

**VILLAGE OF HUNTLEY
COMMITTEE OF THE WHOLE MEETING
February 16, 2012
MINUTES**

CALL TO ORDER:

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, February 16, 2012 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Pam Fender, Ron Hahn, Nick Hanson, Niko Kanakaris, Harry Leopold and John Piwko.

ABSENT: None

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

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

PUBLIC COMMENTS: None

ITEMS FOR DISCUSSION:

- a) Discussion – January 26, 2012 Village Board and February 2, 2012 Committee of the Whole Meeting Minutes

Mayor Sass asked if the Committee had any comments or questions. Trustee Piwko asked if the correction had been made that he noted during the week; Management Assistant Read stated that the Minutes were amended. Mayor Sass asked that the Minutes from the January 26, 2012 be pulled from the Consent Agenda to be voted on separately as Trustees Hanson and Kanakaris were absent. 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 January 26, 2012 Village Board and February 2, 2012 Committee of the Whole Meeting Minutes.

- b) Discussion – February 23, 2012 Bill List in the amount of \$730,604.14

Mayor Sass reported that \$338,167.32 (or 46%) of the bill list expenditures is from the FY11 Budget and the remaining \$392,436.82 (or 54%) is from the FY12 Budget. Mayor Sass also reported that \$350,122.32 (or 48%) of the total bill list is payment to Graef for Engineering Services for the Route 47/I-90 Phase II Project.

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

Trustee Hahn asked about the expenditure to Michael Marchewka for beaver traps. Village Manager
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Johnson reported that there has been an issue of beavers making dams in the creek at Jim Dhamer Drive at Route 47.

Trustee Hahn also asked about the \$139,425.31 payment to the Lake in the Hills Police Department; Village Manager Johnson reported that this was the yearly fee paid for dispatching services.

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 February 23, 2012 Bill List in the amount of \$730,604.14.

- c) Discussion – Resolution (R)2012-02.06 – Authorization to Enter Into an Intergovernmental Agreement Establishing the Northern Illinois Governmental Electric Aggregation Consortium Between and Among the County of McHenry and the Cities of Genoa, Marengo, McHenry and Woodstock, Illinois and the Villages of Algonquin, Huntley, Johnsburg, Lake In The Hills, Lakewood, McCullom Lake, Ringwood and Spring Grove, Illinois

Management Assistant Barbara Read reported that Illinois Public Act 096-0176 (20 ILCS 3855/1-92) provides municipalities with the authority to aggregate residential and small commercial retail accounts and buy electricity at a negotiated group rate. The Village of Huntley is a member of the McHenry Council of Governments (MCCG) and has joined in a collaborative effort to purchase electricity on behalf of our residents and small business accounts through a local government opt-out aggregation program.

Staff Analysis

On February 9, 2012, the Village Board approved a resolution to enter into an agreement for energy consulting services with Independent Energy Consultants. The next step in the process is to enter into an intergovernmental agreement (IGA) to participate in a joint aggregation process with McHenry County and the other members of the Northern Illinois Governmental Electric Aggregation Consortium (McHenry County and the Cities of Genoa, Marengo, McHenry and Woodstock, and the Villages of Algonquin, Huntley, Johnsburg, Lake In The Hills, Lakewood, McCullom Lake, Ringwood and Spring Grove).

The IGA provides for cooperation through the consortium in choosing a supplier and after the bid award. The IGA also allows for joint public hearings and identical (or substantially similar) Plans of Operation and Governance, which would allow the consortium to submit one plan to the state and hold joint hearings. The Consortium will be the contracting party with the supplier instead of each member needing to contract directly. The Consortium will prepare educational and public relations documents and materials concerning the Joint Power Supply Bid, implementation of any new aggregation system for the membership and, as appropriate, factual information about the Electric Aggregation referendum.

Legal Analysis

The agreement has been reviewed and approved by legal counsel of the Village of Huntley, McHenry County and MCCG Collaborative.

Financial Impact

Members of this collaboration will share in the administrative and legal expenses incurred as part of the

joint aggregation process. Sarah Jansen, Corporation Counsel for McHenry County (representing the County) and Ruth Schlossberg, Attorney with the firm of Zukowski, Rogers, Flood and McArdle (representing participating municipalities) will prepare and/or review all of the legal documents required for this process including the contract with IEC, the resolution authorizing the intergovernmental agreement, the intergovernmental agreement, the RFP and any other relevant documents. The County will pay for the services of Ms. Jansen and the participating municipalities will share equally for the services of Ms. Schlossberg. It is expected that all legal costs will not exceed \$1,000 per member.

Management Assistant Read reviewed the timetable for the project as well as the consortium’s logo which will be used when sending information to the residents.

Municipal Electrical Aggregation Timeline

Task	Date
Supplier RFP Issued	March 7 th
Post Public Hearing Dates & Locations in the Northwest Herald <i>Note: the notice will specifically state that the Public Hearings are contingent on the Referendum passing on March 20th.</i>	March 16 th
Primary Election	March 20 th
Supplier RFP Due	March 30 th
RFP Awarded	April 4 th
Village of Huntley Public Hearing #1 <i>Note: The consultant will provide a presentation on the Plan of Operations & Governance and answer questions.</i>	April 5 th
Village of Huntley Public Hearing #2	April 12 th
Consortium approves Supplier Contract	April 19 th
Consortium approves Plan of Operations & Governance and files plan with IPA	April 20 th
Opt-Out Letters sent to Residents by Supplier <i>Note: residents will have 21 days to opt-out.</i>	Mid-May
ComEd Recession Letters sent to Residents	Early-June
Electricity Flows Under New Program	Early - July



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

Trustee Fender stated that she does not think that the residents are aware of the referendum. Trustee Leopold stated that he knows that in Sun City N21, N27 and N23 are discussing it at upcoming meetings. Staff noted that it has been in the Village's newsletters, e-news, website and in the newspaper on several occasions.

Trustee Leopold asked how the Village will recover the costs involved; Village Manager Johnson reported that it is anticipated that the costs involved are one-time expenses and the legal fees have been budgeted. Trustee Leopold asked that a detailed report on the costs involved be prepared. Trustee Leopold asked if a resident is currently signed up in a program if when their contract expires if they will be able to opt-in to this program; Management Assistant Read stated that those individuals will be handled as a new resident and they will need to contact the supplier directly to enroll.

Trustee Hanson asked if the electric supplier will be reimbursing the Village for the upfront costs involved; Village Manager Johnson stated that the legality of this has been questioned in the consortium.

Trustee Fender asked if the Village's use of electricity could be included in the proposed cost savings program; Village Manager Johnson reported that the Village is already in a program with other municipalities.

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)2012-02.06 – Authorization to Enter Into an Intergovernmental Agreement Establishing the Northern Illinois Governmental Electric Aggregation Consortium Between and Among the County of McHenry and the Cities of Genoa, Marengo, McHenry and Woodstock, Illinois and the Villages of Algonquin, Huntley, Johnsburg, Lake In The Hills, Lakewood, McCullom Lake, Ringwood and Spring Grove, Illinois.

- d) Discussion – Ordinance (O)2012-02.06 – Village of Huntley Code of Ordinances - Adoption of Title 17

Village Clerk Rita McMahon reported that in the continuing effort to update the Village of Huntley Code of Ordinances, the proposed Cemetery Guidelines are being presented for review and consideration of the Village Board.

Staff Analysis

The Huntley Cemetery is subject to the State's Cemetery Oversight Act. However, the Village of Huntley Code of Ordinances currently does not include formalized rules and regulations specific to the Huntley Cemetery. Staff has researched neighboring communities and met with the Huntley Cemetery Board to develop the proposed code. Staff has also provided the draft code to both funeral homes in Huntley for their review and input. The addition of the proposed cemetery codes to the Code of Ordinances would provide the necessary guidelines for management of the cemetery. Sections included in Title 17 would include Rules and Regulations; Interments; Headstone/Marker Placement; and Payment and Documentation of Burial. The proposed guidelines formalize what has generally been past practices.

Village Clerk McMahon also reviewed a Power Point slide showing an aerial of the cemetery and stated
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that the Huntley Cemetery is approximately 7 acres with the area south of the “old” section on the west side not yet being plotted and it has been proposed by the Cemetery Board that an area of this section be used for a possible site for the columbarium. Village Clerk McMahan stated that the cemetery has approximately 2,000 plots with 1,750 plots already deeded and approximately 290 plots are open. Village Clerk McMahan reported that there are approximately 25 burials per year.

Village Clerk McMahan also reported that the Village has recently ordered new software to help track burials and plots for the Huntley Cemetery and it should be operational by the end of March.

Financial Impact

There is no financial impact on the FY12 Budget.

Legal Analysis

The Village Attorney has reviewed the proposed code. All is in order for Village Board consideration.

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

Trustee Leopold asked how many the columbarium would hold; Village Clerk McMahan reported about 48. Trustee Leopold asked if the Village had any jurisdiction over St. Mary’s Cemetery; Village Clerk McMahan stated no.

Trustee Fender asked how large the columbarium would be; Trustee Hanson stated that they are about the size of one of our lift stations (about 5 ft. tall and long).

There were no other questions or comments regarding the Huntley Cemetery or Code.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O)2012-02.06- Village of Huntley Code of Ordinances – Adoption of Title 17.

- e) Discussion – Ordinance (O)2012-02.07 – Amendment to the Village of Huntley Code of Ordinances – Title 3

Village Manager David Johnson reported that as a housekeeping measure and one of the goals of the FY2012 Budget for the Manager’s Office was the review and update of the Village Code of Ordinances. In implementation of this goal, the proposed amendment for Title 3/ Administration is being presented for review and consideration by the Village Board.

Staff Analysis

The most recent update to Title 3 was in 2000 when the Village Manager ordinance was approved and incorporated into the Code of Ordinances.

Staff is presenting a revised Title 3 to update and incorporate current State Statutes and practices. No major changes to the code are being presented; however, certain sections have been re-arranged to provide for a more efficient outline of the codes. For example, the Village President and Village Manager codes are currently included in Chapter 31 Officers and Employees. Staff is proposing the Village President code be moved to Chapter 30 Village Government and the Village Manager code be moved to the front of Section 31.

No changes in authority of the Village President, Board of Trustees, Advisory Boards or Officers of the Village of Huntley are proposed in this amendment. This amendment is primarily for bookkeeping

purposes to bring the code up to date and more efficient.

In conjunction with agenda item D, the proposed adoption of Title 17 Cemetery Guidelines, the Cemetery Board of Managers section within Title 3 is also being updated.

The proposed Title 3 amendment was included in the packet for review and consideration.

Financial Impact

There is no financial impact on the FY12 Budget.

Legal Analysis

The Village Attorney has reviewed the proposed code. All is in order for Village Board consideration.

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

Trustee Piwko asked Staff if the typing correction had been made; Staff said the correction was made.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Ordinance (O)2012-02.07- Amendment to the Village of Huntley Code of Ordinances – Title 3 – Administration/Government.

f) Discussion – Village of Huntley 2012 Legislative Priorities

Senior Assistant to the Village Manager Lisa Armour reported that one of the goals of the FY2012 Budget for the Manager's Office is the preparation of a legislative agenda for review and discussion with the Village Board.

Staff Analysis

Protection of local government revenue remains a key priority to be communicated to our legislators. As implementation of the new federal health care laws continues, it is important to monitor legislative proposals for the new Health Insurance Exchange to be established by the state. A key transportation item that has been included as a legislative priority is the creation of the Northwest Metra Commuter Rail Transit District. The district could assist with the planning and funding for the extension of commuter rail within McHenry County. The adopted legislative agenda will be shared with area legislators to communicate the Village of Huntley's legislative priorities.

Ms. Armour reviewed the following list of Legislative Priorities:

1. Support legislation requiring LGDF monies to be deposited directly to the LGDF fund or within a set timeframe to ensure timely distribution to municipalities
2. Protect the current structure and amounts of dedicated municipal revenue funds (i.e. sales tax, replacement tax, MFT) and oppose any attempts by the State to balance its budget at the expense of local government
3. Oppose any unfunded or underfunded mandates on local government
4. Monitor legislation establishing the State of Illinois Health Insurance Exchange as required by the new federal healthcare law to determine economic impact on municipalities and small businesses

5. Support legislation creating the Northwest Metra Commuter Rail District to assist with planning and funding of the extension of commuter rail service to Huntley and Marengo
6. Seek legislative support for grant applications such as the Illinois Transportation Enhancement Program to assist with Downtown Streetscape improvements
7. Support legislation which provides true public safety pension reform to ensure long-term viability of public pension funds while minimizing financial impact on local government and taxpayers
8. Support legislation that enables municipalities, rather than developers, to determine whether a developer must post a bond, letter of credit, or cash bond for public improvements
9. Support legislation that exempts fixed works projects under \$50,000 from Prevailing Wage Act Requirements which would help minimize costs of smaller projects
10. Support legislation that provides access to sales tax information from the Department of Revenue to all municipalities
11. Support legislation that affirms and expands employer exemptions from mandatory bargaining over staffing levels, thereby preserving the local government's ability to make decisions as needed regarding staffing levels
12. Support legislation that requires arbitrators to base affordability of wage increases or other conditions of employment for municipal employees on existing revenues and not on new revenue that could be generated by increasing taxes and to also take into account the impact on existing funding levels for operations and staffing

Financial Impact

The majority of the proposed priorities are designed to protect existing revenues, enhance some revenues, and protect from mandates that would create additional expenses.

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

Trustee Leopold requested that Priority #6 should read: Seek legislative support for grant applications such as the Illinois Transportation Enhancement Program to assist with Downtown Improvements.

There were no other comments or questions.

It was the consensus of the Committee of the Whole forward on to the Village Board for acceptance the Village of Huntley 2012 Legislative Priorities.

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT:

Trustee Leopold noted that the street lights on Route 47 had been turned on; Mayor Sass reported that the street lights will be lit 24/7 for about 30 days as part of the testing process.

VILLAGE PRESIDENT'S REPORT:

Mayor Sass reported that the interchange bid documents have been made available on the ISTHA website.

Mayor Sass asked Trustee Fender for a report on the McCOG meeting. Trustee Fender reported that there was serious discussion on House Bill 4608. Trustee Hahn stated that it was the first time he attended a McCOG meeting and he thought the discussion on tourism in McHenry County was interesting.

Mayor Sass reported that the Village Offices will be closed on Monday, February 20th, in observance of Presidents Day.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: None

ACTION ON CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:30 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Fender

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary