

**VILLAGE OF HUNTLEY  
COMMITTEE OF THE WHOLE MEETING  
January 21, 2010  
MINUTES**

**CALL TO ORDER:**

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, January 21, 2010 at 7:00 p.m. in the Municipal Complex Village Board Room located at 10987 Main Street, Huntley, Illinois 60142.

**ATTENDANCE:**

**PRESENT:** Mayor Charles Sass; Trustees: Pam Fender, Jay Kadakia, Niko Kanakaris, Harry Leopold, Paul Mercer and John Piwko.

**ABSENT:** None

**IN ATTENDANCE:** Village Manager David Johnson, Senior Assistant to the Village Manager Lisa Armour, Management Assistant Barbara Read and Village Attorney Mike Coppedge.

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

**PUBLIC COMMENTS:** None

**ITEMS FOR DISCUSSION:**

- a) Discussion – January 28, 2010 Bill List in the amount of \$165,037.79

Mayor Sass asked if the Committee had questions or comments; there were none.

*It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the January 28, 2010 Bill List in the amount of \$165,037.79.*

- b) Discussion – Ordinance (O)2010-01.03 – Amendment to Huntley Code of Ordinances – Business Regulations 110.24 – Limitation on Licenses – Adding one Class “D” License – Liquor Control Ordinance

Village Manager David Johnson reported that the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

Staff Analysis

Action will be requested of the Liquor Commission at the January 28<sup>th</sup> Liquor Commission Hearing to amend the Liquor Control Ordinance to make available six (6) Class “D” licenses instead of five (5) in order to provide for the application from Walgreens #07457, 12000 Princeton Drive.

The Class “D” license allows for the retail sale in sealed packages. Not for consumption on premises sold. Sampling/tasting events on licensed premises are subject to specific regulations. Listed below are the current licensed establishments with a Class “D” license:

1. Armanetti’s Wine and Liquor
2. Huntley Food and Liquor
3. Jewel Osco / SuperValu
4. Wisted’s Supermarket
5. Walmart Super Center

#### Financial Impact

The annual fee received by the Village for a Class “D” License is \$950.00.

#### Legal Analysis

Section 110.24 of the Village Code of Ordinances limits the number of available licenses in each class. There are no available Class “D” licenses; therefore, if the Liquor Commission elects to issue a license to Walgreens, the Commission must create an additional Class “D” license.

#### Action Requested

A consensus of the Committee of the Whole to forward to the Liquor Commission Ordinance (O)2010-01.03 – Amendment To Huntley Code of Ordinances Business Regulations 110.24 – Limitation On Licenses – Adding One Class “D” License – Liquor Control Ordinance

Mayor Sass asked if the Committee had questions or comments; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Liquor Commission for approval Ordinance (O)2010-01.03 – Amendment to Huntley Code of Ordinances – Business Regulations 110.24 – Limitation on Licenses – Adding one Class “D” License – Liquor Control Ordinance.***

- c) Discussion – Ordinance (O)2010-01.04 – Approval and Issuance of a Class “D” Liquor License – Walgreens Co., Walgreens #07457, 12000 Princeton Drive

Village Manager David Johnson reported that the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance, which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

#### Staff Analysis

Village Manager Johnson reported that the Village is in receipt of an application for a Class “D” liquor license from Walgreens Co. for their store at 12000 Princeton Drive, known as Walgreens #07457 (Walgreens). All documents required have been submitted with the exception of the State Liquor License. This is not uncommon to be waiting on the State’s approval while asking for approval from the Liquor Commission. The Liquor Commission can approve the Class “D” liquor license with the condition of approval being that Walgreens must provide a certified copy (proof) that they obtained a State Liquor License before the Village’s liquor license becomes effective.

The criminal and background check results from the State are pending and are expected within the next two weeks. In accordance with Village ordinance, the license will not be issued until the criminal and background checks are received with positive results.

It is anticipated that Walgreens will appear before the Liquor Commission in the future with a liquor license application for their new store to be located at the northeast corner of Route 47 and Reed Road.

#### Financial Impact

The pro-rated payment of \$80 per month (\$240 total) has been invoiced for the three remaining months (February 1<sup>st</sup> - April 30<sup>th</sup>) of the 2009 - 2010 license year. The applicant will be required to submit a renewal application for the 2010 - 2011 license year.

#### Legal Analysis

Section 110 of the Village Code of Ordinances regulates liquor sale in the Village. The application has been reviewed and is in compliance with Section 110: Alcoholic Beverages requirements.

#### Action Requested

A consensus of the Committee of the Whole to forward to the Liquor Commission the issuance of a Class "D" Liquor License to Walgreens Co., Walgreens #07457; 12000 Princeton Drive subject to the following conditions:

1. The criminal and background check results must be received by the Village Clerk with positive results.
2. Petitioner must show proof of the State of Illinois Liquor License before the Village of Huntley Class "D" Liquor License becomes effective.

Village Manager Johnson stated that Mr. Gary Kozlowski, Ms. Stella Napoli and Ms. Melissa Olsen from Walgreens were in attendance to answer questions.

Mayor Sass asked if the Committee had questions or comments.

Trustee Piwko asked if there would be product sampling; Mr. Kozlowski said no.

Trustee Mercer asked if Bassett Training has been completed; Village Manager Johnson reported that it has not yet been completed but it is not a requirement prior to the license being issued but that staff will work with the Police Department and Walgreens to get this accomplished.

There were no further questions.

***It was the consensus of the Committee of the Whole to forward on to the Liquor Commission for approval Ordinance (O)2010-01.04 – Approval and Issuance of a Class "D" Liquor License to Walgreens Co., Walgreens Store #07457 located at 12000 Princeton Drive.***

- d) Discussion – Ordinance (O)2010-01.05 – An Ordinance Granting a Preliminary/Final Plat of Subdivision, Special Use for Childcare, Map Amendment, and Preliminary/Final Planned Unit Development for Lots 4 and 5 of Bakley’s 14<sup>th</sup> Addition (Kids-R-Kids)

Senior Assistant to the Village Manager Lisa Armour reviewed a Power Point Presentation and reported that the petition has been amended to limit the requested action to just the rezoning of the parcel from Manufacturing to Office-PUD. The preliminary/final plat of subdivision and special use permit for a day care center are not included in the request.

The office zoning is consistent with the Comprehensive Plan designated use of “Mixed Use – Business/Residential” and the petitioner has been encouraged to rezone the remaining four (4) acres of the site to Office.

Ms. Armour reported that any development that would take place on the site would be required to go through the preliminary/final plat and site plan approval process. If a special use permit were required for a use in the Office District, the development would also have to go through the public hearing process. The rezoning does not grant any approvals for any site work or any building activity.

Ms. Armour reported that the petitioner was in attendance to answer questions.

Mayor Sass asked if the Committee had questions or comments.

Trustee Fender stated that she did not think that day care centers were usually found in office locations and asked if they came back could they still be located at this site under this zoning. Ms. Armour reported that day cares would be allowed as a Special Use under this zoning but that they would still be required to get Village Board approval. Any development would be required to go through the process and receive Village Board approval prior to construction.

There were no further questions or comments.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O)2010-01.05 – Approving a Map Amendment from “M” Manufacturing to “O-1 PUD” General Office – Planned Unit Development the South 260 feet of the North 533 feet of Lots 4 and 5 in Bakley’s 14<sup>th</sup> Addition.***

- e) Discussion – Resolution (R)2010-01.03 – A Resolution Approving the Local Match for Haligus Road Improvements through the McHenry County Council of Mayors Surface Transportation Program

Village Manager David Johnson reviewed a Power Point Presentation and reported that the McHenry County Council of Mayors (McCOM) has issued a Call For Projects for FY2013, 2014 and 2015. The Village has applied for the Haligus Road resurfacing project from Kreutzer Road to Algonquin Road (1.55 miles). The application requires that the Village pass a resolution obligating funds for the Village’s 20% share (80% Federal) of the construction costs. The Village’s share is estimated to be \$205,700.00 of the estimated \$1,028,500.00 construction cost.

### Staff Analysis

Federal Aid Urban (FAU) routes within the Village are eligible for federal funding. Haligus Road north of Algonquin Road is an established FAU route. A request has been approved by the Council of Mayors to designate Haligus Road from Algonquin Road to Huntley-Dundee Road as an FAU route. The Village will petition the Council of Mayors to extend the Haligus Road FAU designation from Huntley-Dundee Road to Kreutzer Road. It is anticipated that designation of Haligus Road from Algonquin Road to Kreutzer Road as an FAU route will be formalized by the end of 2010.

### Financial Impact

If selected by the McHenry County Council of Mayors, this project will be included in the Village budget for the programmed year.

### Legal Analysis

Not Required.

### Action Requested

A consensus of the Committee of the Whole to forward to the Village Board for approval Resolution (R)2010-01.03 – A Resolution Approving the Local Match for Haligus Road Improvements through the McHenry County Council of Mayors Surface Transportation Program.

Village Manager Johnson reported that he and the Mayor attended the McCOM meeting earlier in the day and this project was rated 22 out of the 36 presented; therefore, it is probable that this project would not be included in the McCOM program but it would be beneficial to the Village to have it ready.

Mayor Sass asked if the Committee had questions or comments.

Trustee Mercer stated that Haligus Road does not seem to be in bad shape. Village Manager Johnson stated that while the roadway seemed in decent shape now, this program list was for the years 2013 – 2015 and it would be helpful to be included as federal funds would cover 80% of the construction costs.

There were no further questions.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-01.03 – A Resolution Approving the Local Match for Haligus Road Improvements through the McHenry County Council of Mayors Surface Transportation Program.***

- f) Discussion – Resolution (R)2010-01.04 – A Resolution Approving the Local Match for Kreutzer Road Improvements through the McHenry County Council of Mayors Surface Transportation Program

Village Manager David Johnson reviewed a Power Point Presentation and reported that the McHenry County Council of Mayors (McCOM) has issued a Call For Projects for FY2013, 2014 and 2015. The Village has applied for the Kreutzer Road resurfacing project from the UPRR to Huntley-Dundee Road (1.14 miles). The application requires that the Village pass a

resolution obligating funds for the Village's 20% share (80% Federal) of the construction costs. The Village's share is estimated to be \$130,400.00 of the estimated \$652,000.00 construction cost.

#### Staff Analysis

Federal Aid Urban (FAU) routes within the Village are eligible for federal funding. Kreutzer Road is an established FAU route. This resurfacing improvement between the UPRR and Huntley-Dundee Road would complete the final segment of Kreutzer Road from Route 47 to Huntley-Dundee Road. The section of Kreutzer Road from Walmart to the UPRR was resurfaced in 2009 with ARRA and Village funds.

#### Financial Impact

If selected by the McHenry County Council of Mayors, this project will be included in the Village budget for the programmed year.

#### Legal Analysis

Not Required.

#### Action Requested

A consensus of the Committee of the Whole to forward to the Village Board for approval Resolution (R)2010-01.04 – A Resolution Approving the Local Match for Kreutzer Road Improvements through the McHenry County Council of Mayors.

Village Manager Johnson reported that he and the Mayor attended the McCOM meeting earlier in the day and this project was rated 13 out of the 36 presented; therefore, it is not yet known if this project would be included in the McCOM program but it would be beneficial to the Village to have it ready.

Mayor Sass asked if the Committee had questions or comments.

Trustee Leopold asked how roads are designated as FAU routes. Village Manager Johnson stated that there is an application process through the Council of Mayors which takes approximately one year; and, typically the routes chosen are established arterial roads which connect to other arterial roads. Staff is also looking at the possibility of designating Ruth Road and Del Webb Blvd as FAU routes.

There were no other questions or comments.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-01.04 – A Resolution Approving the Local Match for Kreutzer Road Improvements through the McHenry County Council of Mayors Surface Transportation Program.***

**VILLAGE ATTORNEY'S REPORT:** None

**VILLAGE MANAGER'S REPORT:**

Trustee Mercer asked about the meeting regarding the Marlowe Property. Village Manager Johnson reported that the meeting went well and that staff will provide the property owner with the information to assist with demolition of the building.

Trustee Mercer asked about the liability of the property owner regarding the Fire Department's Adopt a Hydrant Program. Village Attorney Coppedge reported that there could be a liability to the homeowner should the homeowner shovel the snow away from the hydrant in such a way that would cause a hazard. It was suggested that residents shovel the path to the fire hydrant from the curb and not the sidewalk.

**VILLAGE PRESIDENT'S REPORT:**

Mayor Sass reported that the bid letting for the Route 47 Widening Project took place on Friday, January 15<sup>th</sup>, and the apparent low bidder was Plote Construction at \$23,783,664.70. He noted that it will take several weeks for the contracts to be signed.

Mayor Sass reminded the Board that the McCOG meeting will be held at Boulder Ridge next week.

Mayor Sass announced that there will be a Liquor Commission Hearing Jan 28<sup>th</sup> for the Walgreens liquor license request which was reviewed during this meeting. The Liquor Commission Hearing will begin at 7:00 p.m. with the Village Board Meeting following immediately thereafter.

**UNFINISHED BUSINESS:**

Trustee Kadakia reported that he attended the first 2010 meeting of the McCOG Transportation Committee. The committee reviewed the list of future transportation projects in the County and the Route 47 Widening Project was included.

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**POSSIBLE ACTION ON ANY CLOSED SESSION ITEM:** None

**ADJOURNMENT:**

**There being no further business to discuss, a MOTION was made to adjourn the meeting at 7:22 p.m.**

**MOTION: Trustee Kadakia**

**SECOND: Trustee Piwko**

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

Respectfully submitted,

Barbara Read  
Recording Secretary