

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
March 25, 2010
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, March 25, 2010 at 6:30 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

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

ABSENT: Trustee Pam Fender

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.

APPROVAL OF AGENDA: Trustee Kanakaris requested that the approval of Ordinance (O) 2010-03.08 – An Ordinance Recognizing the Legal Non-Conforming Status of 10716 S. Illinois Route 47/Tobacco Hut, *as amended* be removed from the Consent Agenda for further discussion and consideration.

PUBLIC COMMENTS: None.

CONSENT AGENDA:

(All items listed under Consent Agenda had been discussed at the Committee of the Whole and may be approved/accepted by one motion.)

- a) Approval of the March 25, 2010 Bill List in the amount of \$704,526.89
- b) Approval of the Village of Huntley Historic Preservation Commission Member Appointment – Karen Langhenry
- c) Approval of the Village of Huntley Planning Commission Member Appointment – Robert Chandler
- d) Approval of the Village of Huntley Police Commission Member Appointment – Donald Arseneau
- e) Approval of Ordinance (O) 2010-03.09 – An Ordinance Recognizing the Legal Non-Conforming Status of 11312 S. Illinois Route 47/Wolschlager Chiropractic

- f) Approval of Ordinance (O)2010-03.11 – Approval and Adoption of the 2010 Village of Huntley Zoning Map
- g) Approval of the Village of Huntley 2010 Street Improvement Program:
 - i. Resolution (R)2010-03.12 - to appropriate \$650,000.00 in Motor Fuel Tax Funds for Contract Construction for the 2010 Street Improvement Program
 - ii. Resolution (R)2010-03.13 - Execution of the Construction Contract to the lowest responsible bidder, Plote Construction, Inc., in the amount of \$721,266.95
- h) Approval of Payout Request No. 1 (Final) in the amount of \$118,000.00 to Breezy Hill Nurseries, Inc. for the Algonquin Road Streetscape Project
- i) Approval of Payout Request No. 2 (Final) in the amount of \$7,874.12 to Schroeder Asphalt Services, Inc. for the Resurfacing of Kreutzer Road from Smith Drive (West) to the Huntley Grove Commercial Development (Walmart)
- j) Approval of Payout Request No. 5 (Final) in the amount of \$44,763.55 to Schroeder Asphalt Services, Inc. for the 2009 Street Improvement Program (Base Program)
- k) Approval of Payout Request No. 2 (Final) in the amount of \$21,447.09 to Schroeder Asphalt Services, Inc. for the 2009 Street Improvement Program Extension
- l) Approval of the purchase of two (2) 2011 Ford F250, 4x4 Pickup Trucks Equipped with Snowplows in the amount of \$62,853.00
- m) Approval of the purchase and installation of a 9' Trip Edge Front-Mounted Wing Plow in the amount of \$24,824.00

Mayor Sass asked if there were any questions or comments on any item of the Consent Agenda; there were none.

A MOTION was made to approve the Consent Agenda, as amended.

MOTION: Trustee Piwko
SECOND: Trustee Kadakia
AYES: Trustees Kadakia, Kanakaris, Leopold, Mercer and Piwko
NAYS: None
ABSENT: Trustee Fender
The motion carried 5-0-1

ADMINISTRATION OF THE OATH OF OFFICE:

Village Clerk Rita McMahon administered the Oath of Office to the following individuals:

- a) Administration of the Oath of Office to the Historic Preservation Commission – Karen Langhenry

- b) Administration of the Oath of Office to the Planning Commission – Robert Chandler
- c) Administration of the Oath of Office to the Police Commission – Donald Arseneau

DISCUSSION AND CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

- a) February 18, 2010 Committee of the Whole and February 25, 2010 Village Board Meeting Minutes

Mayor Sass asked if the Village Board had changes to the Minutes; there were none.

A MOTION was made to approve the February 18, 2010 Committee of the Whole and February 25, 2010 Village Board Meeting Minutes

MOTION: Trustee Leopold
SECOND: Trustee Piwko
AYES: Trustees Kanakaris, Leopold, Mercer, Piwko
NAYS: None
ABSENT: Trustee Fender
ABSTAIN: Trustee Kadakia
The motion carried 4-0-1-1

- b) March 4, 2010 Committee of the Whole Meeting Minutes

Mayor Sass asked if the Village Board had changes to the Minutes; there were none.

A MOTION was made to approve the March 4, 2010 Committee of the Whole Meeting Minutes.

MOTION: Trustee Leopold
SECOND: Trustee Piwko
AYES: Trustees Kadakia, Leopold, Mercer, Piwko
NAYS: None
ABSENT: Trustee Fender
ABSTAIN: Trustee Kanakaris
The motion carried 4-0-1-1

- c) Approval of Ordinance (O)2010-03.10 – An Ordinance Recognizing the Legal Non-Conforming Status of 10976 S. Illinois Route 47/Huntley Court, *as amended*

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

A MOTION was made to approve Ordinance (O)2010-03.10 – An Ordinance Recognizing the Legal Non-Conforming Status of 10976 S. Illinois Route 47/Huntley Court, as amended.

MOTION: Trustee Leopold
SECOND: Trustee Kadakia
AYES: Trustees Kadakia, Kanakaris, Leopold, Mercer
NAYS: Trustee Piwko
ABSENT: Trustee Fender
The motion carried 4-1-1

- d) Approval of Resolution (R) 2010-03.11 - Temporary Use Permit Request for a Temporary Banner – Pinecrest Restaurant/Huntley Park District, 11220 Algonquin Road

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

A MOTION was made to approve Resolution (R) 2010-03.11 - Temporary Use Permit Request for a Temporary Banner at Pinecrest Restaurant/Huntley Park District, 11220 Algonquin Road.

MOTION: Trustee Leopold
SECOND: Trustee Piwko
AYES: Trustees Kadakia, Leopold, Mercer, Piwko
NAYS: None
ABSENT: Trustee Fender
ABSTAIN: Trustee Kanakaris
The motion carried 4-0-1-1

- e) Approval of Resolution (R)2010-3.14 – Execution of the Intergovernmental Agreement Between Grafton Township and the Village of Huntley for Senior Transportation Service

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

A MOTION was made to approve Resolution (R)2010-3.14 – Execution of the Intergovernmental Agreement Between Grafton Township and the Village of Huntley for Senior Transportation Service

MOTION: Trustee Kadakia
SECOND: Trustee Leopold
AYES: Trustees Kadakia, Kanakaris, Leopold, Mercer, Piwko
NAYS: None
ABSENT: Trustee Fender
The motion carried 5-0-1

- f) Approval of Ordinance (O) 2010-03.08 – An Ordinance Recognizing the Legal Non-Conforming Status of 10716 S. Illinois Route 47/Tobacco Hut, *as amended*

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

Trustee Kanakaris noted that the owner of the Tobacco Hut business is not the property owner. Trustee Kanakaris asked Village Attorney Coppedge how might the condemnation of the building take place and how would that affect the business owner. Village Attorney Coppedge stated that it could happen through Force Majeure which is a common clause in contracts which essentially frees the party from liability or obligation when a circumstance occurs that prevents one or both parties from fulfilling their obligations under the contract; it is not intended to excuse negligence of a party, as where a non-performance has occurred.

Village Manager Johnson reported that the Conditions of Approval were amended at the direction of the Committee of the Whole and are as follows:

1. The asphalt area on the south side of the structure shall be replaced with grass and landscaping.
2. Handicap parking shall be provided in accordance with the Illinois Accessibility Code.
3. Landscape screening shall be installed on the north and east sides of the parking area.
4. The petitioner shall obtain all required permits from the Development Services Department prior to the construction of the parking lot, which shall also include repair/repaving of the existing parking surface.
5. All site improvements shall comply with all Village of Huntley Engineering and Building Code requirements.
6. Any proposed future signage shall comply with the Village's Commercial Design Guidelines and Sign Ordinance.
7. The Tobacco Hut shall comply with Village of Huntley Business Registration requirements.
8. The Tobacco Hut shall address any outstanding property maintenance issues, including, but not limited to, painting, repair of rotted siding and window frames, replacement of missing windows, and correction of electrical wiring and connections on building exterior.
9. All site improvements shall take place as soon as possible in coordination with the Rt. 47 construction activity.
10. Relief to continue as a legal non-conforming property is granted for a period of two years, with the option to extend the legal non-conforming status.

A discussion ensued about the property maintenance issues. Trustee Piwko stated that Condition No. 8 is exactly what he would require to have completed before agreeing to extend the legal non-conforming status at the end of the original period of two years.

Village Manager Johnson reviewed pictures of the property that illustrated maintenance issues with the building. The Village Board agreed that the property maintenance issues needed to be addressed and the property brought up to Code.

There were no other questions or comments.

A MOTION was made to approve Ordinance (O) 2010-03.08 – An Ordinance Recognizing the Legal Non-Conforming Status of 10716 S. Illinois Route 47/Tobacco Hut, as amended

MOTION: Trustee Kadakia
SECOND: Trustee Piwko
AYES: Trustees Kadakia, Kanakaris, Leopold, Mercer, Piwko
NAYS: None
ABSENT: Trustee Fender
The motion carried 5-0-1

ITEMS FOR DISCUSSION:

- a) Strategic Planning Workshop

The Village Board reviewed the worksheets regarding the Mission, Vision and Core Beliefs/Values. Staff will take the Village Board's responses and incorporate them into the draft Strategic Plan.

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT:

Route 47 Widening Project: Staff will provide clarification of the full access at Borden Street and Route 47 and will confirm with IDOT the continuous flow through the Huntley Court parking lot to Borden Street. Trustee Mercer asked about the timing of the traffic signals at Route 47 and Main Street. Village Manager Johnson stated that having the left-turn arrows on both Main Street and Route 47 should provide the possibility to get more vehicles through the intersection; unfortunately the timing of the signals is under IDOT's authority.

Trustee Leopold inquired about the gas pipes that were staged in front of the Walmart. Village Manager Johnson reported that they were for the MOP line installation.

Trustee Piwko noted the right-in/right-out access at the Walmart and the striped area that drivers were using as a through lane causing a safety issue. Village Manager Johnson stated that staff will follow up with IDOT to see if something could be done to make the area safer.

VILLAGE PRESIDENT'S REPORT:

Mayor Sass reported that over 80 people attended the March 24th Public Information Meeting regarding the Route 47 Widening Project.

Mayor Sass reminded the Village Board that the April 1st Committee of the Whole Meeting has been cancelled; the next meeting will be the April 8th Village Board.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION:

A MOTION was made to enter into Executive Session at 7:24 p.m. for the purpose of d) Appointment, Employment, Dismissal, Compensation, Discipline and Performance of an Employee of the Village of Huntley.

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

A MOTION was made to exit Executive Session at 7:34 p.m.

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

ACTION ON CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further information to discuss, a MOTION was made to adjourn the meeting at 7:35 p.m.

**MOTION: Trustee Kadakia
SECOND: Trustee Piwko
The Voice Vote noted all ayes and the motion carried**

Respectfully submitted,

Barbara Read
Recording Secretary