago region and will therefore be entitled to bonus points during the 2020 STP-L Call for Projects.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Preserve and Enhance Quality of Life for Village Residents*” as a strategic priority and “*Improve Transportation Network and Transit Services Throughout the Village*” as a

goal.

Legal Analysis

The Complete Streets Policy has been reviewed by the Village’s special legal counsel.

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

**A MOTION was made to approve a Resolution Adopting a Complete Streets Policy for the Village of Huntley.**

- MOTION: Trustee Goldman**
- SECOND: Trustee Hoeft**
- AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**
- NAYS: None**
- ABSENT: Trustees: Kanakaris and Piwko**
- The motion carried: 4-0-2**

- i) Consideration – A Resolution Authorizing the Submittal of an Application for Surface Transportation Program (STP) Call for Projects for Federal Fiscal Years 2021-2025 to the McHenry County Council of Mayors

Director of Public Works and Engineering Timothy Farrell reported that the McHenry County Council of Mayors (McCOM) has announced a Surface Transportation Program (STP) call for projects for federal fiscal years 2021-2025.

To be considered, projects must meet the following requirements:

- 1. Must be an eligible Federal-Aid Urban (FAU) route;
- 2. Must be funded for the local share;
- 3. Must be a member of McCOM;
- 4. Project applications must be submitted during the open Call for Projects by March 15, 2020.

The current McCOM allotment is as follows:

FY2021	\$3,879,276
FY2022	\$3,669,512
FY2023	\$3,480,707
FY2024	\$3,480,707
FY2025	\$3,480,707
Total FY2021-2025	\$17,990,909

Allotments will change as final funding amounts are determined. Construction and Construction Engineering is eligible for award at 80/20 federal/local split with an awarded cap at \$1.5 million per project.

Staff Analysis

The Kreutzer Road Realignment (from East of IL Rt. 47 to Haligus Road) project is a good candidate for STP funding. A summary of the estimated project cost is as follows:

Kreutzer Road Realignment	Local Share	Federal Share	Total Cost
Phase I Engineering	\$320,050	\$0	\$320,050

Phase II Engineering	\$570,000	\$0	\$570,000
Land Acquisition	\$1,000,000	\$0	\$1,000,000
Construction Costs	\$4,200,000	\$1,500,000	\$5,700,000
Phase III Engineering	\$570,000	\$0	\$570,000
Total:	\$6,660,050	\$1,500,000	\$8,160,050

Submittal of the project application does not commit the Village to any expenditures. A Phase I Engineering Services Agreement is submitted separately for consideration.

Also, a project application has been submitted for the IDOT Local Rail-Highway Crossing Safety Program, which if awarded, would reduce the local share.

Financial Summary

The FY20 budget includes funding in the amount of \$300,000 for Phase I Engineering in the Streets Improvements and Roads & Bridges Fund, Line Item 420-00-00-8001. Since Phase I Engineering is scheduled to take 18 months to complete, carry-over and additional funds will be budgeted in FY21.

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

**A MOTION was made to approve a Resolution Authorizing the Submittal of an Application for Surface Transportation Program (STP) Call for Projects for Federal Fiscal Years 2021-2025 to the McHenry County Council of Mayors.**

- MOTION:** Trustee Westberg
- SECOND:** Trustee Leopold
- AYES:** Trustees: Goldman, Hoeft, Leopold and Westberg
- NAYS:** None
- ABSENT:** Trustees: Kanakaris and Piwko
- The motion carried: 4-0-2**

- j) Consideration – A Resolution Approving a Phase I Engineering Services Agreement for the Kreutzer Road Realignment Project – Patrick Engineering, Inc. in an Amount not to Exceed \$320,050.00

Director of Public Works and Engineering Timothy Farrell reported that the Village Capital Improvement Plan (CIP) has identified the improvement of a section of Kreutzer Road, a Village jurisdiction roadway, from east of the intersection of IL Route 47 to Haligus Road, a length of approximately 6,500 feet (see attached Location Map). The typical existing roadway section within these limits is one through lane in each direction, undivided, with aggregate shoulders. The proposed improvement includes reconstruction and widening of Kreutzer Road within these limits to provide a continuous bi-directional center turn lane with curb and gutter, and storm sewers for drainage, with the addition of an 8-ft. wide multi-use path along the north side of Kreutzer Road throughout the length of the improvements, and a section of roadway realignment at the existing at-grade crossing of the Union Pacific (UP) railroad to improve an existing sharp horizontal curve.

Staff Analysis

Staff has solicited and received a proposal from Patrick Engineering, Inc. (PEI) for a Phase I Engineering Study for the Kreutzer Road Realignment Project. All work will be completed in accordance with federal



project development procedures as outlined in the IDOT Bureau of Local Roads and Streets (BLRS) Manual, to ensure the project is eligible for federal funding as part of subsequent phases of engineering and project implementation.

PEI would be the Prime Consultant for the completion of Phase I Engineering services for this project and Christopher B. Burke Engineering (CBBEL) would be a sub-consultant to PEI. A detailed scope of services is provided in the PEI proposal. The following provides a summary of the scope of services to be completed by PEI and CBBEL as part of the Phase I Study by task:

1. Data Collection and Analysis (PEI Task)
2. Topographical Survey (PEI Task)
3. Environmental Coordination and Analysis (CBBEL Task)
4. Drainage and Hydraulics Analysis (CBBEL Task)
5. Proposed Improvement Plans (PEI and CBBEL Task)
6. Traffic Maintenance Analysis (PEI Task)
7. Bridge Structural Analysis and Reports (PEI Task)
8. Railroad Crossing Improvements (PEI Task)
9. Stakeholder Coordination (PEI and CBBEL)
10. Phase I Project Development Report (PEI Task)
11. Project Administration (PEI and CBBEL Task)

Completion of Phase I engineering will enhance the Village ranking for federal funding for the project as it demonstrates project readiness and commitment. The Kreutzer Road Realignment (from East of IL Rt. 47 to Haligus Road) project is a good candidate for STP funding. A summary of the estimated project cost if awarded an STP grant is as follows:

Kreutzer Road Realignment	Local Share	Federal Share	Total Cost
Phase I Engineering	\$320,050	\$0	\$320,050
Phase II Engineering	\$570,000	\$0	\$570,000
Land Acquisition	\$1,000,000	\$0	\$1,000,000
Construction Costs	\$4,200,000	\$1,500,000	\$5,700,000
Phase III Engineering	\$570,000	\$0	\$570,000
Total:	\$6,660,050	\$1,500,000	\$8,160,050

Also, a project application has been submitted for the IDOT Local Rail-Highway Crossing Safety Program, which if awarded, would reduce the local share.

#### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Preserve and Enhance Quality of Life for Village Residents* as a strategic priority and “Realign East Kreutzer Road at the railroad tracks and bridge crossing” as an objective.

#### Financial Impact

The FY20 budget includes funding in the amount of \$300,000 for Phase I Engineering in the Streets Improvements and Roads & Bridges Fund Line Item 420-00-00-8001. Since Phase I Engineering is scheduled to take 18 months to complete, carry-over and additional funds will be budgeted in FY2021.

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

**A MOTION was made to approve a Phase I Engineering Services Agreement for the Kreutzer Road Realignment Project – Patrick Engineering, Inc. in an Amount not to Exceed \$320,050.00.**

**MOTION: Trustee Leopold**  
**SECOND: Trustee Hoeft**  
**AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**  
**NAYS: None**  
**ABSENT: Trustees: Kanakaris and Piwko**  
**The motion carried: 4-0-2**

- k) Consideration – A Resolution Authorizing the Village President to Execute a Modified Fee Agreement for Legal Services – Thomas R. Burney, Attorney at Law, Special Legal Counsel in the Matter of Huntley Investment Partners, LLC v. the Village of Huntley

Village Manager David Johnson reported that Huntley Investment Partners, LLC (“HIP”), owner of the former Huntley Outlet Center, filed suit against the Village as a result of the failure of HIP’s development application to be approved by the Village on April 11, 2019.

Staff Analysis

The Village Board adopted a resolution on July 25, 2019, appointing Thomas R. Burney, Attorney at Law, as Special Legal Counsel in the Matter of Huntley Investment Partners, LLC v. the Village of Huntley and authorizing to execution of a fee agreement. A modification to the agreement is proposed authorizing additional expenditures.

Village Manager Johnson reported that Attorney Burney was 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 Authorizing the Village President to Execute a Modified Fee Agreement for Legal Services – Thomas R. Burney, Attorney at Law, Special Legal Counsel in the Matter of Huntley Investment Partners, LLC v. the Village of Huntley.**

**MOTION: Trustee Leopold**  
**SECOND: Trustee Goldman**  
**AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**  
**NAYS: None**  
**ABSENT: Trustees: Kanakaris and Piwko**  
**The motion carried: 4-0-2**

- l) Consideration – An Ordinance Amending the Huntley Code Regarding Disclosure of Interests in Connection with Certain Applications to the Village

Assistant Village Manager Lisa Armour reported that the draft ordinance would require economic interest disclosures for applicants seeking consideration of certain approvals from the Village. This would include zoning applications as well as applications for licenses, permits, and approvals under Chapters 110, 111, 112, 116, 117, 118, and 120 of Title XI (Business Regulations) of the Village Code. Chapter 34, titled “Village Policies,” of Title III, titled “Administration – Government” of the Huntley Code is proposed to be amended to add a new Section 34.03, Applications; Disclosure of Interests.

Staff Analysis

The disclosure requirements would apply to the following: licenses, permits, approvals, or other authorizations from the Village pursuant to Title XI (Business Regulations) of the Village Code, as outlined below, and zoning variations, zoning map and zoning ordinance amendments, and special use permits. Obtaining economic disclosures for applications under the Business Regulations and Zoning Code will help identify potential conflicts where an employee or official might have responsibility over a matter in which their private business interests are involved.

Title XI Business Regulations subject to proposed disclosure requirements:

- Alcoholic Beverages, Video Gaming & Electronic Sweepstakes Machines
- Canvassers, Peddlers, Solicitors and Itinerant Merchants
- Raffles
- Adult Uses
- Wastehauler License And Regulations
- Licensing Second-Hand Articles Drop-Off Containers
- Tobacco

Legal Analysis

The draft ordinance was prepared by the Village’s special legal counsel.

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

**A MOTION was made to approve an Ordinance Amending the Huntley Code Regarding Disclosure of Interests in Connection with Certain Applications to the Village.**

- MOTION: Trustee Westberg**
- SECOND: Trustee Goldman**
- AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**
- NAYS: None**
- ABSENT: Trustees: Kanakaris and Piwko**
- The motion carried: 4-0-2**

- m) Consideration - An Ordinance Amending the Village of Huntley Code – Chapter 117, Business Regulations, Wastehauler License and Regulations, Section 117.04 - Limitation on Licenses – Adding one Commercial Wastehauler License

Mayor Sass reported that the Village regulates garbage and recycling collection licenses and provides for the issuance of a limited number of wastehauler license per Chapter 117, Section 117.04 of the Village Code.

Staff Analysis

Flood Brothers Disposal Company (Flood) is requesting a Commercial Wastehauler license. An amendment to the Village Code is required to make a license available, increasing the number of licenses issued for 2020 from six to seven. The application has been reviewed by Staff and is in order for consideration.

Listed below are the current licensed wastehaulers:

1. Advanced Disposal – Commercial
2. Groot Industries, Inc. – Commercial

3. MDC Environmental Services – Commercial
4. Ray Schreiber Disposal Co. – Commercial
5. Waste Management of Illinois, Inc. – Commercial
6. Waste Management of Illinois, Inc. – Residential *Sun City Only*

#### Financial Impact

As part of the approved FY20 Budget, this specific Refuse Licenses revenue source is included under the Licenses and Permits line item in the General Fund. The individual license fee for 2020, as regulated by the Village’s Wastehauler Ordinance, is \$1,898.36.

#### Legal Analysis

Section 117.04 of the Village Code limits the number of available licenses. Six licenses are currently available; therefore, if the Village Board elects to issue a license to Flood Brothers Disposal Company, an additional license must be created.

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

**A MOTION was made to approve an Ordinance Amending the Village of Huntley Code – Chapter 117, Business Regulations, Wastehauler License and Regulations, Section 117.04 - Limitation on Licenses – Adding one Commercial Wastehauler License.**

**MOTION: Trustee Leopold**  
**SECOND: Trustee Westberg**  
**AYES: Trustees: Goldman, Hoeft, Leopold and Westberg**  
**NAYS: None**  
**ABSENT: Trustees: Kanakaris and Piwko**  
**The motion carried: 4-0-2**

- n) Consideration – An Ordinance Approving the Issuance of a Commercial Wastehauler License to Flood Brothers Disposal Company

Mayor Sass reported that Staff recently noticed dumpsters with the Flood Brothers Disposal Co. (Flood) logo on them in the Wolf Business Park. Staff contacted Flood and informed them that a license is required to conduct wastehauling in the Village. Flood immediately submitted a license application and payment.

#### Staff Analysis

All required documentation has been received and is in compliance. All is in order for Village Board consideration at this time.

#### Financial Impact

The annual fee of \$1,898.36 for the wastehauler license has been received and deposited to the refuse license revenue line item 100-00-00-4340.

#### Legal Analysis

Chapter 117 of the Village Code regulates wastehauler licenses in the Village. The application has been reviewed and is in compliance with Section 117: Wastehauler License and Regulations requirements.

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

**A MOTION was made to approve an Ordinance Approving the issuance of a Village of Huntley Commercial Wastehauler License to Flood Brothers Disposal Company subject to the following condition:**

**1. Approval of an Ordinance amending the Village of Huntley Code to add one wastehauler license.**

**MOTION: Trustee Leopold**

**SECOND: Trustee Goldman**

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

**NAYS: None**

**ABSENT: Trustees: Kanakaris and Piwko**

**The motion carried: 4-0-2**

- o) Consideration – Authorization to Proceed with the Implementation of the 2020 Special Events

Special Events Manager Barbara Read reported that in preparation for the 2020 Farmers Market and other special events sponsored or coordinated by the Village, staff is requesting Village Board approval for the attached list of special events.

Staff Analysis

Upon Village Board approval of the proposed special events for 2020, staff will coordinate a meeting with the downtown businesses and organizations to share event information and encourage their participation in the events taking place in the downtown.

Financial Impact

Expenses for the Farmers Market will come from line item 100-10-00-6353; \$9,700 has been budgeted for the 2020 Farmers Market. The weekly market is held each Saturday from May 23 through October 3. The indoor market is held the first Saturday of each month November through May.

Expenses for the other Village sponsored special events will come from line item 100-10-00-6352; \$55,000 has been budgeted for:

- Green & Clean Huntley Day
- Ladies Night Out on the Square
- Concerts in the Square (increased to 7 concerts in 2020)
- Family Fun Day at the Farmers Market
- Independence Day Fireworks (\$20,000)
- 1<sup>st</sup> Friday Nights
- Bike Huntley
- Fall Harvest Fest
- A Very Merry Huntley
- And other special events (see attached)

Again, in 2020, staff will reach out to Huntley businesses and organizations to help sponsor events to offset costs. In 2019, Huntley businesses donated \$9,323 towards concerts and special events.

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

Trustee Leopold stated that he has heard many compliments regarding the Village events.

There were no other comments or questions.

**A MOTION was made to authorize the implementation of the 2020 Village of Huntley Special Events and approval of the non-Village sponsored events.**

**MOTION: Trustee Leopold**

**SECOND: Trustee Westberg**

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

**NAYS: None**

**ABSENT: Trustees: Kanakaris and Piwko**

**The motion carried: 4-0-2**

- p) Discussion – Policy Direction Regarding a Designated Outdoor Refreshment Area (DORA) during Village-Sponsored Special Events in the Downtown Area

*This item was removed from the Agenda and was not discussed or considered.*

- q) Consideration – A Resolution Approving a Temporary Use Permit for Huntley Festival Foundation d/b/a Huntley Fall Fest to Hold a Festival including a Carnival, Temporary Sign Request, and Waiving of Fees for Huntley Fall Fest, September 25-27, 2020

Village Manager David Johnson reported that the Huntley Fall Fest began in 2006 as a one-day event. Since that time, a carnival was added in 2011 and several partnerships began with groups to raise funds for their benefit: Huntley Parks Foundation (basket raffle), Huntley Library (book sale), Huntley Area Lions Club (pancake breakfast), Kopf Running (5k), Animal Services and Assistance Programs (car show).

The event was recognized in 2017 as one of the “Top 10 Fall Festivals in Illinois” by *Only in Your State* and in 2018 as one of the “Top Ten Fall Festivals in Illinois” by *Best of American Towns*.

The Village is in receipt of a request from the Huntley Festival Foundation (Foundation) to hold the 2020 Fall Fest event at Deicke Park on September 25<sup>th</sup> from 5:00pm-11:00pm; September 26<sup>th</sup> from 10:00am-11:00pm and September 27<sup>th</sup> from 11:00am – 7:00pm.

The attached letter outlines the various events that take place during the event and the financial benefit to local organizations that volunteer at and/or participate in the event.

#### Staff Analysis

Village, Police and Park District Staff have met with the Foundation discussing such matters as private security for the event, the safety plan, parking and other pertinent logistical information for the safe and orderly operation of the festival.

The Foundation has submitted a letter of request for approval of the following items:

1. To hold a festival on Park District property that includes but is not limited to: entertainment, food and drink, craft fair, car show and fireworks. The complete list is listed in the attached letter.

2. To hold a carnival in the Stingray Bay parking lot. The Village's Zoning Ordinance allows for the issuance of a temporary use permit by the Village Board of Trustees for a carnival subject to the following conditions:
  - a) approval on the basis of the adequacy of the parcel size, parking provisions, and traffic access and the absence of undue adverse impact on other properties,
  - b) limited to a period not to exceed five (5) days, and
  - c) adequate fire extinguishers, refuse containers and cleanup of the site upon termination of the event.
3. To hire three (3) Police Officers for traffic direction and security during the Fest. Traffic direction is requested at the following locations:
  - Route 47 and Mill Street (2 Officers)
  - Mill Street and Lincoln Street (1 Officer)
4. Parking for the festival will be provided mainly on Park District property (approximately 639 spaces), and in the Union Special parking lot (250+). A shuttle bus will transport people from Union Special to the fest; an exhibit showing the bus route is attached. If available, overflow parking is proposed on the top portion of the +/- 17 acres at the northwest corner of Route 47 and Mill Street as authorized and permitted by the property owner. Additionally, the Foundation is requesting assistance from the Village to place stakes / poles in the overflow parking area so that flags can be installed to indicate parking rows. The Foundation will mark the pole locations. As in the past, the following Village streets will be posted no parking: Mill, Lincoln, Sunset and Heintz.
5. To post temporary signage before and after the event as follows:
  - a) To post 15 (3' x 10') banners as indicated on the event signage exhibit included in the packet. The banners would be posted two weeks prior to the event. They are also requesting the assistance of the Public Works and Engineering Department to hang the banners. The Foundation acknowledges that some sites may not be under the Village's jurisdiction and others may not be feasible in the noted location. If these sites are unacceptable, the Foundation 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 and no more than one (1) sign will be placed at any of the specified location and a Sign Ordinance variation is required to locate the signs on Village rights-of-way.
  - b) To post yard signs at the subdivision entrances one (1) week prior to the event.
  - c) To post directional signage on the day of the event at the following locations:
    - West Main Street at Lois Lane
    - Deicke Park entrance
    - Route 47 and Mill Street
  - d) The use of the two (2) Village-owned electronic message boards to use on Route 47 and Mill Street to assist those entering the fest.

Financial Impact

The Foundation is requesting that the temporary use permit fee for the carnival and any fees associated with the Fall Fest be waived.

Village Manager Johnson reported that representatives from the fest committee were in attendance to answer questions.

Mayor Sass asked if the committee would like to make a comment or if the Village Board had any comments or questions.

Claudine Cutrona reported that they are working on making the parking much better. Trustee Leopold asked if there will be adequate parking. Ms. Cutrona stated that along with the on-site parking and possible parking on the grassy area on Mill and Lincoln that Union Special will have parking and a shuttle to the fest.

Trustee Westberg asked if the foundation operated under a 501(c)(3) designation; Ms. Cutrona stated that she would confirm the details and let Trustee Westberg know.

There were no other comments or questions.

**A MOTION was made to approve a Resolution Granting the Issuance of a Temporary Use Permit to hold a Festival including a Carnival, Temporary Sign Permit, and the Waiving of Fees to the Huntley Festival Foundation d/b/a Huntley Fall Fest for the 2020 event subject to the following conditions of approval:**

- 1. Letter of authorization for the event to be held on Huntley Park District property.**
- 2. A Temporary Use Permit must be applied for and obtained from the Development Services Department.**
- 3. All conditions of approval regarding the serving and/or selling of alcohol must be met.**
- 4. Letter of authorization from the property owner of the +/- 17 acres of the northwest corner of Route 47 and Mill Street to utilize the overflow parking area.**
- 5. The Foundation agrees to meet with Village Staff no later than 30 days prior to the event to present final security, parking and any other pertinent logistical information for the safe and orderly operation of the festival.**
- 6. The petitioner shall provide the Village with a valid Certificate of Insurance naming the Village as an additional insured.**
- 7. The petitioner agrees to enter into an agreement to indemnify and hold the Village harmless from and against any and all claims arising from the event.**

**MOTION:** Trustee Leopold  
**SECOND:** Trustee Goldman  
**AYES:** Trustees: Goldman, Hoeft, Leopold and Westberg  
**NAYS:** None  
**ABSENT:** Trustees: Kanakaris and Piwko  
**The motion carried: 4-0-2**

**VILLAGE ATTORNEY’S REPORT:** None

**VILLAGE MANAGER’S REPORT:** None



**VILLAGE PRESIDENT’S REPORT:**

Mayor Sass read the following statement:

“Recently, through the discovery process related to a zoning lawsuit, the Village became aware of misconduct allegations directed toward a Village Trustee. The Village takes these allegations very seriously, and upon being made aware of them, immediately referred the matter to the McHenry County State’s Attorney’s Office, who in cooperation with the Village, referred the matter to federal law enforcement authorities. The Village has and will fully cooperate with the authorities.

The Village is not in a position to answer questions or comment any further on this matter due to a motion pending before the circuit court of McHenry County and because of the on-going review.”

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**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 8:55 p.m.**

**MOTION: Trustee Leopold**

**SECOND: Trustee Westberg**

**The Voice Vote noted all ayes and the motion carried.**

Respectfully submitted,

Barbara Read  
Recording Secretary