

**VILLAGE OF HUNTLEY  
VILLAGE BOARD  
June 10, 2021  
MEETING MINUTES**

**CALL TO ORDER:**

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, June 10, 2021 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

**ATTENDANCE:**

**PRESENT:** Mayor Timothy Hoeft; Trustees: Ronda Goldman, Mary Holzkopf, Niko Kanakaris, Curt Kittel, Harry Leopold, and JR Westberg.

**ABSENT:** None

**IN ATTENDANCE:** Village Manager David Johnson, Deputy Village Manager Lisa Armour, Management Assistant Barbara Read, Chief Robert Porter, Director of Development Services Charles Nordman, Director of Finance Cathy Haley, Officer Megan Carney, and Village Attorney John Cowlin.

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

**PUBLIC COMMENTS:**

**ITEMS FOR DISCUSSION AND CONSIDERATION:**

- a) Consideration – Approval of the June 10, 2021 Bill List in the amount of \$343,206.24

Mayor Hoeft reported that \$201,745.06, or 58.8% is the sum of the purchases listed below:

- \$25,020.00, payment to Currie Motors Fleet for the purchase of New Squad #11.
- \$104,592.39, payment to Safe Step LLC for the 2021 Sidewalk Cutting Program.
- \$60,752.04, payment to Municipal Well & Pump for Payout #4(Final) for the Well 8 Pump Rehabilitation Project.
- \$11,380.63, payment to Advanced Business Networks for the Network Area Storage Hardware and Software Project.

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

**A MOTION was made to approve the June 10, 2021 Bill List in the amount of \$343,206.24.**

**MOTION:** Trustee Kanakaris

**SECOND:** Trustee Kittel

**AYES:** Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg

**NAYS:** None

**ABSENT:** None

**The motion carried: 6-0-0**

b) Consideration – Acceptance of the Resignation of Lori Nichols from the Plan Commission

Mayor Hoeft reported that Lori Nichols has submitted a Letter of Resignation from the Plan Commission due to additional responsibilities of her position at work.

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

**A MOTION was made to accept the resignation of Lori Nichols from the Plan Commission.**

**MOTION: Trustee Kanakaris**

**SECOND: Trustee Goldman**

**AYES: Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

c) Consideration – Appointment of Richard Zydorowicz to the Plan Commission

Mayor Hoeft reported that with the resignation of Lori Nichols from the Plan Commission, he recommends the appointment of Mr. Richard Zydorowicz to the Plan Commission to complete the remaining term. The term of office would run through April 2024.

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

**A MOTION was made to appoint Richard Zydorowicz to the Plan Commission.**

**MOTION: Trustee Holzkopf**

**SECOND: Trustee Kittel**

**AYES: Trustees: Goldman, Holzkopf, Kanakaris, Kittel, and Westberg**

**NAYS: None**

**ABSENT: None**

**ABSTAIN: Trustee Leopold**

**The motion carried: 5-0-0-1**

d) Conceptual Review – Proposed Site Plan and Building Elevations for Huntley Animal Care, Northeast Corner of Mill Street and Route 47

Director of Development Services Charles Nordman reported that Huntley Animal Care is proposing to construct a new veterinary clinic on the site of the former Wolschlager Chiropractic office at northeast corner Mill Street and Route 47. Huntley Animal Care is currently leasing office space at 11804 Route 47 and would relocate upon completion of the project.

The proposed site is currently comprised of three parcels (former Wolschlager building, parking lot, and vacant land). The petitioner is proposing to retain the existing building and build the new vet hospital to the north. Both buildings will have shared access from Mill Street. The parcels are zoned “B-2” Highway Service District, which allows a Veterinary Hospital as a permitted use.

### *Site Plan*

The petitioner is proposing to resubdivide the property into two lots. The new 4,525 square-foot animal hospital would be constructed on the northern parcel, and the existing 1,278 square-foot office building will remain on the southern lot. Both buildings will front Route 47, and the sole access drive will be from Mill Street to the south. A plat of resubdivision with a shared access easement will be required.

The site plan includes twenty-eight (28) parking spaces, including two (2) required ADA stalls. The Zoning Code requires 5 spaces per 1,000 square feet of building area for a veterinarian clinic, and 4 spaces per 1,000 square feet of building area for the existing office structure, thereby requiring twenty-seven (27) parking spaces. The proposed 10' x 19' parking stalls and 25' drive aisle widths meet the Village Parking Requirements. Per the Huntley Fire Protection District comments, the petitioner has provided space for an ambulance to turn around in the parking lot.

### *Building Elevations*

In accordance with the Commercial Design Guidelines, the new veterinary clinic fronts Route 47 and would be constructed with light and dark shades of face brick, three soldier courses, stone sills, and asphalt shingles. The front (west) elevation includes an arched metal clad finished entryway. The petitioner has been advised to match the trash enclosure with the masonry building materials from the new structure and to provide a steel gate. The existing building will remain unchanged.

### *Signage*

The site plan delineates one monument sign along the Route 47 frontage. Staff has directed the petitioner to match building materials for the monument sign and the main building, and include a stone cap. Sign design will be submitted with the formal application. The existing sign would be removed.

### *Required Approvals*

The project will require the following review and approvals from the Plan Commission and Village Board:

- i. Site Plan Review, including any necessary relief
- ii. Plat of Resubdivision

### *Required Relief:*

As proposed, the plans will require the following relief:

1. The "B-2" zoning district requires a 30' front yard building setback. The new building is located 20'-7" from the lot line along Route 47. Relief is required to allow the 20'-7" front yard setback along Route 47.
2. The "B-2" zoning district requires a 10' minimum side yard setback. The proposed lot line, north of the existing building, is located 7'-10<sup>3</sup>/<sub>4</sub>" from the building. Relief is required to allow the 7'-10<sup>3</sup>/<sub>4</sub>" side yard setback.
3. The "B-2" zoning district requires a minimum 10' front yard parking setback. The proposed parking front yard setback along Route 47 is 4'-6" at the closest point. Relief is required to allow the 4'-6" front yard parking setback along Route 47.
4. The "B-2" zoning district requires a minimum 10' parking setback for lots abutting a street. The parking setback adjacent to Mill Street is 5'-1<sup>1</sup>/<sub>2</sub>" at the closest point. Relief is required to allow the 5'-1<sup>1</sup>/<sub>2</sub>" parking setback along Mill Street.
5. Section 156.151 (G) (1) of the Landscape Ordinance requires a 10' landscape buffer strip for commercial property abutting a residential zone. The east lot line of the southern lot is adjacent to residential property, requiring a 10' landscape buffer. The proposed site plan

provides only a 5'-6" landscape buffer strip adjacent to the residential property. Relief is required to allow a 5'-6" landscape buffer strip adjacent to the residential.

6. The burial of overhead utilities is required in section 155.030 of the Subdivision Regulations. There are currently three (3) utility poles on the subject site (two on Route 47, and one on Mill Street). The petitioner is not proposing to bury the existing utility poles, thus requiring relief from the ordinance requirement.

#### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies "*promote new business development, retention, and expansion*" as a priority.

#### Courtesy Review

The petitioner has requested the Village Board to conceptually review the proposed plans. The Village Board is not required to provide a formal position statement on the proposal, and the petitioner shall not be required to comply with any position statements which are offered. The concept review shall provide the petitioner with initial comments and concerns that should be considered as they proceed in the formal review process. The Village Board and its individual members are not bound by any comments made during the discussion and the petitioner acknowledges that it cannot claim in the future any reliance whatsoever on those comments.

Director Nordman reported that Antonio Fanizza, project architect and Mandeep Sandhu, owner and the veterinarian of Huntley Animal Care, were in attendance to answer questions.

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

Trustee Kittel stated that he liked the improvements and asked if the façade would be improved on the existing building. Trustee Kittel also asked about the location of the utility poles. Director Nordman reported that the utility poles are on the right-of-way.

Trustee Leopold stated that he liked the look of the new building and recommended razing the existing building as it is in terrible condition. Dr. Sandhu stated that he would consider it, if it is affordable.

Trustee Kanakaris asked if the two (2) buildings would be two different businesses. Mr. Fanizza stated that the new building would be the clinic and they would rent out the existing building to another business. Trustee Kanakaris stated that he would like existing building removed. Trustee Kanakaris also stated that he would approve a zero setback along the back side of the property.

Trustee Westberg stated that he supports the zero setback as well.

Trustee Kittel stated that he would want to screen the property from the houses behind the property.

There were no additional comments or questions.

***No action was taken on this item as it was a courtesy concept review.***

**PUBLIC HEARING:** Annexation Agreement Amendment Relating to the Cider Grove Subdivision

A public hearing will be held before the Board of Trustees of the Village of Huntley upon the application of Co-Petitioners, namely D.R. Horton, Inc.-Midwest and S&E Investments, LLC-Series 7 for the purpose of considering and hearing testimony with respect to proposed amendments to a previously approved annexation agreement as it relates to Lots 1, 2, 3, 4, and 6 in Cider Grove Unit One and an approximately 79.54± acre parcel of real estate commonly known as Unit 2 of the Cider Grove subdivision the (the “**Property**”). Petitioner S&E Investments, LLC-Series 7 is the sole owner of record of the Property, and Petitioner D.R. Horton, Inc.-Midwest is the contract purchaser and prospective developer of the Property.

The Village previously entered into an annexation agreement with the Petitioner’s predecessors in title to the Property, dated January 27, 2005 and approved by Village of Huntley Ordinance No. (O)2005-01.09. The proposed annexation agreement amendment would terminate the original agreement with respect to the Property to be acquired by D.R. Horton.

D.R. Horton has submitted requests and applications to the Village for approval of a new development agreement for the Property, and approval of certain zoning relief and development entitlements that are to be considered as a separate agenda item.

Mayor Hoefft requested that a motion be made to open the Public Hearing.

**A MOTION was made at 7:16 p.m. to Open the Public Hearing.**

**MOTION:** Trustee Westberg

**SECOND:** Trustee Goldman

**AYES:** Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg

**NAYS:** None

**ABSENT:** None

**The motion carried: 6-0-0**

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that the petitioner is asking for approval of the following:

- i. Consideration – A Resolution Approving and Authorizing the Execution of a Development Agreement for a Phased Residential Development (Cider Grove Residential Subdivision – Unit 2 and Lots 1-4 & 6 of Unit 1)
- ii. Consideration – A Resolution Approving and Authorizing the Execution of a First Amendment to the Annexation Agreement Relating to the Cider Grove Subdivision
- iii. Consideration – An Ordinance Amending a Special Use Permit for a Planned Unit Development in the RE-1 PUD District and Granting Amended Preliminary and Subdivision Approvals for a Phased Residential Development (Cider Grove Residential Subdivision – Unit 2 and Lots 1-4 & 6 of Unit 1)

Introduction

The ±162-acre Cider Grove subdivision was annexed and zoned in 2005 for 290 single family homes. In the years following, the southern 82.5 acres of the subdivision (Unit 1) was developed by Town and Country Homes/K. Hovnanian Homes with 152 lots upon which 147 homes were constructed (5 vacant lots remain on Hopkins Street). The northern 79.5 acres of the subdivision (Unit 2) was planned for 138 single-family homes, but never constructed. D.R. Horton, as the contractor purchaser, is now requesting

approval to develop the remaining ±79.5 acres (Unit 2) of the Cider Grove subdivision with 180 single-family homes on lot sizes of no less than 8,450 square feet.

#### Annexation Agreement Amendment and Development Agreement

The Cider Grove subdivision was annexed by the Village in 2005 and is subject to an annexation agreement (Ordinance (O)2005-01.09) which provides development parameters for the 162-acre property. The Annexation Agreement approved a total 290 units/lots of which 147 were constructed by Town and Country Homes/K. Hovnanian Homes in Unit 1 of the development, leaving 138 units/lots to be developed in later phases (five vacant lots also remain in Unit 1). The minimum lot size was 12,600 square feet and homes sizes originally approved in Unit 1 ranged from 2,396 – 4,321 square feet.

The annexation agreement, which covers both Unit 1 and 2 of Cider Grove, is set to expire on January 27, 2025. The proposed annexation agreement amendment would terminate the original agreement with respect to the Unit 2 property and the five lots on Hopkins Street and subsequently replace it with a development agreement. The development agreement will address many of the same development related matters as the original annexation agreement and would be valid for a term of twenty (20) years.

In terminating the annexation agreement and creating the development agreement, D.R. Horton is requesting to increase the number of lots/units from 138 to 180 (an increase of 42 lots/units), reduce the lot size from 12,600 square feet to 8,450 square feet for the northern lots (the 35 lots adjacent to the existing portion of Cider Grove will remain 12,600 sq. ft.).

#### Preliminary Planned Unit Development and Preliminary Plat of Subdivision

D.R. Horton is proposing to develop the remaining phases of the Cider Grove subdivision with 180 homes (they will also construct homes on the 5 remaining vacant lots in Unit 1). They are proposing a minimum lot size of 8,450 square feet; however, a minimum lot size of 12,600 square feet would be maintained for the 35 lots adjacent to the existing portion of the Cider Grove subdivision to create a transition between lot sizes. D.R. Horton intends to transition from 12,600 square-foot lots at the southwest corner of the property to 8,450 square foot lots (with an average lot size of 10,530 square feet) as they move north to where the site abuts the Heritage subdivision, which has a minimum lot size of 8,400 square feet.

The modification to the plan also proposes a park site of 5.7 acres and includes D.R. Horton constructing the improvements to the park based on the concept design plan, dated May 14, 2021 (a 2.53-acre detention pond will be adjacent to the park site, but is not counted towards the required park donation). The Huntley Park District has reviewed the concept design plan and adopted a resolution approving the plan (a copy of the resolution and concept design plan are provided as attachments to this report).

The proposed site plan also includes the dedication of right-of-way for the future extension of Main Street which is in accordance with the Village's Boundary Agreement with the Village of Algonquin. The Boundary Agreement requires that both Huntley and Algonquin allow for and cause to be constructed the easterly extension of Main Street to eventually connect to Lakewood Road. D.R. Horton will not construct this portion of Main Street since it has yet to be extended across the property to the west (Halat property), but will pay the Village a cash equivalent in lieu of constructing it. The payment amount shall be based on the estimated cost of completing the Main Street Extension at the time the payment is made. The payment will be required prior to recording a Final Subdivision Plat for the land identified as "Phase 4" of the Proposed Development.

D.R. Horton is proposing to create a separate Homeowners Association (HOA) for the remaining phases of the Cider Grove Subdivision. This will allow the existing Cider Grove HOA to be turned over to the residents. A Cross Easement and Cost Sharing Agreement would be executed so that the remaining phases would participate in the costs to maintain the clubhouse, subdivision entrance and existing stormwater facilities. The new homes would have use of the existing clubhouse facility. Covenants, Conditions, and Restrictions (CCRs) will be submitted with the final plat of subdivision.

A model home area and temporary parking lot is proposed to be located on Hopkins Street with associated signage in accordance with the proposed signage plan, dated January 13, 2021.

### *Home Product*

Home sizes for the single-family product range from 1,970 to 3,020 square feet (the 1,970 square foot plan is a single-story 4-bedroom ranch model that has a 3-car garage standard) as follows:

<u>Plan Name</u>	<u>Sq. Ft.</u>	<u>Description</u>
Fairfield	1,970	Single Story; 4 bedrooms; 2 bath
Bellamy	2,051	Two-story; 4 bedrooms; 2½ bath
Pendleton	2,155	Two-story; 3 bedrooms; Loft; 2½ bath
Holcombe	2,356	Two-story; 4 bedrooms; 2½ bath
Bridgestone	2,550	Two-story; 4 bedrooms; Loft; 2½ bath
Henley	2,600	Two-story; 4 bedrooms; Loft; 2½ bath
Coventry	2,836	Two-story; 4 bedrooms; Loft; 2½ bath
X450	3,020	Two-story; 4 bedrooms; Loft; 2½ bath

Similar to the original annexation agreement, homes shall be required to comply with the Village's Monotony Code in addition to prohibiting the installation of the same color siding on any home next to one another fronting the same street. Homes backing to Main Street and the remaining lots backing to Huntley Road are required to include the following features as standard on the rear building elevations:

1. 4/4x4" wood window surrounds and corner boards and 4/4x8" frieze boards
2. Window grills
3. Either shutters around the windows or a bay window at the first floor

### *Landscape Plan*

The proposed preliminary landscape plan provides the required parkway trees in addition to landscaping on the outlots. Typical landscape packages are also provided for the single family lots. The preliminary plan provides a representative plant list which shall serve as the template for preparing the final landscape plan to be submitted with the final PUD and final plat of subdivision.

The proposed outlot landscaping consists of plantings around the stormwater detention areas as well as screening along the right-of-way for the future extension of Main Street. The outlot adjacent to the future extension of Main Street will also include a berm to further screen the roadway.

### Village Board and Plan Commission Concept Reviews and Neighborhood Meeting

D.R. Horton previously presented plans at the following meetings:

- Village Board, July 23 and November 12, 2020 – concept reviews
- Plan Commission, April 12, 2021 – concept review
- Neighborhood meeting, April 7, 2021 – was held by D.R. Horton with the residents of the Cider Grove and Heritage of Huntley subdivisions in the Cider Grove Clubhouse and was attended by

approximately 30 residents, of which 13 submitted comments in writing on the comment form provided (these comment forms are provided as an exhibit to this report).

A significant concern expressed by the residents and Village Board was construction vehicle access to the Unit 2 property having to travel through the existing portion of the Cider Grove subdivision. In response, D.R. Horton has come to an agreement with the neighboring property owner to the south/east of Unit 2 to construct a temporary construction road that will be used by larger construction vehicles. It is anticipated that construction employees driving passenger vehicles would still travel through the subdivision to access Unit 2 due to the rough nature of the temporary construction road.

The following table provides a summary of the modifications that have been made to the proposed plan over the past eleven months based on feedback from the Village Board and surrounding residents:

	Annexation Agreement	July 23, 2020 Village Board Concept Review	November 12, 2020 Village Board Concept Review	Current Plan
Number of Lots*	138 Lots	197 Lots	185 Lots	180 Lots
Minimum Lot Area	12,600 sq. ft.	10,800 sq. ft. and 8,450 sq. ft.	10,800 sq. ft. and 8,450 sq. ft.	12,600 sq. ft. and 8,450 sq. ft.
Home Sizes	Traditional Single Family: 2,396 - 4,321 sq. ft.	Traditional Single Family: 1,942 to 2,600 sq. ft.  Age-Targeted: 1,664 - 2,162 sq. ft.	Traditional Single Family: 1,942 – 2,836 sq. ft.  Age-targeted homes no longer proposed	Traditional Single Family: 1,970 – 3,020 sq. ft.
Park Size	8.28 acres and cash donation	2 acres and cash donation	8.2 acres and cash donation	5.72 acres and Constructing park

*\*Lots approved/proposed in Phase 2. An additional five vacant lots are located within Phase 1 on Hopkins Street*

**Plan Commission Recommendation**

The Plan Commission reviewed the petitioner’s request on May 10, 2021. Five residents of the Cider Grove subdivision provided testimony during the public hearing. Questions and comments primarily addressed the existing homeowners association and construction traffic. One resident expressed his concern regarding the size of the homes and lots. Other residents expressed their appreciation for D.R. Horton listening to their concerns and allowing them to have input on the plan. As a result of said hearing, consideration of testimony offered, and the taking of evidence, the Plan Commission voted to recommend approval to the Village Board by a vote of 6-0, subject to the following conditions:

1. Homes constructed on Lots 102-112 and Lots 115-118 of Unit 2 and Lots 1,2,3,4 and 6 of Unit 1 are required to include the following features as standard on the rear building elevations:
  - a. 4/4x4” wood window surrounds and corner boards and 4/4x8” frieze boards
  - b. Window grills
  - c. Either shutters around the windows or a bay window at the first floor
2. The park design shall be submitted as part of the application for final planned unit development/final plat of subdivision.



3. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
4. The petitioner will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
5. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, its agents and assignees are responsible for not increasing the rate of stormwater runoff and will be required, to the extent practicable, to minimize any increase in runoff volume through “retention” and design of multi stage outlet structures.
6. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.

#### Financial Impact

The proposed development agreement will amend impact and transition fees that D.R. Horton will pay. These fees are consistent with the impact and transition fees that are currently paid for homes being constructed in the Talamore subdivision.

#### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “diversify residential development options” as a goal, and “pursue new residential development” as an objective.

#### Legal Analysis

Legal counsel has prepared the annexation agreement amendment, development agreement, and other associated documents and all is in order for Village Board action.

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

Mayor Hoeft asked if the representatives from DR Horton wish to present information.

Ms. Danielle Dash, Land Acquisitions DR Horton reviewed the history of the project thus far including coming before the Village Board for two (2) Concept Reviews, meeting with the Cider Grove residents and going before the Plan Commission. Ms. Dash reported that they have removed the active adult housing from the plan; they have removed smaller home plans and everything built will be larger than 2,000 square feet; added two (2) larger home plans; all homes will have a partial basement as standard; added larger lots next to Phase 1; keep the eight (8) acre park site as agreed to in Phase 1 and construct the park during the initial phases of construction in lieu of paying the Park District; secured from the adjacent property owner a construction access; Unit 1 residents will have their own HOA as soon as construction commences on Unit 2; DR Horton will cost share maintenance of the Club House, entryways, stormwater pond, etc. Ms. Dash noted the residents that they have worked with that now support the project moving forward.

Mayor Hoeft asked for clarification of the removal of the Bellamy model being dropped. Ms. Dash stated that they feel comfortable removing that model as they offer another that is quite similar.

Mayor Hoeft stated that they will move into the Public Comment portion of the hearing.

Mr. Ken Fanella, 10193 Jonamac, commented on the construction traffic and asked the Village Board to mandate that it does not go thru the subdivision as there are a lot of children under the age of 12 on Jonamac and Beacon Streets.

There were no other public comments.

**A MOTION was made at 7:41 p.m. to Close the Public Hearing.**

**MOTION: Trustee Leopold**

**SECOND: Trustee Kanakaris**

**AYES: Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

**ITEMS FOR DISCUSSION AND CONSIDERATION (Continued):**

- e) Consideration – Proposed Development within the Cider Grove Subdivision, Unit 2 and Lots 1-4 and 6 of Unit 1 (the “*Property*”), Including:
  - i. Consideration – A Resolution Approving and Authorizing the Execution of a Development Agreement for a Phased Residential Development (Cider Grove Residential Subdivision – Unit 2 and Lots 1-4 & 6 of Unit 1)
  - ii. Consideration – A Resolution Approving and Authorizing the Execution of a First Amendment to the Annexation Agreement Relating to the Cider Grove Subdivision
  - iii. Consideration – An Ordinance Amending a Special Use Permit for a Planned Unit Development in the RE-1 PUD District and Granting Amended Preliminary and Subdivision Approvals for a Phased Residential Development (Cider Grove Residential Subdivision – Unit 2 and Lots 1-4 & 6 of Unit 1)

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

Trustee Goldman congratulated Ms. Dash and stated that DR Horton has worked hard to comply with the wishes of the residents and stated that she is in support of the project.

Trustee Westberg noted the grid on page 4 and stated that it shows a 5.72 acre park and not the 8.28 acre park. Ms. Dash stated that the park itself is 5.72 and the remaining includes the stormwater management area. Trustee Westberg asked about the smaller construction vehicles. Ms. Dash reported that construction vehicles with a C Plate and above would utilize the temporary construction road and the construction vehicles with a B Plate and below would utilize the existing roads.

Trustee Holzkopf expressed her appreciation of the developer working with the residents.

Trustee Kanakaris asked if the windows would be wrapped. Ms. Dash stated that they will wrap the windows with 1 x 4 composite trim which looks like wood and matching vinyl corner boards; this is included on all home plans.

Trustee Kanakaris asked if the stormwater was a retention or detention pond. Ms. Dash stated that it will hold water. Trustee Kanakaris stated that they should make sure aerators should be added. Ms. Dash stated that they will look at aquatic control. Trustee Kanakaris asked how the houses that will back up to the future Main Street know that it may be extended in the future. Ms. Dash stated that each house will have a rider and declaration.

Trustee Leopold thanked the petitioner for their patience and for revising the plans to work with the current residents and staff and welcomed them to Huntley.

Trustee Kittel stated that he appreciated the collaboration with staff and residents and asked about the setback from the home to the future Main Street; Ms. Dash stated that it will be 1,000 – 1,500 from the nearest residence.

Mayor Hoeft thanked DR Horton for the work they have put in to this project.

Mr. Fanella asked if the agreement with the property owner for the construction road is a lease for the entire construction period. Ms. Dash stated that the license agreement term with the property owner of the construction road is a term by the person who owns the property. If the property is sold the term might change.

Village Manager Johnson stated this could be a condition of approval. Ms. Dash stated that the license agreement was not part of the original approval in 2005.

Trustee Kanakaris asked if the construction traffic could enter through Main Street.

Village Manager Johnson stated that this could be brought back before the Village Board if the license agreement is terminated by the property owner. Ms. Dash stated that should that happen it would be a hardship for the project. Village Manager Johnson stated that should this hardship occur that the Village will sit down and discuss a remedy with DR Horton.

**A MOTION was made to approve a Resolution Approving and Authorizing the Execution of a Development Agreement for a Phased Residential Development (Cider Grove Residential Subdivision – Unit 2 and Lots 1-4 & 6 of Unit 1).**

**MOTION:** Trustee Goldman

**SECOND:** Trustee Kanakaris

**AYES:** Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg

**NAYS:** None

**ABSENT:** None

**The motion carried: 6-0-0**

**A MOTION was made to approve a Resolution Approving and Authorizing the Execution of a First Amendment to the Annexation Agreement Relating to the Cider Grove Subdivision.**

**MOTION:** Trustee Leopold

**SECOND:** Trustee Westberg

**AYES:** Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg

**NAYS:** None

**ABSENT:** None

**The motion carried: 6-0-0**

**A MOTION was made to approve an Ordinance Amending a Special Use Permit for a Planned Unit Development in the RE-1 PUD District and Granting Amended Preliminary and Subdivision Approvals for a Phased Residential Development (Cider Grove Residential Subdivision – Unit 2 and Lots 1-4 & 6 of Unit 1).**

**MOTION: Trustee Kanakaris**

**SECOND: Trustee Kittel**

**AYES: Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

- f) Consideration – An Ordinance Approving Final Development Plans and a Final Plat of Subdivision for a ±60 Acre Warehouse/Distribution Development Known as Huntley Commercial Center (former Huntley Outlet Center)

Trustee Kanakaris left the room at 8:07 p.m.

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that Huntley Investment Partners LLC (“*Owner*”) previously submitted an application to the Village for approval of the following zoning and subdivision relief for the ±60 acres of property at 11800 Factory Shops Boulevard, formerly known as the Huntley Outlet Center (“*Property*”): (i) a Special Use Permit for a Preliminary Planned Unit Development; (ii) a Preliminary Plat of Subdivision; and (iii) rezoning as “ORI-Office/Research/Industrial-Light Manufacturing” to allow subdivision of the Property into three lots for the development of speculative warehouse/distribution buildings and two additional lots dedicated to stormwater management, private access drives, and related site improvements and facilities (“*Proposed Development*”).

#### Staff Analysis

On April 11, 2019, the Village Board denied the Owner’s request for such zoning relief, which denial was thereafter the subject of litigation filed in the Circuit Court of the 22<sup>nd</sup> Judicial Circuit, McHenry County, Illinois. At the conclusion of the Litigation, the Court issued a Memorandum Decision and Order dated December 30, 2020 (the “*Order*”), which Order, among other things, found that the Proposed Development was a reasonable use of the Property and ordered that the Village shall allow the Property to be developed with the Proposed Development consistent with certain preliminary development plans and subject to 50 conditions imposed by the Village in its original review of Owner’s zoning application (the “*Conditions*”), all as further identified in the Order.

The Owner now desires to proceed with constructing the Proposed Development on the Property and, in furtherance thereof, has submitted to the Village plans and materials, copies of which are attached hereto as exhibits. The Owner has requested that the Village: (i) approve the Final Plat as a final plat of subdivision for the Property; and (ii) approve the Plans as final development plans for the Proposed Development (the “*Requested Approvals*”), and thereafter authorize the Proposed Development to proceed in conformity with the Plans and consistent with the Order and the Conditions.

#### Legal Analysis

In light of the prior litigation and Order, the scope of the Village Board’s review should focus on: (i)

whether the proposed final development plans and subdivision plat materially comply with the previously-submitted preliminary plans for the Proposed Development; (ii) whether the final subdivision plat meets the requirements of the Village's Subdivision Regulations; and (iii) whether the 50 Conditions have been satisfactorily addressed. The Owner has not applied for any new or additional zoning relief from the Village at this time. The request is for approval of the final plans and subdivision plat to allow the Proposed Development to proceed in accordance with the Order.

Plan Commission

The Plan Commission is scheduled to conduct a public meeting on June 7, 2021 to consider the Requested Approvals. The Plan Commission's recommendation will be provided to the Village Board prior to the June 10, 2021 meeting.

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

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

Trustee Westberg asked if there were plans for security; Mr. Michael Reschke Jr. stated that they could add it if needed.

There were no other comments or questions.

**A MOTION was made to approve an Ordinance Approving Final Development Plans and a Final Plat of Subdivision for a ±60 Acre warehouse/distribution development known as Huntley Commercial Center.**

**MOTION: Trustee Leopold**

**SECOND: Trustee Kittel**

**AYES: Trustees: Goldman, Holzkopf, Kittel, Leopold, and Westberg**

**NAYS: None**

**ABSENT: Trustee Kanakaris**

**The motion carried: 5-0-1**

Trustee Kanakaris returned to the Board Room at 8:12 p.m.

- g) Consideration – A Resolution Authorizing Payment of \$20,000 to the Association for Individual Development (AID) for Contractual Services for the period of January 1, 2021 through December 31, 2021

Chief Robert Porter reported that it is the policy of the Police Department to treat victims and witnesses of crimes and traumatic incidents with fairness, compassion and dignity in accordance with Constitutional rights, the Illinois Compiled Statutes Bill of Rights for Victims and Witnesses of Violent Crime Act, and recognized professional public service standards. Victims and witnesses of violent crimes in most cases may be confused and intimidated by police procedure and the judicial process. The Department strives to provide direction and coordination of available services to the community in the most efficient and professional manner.

The Association for Individual Development (A.I.D.) is on call 24 hours a day, 7 days a week. Its purpose is to assist distraught victims, which allows emergency personnel to concentrate on departmental/operational tasks and therefore allowing the social/psychological needs of the victim(s) to

be better served by those with advanced subject matter credentials. The organization can be contacted for such matters as: death, death notifications, serious injuries, trauma cases, debriefings, on-going neighbor issues, hoarding, mental health issues, and domestic violence to name a few. A licensed, clinical social worker (LCSW) assists staff with addressing these issues.

Staff Analysis

The Police Department has contracted with the A.I.D. since 2014 in various configurations. In 2019, A.I.D. was partnered with the Police Department’s Community Response Team (CRT), sharing an office, and experienced a significant increase in cooperation and teamwork to address various needs within the community. The below chart shows the progression of involvement of AID within the community.

	FY 20	FY 19	FY 18	FY 17	FY 16
Total Cases:	166	140	69	7	32
Total Clients:	453	262	119	14	65
Total Service Hours:	620	396.75	216	42	240

Financial Impact

The contract is included in the FY21 budget under dues and publications (100-50-00-6275) for Police Department victim services.

Chief Porter reported that Officer Megan Carney has done an exceptional job in this area and stated that she was in attendance to answer questions.

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

Trustee Holzkopf stated that she was proud that the Village has this program and it is important to have someone on staff.

There were no other comments or questions.

**A MOTION was made to approve a Resolution Authorizing Payment of \$20,000 to the Association for Individual Development for Contractual Services for the period of January 1, 2021 through December 31, 2021.**

**MOTION: Trustee Holzkopf**

**SECOND: Trustee Leopold**

**AYES: Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

- h) Consideration – A Resolution Entering into a Location Agreement with Koloni, Inc. for Bike Racks at the McHenry County Visitor Center, 11879 Main Street

Deputy Village Manager Lisa Armour reported that Visit McHenry County, located at the McHenry County Visitor Center (Hackett House, owned by the Village) at 11879 Main Street, worked in partnership with local communities to bring the Zagster bike-rental program to McHenry County in

2019. Thirty bikes had been located at six locations in the county. Due to the pandemic, Zagster ended the program as of June, 2020. A new operator, Koloni, Inc., now owns the equipment and administers the program using The Bike Haven as the local bike shop.

#### Staff Analysis

Currently, there is one open rack and five available bikes. Visit McHenry County (VMC) is requesting to locate the rack and the bikes to the parking lot at the Visitor Center for the year. It may be transported to other locations during the year for events and advertising purposes. There is no cost to the Village to participate in the program. The Bike Haven will be responsible for installing the bike rack station as well as maintaining the bikes, which are typically available from June through October. A location agreement with Koloni, Inc. is required for all participating entities in the program. The rack sits on the existing pavement, with no attachment necessary and no damage to the asphalt. Other locations in the county include:

- Crystal Lake - Downtown
- McHenry County College (Between buildings A & B at the Lucas Dr. entrance)
- Woodstock - Woodstock Metra Station
- McHenry - Fort McHenry
- The Bike Haven - McHenry

Per the exhibit, VMC anticipates utilizing up to three parking spaces on the south side of the parking lot. Hours of operation are 5 a.m. - 10 p.m. The cost to users is \$2 per hour for pay-per-ride or \$15 per year for a membership that includes up to four hours of ride time per day then \$2 per hour after that.

#### Legal Analysis

The Location Agreement, which specifies the terms and conditions for placement of the bike racks and bikes, has been reviewed by Village legal counsel.

Deputy Manager Armour reported that Jaki Berggren, Visit McHenry County Executive Director was in attendance to answer questions.

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

Trustee Westberg stated that he appreciated the fact that they can be easily moved as he does not think that they will be used here and they might be used more if we had a train station.

Ms. Berggren stated that there is a recreation amenity to having them. Trustee Westberg noted that a person wanting to use them would have to drive to the location to get a bike.

Trustee Goldman stated that she supported giving this a try and noted that its use will be logged so it can be judged if there is an interest in them.

There were no other comments or questions.

**A MOTION was made to approve a Resolution Entering into a Location Agreement with Koloni, Inc. for Bike Racks at the McHenry County Visitor Center, 11879 Main Street.**

**MOTION:** Trustee Kanakaris

**SECOND:** Trustee Holzkopf

**AYES:** Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg

**NAYS: None**  
**ABSENT: None**  
**The motion carried: 6-0-0**

- i) Consideration – An Ordinance Amending the Fiscal Year-End December 31, 2021 Budget and Approving the Carryover of Fiscal Year-End December 31, 2020 Expenses into the Fiscal Year-End December 31, 2021 Budget

Director of Finance Cathy Haley reported that eight items that had been budgeted for in FY20 were not completed or received by December 31, 2020. The unexpended budgeted dollars within the FY20 budget are now being requested to be carried in to FY21.

Staff Analysis

With the FY20 audit being finalized, the remaining budget dollars from FY20 can now be carried forward in to FY21 for projects that were not completed or items not received by December 31, 2020. Listed below are the amounts being requested for budget carry-over dollars from FY20 into FY21. Only those budgeted dollars not expensed will be moved forward in to the FY20 budget year.

*Budget Amendment FY20 Carry Over Amendment in to FY21*

Fund	Account Number	Amount	
<b>Capital Projects Fund</b>			
Building & Facility Impr.	400-00-00-8003	\$85,000	Village Board Room Upgrade
<b>Street Improvement Fund</b>			
Street Improvements	420-00-00-8001	\$30,262	MFT 2021 Design Engineering
Street Improvements	420-00-00-8001	\$205,417	Kreutzer Rd. Phase 1 Engineering
<b>Downtown TIF Fund</b>			
Grants & Reimbursements	440-00-00-4445	\$50,000	State of Illinois Grant - Catty
Façade Improvement Program	440-00-00-8006	\$10,000	Façade Grant
Downtown Improvements	440-00-00-8007	\$170,000	Catty Property Redevelopment
<b>Equipment Replacement Fund</b>			
Vehicles-Police	480-50-00-8132	\$11,850	Ultra Strobe Installation Costs
Vehicles - Public Works	480-60-00-8131	\$96,911	Package & Misc. Supplies 5-yard
<b>Water Capital &amp; Equipment Fund</b>			
Water Infrastructure Impr.	515-00-00-8004	\$90,957	Water Main Replcmnt. Rt. 47 Design Eng.
Water Infrastructure Impr.	515-00-00-8004	\$65,000	Well #8 Repair



### Financial Impact

The FY21 budget will be increased by this dollar amount in these funds. However, all items were approved and incorporated into the FY20 actual expenditure projections. Therefore, total projected fund balance for FY21 has not changed due to the amendment.

### Legal Analysis

Generally Accepted Accounting Principles (GAAP) dictate when an expense can be recognized based on delivery date or completion date. Sikich, the Village's audit firm, has reviewed this amendment.

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

### **A MOTION was made to amend the Fiscal Year-End December 31, 2021 Budget and Approving the Carryover of Fiscal Year-End December 31, 2020 Expenses into the Fiscal Year-End December 31, 2021 Budget.**

**MOTION:** Trustee Leopold

**SECOND:** Trustee Holzkopf

**AYES:** Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg

**NAYS:** None

**ABSENT:** None

**The motion carried: 6-0-0**

- j) Transmittal – Comprehensive Annual Financial Report for the Fiscal Year End December 31, 2020

Director of Finance Cathy Haley reported that the Comprehensive Annual Financial Report for the fiscal year end December 31, 2020, is transmitted to the Village President and Board of Trustees.

The narrative identifies the components included in the pre-recorded audit summary presentation by Fred Lantz, Partner in Charge, Government Services, Sikich LLP. The presentation is posted on the Village website at [www.huntley.il.us](http://www.huntley.il.us).

### Staff Analysis

Pages 1 - 3 Independent Auditor's Report: Less than 3/10 of 1% of all government agencies nationwide and only 1 out of 20 in the State of Illinois receive a "clean" unqualified opinion. The Village of Huntley is one of these agencies. The auditor's opinion: Village's financial records are presented fairly in all material respects. The financial position as of December 31, 2020, in governmental and business type activities, each major and aggregate fund, conform with accounting principles generally accepted in the United States of America.

MD&A4: Table 1; The Statement of Net Position mirrors the basic accounting equation, assets = liabilities + equity. Deferred outflows and inflows are noncurrent assets and liabilities and must be presented separately in accordance with GASB Statement No. 68, *Accounting and Financial Reporting for Pensions* GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*.

MD&A5: Table 2; The Change in Net Position compares the revenue and expenses for the current and prior fiscal years Governmental and Business Activities. Governmental Activities reports a \$2,690,559

increase in net position. Business Activities reports a (\$1,177,467) decrease in net position. This decrease is due to depreciation on capital assets as the business type activities generate a positive cash flows from operations.

Pages 4 - 5: The Village’s cash position remains strong; cash and investments total \$29.2 million dollars; the Village Board governs an operation with assets in excess of \$241 million dollars.

Pages 6 - 7: The Statement of Activities displays the cost of providing services to Village residents. During 2020, the cost totaled \$26 million dollars.

Page 8: Governmental Funds Liabilities plus Fund balances total \$26 million dollars. General Fund reserve policy requirements equal 25% of operating expenditures during the prior twelve month period. The General Fund balance assignments are listed below:

Non-spendable – prepaid items	\$ 48,668
Assigned for future capital projects	\$ 1,433,769
Previously Assigned for capital projects	\$ 1,658,842
Assigned for future operations, 25% fund reserve	\$ 3,234,597
Unassigned	\$2,064,810
<hr/> Total General Fund balance Dec 31	<hr/> \$8,440,686

Page 10: Statement of Revenues, Expenditures and Changes in Fund Balances summarizes the resources used during the year. The General Fund reports a Net Change in Fund Balance totaling \$2,624,715. Removing Transfers included in Other Financing Sources reports the Excess of Revenues over Expenditures as follows:

General Fund Net Change in Fund Balance	\$ 2,624,715
Transfers in:	\$ (10,000)
Transfers out:	\$ 372,237
<hr/> General Fund Excess of Revenues over Expenditures:	<hr/> \$ 2,986,952

Page 14: The Proprietary Funds Statement of Revenues, Expenditures and Changes in Fund Net Position report an operating loss before capital grants and contributions. Removing depreciation, a non-cash transaction updates net income (loss) in both funds.

	Business-Type Activities		
	Water	Sewer	Total
Operating Revenues	\$3,331,047	\$3,124,677	\$6,455,724
Operating Expenses - Less Depreciation	\$2,466,133	\$2,433,948	\$4,900,081
Operating Income/(Loss)	<hr/> \$864,914	<hr/> \$690,729	<hr/> \$1,555,643

The Benefits Fund is an internal service fund reporting employer and employee contributions for health insurance and life benefits. The fund reports an increase in Net Position totaling \$180,525.

Page 16 - 17: The Village of Huntley Police Pension Fund reports a net increase of \$2,357,038, and includes assets totaling \$13.89 million as of December 31, 2020.

Pages 31 - 37: Long term debt instruments reported as of December 31, 2020, are Downtown TIF 2020 General Obligation Refunding Bonds, Sweeper Capital Lease, Net Pension Liability for IMRF and Police, Other Postemployment benefits, Backhoe Capital Lease, and the Wastewater 2020 General Obligation Refunding Bonds.

Single Audit: The Village expended more than \$750,000 of federal funds during the fiscal year ended December 31, 2020 and therefore, was required to undergo an annual single audit in conformity with the provisions of the Uniform Grant Guidance (formerly known as the Single Audit Act of 1996 and U.S. Office of Management and Budget Circular A-133, Audits of State and Local Governments and Non-Profit Entities). The primary source of the federal funds were provided from the Coronavirus Relief Fund Act, signed into law by the President of the United States on March 27, 2020. Kane County qualified as an eligible local government providing aid to local governments and established the CARES program. McHenry County qualified as an eligible local government providing aid to local governments and established the CURES program. The funds were received based on support and documentation submitted to both Kane County and McHenry County for salaries expended on front line police officers from March 2020 through December 2020. The Single Audit Report has been issued separately.

#### Legal Analysis

Not required. Sikich, the Village's accounting firm, has reviewed the document and was available by telephone at the Village Board meeting to answer any questions.

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

#### **A MOTION was made to accept and place on file the December 31, 2020, Comprehensive Annual Financial Report.**

**MOTION:** Trustee Leopold

**SECOND:** Trustee Kanakaris

**AYES:** Trustees: Goldman, Holzkopf, Kanakaris, Kittel, Leopold, and Westberg

**NAYS:** None

**ABSENT:** None

**The motion carried: 6-0-0**

**VILLAGE ATTORNEY'S REPORT:** None

#### **VILLAGE MANAGER'S REPORT:**

Village Manager Johnson reported that distributed to the Village Board was a memo regarding the Village's Water Conservation/Water System Update. Due to the extreme lack of rain, staff anticipates moving from Condition Yellow to Condition Orange but staff will continue to monitor conditions and keep the Board updated on the status of the Village's water system. Trustee Goldman asked how the public will be notified; Village Manager Johnson stated that every avenue will be used including social media. Trustee Holzkopf asked how it would be enforced; Village Manager Johnson stated that staff hopes that the public will cooperate as we would like to avoid writing tickets.

**VILLAGE PRESIDENT’S REPORT:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

Trustee Kanakaris stated that the street lights on the east side of Route 47 and Kreutzer Road look like they are blue in color; Village Manager Johnson stated that staff will check them out.

**EXECUTIVE SESSION:** None

**ADJOURNMENT:**

**There being no further items to discuss, a MOTION was made to adjourn the meeting at 8:35 p.m.**

**MOTION: Trustee Kanakaris**

**SECOND: Trustee Westberg**

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

Respectfully submitted,

Barbara Read  
Recording Secretary