

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING MINUTES
September 22, 2022**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, September 22, 2022 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, Niko Kanakaris, Curt Kittel, Harry Leopold and JR Westberg.

ABSENT: Trustee Holzkopf

IN ATTENDANCE: Village Manager David Johnson, Deputy Village Manager Lisa Armour, Director of Development Services Charles Nordman, Director of Public Works and Engineering Tim Farrell, Management Assistant Barbara Read, and Village Attorney Betsy Gates-Alford

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

SPECIAL PRESENTATIONS: None

PUBLIC COMMENTS: None

CONSENT AGENDA:

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

- a) Consideration – Approval of the August 25, 2022 Village Board Meeting Minutes
- b) Consideration – Approval of the September 22, 2022 Bill List in the Amount of \$2,149,158.12
- c) Consideration – Resolution Authorizing renewal of an Intergovernmental Agreement between the Huntley Community School District 158 and the Village of Huntley Providing For Police School Resource Officer Services
- d) Consideration – Ordinance Approving a Simplified Residential Zoning Variance for Rear Yard Building Setback Relief in the “R-2” Single Family Residence District, 9920 Riverside Drive
- e) Consideration – Ordinance Approving an Extension to the Deadline for Recording the Cider Grove Unit 2 Phase 4 Final Plat of Subdivision

Mayor Hoeft reported that Item e) on the consent agenda had been modified to include an extension deadline of March 31, 2023 instead of October 31, 2022 and asked if there were any objections or questions regarding the consent agenda. There were none.

A MOTION was made to approve the September 22, 2022 Consent Agenda.

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

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Conceptual Review – Conceptual Review – Proposed Site Plan and Building Elevations for Three Speculative Retail Buildings upon the Lions Chase Commercial Outlot located near the southeast corner of West Main Street and Charles H. Sass Parkway

Director of Development Services Charles Nordman said Inder Virk has submitted conceptual plans for Lot 205 of the Fitzgerald Subdivision commonly referred to as the Lions Chase Commercial Outlot. The Final Plat of Subdivision which established the Estates of Lions Chase was approved in June of 2005. Part of the subdivision approval set aside two lots fronting West Main Street for future commercial retail. The subject Lot 205 is a ±6 acre parcel located at the southeast corner of West Main Street and Charles H. Sass Parkway. The plans propose the construction of three retail buildings to support a variety of speculative commercial uses. The property is zoned “B-2 (PUD)” – Highway Service District Planned Unit Development.

STAFF ANALYSIS

Site Plan

The conceptual site plans include the construction of three separate speculative commercial buildings which are oriented toward West Main Street. Building A is located at the corner of Charles H. Sass Parkway and West Main Street. The 14,250 square-foot standalone building faces inward toward the parking lot. The petitioner has stated that this building is intended to be occupied by a single user with marketing targeted towards a fitness center, drug store, or similar type users. Buildings B and C are both 10,000 square-foot multi-tenant retail centers that face toward West Main Street. The multi-tenant buildings each include an endcap unit set up to accommodate a drive through user. Both proposed drive through lanes are configured to provide two menu boards; however, the petitioner has indicated the design would ultimately be based on the user. Both drive through lanes can accommodate 14 vehicles stacked to the pickup window. There are no users identified for the drive through lanes at this time.

Access

The proposed plans show two vehicle access points from both Charles H. Sass Parkway and West Main Street. The plat of subdivision allows for temporary full access to West Main Street and permanent right-in/right-out access to Charles H. Sass Parkway. After review of the proposal, Village staff suggests that the full access be relocated to Charles H. Sass Parkway and that only a temporary right-in/right-out access be provided to West Main Street. The Village’s review of the applicant’s traffic study may necessitate additional roadway improvements including a dedicated right turn deceleration lane for eastbound Main Street traffic. It is noted that the proposed access to West Main Street is contingent on review and approval from the McHenry County Department of Transportation.

Parking

The parking lot is located in front of the proposed buildings along West Main Street. Parking has been provided for 161 passenger vehicles with stalls measuring a compliant 10' X 19'. Additional landscaped islands and pedestrian access from the walking path along Main Street will be required as part of the Final Planned Unit Development. Loading and dumpster enclosures are provided at the rear of the buildings.

