

**VILLAGE OF HUNTLEY
COMMITTEE OF THE WHOLE MEETING
March 15, 2012
MINUTES**

CALL TO ORDER:

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, March 15, 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, Niko Kanakaris, Harry Leopold and John Piwko.

ABSENT: Trustee Nick Hanson

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: Representatives from the Huntley Girl Scout Troops led the Pledge of Allegiance.

SPECIAL PRESENTATION:

- a) Proclamation – Commemorating the Girl Scouts of America 100th Anniversary

Mayor Sass read the following proclamation:

**PROCLAMATION
COMMEMORATING THE 100TH ANNIVERSARY
OF THE GIRL SCOUTS OF AMERICA
MARCH 12, 2012**

WHEREAS, Juliette "Daisy" Gordon Low assembled 18 girls from Savannah, Georgia, on March 12, 1912, for the first Girl Scout meeting; and

WHEREAS, she believed that all girls should be given the opportunity to develop physically, mentally, and spiritually; and

WHEREAS, within a few years, Juliette Low's dream for a girl-centered organization was realized; and

WHEREAS, today, Girl Scouts of the USA has a membership of over 3.2 million girls and adults and the Nation's largest organization for young women since 1912; and

WHEREAS, more than 50 million women in the United States today are Girl Scout alumnae; and

WHEREAS, former Scouts have gone on to become leaders in all fields, including business, education, and government; and

WHEREAS, the values they learned through Scouting have given them the confidence to make ethical choices and to realize their full potential as active and responsible citizens; and

WHEREAS, the young people of Huntley have always been treasured as our most precious resource; and

WHEREAS, Girl Scouting in the Huntley Community has had a strong positive influence on our young people as it has played a vital role in shaping their futures and the future of our community; and NOW, THEREFORE, be it Proclaimed that I, Mayor Charles H. Sass, and the Board of Trustees of the Village of Huntley do hereby commemorate the 100th Anniversary of The Girl Scouts on March 12, 2012.

Passed and Approved this 15th day of March, 2012.

Mayor Sass thanked the Girl Scouts for inviting him to their commemorative event on March 12th and for the boxes of Girl Scout cookies.

PUBLIC COMMENTS: None

ITEMS FOR DISCUSSION:

- a) Discussion – Approval of the February 23, 2012 Village Board and March 1, 2012 Committee of the Whole Meeting Minutes

Mayor Sass asked if the Committee had any comments or changes to the Minutes; there were none.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the February 23, 2012 Village Board and March 1, 2012 Committee of the Whole Meeting Minutes.

- b) Discussion – March 22, 2012 Bill List in the amount of \$509,240.98

Mayor Sass reported that \$95,820.85 (or 19%) of the total bill list expenditures is from the FY11 Budget and the remaining \$413420.13(or 81%) is from the FY12 Budget. Mayor Sass also reported that \$290,701.20 (or 57%) of the total bill list is payment of Impact Fees, TIF Sales Tax & Sales Tax Rebate to Tucker Development.

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 the March 22, 2012 Bill List in the amount of \$509,240.98.

- c) Discussion – Ordinance (O)2012-03.10 - An Ordinance Approving a Map Amendment to rezone 10408 Cindy Jo Avenue from “R-1” Single Family Residence District to “R-3” Duplex Residence District and approval of relief to reduce the minimum required area and width for a lot containing a two-family duplex in the “R-3” Duplex Residence District., all pursuant to the requirements of the Huntley Zoning Ordinance, including specifically Section 156.204 et seq.

Senior Assistant to the Village Manager Lisa Armour reported that the petitioner is requesting approval of a Map Amendment to rezone the property located at 10408 Cindy Jo Avenue from “R-1” Single Family Residence District to “R-3” Duplex Residence District and subsequently requesting relief to reduce the minimum required area and width for a lot containing a two-family duplex in the “R-3” Duplex Residence District.

The petitioner recently purchased the two-family duplex and is now requesting a Map Amendment to rezone the property in order to obtain a conventional loan for the property. The petitioner has indicated

that due to the use being non-conforming it may be impossible to finance the property or sell the property in the future.

The petition was subject to review by both the Plan Commission and Zoning Board of Appeals because the requested actions fall under the purview of both advisory bodies. Specifically, the Plan Commission reviewed the requested Map Amendment to rezone the property, and the Zoning Board of Appeals reviewed the proposed relief for the lot area and width.

