

**VILLAGE OF HUNTLEY
VILLAGE BOARD
MEETING MINUTES
December 1, 2022**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, December 1, 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, Mary Holzkopf, Curt Kittel, and JR Westberg.

ABSENT: Trustees Kanakaris and Leopold

IN ATTENDANCE: Village Manager David Johnson, Deputy Village Manager Lisa Armour, Director of Finance Cathy Haley, Director of Development Services Chares 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 October 27, 2022 Village Board and November 10, 2022 Village Board Meeting Minutes
- b) Consideration – Approval of the December 1, 2022 Bill List in the Amount of \$1,605,752.60
- c) Consideration - Approval of Payout Request No. 5 (Final) to Martam Construction, Inc. for the Eakin Creek Sanitary Interceptor Sewer in the amount of \$62,481.19
- d) Consideration - Approval of Payout Request No. 1 to Martam Construction, Inc. for Water Main Replacement along IL Route 47 in the amount of \$554,829.02

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

A MOTION was made to approve the December 1, 2022 Consent Agenda.

MOTION: Trustee Kittel
SECOND: Trustee Westberg
AYES: Trustees: Goldman, Holzkopf, Kittel, and Westberg
NAYS: None
ABSENT: Trustees Kanakaris and Leopold

The motion carried: 4-0-2

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Conceptual Review – Proposed Site Plan and Building Elevations for a Valvoline Instant Oil Change and a Speculative Retail Building upon Lot 4 of Huntley Crossing Phase I

Director of Development Services Charles Nordman stated that 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 north and south of Huntley Crossings Drive. In September, the Village Board conceptually considered plans for speculative retail upon Lot 7b.

Core now seeks conceptual review of a proposal to subdivide Lot 4 for the purpose of constructing a Valvoline Instant Oil Change facility and a speculative standalone retail building. The 2.71 acre lot is zoned “B-3 (PUD)” Shopping Center Business District – Planned Unit Development. The proposed Valvoline Instant Oil Change facility is classified as *Minor Automobile Repair*, which requires a Special Use Permit. Core intends to speculatively develop the standalone retail building for use by an unidentified soft goods retailer.

STAFF ANALYSIS

Site Plan

Plans submitted by Core propose a subdivision of the existing Lot 4 resulting in two individual outlots, 4a and 4b, fronting Route 47. The newly divided 1.47 acre (±64,033 sq. ft.) Lot 4a would be located at the southeast corner of Route 47 and Huntley Crossings Drive, with the separate 1.24 acre (±54,014 sq. ft.) Lot 4b located directly south of Lot 4a. These lot sizes do not meet the minimum requirement of the B-3 zoning district, which requires a minimum lot width of 200 feet and lot area of 80,000 square feet (1.8 acres). Both proposed Lots 4a and 4b would require relief from the required lot width and lot area.

Lot 4a – Speculative Retail

The conceptual site plan for Lot 4a includes the construction of a 4,000 square-foot freestanding single tenant building for a speculative soft goods retail user. A right-in/right-out vehicle access driveway is proposed directly off Huntley Crossings Drive just outside of the 100’ greenbelt and provides access to the parking areas at the front of the buildings. A second shared access is proposed on the rear private roadway that runs parallel to Route 47 and connects Huntley Crossings Drive to the Hampton Inn. Lots 4a and 4b would operate under a reciprocal easement agreement with cross access and shared parking provided between the lots. Pedestrian access is proposed along the south side of Huntley Crossings Drive bridging a connection between the Route 47 multi-use path and the existing sidewalk that leads to the Hampton Inn. A dumpster enclosure has been provided within the rear parking lot.

Lot 4b – Valvoline Instant Oil Change

Lot 4b proposes the construction of a 2,087 square-foot Valvoline Instant Oil Change facility. The building is oriented with the entry tower on the northwest corner and three drive-through service bays on both the north and south elevations. A driveway from the rear private roadway is proposed at the southeast corner of the parcel. Vehicles waiting to be serviced would stack on the south side of the building. Stacking is provided for two cars per bay for a total of six queuing locations. After service is complete, vehicles will exit the north overhead doors and proceed onto the shared access drive aisle that runs between the lots. A dumpster enclosure is proposed behind the building in the south side stacking area.

Parking

The parking lot is located both in front of and in the rear of the proposed buildings. Lot 4a provides parking for 38 passenger vehicles. Lot 4b provides parking for 33 passenger vehicles. Both lots supply a compliant number of parking stalls in accordance with the Village's parking table and the Annexation Agreement. All parking stalls measure a compliant 10' X 19'. Landscaped islands would be provided as required. Bicycle racks have been provided on each lot.

Elevations

Lot 4a – Speculative Retail

The Lot 4a elevations are the same provided for the standalone retail building proposed for Lot 7c to the north. The proposed retail building is comprised principally of a velour textured gray face brick with soldier course brick above the windows and atop the building. A brown ironspot brick is used as the backdrop for the tenant signage upon the entry parapet and the accent piers throughout. The piers are capped with precast stone and feature decorative sconce lighting. The brick piers are installed on each corner of the building and bookend the storefront glass on the Route 47 frontage and north and south sides of the building. A stone veneer wainscot has been provided along the base of the entire building. Black canvas awnings are provided at the entrance.

Lot 4b – Valvoline Instant Oil Change

The proposed Valvoline Instant Oil Change facility is earth toned face brick with an ashlar pattern stone wainscot. The repair bays are separated by brick columns and comprised of three clear anodized aluminum overhead doors on both the north and south elevations. Driftwood color architectural shingles cap the roof of the repair area and entry tower. The entrance at the northwest corner of the building is made up of clear storefront windows and doors in aluminum frames. The entrances feature two bronze metal seam awnings. The entry tower above the roofline is sand pebble dryvit and serves as the backdrop for the building signage.

Landscaping

No landscaping plan has been provided for conceptual review, but would be required as part of a formal development application.

Signage

A monument sign is shown on the site plan for each lot, but no formal sign package has been provided for conceptual review. Proposed signage would be required as part of a formal development application.

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. Special Use Permit for *Automobile Repair, Minor*
3. Final Planned Unit Development, including required relief

2022-2025 STRATEGIC PLAN ALIGNMENT

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

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 petitioners in attendance should there be any questions or concerns. Trustee Goldman thanked the petitioner for coming up with some ideas for that area but she does not favor the idea of having another oil change place. She said there are other options nearby and would like to see something else in that development. Trustee Westberg said he did not support subdividing the area to make the smaller lots. He would prefer to see a nice restaurant in that area that would benefit from the hotel being in that location, but also did not support another oil change business in that area. Trustee Holzkopf agreed adding that she thought the traffic would not flow well in that area. She would also prefer to not have the lots subdivided with hopefully a restaurant going in that area someday.

Trustee Kittel said he is not against the Valvoline business, but does not want to see the lots subdivided. He said that he believes there is some momentum building in that area and hopes to see more retail based shopping or a restaurant. Mayor Hoeft said that although Trustee Leopold could not attend tonight's meeting, he discussed the petition with him and asked to pass along his input. Mayor Hoeft said Trustee Leopold said he does not have a problem with Valvoline but just not in that location. Mayor Hoeft concluded saying that it seems to be a consensus of the Village Board to not move forward with the Valvoline petition at this time and asked the petitioners if they had anything to add.

Mr. Michael Firsel, Counsel for Core Huntley, said he had been in many meetings and the purpose of a concept review is to find out if more money and time should be spent in pursuing a project. He said he appreciates the input from the Village Board and that it is not the result they were hoping for, but understands. Mr. Firsel said they will go back to the drawing board to hopefully put something more appealing together. Mr. Adam Firsel, Principal of Core Huntley, said that as a developer, they can only finance and construct what the market provides. He said this land had sat vacant for a very long time, and since they bought the property three months ago they have tried to make this project look similar to other projects along Route 47. He said that if Valvoline is not a good fit, he said they will try to come up with some tenants that will work in the area. He added that they are still excited for moving forward with the previous approvals for Lot 7B with construction on that lot happening in the spring. He thanked the Village Board for their time.

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

- b) Ordinance Approving a Final Planned Unit Development and Final Plat of Subdivision for Pod 10 of the Talamore Subdivision

Director of Development Services Charles Nordman said Lennar has submitted plans for Final Planned Unit Development (PUD) and Final Plat of Subdivision to develop the ±63.36 acre area known as Pod 10 which is located near the western terminus of Reed Road and northeast of the railroad tracks. In 2006, Pod 10 was

preliminary planned for 457 townhomes and included right-of-way for the future extension of Algonquin Road.

The Village Board approved a map amendment to rezone the subject property from “M” Manufacturing District to “RE-1 (PUD)” Residential Estate – Planned Unit Development and the Preliminary PUD and Preliminary Plat of Subdivision for the proposed 129 lot single family subdivision on July 14, 2022. The petitioner is now seeking approval of the Final PUD and Final Plat of Subdivision.

STAFF ANALYSIS

Lennar proposes to develop the ±63.36 acres known as Pod 10 for the purpose of constructing 129 new single-family homes as proposed by the preliminary PUD. Access to the subdivision is from Reed Road with the opportunity for additional connections should Reed Road be extended as land to the north and west of the subdivision is annexed into the Village. The required park land dedication has already been provided within the existing portions of the Talamore subdivision.

Final Plat of Subdivision

The proposed Final Plat consists of 129 single-family lots as consistent with the Preliminary Plat of Subdivision. The lots will have a minimum lot area of 9,520 square feet and a minimum lot width of at least 70'. The average lot area will be 11,541 square feet with the largest lot having an area of 19,417 square feet. The typical lot will support a minimum 30-foot front yard setback, a 30-foot corner side yard setback, and a 9-foot side yard setback. These typical lot setbacks are consistent with the existing single family lots within the Talamore Subdivision with the exception of the proposed rear yard setback.

The required rear yard setback for the RE-1 Residential Estate District is 40-feet, as would be typical in the adjacent pods within the Talamore Subdivision. The Preliminary Plat of Subdivision proposed all 129 lots with a 35-foot rear yard setback in order to accommodate the ranch home models, which give the purchaser an option for a rear addition. The Plan Commission requested the petitioner identify all lots which would need the reduced rear yard setback. The Final Plat identifies 90 of the 129 lots utilizing the reduced 35-foot rear yard setback and the remaining 39 lots would have a 40-foot rear yard setback.

The proposed final plat includes Outlot C, a 15.1-acre stormwater management easement behind lots 57 – 107; and Outlot D, a 50 foot wide buffer along the southern edge of Pod 10, adjacent to the McHenry County Conservation District (MCCD) property that abuts the railroad tracks. A 2006 license agreement between the MCCD and Huntley Venture (Lennar) included a letter of intent stating the buffer adjacent to the MCCD's property would be conveyed to the MCCD when Pod 10 is platted. The MCCD is still determining the amount of buffer, if any, to be conveyed. As a result, the proposed final plat provides two 50-foot wide outlots along the southern property line that offer flexibility should the MCCD only want a portion of the buffer (the remaining half of the buffer would be maintained by the HOA). Outlot D also proposes a drainage easement that is needed to accommodate the draintile improvements for Pod 10.

Home Product

The proposed single-family home product for Pod 10 is a continuation of the same product currently offered in Pod 8A Phase 1. Seven different floor plans have been offered, each providing four elevation options (an additional option has been provided for the Rainier, Santa Rosa, and Sequoia models). The models listed below are the same models that were approved by the Village Board as part of the Preliminary PUD and recommended for Final PUD approval by the Plan Commission; however, Lennar has requested that as part of the Final PUD, the Village Board allow a 2-car garage as standard on the Rainier, Santa Rosa, and Sequoia

models, while providing the home buyer the option to construct a 3-car garage. The following is a summary of the proposed single family floor plans:

Model	Type	Square Feet	Bedrooms	Garage
Adams	1 Story	2,146	3 BR	3 Car
Matisse	1 Story	2,365	3 BR	3 Car
Galveston	2 Story	2,612	4 BR	3 Car
Rainier	2 Story	2,758	4 BR	2 Car/3 Car Optional
Weston	2 Story	2,907	4 BR	3 Car
Santa Rosa	2 Story	3,084	4 BR	2 Car/3 Car Optional
Sequoia	2 Story	3,237	4 BR	2 Car/3 Car Optional

Landscape Plan

Outlot A provides a 25' – 35' landscaped buffer for the lots backing to the future extension of Reed Road and offers a variety of ornamental trees and evergreens paired with deciduous shrubs. Entry plantings are located on either side of the main entrance. Outlot B supports a public patio and seating area within the landscaped island provided in the mid-block eyebrow. Lennar proposes a row of newly planted shade trees, evergreen trees, ornamental trees, and deciduous shrubs upon Outlot C to assist in shielding the residential lots 67-85 from the railroad tracks. The remainder of Outlot C will be planted with native prairie plantings including along the eastern edge of the property. The existing offsite wetland area to the east of Pod 10 will remain untouched as part of this development. The existing stormwater management basin at the northwest corner of the site will be reconfigured and is proposed to consist of native emergent plant bottoms using a wet meadow seed and blanket at the immediate perimeter of the basin. Low profile prairie seed and blanket will be used moving outward from these areas. Parkway trees will be spaced every 40 feet in accordance with the Village's Landscape Ordinance.

Model Homes and Signage

One model home and a temporary parking lot are proposed to be located on Lots 106 and 107. The Santa Rosa model will be constructed on Lot 107 and serve as the sales center. Lot 106 will be utilized as a temporary parking lot with five off-street parking spaces provided.

Signage associated with the model homes includes the following;

- (1) 8' X 12' marketing sign posted at the southwest corner of Reed Road and Garlieb Drive
- (1) Directional welcome home center sign

Drainage

The petitioner and staff met with the downstream property owners on several occasions to discuss the proposed drainage and how Pod 10 will comply with the applicable ordinances. The petitioner and staff also met with the upstream owner to ensure that the development will not restrict drainage off their property. Offsite investigations determined that an independent draitile will drain the area of Pod 10 without impacting the drainage of the downstream farm located south of the railroad tracks. Pod 10 will not utilize the draitile system serving the farm. The tile system west of Coyne Station Road was found to be in a state of failure, which does impact the downstream farm. The petitioner has agreed to repair this portion of the draitile upon the residential property to ensure that the tile system will freely drain to the creek. The petitioner has also met and come to an agreement with the MCCD, subject to action by their Board of Trustees, for a grant of easement for the stormwater drainage improvements that cross their land.

Village Board Preliminary PUD and Plat of Subdivision Approval

The Village Board approved of the Preliminary Planned Unit Development and Preliminary Plat of Subdivision on July 14, 2022. Discussion from the Village Board included the following:

- Appreciation was shown for Lennar in meeting with neighboring property owners to address stormwater and drainage issues. *After extensive meetings with surrounding property owners, offsite drainage concerns have been addressed as part of the Final Plans.*
- Comments were made regarding the preference for wrought iron/aluminum fencing. *The existing Talamore CCR's prohibit the installation of board on board fencing, above ground pools, and sheds. Lennar has submitted Special Amendment No. 9 to the Community Declaration for Talamore that will add Pod 10 to the existing CCRs.*
- The suggestion was made for the terminus of Skeels Street (near lots 13 and 57) to be finished with curb and gutter while awaiting future development to occur on the property to the north that will provide the second vehicle access point to the subdivision.

Review Criteria—Final Planned Unit Development Review

The Village Board shall review and evaluate the final PUD in terms of whether the proposal:

- i. Is in general conformance with the previously approved preliminary PUD plans.
- ii. By virtue of its imaginative and creative design and benefits to the village, justifies the intended variations from the strict interpretation of the Subdivision Ordinance.
- iii. Requires additional conditions and restrictions to protect the public interest and adjacent areas, improve the development and assure compliance with existing village ordinances.

Plan Commission Recommendation

The Plan Commission considered the petitioner's request on October 24, 2022, and recommended approval of the petition by a vote of 6 to 0, subject to the following conditions:

1. All public improvements and site development must occur in full compliance with the submitted preliminary plans and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioners will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. 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.
4. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
5. Prior to the acceptance of the Pod 10 public improvements, an agreement between the Petitioner and McHenry County Conservation District shall be reached regarding the conveyance of the buffer.
6. The model home parking proposed for lot 106 shall be revised so that vehicles do not back out directly onto the public right of way.
7. The Petitioner shall disclose future plans to extend Algonquin Road upon sale to the buyers of Lots 83-93 and plans to extend Reed Road to the buyers of Lots 1-13.
8. The following architectural upgrades are standard for all side and rear elevations for the detached single family homes:
 - a. 5/4" window surrounds

- b. 5/4" frieze boards
 - c. Window grills are standard (as an option, a homeowner may opt out of window grills on non-corner/non-rear facing road lots)
 - d. Shutters around windows
 - e. At least one rear gable
 - f. Different color architectural shingles
 - g. Trim will carry over from the front elevation
 - h. All corner lots will have a minimum of two first floor windows along the corner side elevation
9. No building construction permits, plans, or Certificates of Occupancy are approved as part of this submittal.

2022-2025 STRATEGIC PLAN ALIGNMENT

The Strategic Plan identifies "*Strong Local Economy*" as a strategic focus, and "*Location of Choice for Residents*" as a goal.

FINANCIAL IMPACT

Pod 10 would be subject to current tap on fees and impact fees for the school, library, and fire districts.

Director Nordman said Mr. John McFarland, Entitlement Manager of Lennar, is in attendance should there be any questions or concerns. Mayor Hoeft asked if Mr. McFarland had anything to add to the presentation. Mr. McFarland said he would like to clarify just one thing and that is the ranch plan would be the only plan that would need the 35' rear yard setback if the buyer were to choose a breakfast room on the back of the house. All of the other plans adhere to the 40' rear yard setback.

Trustee Westberg questioned if the setbacks were sufficient for an in ground pool. Director Nordman said that in most cases, the setbacks will accommodate a pool. Trustee Westberg asked if the railroad track easement will be restrictive to home sites. Director Nordman said the property is within a buffer that is separate from any individual home lot or site.

Trustee Goldman asked if the McHenry County Conservation District (District) had been included in the discussion and if they expected any issues. Mr. McFarland stated that they had met several times and have exchanged plans. He added that he is expecting a smooth process and that the District is trying to decide if they will take the entire 100' or just the west 50'. Trustee Goldman asked if the area is a wetlands and Mr. McFarland said it is a berm that technically would be cut in half with the east half staying with the HOA and the west half attaching to the existing 25' buffer that the District already owns along the railroad tracks. Trustee Goldman asked if the houses are far enough away from the tracks. Mr. McFarland said the homes would be 125' from the tracks. He added that if the District decides they do not want the berm, then the entire berm would stay with the HOA.

Trustee Holzkopf questioned approximately how many of the lots would need the 35' setback. Mr. McFarland said only 1 of the 7 models would need the larger setback if a breakfast room was chosen so most likely the number would be minimal. Trustee Holzkopf asked if there was a number anticipated for being a two-car garage. She said she was concerned that this pod would look a lot different than the other pods because of the number of two-car garages. Mr. McFarland said three of the seven models offer the two-car garage, so again, he expects the number to be minimal. He added that several models have two-

car garages throughout Talamore and he likes the way the landscape flows, as it is nicer when there is a mixture of garages along the street.

Mayor Hoeft asked if the stormwater meetings with the neighbors are still taking place and what the status is of the project. Mr. McFarland that that several meetings have taken place with the adjacent landowners. The plan is to replace the dilapidated tile that goes into the property along Coyne Station that is restricting flow with new tile. He added that Scott Hajek, the Village's Development Engineer, is reviewing the plan and Lennar is hoping to replace the rotting pipe over the winter months. Mayor Hoeft asked if there were any further questions or comments. There were none.

A MOTION was made to approve an Ordinance Approving a Final Planned Unit Development and Final Plat of Subdivision for Pod 10 of the Talamore Subdivision.

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

- c) Consideration – Approval of Request to Extend Building Shell Completion Date for the Coral Street Firehouse, LLC Project at 11808 Coral Street

Village Manager David Johnson stated that the Village Board approved Ordinance (O)2022-03.11 on March 10, 2022, authorizing approval and execution of a Redevelopment Agreement (RDA) between the Village of Huntley and Coral Street Firehouse, LLC (developer) for the redevelopment of the former fire station site at 11808 Coral Street. The developer closed on the property in June and began site work immediately thereafter.

STAFF ANALYSIS

The Village is in receipt of a request from the developer regarding the December 31, 2022 date required for completion of the exterior shell and associated liquidated damages if the date is not met. The liquidated damages penalty is \$100 per day until the shell is completed. The developer is requesting to adjust the shell completion date to March 31, 2023, with the \$100 liquidated damages waived until after that date. The developer has submitted the request as a result of design issues that were encountered at the beginning of the project. Upon resolving these issues, the developer has been working diligently on the building and is nearing completion of the fourth story exterior framing. Section 4.2 (B) of the RDA requires all final certificates of occupancy to be completed for the building by June 30, 2023. The building is on schedule for completion by this date. Per Section 2.2 (E) of the RDA, the developer has on file with the Village a performance bond in the amount of 110% of the building shell construction cost.

LEGAL ANALYSIS

The request requires approval of the Village Board.

Village Manager Johnson stated that Mr. Joe Billitteri and John Curtis are in attendance should there be any questions or concerns.

Mayor Hoeft asked if the petitioners had anything to add to the presentation. Mr. Curtis said that he

received a call today that the masonry work is being delayed due to the weather. He said there is approximately 45 days of work left to do, but with the colder weather coming, he anticipates the masonry work to not be completed until May. Mr. Curtis stated that the interior of the building is coming along well and the restaurant build out will continue as planned and that they are not requesting an extension of the completion of the restaurant or certificate of occupancy by June 30, 2023 at this time. Mayor Hoeft questioned why the Village was being told about this now, and no one called earlier in the day to inform staff. Mr. Curtis said they just received the phone call this afternoon and they wanted to check with the mason to get all the details on what it will take to complete the bricking. Mr. Billitteri agreed with Mr. Curtis that the June 30th date will not move, it is just the exterior of the building that will be delayed and is requesting a May 30th date to complete the brickwork. Trustee Goldman stated she did not have a problem granting the extension because other extensions have been provided for Village projects. She said it is part of the process sometimes and she is excited for the project overall to be a part of the downtown.

Trustee Westberg requested clarification because the paperwork provided by the developer included a March 31st deadline, not May. Mr. Billitteri said a new letter will be provided to staff with the new May 30th deadline. Village Manager Johnson clarified that would be done if that is the decision of the Village Board this evening to grant the May deadline. Trustee Holzkopf questioned how a motion or vote could be taken without a solid date proposed. She said that she is fine with providing an extension for the shell completion date but absolutely not on the certificate of occupancy date of June 30th. Mr. Billitteri offered the May 30th as a date for completion deadline for the shell. Trustee Westberg asked if the Village could assess the liquidated damages if the May 30th deadline is missed, and if the \$100 / day penalty could go back to January 1st. Trustee Kittel asked the petitioner if there could be a way to install screening around the building to insulate the area with blowers to help keep the project moving. Mr. Billitteri said they looked into the cost of something like that and it was in excess of \$80,000. Village Attorney Gates-Alford stated to answer the question from the Trustees, the extension date can be extended to May 30, 2023 and be subject to retroactively collecting liquidated damages if they miss that date, kicking in on May 31st if the May 30th deadline was missed.

Mayor Hoeft stated that he was extremely disappointed hearing about this now at the Village Board meeting, instead of this afternoon when the developer learned about it. He said that they have had a good relationship throughout this project and understands that there will be delays, but is very frustrated with hearing about this now. Director of Public Works and Engineering Farrell said that there is site work that will need to be done as well after the brickwork is complete including paving, striping and some landscaping.

Mayor Hoeft asked what the Village Board would like to propose. Trustee Goldman said she would not like to see any fines proposed. Trustee Westberg made a motion to approve a date of May 30, 2023 for the extension and no fines unless that date is not met; if it is not met, fines should be backlogged to January 1, 2023. Mayor Hoeft asked if there was a second for the motion on the floor. Trustee Holzkopf asked if she could make a different motion. Mayor Hoeft said he has to wait to see if there is a second for Trustee Westberg's motion and if there is not, and the motion dies for lack of a second, then she could make another motion. Mayor Hoeft again asked if there was a second for the motion made by Trustee Westberg. Hearing none, Mayor Hoeft stated the motion dies for a lack of second. Trustee Holzkopf then made a motion to approve an extension for the building shell until May 31, 2023 with assessing liquidated damages back to the March 31st date if the deadline is not met. Mayor Hoeft announced that there is a motion on the floor and asked for a second. Trustee Westberg seconded the motion. Mayor Hoeft requested a roll call.

A MOTION was made to approve a Request to Extend Building Shell Completion to May 31, 2023 with accessing liquidated damages back to March 31, 2023 if the deadline is not met and no extension for the Certificate of Occupancy Dates for the Coral Street Firehouse, LLC project at 11808 Coral Street.

MOTION: Trustee Holzkopf
SECOND: Trustee Westberg
AYES: Trustees: Holzkopf, Kittel, and Westberg
NAYS: Trustee Goldman
ABSENT: Trustees Kanakaris and Leopold
The motion carried: 3-1-2

Mayor Hoefft said that he appreciates the work being done on the project and is thankful that they have a good working relationship, but if something like this comes up again, to please communicate with himself or the Village Manager right away instead of waiting until the last minute. Mr. Billitteri thanked the Village Board for their consideration and apologized for not telling them sooner once they found out about the delay, saying it will not happen again.

- d) Consideration – Ordinance Amending Title V: Public Works, Chapter 51 (Sewer Use Regulations), Section 51.52 (General Pretreatment Regulations) of the Village of Huntley Code of Ordinances

Director of Public Works and Engineering Tim Farrell said the federal Clean Water Act has established a regulatory program to address non-domestic discharges from industries to publicly owned treatment works (POTWs) through the National Pretreatment Program, a component of the National Pollutant Discharge Elimination System (NPDES) Permit Program. The National Pretreatment Program requires certain industrial and commercial dischargers, called industrial users, to obtain permits or other control mechanisms to discharge wastewater to the POTW. The permit may specify the effluent quality that requires an industrial user to pretreat or otherwise control pollutants in its wastewater before discharging it to a POTW. The National Pretreatment Program provides the regulatory basis to require industrial (non-domestic) dischargers to comply with pretreatment standards to ensure that the goals of the Clean Water Act are attained.

STAFF ANALYSIS

As part of the Village's wastewater treatment facility NPDES Permit, the USEPA required the Village to adopt a pretreatment program for industrial wastewater users. The Village adopted amendments to Chapters 51 and 52 of the Village code on August 8, 2013 and on February 12, 2015 to incorporate the General Pretreatment Regulations and other associated updates. With these standards in place, the Village is the permitting and local control authority for certain industrial users of the system. Currently, the Village has one permitted industrial discharger, Weber-Stephen Products, LLC.

Special Condition 20.A.8 of the West Wastewater Treatment Plant (WWTP) NPDES Permit dated August 1, 2020 required *a technical re-evaluation of local limitations consistent with U.S. EPA's Local Limits Development Guidance (July 2004), and submit the evaluation and any proposed revisions to its local limits to IEPA and U.S. EPA Region 5 for review and approval.* On January 4, 2022, the Technical Re-Evaluation of Local Limits was submitted to the IEPA. On June 23, 2022, the USEPA issued the tentative approval of the local limits along with public notice requirements. The public notice for modification of the pretreatment program was published in the Northwest Herald on July 13, 2022.

The required local limit revisions have been incorporated within the body of the Village General Pretreatment Regulations. Before the USEPA can formally approve the proposed local limit revisions, the Village must amend Part 2.4.B (Local Pre-Treatment Standards – Local Limits) of Section 51.52 (General Pretreatment Regulations) as indicated (in red) in the amendment. The Village must then submit the Public Notice Certificate and revised Ordinance for approval to USEPA.

A summary of the Local Limit Revisions is as follows:

LOCAL PRE-TREATMENT STANDARDS LOCAL LIMITS

Pollutant	Unit	Local Limit	
		Previous	Proposed
Arsenic	mg/l	0.50	0.50
Barium	mg/l	4	4
Cadmium	mg/l	0.30	0.30
Chromium (Total)	mg/l	2	2
Copper	mg/l	1	1
Cyanide	mg/l	0.20	0.20
Lead	mg/l	0.40	0.40
Mercury	mg/l	0.001	0.001
Nickel	mg/l	2	2
Fats, Oils and Grease (Non-Polar FOG)	mg/l	30	30
Silver	mg/l	0.20	0.20
Total Phenols	mg/l	0.60	0.60
Zinc	mg/l	2	2

The following formerly applied to only the East WWTP but as proposed would apply to both East and West WWTP

Ammonia-Nitrogen	mg/l	20	50
BOD ₅	mg/l	211	500
Total Suspended Solids	mg/l	240	750
Total Phosphorus	mg/l	N/A	50

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.*” Implementation and enforcement of General Pretreatment Regulations requires an industrial user to pretreat or otherwise control pollutants in its wastewater before discharge thereby protecting Village wastewater conveyance and treatment assets.

LEGAL ANALYSIS

The regulations have been reviewed and approved by the USEPA.

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

A MOTION was made to approve an Ordinance Amending Title V: Public Works, Chapter 51 (Sewer Use Regulations), Section 51.52 (General Pretreatment Regulations) of the Village of Huntley Code of Ordinances.

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

- e) Consideration – Ordinance Approving a Village Monument Sign Easement Agreement with Huntley Development Limited Partnership for Village Signage at the Southeast Corner of Route 47 and Freeman Road

Director of Development Services Charles Nordman said on August 26, 2021, the Village Board approved a Development Agreement between the Village and Huntley Development Limited Partnership (HDLP). Among other things, the Development Agreement required HDLP to provide the Village a sign easement at the southeast corner of Route 47 and Freeman Road for installation of a Village monument sign. Additionally, HDLP agreed to contribute \$25,000 for the construction of the sign.

STAFF ANALYSIS

The proposed easement is a 35' by 40' rectangle at the southeast corner of Route 47 and Freeman Road, as depicted on the aerial photograph. The Sign Easement Agreement also provides for a 25' temporary easement for construction activities related to the installation of the sign.

FINANCIAL IMPACT

The easement will be provided at no cost to the Village and HDLP has agreed to contribute \$25,000 for the construction of the sign.

LEGAL ANALYSIS

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

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

A MOTION was made to approve an Ordinance Approving a Village Monument Sign Easement Agreement with Huntley Development Limited Partnership for Village Signage at the Southeast Corner of Route 47 and Freeman Road.

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

- f) Discussion – Utility Rate Structure FY23-FY25

Village Manager David Johnson reported that one of the primary commitments that the Village makes as a

governmental entity is to preserve and enhance the public health, safety, and welfare of its citizens and visitors to the community. There is likely no greater responsibility that the Village has than providing safe potable drinking water to the general public. Likewise, ensuring that the effluent from the Village's wastewater treatment operations is not harmful to the environment is an integral part of being good stewards of local natural resources.

The water and wastewater (sanitary sewer) operations of the Village are a self-supporting enterprise that does not receive any property tax or other tax-related income. Collectively, the water and wastewater operations are referred to as the Village's utility operations. Volume-based customer fees and related income are collected to cover the cost of operations and maintenance (O & M), along with any capital improvements.

STAFF ANALYSIS

Village Manager Johnson reviewed the Utility Rate Analysis provided to the Village Board in the form of a Power Point presentation. The presentation provided a comprehensive overview of the existing utility system including:

- Water usage over the past decade and demands on the existing system
- Summary of water and sewer fund capital projects
- Fund balances in the water operating and capital funds and the wastewater operating and capital funds
- Rate comparisons with neighboring communities
- Proposed new rate structure for FY23-FY25
- Estimated potential new revenue

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.*" Reviewing the utility rate structure in review of the Village's water and wastewater operations and maintenance assists in assuring safe potable drinking water is provided to the general public and that treatment of wastewater is not harmful to the environment.

FINANCIAL IMPACT

Revenue projections are included in the Utility Rate Analysis.

Village Manager Johnson concluded his presentation, thanked staff for their input in creating the options provided to the Village Board to create a new Utility Rate Structure. He reminded the Village Board that this was for discussion and policy direction this evening, adding that staff was available to answer any questions or concerns.

Trustee Kittel asked if the Village would benefit from the increase in revenue by being able to complete the larger capital projects quicker than if we did not do the rate increase. Village Manager Johnson said the new rate structure would give the Village the ability to continue to do the projects, but not necessarily any quicker. He added that it would help with the maintenance of certain projects that need to be completed on an annual basis. Trustee Kittel pointed out that the Village is supplying a premium product in water and sewer services and agrees that the fees should be increased since they seemed to have been undercharged for some time and would like to see the fees reassessed in 2025.

Trustee Westberg agreed with the fees needing to be increased. He also pointed out that when the Village's fees are being compared to neighboring communities and are coming up as the lowest around, that even after a proposed increase, the Village could still be one of the lowest because the other communities also increase their fees on an annual basis. He agreed with Trustee Kittel in making sure the Village is able to provide quality services to the residents. Trustee Westberg said that even with pushing some of the capital projects out, the Village will still be short to complete these projects over time without an increase. Village Manager Johnson agreed and referenced the comparison of the Village of Huntley rates to the neighboring communities that are higher but also contribute more to fund the capital and annual maintenance projects. He said the Village's current structure will not be able to sustain funding of the capital projects. Mayor Hoeft agreed as well adding that supplies and pricing will not be decreasing any time in the future, and to maintain the quality service for our residents, the increase is needed. Mayor Hoeft said it is the cost of doing business to provide this continued quality of service.

Trustee Holzkopf concluded the discussion by thanking Village Manager Johnson, Directors Farrell and Haley for their thorough presentation, and that she appreciates the level of detailed included.

Policy Direction was provided by the Village Board to proceed with the new Utility Rate Structure as follows:

Water and Sewer Rates Proposed:

Rates to be charged for water supplied from the municipal water system shall be based on metered water usage, which shall be billed bi-monthly.

- 1. Effective January 1, 2023, the consumer shall pay \$4.24 (+\$0.39) per 1,000 gallons of consumption for water and \$5.60 (+\$0.51) per 1,000 gallons of consumption for sewer (\$9.84 total (+\$0.90))*
- 2. Effective January 1, 2024, the consumer shall pay \$4.66 (+\$0.42) per 1,000 gallons of consumption for water and \$6.16 (+\$0.56) per 1,000 gallons of consumption for sewer (\$10.82 total (+\$0.98))*
- 3. Effective January 1, 2025, the consumer shall pay \$5.13 (+\$0.47) per 1,000 gallons of consumption for water and \$6.78 (+\$0.62) per 1,000 gallons of consumption for sewer (\$11.91 total (+\$1.09))*

Irrigation Only Meter Rate:

- 1. Effective January 1, 2022, the consumer shall pay \$7.70 per 1,000 gallons of consumption. No change is being recommended to this rate at this time. This rate will be reviewed again in 2025.*

Capital and Infrastructure Fee:

The flat fee is shown with a rate increase of \$.50 for water and \$.50 for sewer each year through 2025. The current flat fee is \$9.00 per month for water and sewer. As proposed the flat fee would be \$10 in 2023, \$11 in 2024 and \$12 in 2025. The residential cross-connection fee of \$0.75 per bi-monthly bill remains the same.

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT: None

VILLAGE PRESIDENT'S REPORT: Mayor Hoeft said that everyone is invited to Very Merry Huntley on Saturday adding that the Kris Kringle market is from 9am – 2pm in the Fellowship Hall in the Congregational Church and other activities start at 3:00 pm and will go until approximately 7:00.

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 8:17 p.m.

MOTION: Trustee Westberg

SECOND: Trustee Holzkopf

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Rita McMahan
Village Clerk