Elevations

The proposed buildings are comprised principally of Dakota Brown Coronado thin brick with a natural black stone wainscot at the base of the building. Natural embassy white stone would be used throughout to accent the end cap units and the entrances to the in-line units. Storefront glass lines a majority of the front façades facing West Main Street. Black canopies and awnings are provided at each entrance and atop each bank of storefront windows. The building features varying parapets to offer height and depth variations. Accent lighting is provided.

Landscaping

The property includes a 30' landscape easement that extends along the entire southern property line. The landscape easement was planted at the time of the original subdivision, approximately 15 years ago. This serves to provide a landscape buffer between the existing residential homes in Lions Chase and the commercially zoned property. Landscaping has been provided throughout the parking lot in islands, drive through lanes, and near the building foundations. Large expanses of empty wall space utilize a green screen with ivy.

Required Approvals

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

1. The two proposed drive through lanes will require approval of a Special Use Permit
2. Final Planned Unit Development, including any necessary relief

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies "Strong Local Economy" as a strategic focus, and the following goal: "Location of Choice for New and Expanding Businesses of All Sizes."

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 said the petitioner, Mr. Inder Virk of Kaya Properties, as well as his development team, is in attendance should the Village Board have any questions or concerns.

Trustee Leopold said he would prefer to see two full access points on Main and Charles H. Sass Parkway, but he would also accept a right-in right-out only on Main Street if that is what is decided. He said he would like to see a thick hedge along the entire front on Main Street and more lights on the buildings. Trustee

Leopold would also like the west side of Building A to be enhanced so it would look nicer for the traffic coming from the west on Main Street. Trustee Kittel said he also had concerns with the access points and with the existing landscaping along the south edge of the property that has been there since 2005. He said he would like to make sure the landscaping is updated when the parking lot is constructed. Trustee Kittel said the elevations look nice and likes the materials chosen for the buildings.

Trustee Goldman said her main concern is the traffic on Main Street during school hours. She said it stacks up because of traffic from Coyne Station Road coming onto Main as well as the many cars coming from town all going to and from the high school. She said she would like to see the traffic study done to address the traffic concerns. Trustee Westberg said it does not seem like there is enough parking for Building A should that become a popular restaurant, but he does like the look of the buildings especially the black accents.

Trustee Kanakaris said he thinks the parking will be an issue once everything is built out. He said without knowing the tenants, it makes it difficult to plan for the parking and traffic flow, but he would like to see Buildings B and C get built first to see if the parking is sufficient and how the traffic will flow throughout the buildings. Mr. Virk said Building A will not be constructed until a tenant is confirmed. Trustee Kanakaris concluded saying he thought the buildings looked good and is glad that something is being built in that area.

Mayor Hoeft said he also had a concern for the parking and asked the petitioner if the entire parking lot and site work would be constructed if they decided to do Buildings B & C first and wait to build Building A. Mr. Virk said yes, the parking lot and site would be completed for the entire site. Mayor Hoeft asked if there were any further questions or comments. There were none.

No action was taken on this agenda item as it was conceptual review only.

- b) Conceptual Review – Proposed Site Plan and Building Elevations for Two Speculative Retail Buildings upon Lot 7b of Huntley Crossing Phase I on Route 47 south of Powers Road

Director of Development Services Charles Nordman said Core Huntley, LLC (Core) has acquired lots 4, 6, and 7b of Huntley Crossings Phase I and has submitted a conceptual site plan for the outlots which are located on Route 47 south of Powers Road near Huntley Crossings Drive.

At this time, Core wishes to only move forward with the proposal to further subdivide lot 7b for the purpose of constructing a speculative multi-tenant retail center and standalone retail building. The 2.29 acre Lot 7b was created in 2016 as part of the resubdivision of Lot 7, which allowed for the construction of the Sherwin Williams store. The subject lot is zoned “B-3 (PUD)” Shopping Center Business District – Planned Unit Development. Core intends to speculatively develop both buildings, but has shared with the Village that they are currently at lease with a fast casual sandwich shop as well as two soft goods retailers.

STAFF ANALYSIS

Site Plan

Plans submitted by Core propose a subdivision of the existing Lot 7b resulting in two individual outlots fronting Route 47. The subdivision would create an additional lot known as Lot 7c. The newly divided 1.54 acre (±67,082 sq. ft.) Lot 7b would remain directly south of the existing Sherwin Williams (Lot 7a), with the separate 0.75 acre (±32,670 sq. ft.) Lot 7c located south of Lot 7b. The B-3 zoning district requires a

minimum lot width of 200 feet and lot area of 80,000 square feet (1.8 acres). Both proposed Lots 7b and 7c will require relief from the required lot width and lot area.

The conceptual site plan includes the construction of two commercial retail buildings, one upon each lot. Lot 7b would include a three-tenant, 6,375 square-foot single story retail building with a quick service restaurant and a general retail user occupying the endcaps. Lot 7c proposes a 4,000 square-foot freestanding single tenant building for a general retail user. Lots 7b and 7c would operate under a reciprocal easement agreement with cross access and shared parking provided within the integrated shopping center. Cross access has also been proposed between Lot 7a (Sherwin Williams) and Lot 7b, and between Lot 7c and Lot 6 (future retail development).

Access

The two outlots will receive principle vehicle access from the rear private roadway that runs parallel to Route 47 and connects Powers Road to Huntley Crossings Drive. Lot 7b proposes a dedicated access point at the northeast corner of the parcel. A second access to the lot is proposed to be shared with Lot 7c. The shared 25-foot drive aisle runs between the buildings and provides cross access to both lots. The shared drive aisle will require relief from the Village's Zoning Ordinance to encroach into the required 10 foot parking field setback along the side yard of each lot. Pedestrian access will be provided along the west side of the private roadway as the walkway will continue the connection north to Powers Road.

Parking

The parking lot is located both in front of and in the rear of the proposed buildings. Lot 7b provides parking for 49 passenger vehicles. Lot 7c provides parking for 19 passenger vehicles. Both lots supply a compliant number of parking stalls in accordance with the Village's parking table. All parking stalls measure a compliant 10' X 19' and landscaped islands have been provided as required. Dumpster enclosures are provided within the parking lot located behind the buildings. Bicycle racks have also been provided on each lot.

Elevations

The proposed buildings are comprised principally of executive ironspot face brick with a velour textured accent brick as the backdrop for the tenant signage. The building features "piers" at each corner of the building complete with decorative sconce lighting and a cast stone base. A matching cast stone cornice will cap the entire building. Storefront glass lines the entire front façade facing Route 47 and wraps around the two endcap units. Black canvas awnings are provided at each entrance and atop the storefront glass.

Landscaping

No landscaping plan has been provided for conceptual review but will be required as part of the submittal to the Plan Commission.

Signage

No formal sign packages have been provided for conceptual review but will be required as part of the submittal to the Plan Commission. A monument sign has been proposed upon each lot located at the northwest corner of the parking lots, just outside of the 100-foot greenbelt buffer.

Required Approvals

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

1. Final Plat of Subdivision
2. Final Planned Unit Development, including any necessary relief

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “Strong Local Economy” as a strategic focus, and the following goal: “Location of Choice for New and Expanding Businesses of All Sizes.”

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 said the petitioner, Mr. Adam Bell of Core Acquisitions, is in attendance to answer any questions or concerns. Mayor Hoeft asked Mr. Bell if he had anything to add to staff’s presentation. Mr. Bell said Core Acquisitions acquired this property in June 2022 and said they also have Lots 4 and 6 of Huntley Crossing. He said they currently have Lot 6 under contract for sale and are preparing new plans for Lot 4. Mr. Bell said they are excited to be developing in Huntley.

Trustee Leopold said he is glad there are no drive throughs proposed but the elevations of the buildings are too plain saying the roofline needs to be enhanced and more lighting needs to be added to the buildings. He also stated that he would like to see dense landscaping added that would go beyond the minimum requirements so it will not need to be replaced in a couple of years. Trustee Kanakaris said he would like to see the landscaping by the back of the building a little lower than usual because sometimes the taller landscaping impedes the line of site. He agreed with Trustee Leopold in that the building elevations need to be greatly improved and said he would like the buildings to look like there are different storefronts to the building instead of it looking like one big building. Mr. Bell said they have done other elevations on some of their projects. Trustee Kanakaris said he would like to see other elevations done in Huntley as well and is glad to see the area developed. He asked Mr. Bell if any of the tenants have been decided. Mr. Bell said that some of the tenants have been decided but not all leases have been finalized to date.

Trustee Westberg said he agreed that the building design needed to be improved and broken up to look like separate stores within the one building. He said that he would like to see more lighting on the building, he likes the colors and is also glad there are no drive throughs planned. Trustee Westberg said there would not be enough parking that if the stand along building is something popular like a dollar store or a Binnys with high traffic volume. Mr. Bell said the single building is a store that sells higher priced goods so there would be less customers. Trustee Goldman asked if tenants were signed to occupy all of the spaces. Mr. Bell said they were in the final stages for three of the four leases. Trustee Goldman asked if a dollar store would be one of the tenants. Mr. Bell said there was interest from a dollar store at one time, but they did not sign with Core Acquisitions and heard they were looking elsewhere.

Trustee Kittel said he agrees with the other Trustees in improving the elevations and suggested the possibility of using a permanent overhang on the buildings instead of awnings, and to use some sort of brick divide to make the building look like there are separate stores. He would also like to see more lighting on the buildings.

Mr. Bell thanked the Village Board for their input and said they are looking forward to being in Huntley. Mayor Hoeft thanked Mr. Bell for their interest.

No action was taken on this agenda item as it was conceptual review only.

- c) Consideration – Resolution Authorizing a Phase II Engineering Services Agreement with Patrick Engineering, Inc. in an Amount not to Exceed \$969,155 for the Kreutzer Road Realignment Project

Director of Public Works and Engineering Tim Farrell stated that the Five-Year Capital Improvement Plan 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. 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-foot wide multi-use path (MUP) 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 Phase II Engineering Design 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 II Engineering services for this project and Christopher B. Burke Engineering (CBBEL) along with Santacruz Land Acquisitions (Santacruz) would be sub-consultants 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 II Study by task:

1. Topographical Survey (PEI Task)
2. Geotechnical and Environmental Services (PEI Task)
3. Roadway Design (PEI Task)
4. Construction Staging and Maintenance of Traffic (CBBEL Task)
5. Drainage System Design and Erosion Control (CBBEL Task)
6. Lighting Plans (CBBEL Task)
7. Permitting (CBBEL Task)
8. Utility Coordination and Water Main Adjustments (CBBEL Task)
9. Structural (PEI Task)
10. Coordination (PEI and CBBEL Task)
11. Project Management and Contract Administration (PEI and CBBEL Task)
12. Quality Assurance and Quality Control (PEI and CBBEL Task)
13. Phase III Coordination (PEI and CBBEL Task)
14. Right-of-Way and Plats of Highways (PEI Task)
15. Land Acquisition Services (Santacruz Task)

The Phase II Engineering Services Agreement consists of two parts as follows:

Phase II Engineering:	\$771,595
Land Acquisition Services/Plats of Highways:	<u>\$197,560</u>
Total Fee:	<u>\$969,155</u>

The Phase II Engineering was a budgeted expenditure. The remaining project estimated costs are identified in the following table:

**Kreutzer Road Realignment
Engineer's Estimate of Probable Construction Cost**

<u>Item Description</u>	<u>Estimated Cost</u>	<u>SIP Funds</u>	<u>Water Capital</u>	<u>STP</u>
Phase I Engineering (FY20-22)	\$ 320,050	\$ 320,050		
Phase II Engineering (FY22-23)	\$ 771,595	\$ 771,595		
Survey Plats & Land Acquisition Services (FY23)	\$ 197,560	\$ 197,560		
UPRR Engineering (FY23)	\$ 35,000	\$ 35,000		
ROW Acquisition (FY23)	\$ 2,028,900	\$ 2,028,900		
Phase III Engineering (FY24-25)	\$ 786,300	\$ 786,300		
Construction (FY24-25)	\$ 7,863,000	\$ 6,120,000	\$ 243,000	\$ 1,500,000
Total Project Cost	\$ 12,002,405	\$10,259,405	\$ 243,000	\$ 1,500,000

On February 27, 2020, the Village Board approved a contract with Patrick Engineering, Inc. (PEI) to complete Phase I Preliminary Engineering for the project. Phase I Engineering was completed on July 29, 2022, with IDOT Design Approval anticipated to occur on or before September 30, 2022. On July 23, 2020, the Surface Transportation Program (STP) was approved by the McHenry County Council of Mayors. The Kreutzer Road Realignment Project is funded in the STP maximum amount of \$1,500,000 for construction in Federal FY25.

An ITEP application for this project was submitted in 2020 however, the Village was not awarded funding. Since application points are available for projects with Phase I Engineering complete, the chances for an ITEP grant award in the 2022 cycle are increased and pending Village Board direction, another ITEP application will be submitted by September 30, 2022.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “Forward Looking Community” as a strategic focus and the following goal: “Management of Infrastructure Assets for Today and Tomorrow.” Realigning and widening Kreutzer Road will improve the safety of motorists, replace aging infrastructure including a bridge, and include a multi-use path that will provide an important connection for residents to other community locations and the Huntley bikeway network, allowing non-motoring pedestrians to walk or bike safely.

FINANCIAL IMPACT

The FY22 budget includes funding for Phase II Engineering in the Streets Improvements and Roads & Bridges Fund Line Item 420-00-00-8001.

Trustee Leopold said he liked the alternative offered and looks forward to the project happening. Trustee Westberg asked if the green area along the side of the road will be grass or if the shoulder would be soft. Director Farrell said it would be grass and added there is six feet between the curb and gutter and the path

and that everything is being done in accordance with the ADA requirements. Trustee Westberg asked if there was any funding being provided from the State for this project perhaps through a Rebuild Illinois type of program. Village Manager Johnson said that some funding has been secured for the project but no funds were received from the State. Director Farrell said there is a local Rail Highway Crossing Safety program that staff plans on applying for and hopes to receive some funds for the project through the program. Mayor Hoeft said the Phase 2 Engineering is needed for the construction of the project so even if the project has to wait for funding, the construction engineering will be completed. He added that the project is very costly and will be reviewed again for funding options and approval on an on-going basis. Mayor Hoeft asked if there were any further questions or comments. There were none.

A MOTION was made to approve a Resolution Authorizing a Phase II Engineering Services Agreement with Patrick Engineering, Inc. in an Amount not to Exceed \$969,155 for the Kreutzer Road Realignment Project.

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

- d) Consideration – Resolution Authorizing Submittal of a Project Application to the Illinois Department of Transportation for the Illinois Transportation Enhancement Program (ITEP) for the Kreutzer Road Realignment Project

Director of Public Works and Engineering Tim Farrell stated that the Illinois Department of Transportation (IDOT) is now accepting applications for the Illinois Transportation Enhancement Program (ITEP), with applications due by September 30, 2022. Federal funds will provide reimbursement up to 50% for right-of-way and easement acquisition costs, and up to 80% for preliminary engineering, utility relocations, construction engineering, and construction costs. The required local match is the responsibility of the project sponsor. The maximum award for any project is \$3 million, an increase from \$2 million from the last cycle in 2020.

STAFF ANALYSIS

The Five-Year Capital Improvement Plan includes 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. 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-foot wide multi-use path (MUP) 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. Engineering and construction of the MUP improvements would be an eligible activity for ITEP funding.

On February 27, 2020, the Village Board approved a contract with Patrick Engineering, Inc. (PEI) to complete Phase I Preliminary Engineering for the project. Phase I Engineering was completed on July 29, 2022, with IDOT Design Approval anticipated to occur on or before September 30, 2022. On July 23, 2020, the Surface

Transportation Program (STP) was approved by the McHenry County Council of Mayors. The Kreutzer Road Realignment Project is funded in the STP maximum amount of \$1,500,000 for construction in Federal FY25.

An ITEP application for this project was submitted in 2020, however the Village was not awarded funding. Since additional application points are available for projects with Phase I Engineering complete, the chances for an ITEP grant award in this cycle are increased. All is in order for submittal of the ITEP application for the Kreutzer Road Realignment project.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies “Organizational Excellence” as a strategic focus and the following goal: “Fiscal Responsibility.” Securing grant funding is necessary to fully fund the completion of the Kreutzer Road Realignment project.

FINANCIAL IMPACT

Project costs will be incorporated into future budgets.

Mayor Hoeft asked if there were any questions or comments. There were none.

A MOTION was made to approve a Resolution Authorizing Submittal of a Project Application to the Illinois Department of Transportation for the Illinois Transportation Enhancement Program (ITEP) for the Kreutzer Road Realignment Project

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

- e) Discussion – Amendment to Par/Tucker Annexation Agreement Regarding Well Site and Water Treatment Plant Site Dedication and Construction

Village Manager David Johnson stated that on September 23, 2021, the Village Board approved Resolution (R) 09.74 approving Professional Services Agreements with Engineering Enterprises, Inc. (EEI) for Design Engineering Services for Well No. 13 and Water Treatment Plant. At the time, the following two sites were under consideration: Village-owned property on W. Main Street, and a site east of Walmart owned by Plote Properties. This site was identified on the preliminary PUD plan for the property when it was annexed in 2007. Properties subject to the annexation agreement include Huntley Grove Commercial (Walmart and outlots), and the Pritzker (80 acres) and Sinclair (164 acres) residential parcels. The annexation agreement required a minimum site of 1.5 acres for the well and treatment facility site (Water Facility). During discussion regarding the sites, Staff indicated that the preferred site was east of Walmart, as it is a better location within the water distribution network. EEI has proceeded with design work for this site.

STAFF ANALYSIS

Staff has been in discussion with Plote Properties regarding dedication of a parcel prior to development of the overall site. The annexation agreement currently requires the owner to dedicate a site and pay for Village construction of a new Water Facility. At the time of annexation, it was anticipated that a shallow well would be constructed, which is less costly than a deep well. After additional investigation into water

quality and capacity associated with a shallow well, it was determined that this was not a feasible option and a deep well would be required.

Due to the need to build the Water Facility prior to development of the property, the expiration of the annexation agreement within five years, and the availability of federal ARPA funds, the Village has worked with the property owner to amend the annexation agreement as it relates to dedication of the site and construction of the Water Facility. The amendment to the agreement addresses the following:

- The Owner will dedicate up to one acre for the Water Facility and construct a temporary access road to the site (Regency Parkway extended), with the site dedication to take place within 30 days of approval of the amendment to the annexation agreement
- The Owner will construct a temporary access road to the well site
- Sewer and water connection fees will be paid by the Owner for the Pritzker and Sinclair residential parcels at time of building permit issuance (under the current agreement, the fees are waived as a credit for the Owner reimbursing the Village for the cost to construct the Water Facility)
- Transition fees will no longer be required, consistent with the Village's elimination of such fees for other residential developments
- The current impact fee schedule will remain in effect for the remainder of the term of the annexation agreement, which will expire in March 2027
- Recapture agreements obligations identified in the original agreement have been satisfied or agreements have expired and language is included in the amendment to reflect the status of these agreements

Discussions with the property owner continue regarding additional off-site infrastructure improvements and it is likely that another amendment would be brought forward for discussion and consideration.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies "Forward Looking Community" as a strategic focus and the following goal: "Management of Infrastructure Assets for Today and Tomorrow." The new well and treatment facility are needed to meet the increased need to serve the existing and future users of the utility system.

FINANCIAL IMPACT

The estimated cost of the well and treatment facility is \$8,370,350. Federal ARPA funds of \$3.7 million will be used to offset the cost.

LEGAL ANALYSIS

A legal notice must be published at least 15 days and no more than 30 days for the required public hearing for the amendment to the annexation agreement. The required notice will be published to allow for consideration of the amendment at the October 13th Village Board meeting.

Village Manager Johnson said that staff is available to answer any questions from the Village Board as well as Mr. Kevin Seay from Plote Properties. Mayor Hoeft asked Mr. Seay if he had anything to add to the presentation. Mr. Seay said the presentation was very thorough and that Plote Properties is willing to dedicate the site and build the access road to provide the Village the location needed to construct the facility.

There was an overall consensus to proceed with the legal notice and consideration at the October 13th Village Board meeting.

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT: None

VILLAGE PRESIDENT'S REPORT: Mayor Hoeft announced that Fall Fest will be taking place this weekend with various entertainment each day. He added that branch pick up will begin in Sun City on Monday. Mayor Hoeft said since there are five Thursday's in September, the next Village Board meeting will be October 13th.

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 7:39 p.m.

MOTION: Trustee Leopold

SECOND: Trustee Kanakaris

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Rita McMahan
Village Clerk