Rezoning (Plan Commission consideration)

The petitioner is requesting approval to rezone 10408 Cindy Jo Avenue (on the east side of Cindy Jo Avenue, between Ronald Street and Edward Avenue) from “R-1” Single Family Residence District to “R-3” Duplex Residence District so the existing two-family duplex will be a conforming use. Currently, the duplex residence is considered non-conforming and if the structure were destroyed by any means to an extent of more than 50% of the replacement cost of the structure it could not be rebuilt as a duplex residence. The existing structure was built in approximately 1971 and the Village has no record of the structure ever being converted from a single-family use or other approval that would allow it as a legal non-conforming use.

The Development Services Department Staff contacted the Grafton Township Assessors Office regarding the subject property and found their earliest record, from 1977, listed the property as a duplex.

Lot Area and Width Relief (Zoning Board of Appeals consideration)

The proposed “R-3” Duplex Residence District requires a minimum lot area of 16,000 square feet and minimum lot width of 110 feet for a duplex. The existing lot is 14,000 square feet and 110 feet wide; therefore, the requested Map Amendment necessitates relief from the minimum lot area and lot width requirements for a duplex in the “R-3” Duplex Residence District.

Plan Commission and Zoning Board of Appeals Action

The public hearing to consider the Map Amendment to rezone the property at 10408 Cindy Jo Avenue from “R-1” Single Family Residence to R-3” Duplex Residence District and subsequent relief from the “R-3” zoning district minimum lot area and lot width requirements was held before a Joint meeting of the Plan Commission and Zoning Board of Appeals on Monday, February 27, 2012. Testimony at the public hearing included:

- Comments from a neighboring property owner concerning the petitioner’s responsibility for property maintenance given that the two-unit property was to be leased and his belief that a fence recently removed along the north property line of the subject lot should be replaced. The petitioner stated the removed fence was not located on his property, he did not remove it and he did not have sufficient space between the north property line of the subject lot and the driveway to erect a fence on his property.
- Plan Commission and Zoning Board of Appeals members discussed the history of the duplex based on their personal knowledge of the family which built it. The Chairman of the Zoning Board of Appeals recalled that the house was originally built by the Rupczynski family as a duplex.
- Several Advisory Board members credited the petitioner with investing in the property and stated they believed he had improved the property; whereas, some members stated that they believed the duplex did not fit into the neighborhood.

Having fully heard and considered testimony, the Plan Commission recommended approval of the Map Amendment to rezone 10408 Cindy Jo Avenue from “R-1” Single Family Residence to R-3” Duplex Residence District by a vote of 5 to 2, subject to the following condition:

1. No building plans or permits are approved as part of this request.

Having fully heard and considered testimony, the Zoning Board of Appeals recommended approval of the relief at 10408 Cindy Jo Avenue from the “R-3” Duplex Residence District minimum Lot Area and Lot Width by a vote of 4 to 1, subject to the following condition:

1. No building plans or permits are approved as part of this request.

Staff Analysis

The subject duplex residence is considered non-conforming given its current single-family zoning designation and if the structure were destroyed by any means to an extent of more than 50% of the replacement cost of the structure it could not be rebuilt as a duplex residence. The attached zoning map excerpt shows the location of other properties in the area zoned R-3.

Financial Impact Not applicable.

Legal Analysis Not applicable.

Ms. Armour reported that the petitioner, Mr. Thomas Panzloff was in attendance to answer questions.

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

Trustee Fender asked about the removal of the fence. Ms. Armour reported that the neighbor thought that Mr. Panzloff removed the fence; however, the fence was not on Mr. Panzloff’s property and was not removed by Mr. Panzloff.

Trustee Leopold stated that he was not convinced that the petitioner has a hardship and noted that the petitioner refused to answer a question at the Plan Commission; Trustee Leopold stated that he was not in favor of spot zoning.

Trustee Hahn stated that he did not have a problem with the duplex and the zoning request as the duplex has been there for about 40 years and there have been no problems.

Trustee Kanakaris asked if the building was built as a duplex with two meters; Ms. Armour stated that it there were separate meters. Trustee Kanakaris stated that he did not have a problem with the request.

Trustee Piwko stated that he had mixed feelings about the request as he did not like spot zoning.

Mayor Sass stated he did not have issues with the request as it might have been an error by the Village when the structure was built many years ago.

Mr. Panzloff stated that the property was listed as a multi-family when he purchased it and explained to Trustee Leopold that the Plan Commission asked him how he financed the purchase of the property which was non-conventional which is why he didn’t answer that question. Mr. Panzloff reported that he would now like to refinance the property through a conventional mortgage which is not possible to do as the property is currently zoned for single-family use.

Mayor Sass asked if the Committee had 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 Ordinance (O)2012-03.10 – Approving a Map Amendment to rezone from “R-1” Single Family Residence to R-3” Duplex Residence District and subsequent relief from the “R-3” zoning district minimum lot area and lot width requirements for 10408 Cindy Jo Avenue, all pursuant to the requirements of the Huntley Zoning Ordinance, including specifically Section 156.204 et seq. Staff was directed not to include this item on the Consent Agenda but list it for a roll call vote.

- d) Discussion – Ordinance (O)2012-03.11 – Granting approval of a Fifth Wall Sign for the Centegra Ambulatory Care Mall, 10350 Haligus Road

Village Manager David Johnson reported that Centegra Health Systems is requesting approval to install a fifth wall sign on the Ambulatory Care Mall (ACM). The proposed “Centegra Back and Spine Center” sign measures 23’- 4 ½”0” wide by 1’-10” high (42.85 square feet) and would be installed in the center of the south building elevation, facing the main ACM parking area. As proposed, the sign will be constructed using internally-illuminated channel letters mounted on a raceway.

Staff Analysis

In accordance with the Section 156.123 of the Sign Ordinance, one wall sign is permitted per street frontage and the total surface area of all wall signs on a building shall not exceed one square foot for each lineal foot of the building’s frontage. The Centegra Ambulatory Care Mall has 178’-6¾” of frontage on Haligus Road and per the Final Planned Unit Development (VOH Ord. 2008-04.21) received approval to install three (3) wall signs, totaling 148.52 square feet. The three “originally approved” signs, totaling 148.52 square feet, are located on the west and south building elevations facing Haligus Road and the building’s parking lot, respectively

A fourth 180 square foot “Centegra Immediate Care” back-lit, aluminum channel letter sign was approved for the ACM per Ordinance 2009-08.27 and required relief of 150.02 square feet in excess of the permitted 178.5 square feet (total 328.52 square feet).

The proposed 42.85 square foot “Centegra Back and Spine Center” wall sign requires the following relief:

1. Relief is required to allow a 5th wall sign on the ACM building.
2. Relief is required to exceed the 178.5 square feet of permitted wall signage by an additional 42.85 square feet over the 150.02 square feet previously approved to accommodate the 5th wall sign.

ACM Wall Signage Summary

	PERMITTED BY SIGN ORDINANCE	FINAL PUD APPROVAL	PREVIOUS RELIEF FOR 4 TH SIGN PER ORD. 2009-8.27	RELIEF REQUIRED FOR FIFTH SIGN
TOTAL NUMBER OF SIGNS	1	3	4	5
PROPOSED SIGN SIZE			1 add’l 180 sq. ft. sign	1 add’l 42.85 sq. ft. sign
TOTAL RELIEF			150.02 sq. ft.	192.87 sq. ft.
TOTAL AREA OF SIGNS	178.5 sq. ft.	148.52 sq. ft.	328.52 sq. ft.	371.37 sq. ft.

Staff recommends the following condition be added should the Village Board approve the fifth wall sign request for the Centegra Ambulatory Care Mall facility:

1. The petitioner shall obtain a sign permit from the Development Services Department prior to installing the proposed sign.

Financial Impact

The basic sign permit fee is \$75.00 plus \$0.50 per sign square foot or \$75.00 + \$21.43, equaling \$96.43; with an additional \$60.00 required for the electrical permit for the sign, therefore totaling \$156.43.

Legal Analysis

The Village Board's authorization for this request is required in accordance with Zoning Ordinance - Sign Regulations §156.128 Appeal.

Village Manager Johnson reported that prior to the Committee of the Whole Meeting the Petition had agreed to change the sign wording from "Centegra Back and Spine Center" to "Centegra Back & Spine Center".

Village Manager Johnson reported that representatives from Centegra were in attendance to answer questions.

Mayor Sass asked if the Committee had any 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)2012-03.11 – Granting relief from provisions of the Sign Regulations to allow the installation of a fifth wall sign for Centegra Ambulatory Care Mall building.

- e) Discussion – Resolution (R)2012-03.09 - Temporary Use Permit Request – 2012 Seasonal Sales – Jewel/Osco, 13200 Village Green Parkway

Village Manager David Johnson reported that Jewel/Osco is requesting a temporary use permit to conduct their seasonal outdoor sales of merchandise for 2012. The request is for the following time periods:

- Spring Garden Center: 2012 dates: April 8, 2012 through July 7, 2012
- Fall Foliage: 2012 dates: August 5, 2012 through September 15, 2012
- Fall Pumpkin Patch: 2012 dates: September 23, 2012 through November 3, 2012.
- Winter Wreaths: 2012 dates: November 4, 2012 through December 29, 2012.

The merchandise would be displayed as depicted on the site plan included in the packet.

Staff Analysis

Should the Board approve this request, Staff recommends the following Conditions of Approval:

1. The standard \$75 temporary use permit fee for each request (\$300 total) must be paid by Jewel-Osco prior to displaying the merchandise.
2. Walkways must be kept clear and all materials kept at least 3 feet from the curb.
3. All landscaping shall be satisfactorily maintained.

Financial Impact

The petitioner will be required to pay the \$75 Temporary Use Permit fee for each event (\$300 total).

Legal Analysis

The request falls under Section 156.084 Temporary Uses, Structures and Obstructions; (E) (5) *Display and Sale of Farm, Garden or Floral Commodities* of the Zoning Ordinance provided such temporary uses are limited to 90 days duration and adequate ingress and egress from adjoining roadways is accommodated.

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 Resolution (R)2012-03.09 – Temporary Use Permit Request for 2012 Seasonal Sales at Jewel/Osco located at 13200 Village Green Parkway, subject to the conditions of approval.

- f) Discussion – Resolution (R)2012-03.10 – Approval of the Bid Award to Behm Pavement for the Village of Huntley 2012 Crack Sealing Program

Senior Assistant to the Village Manager Lisa Armour reported that on February 28, 2012, sealed bids were opened and read aloud for the 2012 Crack Sealing Program. The bids were evaluated based on a material cost price per pound with a not-to-exceed cost of \$50,000.

The following bids were received:

Behm Pavement from Crystal Lake	\$1.159/lb
Denler, Inc. from Mokena	\$1.30/lb
SKC, Inc from Dundee	\$1.329/lb

Staff Analysis

The bids have been reviewed by Staff. The Engineering Department recommends that the bid for the 2012 Crack Sealing Program be awarded to Behm Pavement from Crystal Lake.

The following streets are scheduled for crack sealing this season. These streets were selected during the visual evaluation process supported by the Village’s Pavement Management Report.

The streets to be crack sealed are:

- Haligus between Dundee and Main St.
- Haligus from Reed to Village Limits
- Farmhill Drive from Cold Springs to Del Webb Blvd.
- Flowerwood Lane (remaining portion not completed in 2009)
- Jamestown Road (Covington Lakes)

As has been done in previous years, residents in the project area will be notified.

Financial Impact

The Fiscal Year 2012 budget amount for this program is \$50,000. The amount is budgeted for in the Road & Bridge Fund 43-05-4-7501.

Legal Analysis

Not Required.

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

Trustee Hahn asked if the bid documents required a quality of product used; Ms. Armour stated that the bid requires Illinois Department of Transportation (IDOT) Certified Product which is a standard. Trustee Hahn asked if Behm has previously done work in the Village; Ms. Armour stated that they have done this program for the Village in the past.

Trustee Fender asked if the contractor from 2011 submitted a bid; Ms. Armour stated that they did submit a bid.

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)2012-03.10 – Approval of the Bid Award to Behm Pavement from Crystal Lake for the Village of Huntley 2012 Crack Sealing Program with a not-to-exceed cost of \$50,000.

- g) Discussion – Resolution (R)2012-03.11 - Approval of the Bid Award to Jetco, Ltd. for the Village of Huntley Water Tower No. 1 Rehabilitation

Village Manager David Johnson reported that on March 6, 2012, sealed bids were received and opened for the Rehabilitation of Water Tower No. 1 at Huntley Center. Bids were received, opened, and read aloud as follows:

- Jetco, Ltd	\$ 85,000
- Era Valdivia Contractors Inc.	\$123,000
- AM-Coat Painting Inc.	\$144,160
- Maxcor Inc.	\$158,600
- Neumann Co. Contractors, Inc.	\$163,500
- Tecorp, Inc.	\$177,225

Staff Analysis

The bids were reviewed and evaluated by staff. Based on the evaluation, it is recommended that the Village Board award the bid for the Village of Huntley Rehabilitation of Water Tower No. 1 to Jetco, Ltd., the lowest responsible bidder, for an amount of \$85,000.

Village Manager Johnson reported that Jetco has painted this water tower before.

Financial Impact

The estimated cost for this project was \$175,000.00. Funds for this project are identified FY2012 Budget in the Water Equipment Replacement Fund, 21-10-4-7727.

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

Trustee Piwko asked if any other work will be done at this tower; Village Manager Johnson reported that they will just be painting.

Trustee Fender asked where the water towers being painted this season were located. Village Manager Johnson reported that Tower #1 is located near Wisteds and Tower #2 is located on West Main Street.

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)2012-03.11 - Approval of the Bid Award to Jetco, Ltd. for the Village of Huntley Water Tower No. 1 Rehabilitation.

- h) Discussion – Authorization to enter into Letters of Understanding with the following organizations:
- i. Willow Creek Church Huntley for use of Village Streets to Conduct a Celebration of Hope 5K Run
 - ii. It's Our Little Secret for use of Village Streets to Conduct a Race for Change 5K Run
 - iii. Girls on the Run for the use of Village Streets to Conduct a 5K Run
 - iv. HYSO for use of Village Streets to Conduct Run Thru the Sun 5K Run
 - iv. Centegra Health Bridge Fitness Center for the use of Village Streets to Conduct a 5K Run

Management Assistant Barbara Read reported that the Village is in receipt of a request from various organizations to use public streets throughout the Village for 5K Runs in the upcoming months.

Staff Analysis

The routes in Village subdivisions include: Lion's Chase, Northbridge and Sun City.

Should the Village Board approve these requests, Staff will enter into Letters of Understanding outlining the following, but not limited to, conditions:

1. The organizations will provide the appropriate waivers and a Certificate of Liability Insurance listing the Village of Huntley as additionally insured for a minimum coverage of \$1,000,000 for each occurrence;
2. The organizations will agree to mark the route, as necessary;
3. The organizations will place at least one water station on the route;
4. The organizations will clean up any trash left along the route immediately following the end of the race;
5. The organization will place 24" x 36" double-sided sidewalk signs one week prior to the race at the entrances to the associated subdivisions notifying the affected homeowners of the race day and times and to watch for road closings. The signs will be removed immediately following the end of the race.

Financial Impact

Applicants understand that any extraordinary request for Police and/or Public Works employee involvement during the event is their responsibility.

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

It was the consensus of the Committee of the Whole to forward on to the Village Board the authorization to enter into Letters of Understanding with the following organizations:

- i. Willow Creek Church Huntley for use of Village Streets to Conduct a Celebration of Hope 5K Run***
- ii. It's Our Little Secret for use of Village Streets to Conduct a Race for Change 5K Run***
- iii. Girls on the Run for the use of Village Streets to Conduct a 5K Run***
- iv. HYSO for use of Village Streets to Conduct Run Thru the Sun 5K Run***
- v. Centegra Health Bridge Fitness Center for the use of Village Streets to Conduct a 5K Run***

- i) Discussion – Ordinance (O)2012-03.12 – Approval and Adoption of the 2012 Village of Huntley Zoning Map

Mayor Sass reported that annually, in accordance with the State law and the Huntley Zoning Ordinance, the Village is required to formally adopt an updated zoning map. The required notice, informing the public of the revised map, will appear in the Northwest Herald during the week of March 19, 2012.

Staff Analysis

There were no zoning changes made during the previous year.

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 of Ordinance (O) 2012-03.12 adopting the 2012 Village of Huntley Zoning Map Update.

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT: None

VILLAGE PRESIDENT’S REPORT:

Mayor Sass reported that the bid opening for the Interchange was held and Plote had the lowest bid at \$35,708,679.81.

Mayor Sass asked Trustee Fender to report on the McCOG meeting. Trustee Fender reported that presentations were made regarding local farming, CSAs, farm stands and farmers markets.

UNFINISHED BUSINESS:

Trustee Leopold asked how the 30-day street light testing was going on Route 47; Village Manager Johns stated that it was progressing and they are working out the fixture problems.

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 7:34 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Fender

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary