

**VILLAGE OF HUNTLEY
COMMITTEE OF THE WHOLE MEETING
August 19, 2010
MINUTES**

CALL TO ORDER:

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, August 19, 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, Village Attorney Mike Coppedge and Management Intern Joe Tomaso.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Sass.

PUBLIC COMMENTS: None

ITEMS FOR DISCUSSION:

- a) Discussion – August 5, 2010 Committee of the Whole Meeting Minutes

Mayor Sass asked if the Committee had any comments or changes to the August 5, 2010 Committee of the Whole Meeting Minutes; there were none.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the August 5, 2010 Committee of the Whole Meeting Minutes.

- b) Discussion – August 26, 2010 Bill List in the Amount of \$533,793.56

Mayor Sass reported that included in the agenda packet was the August 26, 2010 Bill List. The Bill List has been reviewed by Staff. All is in order for Village Board approval at this time.

• Bill List - Detail Board Report	\$ 103,479.40
• Bill List – Manual Checks Issued - 7/09/10	\$ 283,943.93
• Bill List – Manual Checks Issued - 7/19/10	\$ 6,917.89
• Bill List – Manual Checks Issued - 7/22/10	\$ 73,217.04
• Bill List – Manual Checks Issued - 7/26/10	\$ 1,562.07
• Bill List – Manual Checks Issued - 7/30/10	\$ 64,568.23
• Bill List – Petty Cash Checking Account	\$ 105.00
Total for approval:	\$ 533,793.56

Mayor Sass asked if the Committee had any comments or questions.

Trustee Kadakia noted that the payments to Benchmark Sales & Service should be charged to the Water Equipment Replacement Fund and not the Sewer Equipment Replacement Fund.

There were no other comments or questions.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the August 26, 2010 Bill List in the Amount of \$533,793.56, as amended.

- c) Discussion – Ordinance (O)2010-08.41 – Approval of a Simplified Residential Zoning Variation for a building addition encroaching into the Rear Yard Setback – Ron and Ellen Clauss, 12245 Daphne Drive

Village Manager Johnson reviewed a Power Point Presentation and reported that the petitioner is requesting relief from Village of Huntley Zoning Ordinance No. 97-07-24-01, (Annexation Agreement for Del Webb's Sun City) which stipulates Site Standards for *Premier and Estate Residential Lots (single family)* which includes a 20-foot rear yard setback requirement.

The petitioner is requesting approval of one (1) foot in relief from the required 20-foot rear yard setback to allow a 13' x 8' sunroom addition on an existing deck at the rear (northwest side) of the residence. The petitioner cited the fact that the existing deck already extends into the building setback by one foot and that the property backs to open space as two reasons the requested relief will have limited impact upon the subject tract and the adjacent properties.

The Sun City Community Association Modifications Committee approved the petitioner's project request on July 2, 2010 and the Sun City Community Association's Board of Directors approved the request on July 7, 2010.

The Village's Building and Code Enforcement Division has approved the building permit for the sunroom addition pending the Village Board's approval of the Simplified Residential Zoning Variation.

Zoning Board of Appeals Recommendation

The Zoning Board of Appeals conducted a Public Hearing on August 11, 2010 to hear the petition. The ZBA recommended approval of the petitioner's request by a vote of 5 to 0 subject to the following condition:

1. No building permits or Certificates of Occupancy are approved as part of the Simplified Residential Zoning Variation.

Mayor Sass asked if the deck that the three season room was proposed to be built on was also an encroachment into the easement. Village Manager Johnson stated that decks are a permissible encroachment per the Sun City Community Association Modification rules as well as Village Code.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Mercer asked what the difference was between this request and the addition that was built on a deck that had to be torn down. Village Manager Johnson reported that the other building addition was constructed without plan review and permit approval; because of this there was structural issues that did not conform to Building Codes.

There were no other comments or questions.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O)2010-08.41 – Approval of a Simplified Residential Zoning Variation for a building addition encroaching into the Rear Yard Setback – Ron and Ellen Clauss, 12245 Daphne Drive

d) Discussion – Ordinance (O)2010-08.42 – Approving an Off-Premise Sign Permit for Pine Apple Acres at the Southeast Corner of Route 47 and Powers Road

Senior Assistant to the Village Manager Lisa Armour reported that Pine Apple Acres has requested an exemption from the Village’s Sign Regulations to allow for the installation of an off-premise sign at the southeast corner of Route 47 and Powers Road. The petitioner is requesting approval to install a sign to advertise apple picking and/or Christmas trees from Labor Day weekend (9/4/10) until the week prior to Christmas (12/20/10). The requested sign is a 4' by 4' red apple stating “Pine Apple Acres.com” that will be mounted 8½ feet above grade. A plastic banner will also be displayed showing apples or Christmas trees. The banner will be staked at each end on 6’ tall fence posts. The petitioner has received authorization from the property owner to display the sign. The property owner has also provided a letter from Harris Bank to show that they do not object to the sign.

The Village’s Sign Regulations allow off-premise signs provided they receive Village Board approval and adherence to certain standards and criteria. The below table details the criteria and the proposed sign:

CRITERIA	PROPOSED
SIGN ADJACENT TO AND INTENDED TO BE VIEWED FROM ROUTE 47 ONLY	THE SIGN IS PROPOSED TO BE LOCATED ADJACENT TO ROUTE 47
PROHIBITED WITHIN A RESIDENTIALLY ZONED PROPERTY	THE PROPERTY IS ZONED B-3 SHOPPING CENTER BUSINESS
MAXIMUM AREA OF A SIGN FACE, WHETHER A SINGLE SIGN FACE, TWO BACK-TO-BACKS, OR A V-SHAPED TYPE SIGN IS 100 SQUARE FEET	THE PROPOSED SIGNAGE IS APPROXIMATELY 16 SQUARE FEET
MAXIMUM HEIGHT IS 15 FEET ABOVE GRADE	THE HEIGHT OF THE SIGN IS 8 ½ FEET ABOVE GRADE
THE LOCATION SHALL NOT OBSCURE OR INTERFERE WITH AN OFFICIAL TRAFFIC CONTROL DEVICE OR RAILROAD SAFETY SIGNAL OR SIGN, OR OBSTRUCT OR INTERFERE WITH A DRIVER’S VIEW OF APPROACHING, MERGING OR INTERSECTING TRAFFIC FOR A DISTANCE OF 500 FEET	THE EXACT LOCATION OF THE SIGN WILL NEED TO BE VERIFIED TO ENSURE COMPLIANCE WITH THIS CRITERIA

Staff Analysis

Staff recommends the following conditions be added should the Village Board approve the sign request:

1. The sign shall not be installed within the public rights-of-way for Route 47 or Powers Road.
2. The sign shall be setback a minimum of ten (10) feet from all lot lines and shall be located so as not to obstruct or interfere with a driver’s view of approaching, merging or intersecting traffic for a distance of 500 feet.
3. The sign shall be maintained in good condition at all times.
4. The petitioner shall obtain a sign permit from the Development Services Department upon receiving approval from the Village Board.

Ms. Armour reported that Mr. Graham Knott, the property owner, was in attendance to answer questions.

Mayor Sass asked if the Committee had comments or questions.

Trustee Piwko noted that Mr. Knott's letter referenced the northeast corner of the intersection, and that it should reference the southeast corner. Mr. Knott agreed and stated he would make the correction in the future.

There were no other comments or questions.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O)2010-08.42 – Approving an Off-Premise Sign Permit for Pine Apple Acres at the Southeast Corner of Route 47 and Powers Road

- e) Discussion – Referral of Route 47 Auto Sales at 10501 Route 47 to the Plan Commission to Begin the Formal Development Review Process

Village Manager Johnson reviewed a Power Point Presentation and reported that the Village is in receipt of a request from Mr. Radek Gogol to operate a used automobile dealership at 10501 Route 47, which is currently zoned B-3 Shopping Center Business. Mr. Gogol was previously issued a special use permit on March 27, 2008, for used automobile sales; however, the special use permit expired because the use was not established within six months of Village Board approval as required by the Zoning Ordinance.

Mr. Gogol currently operates Auto Crafters within the northern-most portion of the building and would operate the used automobile dealership out of the showroom portion of the building (formally occupied by Grand Rental) and display automobiles in the south parking lot. The remaining portion of the building is occupied by MB Garage, which was issued a special use permit for automobile repair by the Village Board on June 12, 2008.

Staff Analysis

Under the revised Zoning Ordinance approved by the Village Board in October 2009, used automobile sales are not a permitted or special use in the B-3 Shopping Center Business zoning district. As a result Mr. Gogol, with the consent of the property owner, is requesting to rezone the property to B-2 Highway Service which allows used automobile sales and auto body repair as special uses and automobile repair as a permitted use. Mr. Gogol would concurrently request a special use permit for used automobile sales and for his auto body repair business that currently operates on the site.

Rezoning the property to B-2 Highway Service would also reduce the amount of relief required as a result of the Route 47 take by the Illinois Department of Transportation. The following chart compares existing conditions on the property to the bulk regulations for the B-2 and B-3 zoning districts:

	10501 Route 47 (after IDOT take)	B-2 Highway Service	B-3 Shopping Center Business
Lot Area	79,322 sq. ft.	5,000 sq. ft.	80,000 sq. ft.
Lot Width	559.60 ft.	50 ft.	200 ft.
Setbacks			
Front	31.96 ft.	30 ft.	50 ft.
Rear	7.89 (not affected by take)	20 ft.	20 ft.
Corner Side (Algonquin Rd)	223.08 ft.	20 ft.	20 ft.
Interior Side	39.38 ft. (not affected by take)	10 ft.	10 ft.
Parking Lot	0 ft.	10 ft.	10 ft.

Village Manager Johnson reported that Mr. Radek Gogol was in attendance to answer questions.

Mayor Sass asked if the Committee had comments or questions.

Trustee Fender asked if there was a change in ownership of the property; Mr. Gogol responded no. Trustee Fender stated that it was an unsightly building and that she would like to see the lights removed as they were an eyesore; Mr. Ken Kondreros, property owner, stated that due to the Route 47 Widening Project, the lights are in the right-of-way and will be removed as part of the project. Trustee Fender asked about the addition of a spray booth; Mayor Sass stated that it is not required.

Trustee Piwko stated that the petitioners need to clean up the property and outside of the building; he stated that he doesn't want it to look like a typical used car lot with pennants, banners, etc. The petitioner stated that they will make it look more pleasant. Village Manager Johnson also noted that the Village will ensure that the property is better maintained.

Mayor Sass asked if there were any other comments or questions; there were none.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the referral of Route 47 Auto Sales at 10501 Route 47 to the Plan Commission to begin the formal development review process.

- f) Discussion – Resolution (R)2010-08.39 – Renewal of a Professional Services Agreement – Government Relations / Morreale Public Affairs Group (MPAG)

Mayor Sass reported that the contract for professional services from the Morreale Public Affairs Group (MPAG) is due to terminate on August 30, 2010. A new contract is proposed at the same fee of \$5,000/month.

Staff Analysis

The Village has contracted with MPAG since 2007. MPAG has been instrumental in maintaining a Village presence in Springfield and in particular lobbying for the inclusion of the Route 47 widening project and the I-90 / Route 47 full interchange project in the State's financial budget. Other key impacts have been securing contact information with Amtrak, seeking financial assistance for Village-wide projects, and continuing to monitor and advocate legislation in the General Assembly that is advantageous to the Village.

MPAG has added the promotion of the Huntley Amtrak station to their scope of services for this year's contract.

Financial Impact

The contract is included in the FY2010 Budget Tollway Fund; line item 07-10-4-7500.

Legal Analysis

The contract has been reviewed by the Village Attorney and all is in order for consideration.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Piwko asked if MPAG would also work on getting a Metra Station in Huntley; Mayor Sass stated that they could but that Amtrak would be first.

There were no other comments or questions.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2010-08.39 – Renewal of a Professional Services Agreement – Government Relations / Morreale Public Affairs Group (MPAG).

- g) Discussion – Ordinance (O)2010-08.43 – Amendment of Ordinance (O)2005-10.83, An Ordinance for the Establishment of Building Permit Fees

Senior Assistant to the Village Manager Lisa Armour reported that on May 27, 2010, the Village Board Approved Ordinance (O)2010-05.23, Amending Title XV, Land Usage, Chapter 150, Building Regulations, in order to adopt the 2006 International Code Council building codes. Ordinance (O)2005.10.83, adopted on October 13, 2005, established building permit fees and referenced the 2003 International Code Council Building Codes, as those were the codes in effect at the time. A minor amendment clarifying language in the ordinance was most recently approved on April 9, 2009, via Ordinance (O)2009-04.08.

Staff Analysis

With the adoption of the 2006 codes, the fee ordinance needs to be revised to provide the appropriate references to the currently adopted codes. The ordinance is also being amended to replace references to “Building Commissioner” with “Chief Building Official.” Revisions to the permit fee schedule are highlighted.

Financial Impact

No changes are proposed to building permit fees.

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

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O)2010-08.43 – Amendment of Ordinance (O)2005-10.83, An Ordinance for the Establishment of Building Permit Fees.

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT:

Village Manager Johnson reported that the August 19th Manager’s Report includes a comparison of what the surrounding municipalities do regarding Mosquito abatement. Management Intern Tomaso prepared the comparison and other than Crystal Lake, the Village of Huntley makes a larger commitment than most municipalities and has budgeted almost twice as much as Lake in the Hills and Woodstock and noted that Algonquin does not budget for spraying.

Trustee Leopold noted the maintenance issues with the landscape islands at Walmart. Village Manager Johnson reported that staff met with the new store manager and was told that Walmart was approached by a local non-profit organization to weed the landscape islands in return for a donation. Due to the weather conditions on the day they were supposed to do the weeding, it was never done. Walmart has now hired back their past landscape company to perform the work and it will be done in the near future. Staff will continue to follow up on this issue.

VILLAGE PRESIDENT’S REPORT:

Mayor Sass reported that the next mosquito spraying is tentatively scheduled for August 25th.

A public hearing will be held at a special August 25th Planning Commission meeting for public input on the Downtown Revitalization Plan. The hearing will begin at 6:30 p.m. in the Board Room.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Trustee Kadakia reported on the McHenry County Ground Water Taskforce Meeting that he attended on August 18th.

EXECUTIVE SESSION:

A MOTION was made at 7:26 p.m. to enter into Executive Session for the purpose of c) Property Acquisition, Purchase, Sale or Lease of Real Estate and h) Review of Closed Session Minutes.

MOTION: Trustee Piwko
SECOND: Trustee Leopold
The Voice Vote noted all ayes and the motion carried.

A MOTION was made at 7:42 p.m. to exit Executive Session.

MOTION: Trustee Kanakaris
SECOND: Trustee Leopold
The Voice Vote noted all ayes and the motion carried.

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 7:43 p.m.

MOTION: Trustee Fender
SECOND: Trustee Mercer
The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary