

**VILLAGE OF HUNTLEY  
COMMITTEE OF THE WHOLE MEETING  
May 5, 2011  
MINUTES**

**CALL TO ORDER:**

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, May 5, 2011 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, 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, Police Chief John Perkins, Director of Finance and Human Resources Jennifer Chernak and Village Attorney Mike Coppedge.

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

**SPECIAL PRESENTATION:**

- a) Proclamation - Municipal Clerk's Week, May 1-7, 2011

Mayor Sass read the following proclamation:

Proclamation  
Municipal Clerks Week  
May 1 through May 7, 2011

**Whereas**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**Whereas**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

**Whereas**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**Whereas**, the Municipal Clerk serves as the information center on functions of local government and community; and

**Whereas**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars and workshops; and

**Whereas**, it is also most appropriate that we recognize the accomplishments of Rita McMahan, Village Clerk for the Village of Huntley, in achieving the credentials of Registered Municipal Clerk in 2011.

**Now, Therefore, I**, Charles H. Sass, Mayor of the Village of Huntley, do hereby recognize the week of May 1 through May 7, 2011, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Rita McMahan for the vital service she performs and her exemplary dedication to the Village of Huntley.

- b) Proclamation - Safe Buildings Month, May 2011

Mayor Sass read the following proclamation:

PROCLAMATION  
IN HONOR OF BUILDING SAFETY MONTH  
MAY, 2011

**WHEREAS**, the safety of the buildings we occupy daily is essential to the health, safety and welfare of the residents of Illinois; and

**WHEREAS**, among the world's most fundamental laws are those which provide safety standards for the construction of building in which people live, work, play and learn; and

**WHEREAS**, for construction and building codes to be effective and enforced, understanding and cooperation must exist between code officials and the people they serve; and

**WHEREAS**, building safety officials, architects, engineers, builders and others in the construction industry work year-round to ensure the safe construction of buildings; and

**WHEREAS**, countless lives have been saved because of the building safety codes adopted and enforced by local and state agencies; and

**WHEREAS**, the Development Services Department addresses critical safety issues in the built environment that affect citizens in everyday life; and

**WHEREAS**, the observance of Building Safety Month is a perfect time to increase public awareness of the role building safety officials, local building departments, state and federal agencies play in protecting lives and property; and

**WHEREAS**, this year, during the observation of Building Safety Month, all Huntley residents are encouraged to consider projects to improve building safety at home and in the community and to recognize local building safety officials and the important role that they play in public safety.

**NOW, THEREFORE, I**, Charles H. Sass, President of the Village of Huntley do hereby proclaim May 2011 as Building Safety Month in the Village of Huntley and encourage all citizens to recognize the importance of improving building safety in the Village.

**PUBLIC COMMENTS:** None

**ITEMS FOR DISCUSSION:**

- a) Discussion – May 12, 2011 Bill List in the amount of \$2,594,828.25

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

Trustee Fender asked for and received clarification on the GRAEF and IDOT payments.

*It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the May 12, 2011 Bill List in the amount of \$2,594,828.25.*

- b) Discussion – Resolution (R)2011-05.19 - Temporary Use Permit Request – Huntley Artfest – First Congregational Church, 11628 East Main Street

Mayor Sass reported that the First Congregational Church is requesting a temporary use permit to hold an Artfest on Saturday, August 20<sup>th</sup> (10 a.m. to 5 p.m.) and Sunday, August 21<sup>st</sup> (10 a.m. to 4 p.m.), 2011.

The event is proposed to be staged on the church-owned open space area east of the Huntley Apartments building at 11624 Main Street. The approximate 100 artists tentatively scheduled for the two-day Artfest

are expected to set-up around 7:30 a.m. on Saturday morning and close down shortly after 4:00 p.m. on Sunday afternoon. The First Congregational Church will provide overnight supervision of the event grounds. A site plan showing the artist area on the east side of the Huntley Apartments building and entertainment stage is included in the packet. Additionally, the event organizers are considering food concessions and are aware that the McHenry County Health Department may require permitting and inspection to accommodate this activity.

Parking for the rain or shine event is anticipated at three locations: (1) The Union Special parking lot, with a free shuttle available to and from the Artfest grounds; (2) the municipal parking area at the railroad tracks and Main Street; and (3) the First Congregational Church parking area adjacent to Church Street. Additional parking for patrons and vendor vehicles is planned on the easternmost portion of the open space adjacent to Main Street.

Off-Premise (20 square foot) banners promoting the event are proposed at the following five (5) locations:

- SWC of Route 47 and Reed Road (American Community Bank property) – facing north
- NEC of Route 47 and Borden Street (Union Special property) – facing north
- NEC of Route 47 and Huntley Crossing Drive (Harris Bank property) – facing south
- NEC of Haligus and Algonquin Road (Centegra property)
- South side Algonquin Road – between Mathew and Michael Streets (back-to-back banners facing east and west)

The 2.5’-wide x 8’-tall banners will be placed at the specified locations no sooner than Saturday, August 6, 2011 and will be removed no later than Monday, August 22, 2011.

Staff Analysis

The Temporary Use Permit request is accommodated under the Village’s Zoning Ordinance Section 156.084 for property zoned Commercial or Business Park. The subject property is zoned B-3 (PUD) Shopping Center Business - Planned Development District.

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

Criteria	Proposed
Sign adjacent to and intended to be viewed from Route 47 Only	Three (3) of the five (5) banners proposed are adjacent to Route 47
Prohibited within a residentially zoned property	The Algonquin Road site is the only residentially-zoned property.
Maximum area of a sign face, whether a single sign face, two back-to-back, or a V-shaped type sign is 100 square feet	The banners are 20 square feet
Maximum height is 15 feet above grade	The height of the banners is eight feet
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 placement of the proposed banners will be required to meet this standard.

Staff recommends the following conditions should the temporary use permit be approved:

1. The standard \$75 temporary use permit fee shall apply for the Artfest event.
2. All drive-aisles and sidewalks must be kept clear.
3. Necessary McHenry County Health Department permits and inspections must be secured to

accommodate food preparation and sales.

- 4. Site shall be cleared of all trash immediately following completion of the event.
- 5. All signage shall be removed immediately following the completion of the event.

Financial Impact

The petitioner will be required to pay the \$75 Temporary Use Permit fee for the event.

Legal Analysis

The request falls under Zoning Ordinance Section 156.084 Temporary Uses, Structures and Obstructions; (6) *Art Shows* provided such temporary uses are limited to four (4) such sales in a 12 month period and no such sale shall be permitted for a period of more than five (5) successive days.

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

Trustee Fender asked if the timing of this event would conflict with anything at the Farmers Market; Management Assistant Read stated that there would be no conflict.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Resolution (R)2011-05.19 - Temporary Use Permit Request for Huntley Artfest – First Congregational Church, 11628 East Main Street subject to the conditions of approval.***

- c) Discussion – Ordinance (O)2011-05.23 – Authorization to Amend Chapter VII of the Village of Huntley Traffic Code

Village Manager David Johnson reported that the Village of Huntley last updated the parking fine ordinance (O)97-03-13-001 in 1997. Most parking fines are set at \$10 per violation. If personnel and administrative cost are factored in, this amount does not cover the cost to the Village for issuing a parking ticket. In addition, the minimal \$10 fine is not considered a deterrent to those that frequently violate a parking ordinance.

Presently, the police department issues a parking ticket with the fine set at \$10. If the fine is not paid within 5 days a notice is sent to the violator and the fine doubles to \$20. A late fee section is not covered in the present version of the ordinance.

Staff is requesting that the fine structure be revised to \$25 for the original parking ticket and a late fee after 10 days to \$50. The revision also includes an increase in fine from \$15 to \$50 for a violation of Section 70.70 (*Street Obstructions Prohibited; Snow, Leaves, and the Like.*) The increased fine will help recover some of the expense of Village employees removing these types of obstructions from the street.

Staff Analysis

An analysis has been conducted to compare the Village’s current fine structure to that of neighboring communities. The Village presently has the lowest fine structure in the area.

Community	Parking Fine	Late fee
Huntley	\$10	\$20 (after 5 days)
Woodstock	\$10	\$50 (after 30 days)
Crystal Lake	\$20	\$50 (after 21 days)

Lake in the Hills	\$25	\$50 (after 7 days)
Algonquin	\$25	\$50 (after 10 days)
<i>Huntley PROPOSED</i>	\$25	<i>\$50 (after 10 days)</i>
Gilberts	\$25	\$50 (after 10 days)
McHenry	\$25	\$50 (after 30 days)
West Dundee	\$25	\$50 (after 30 days)
Cary	\$25	None

Financial Impact

The revised fine structure could result in an increase in fines collected by the Village of approximately \$20,000 per year.

Legal Analysis

The proposed fine structure has been reviewed by the Village Attorney. All is in order for Village Board consideration at this time.

Village Manager Johnson stated that Chief John Perkins was in attendance to answer questions.

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

Trustee Fender stated that she thought that 10 days was too short of a time period prior to late fees being assessed; Chief Perkins stated that 10 days is a standard time period and that the Police Department has worked with individuals in the past should they ask for an extension.

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 Ordinance (O)2011-05.23 – Authorization to Amend Chapter VII of the Village of Huntley Traffic Code.***

- d) Discussion – Route 47 Widening Project – Payout Request #1 from the Illinois Department of Transportation in the amount of \$2,000,000

Mayor Sass reported that on December 17, 2009, the Village Board approved Ordinance (O)2009-12.68 – Intergovernmental Agreement (IGA) Between the State of Illinois and the Village of Huntley for the Improvement of Illinois Route 47 Between Kreutzer Road to Reed Road and Ordinance (O)2009-12.69 – Funding Ordinance (Exhibit B) of the IGA. The Village has received the first request for payment of \$2,000,000 as specified in the IGA.

Staff Analysis

Due to the contract award for the project coming in under budget, the Village’s share has been reduced from \$5,712,620 to \$4,104,608. IDOT will invoice the Village at the end of the project for the remaining costs once finalized.

Financial Impact

The funds are budgeted in the Capital Projects Fund, 02-10-4-6925.

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

Trustee Kadakia stated that in previous budgets the Village was setting aside \$6 million for the project

and asked about the remaining \$2 +/- million; Village Manager Johnson stated that only \$4 million was actually set aside prior to the start of the project.

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 a payment of \$2,000,000 to the Illinois Department of Transportation for the Route 47 Widening Project.***

- e) Discussion – Resolution (R)2011-05.20 – Opposing the Reduction of State Collected Revenues Due Municipalities

Mayor Sass reported that as the State of Illinois continues to struggle with its budgetary problems, legislators and the Governor continue to put forth proposals that would reduce the Local Government Distributive Fund by \$300 million. The Illinois Municipal League has prepared a draft resolution opposing this reduction in funding for local government and is urging all municipalities to go on record with their opposition to this proposal.

#### Staff Analysis

A letter has already been sent to the Village's representatives and senators expressing the Village's concerns with the proposal and the negative impact that would result from this loss of revenue. A resolution adopted by the Board will confirm the official position of the Village on this matter.

#### Financial Impact

The reduction in revenue, if the current proposal is implemented, amounts to \$23.40 per person, which translates to a loss of \$568,409 for the Village.

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

Trustee Fender asked what specifically would happen should the legislators and the Governor reduce the Local Government Distributive Fund; Village Manager Johnson stated that there could be an impact on service and staffing levels.

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)2011-05.20 - Opposing Reduction of State Collected Revenues Due to Municipalities.***

- f) Discussion – Quarterly Financial Reports – Transmittal of the First Quarter Financial Reports for the Village of Huntley – Revenue and Expense Report and Investment Report

Village Manager David Johnson reviewed a Power Point Presentation and reported that in the Board's packets were the first Quarter 2011 Financial and Investment Reports.

#### Staff Analysis

The first quarter activity has been slow but steady. Revenues are low due to cyclical property tax receipts (collections begin in June 2011) and State of Illinois payment delays. Expenditures are within expected thresholds.

Village Manager Johnson reviewed the following excerpts from the report:

## Revenues

- 01-00-0-4020 Sales Tax: Sales tax is collected in arrears. The amounts shown in the 2011 1<sup>st</sup> quarter report are from the 4<sup>th</sup> quarter 2010 and will be reversed as part of the audit process.
- 01-00-0-4025 Income Tax: The Income Tax received in the amount of \$728,513.83 during the first quarter of FY 2011 is actually income tax to be recorded as revenue for the FY 2010 budget. Income tax from the State of Illinois was received during the week of April 18th in the amount of \$175,282.32 (for January 2011) and will be recorded and shown as a part of the second quarter financial reports. In addition to the January payment, the State has vouchered through April 2011 with a balance due to the Village in the amount of \$510,505.36.
- 01-00-0-4021 Local Use Tax: The Local Use Tax received in the amount of \$111,024.13 during the first quarter of FY 2011 is to be recorded as revenue in FY 2010.
- 01-00-0-4050 Cable Franchise Fees: This revenue line item includes the 4<sup>th</sup> quarter 2010 payment received in January 2011 (\$79,885.79). This will be reversed as part of the audit process.
- 01-00-2-4210 Building Permits: Building Permit revenue is higher than anticipated through the first quarter with almost 60% of the budgeted revenue collected.

## Expenditures

- 01-25-2-6321 Computer Services: This line item in the Finance and Human Resources Department is at 63.70% of the annual budget due to one time payments of annual maintenance agreements for 2011.
- 01-30-1-6075 Part-Time Salaries: Part-time salaries in Buildings and Grounds is higher than budgeted due to the fact that part-time employees were used to complete the renovations at the Old Village Hall which will lead to savings in the Municipal Complex Fund.
- 01-60-1-6020 and 01-60-1-6075: The over-time, part-time salaries, snow plowing and snow maintenance equipment line items in the Streets and Underground Utilities budget are over the budget amount due to the Blizzard of 2011. The Village is completing the required FEMA documentation to receive disaster fund reimbursement and is expected to recoup an estimated \$30,000 of the blizzard expenditures.
- 01-60-3-6665: The road salt line item shows the Village expenditures at almost 100% of the budgeted amount to have both salt storage facilities fully stocked (1,500 tons) for the 2011-2012 snow and ice removal season.

Rising fuel costs are a concern to the Village. Through the first quarter, the Village's fuel costs are 9% higher than budgeted in the General Fund and 43% higher in the Water Fund.

Overall, through the first quarter, the Village's General Fund expenditures are 3.7% less than budgeted not including transfers. Other than the Public Works Department/Streets and Underground Utilities Division (due to the unexpected Blizzard expenditures) all departments are within budget for the first quarter.

The Village's Water Operating Fund expenditures are 4% less than budgeted through the end of the first quarter not including transfers, and the Sewer Operating Fund expenditures are 3% less than budgeted not

including transfers.

#### Investment Report

The Village's investment report as of March 31, 2011 provides detail of the Village's cash position by financial institution, maturity and allocation by fund. A liquid cash balance is required for operations at this time due to the cyclical revenues. All funds are fully insured and/or collateralized and placed in interest bearing accounts as allowed by State Statutes.

Village Manager Johnson stated that Director of Finance and Human Resources Jennifer Chernak was in attendance to answer questions.

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

Trustee Leopold asked if Sun City had pulled the final building permits for the development; Village Manager Johnson reported that they have all not yet been pulled but Staff is anticipating that the remaining permits will be pulled in 2011. Trustee Leopold asked if the Village expects a decrease in property tax revenue; Village Manager Johnson stated that the Village does not anticipate a reduction.

Trustee Kadakia referred to revenue listed on page 19 in the Revenue & Expense Report; Finance Director Chernak stated that the \$20,000 revenue was from 2010 and that would be adjusted during the audit. Trustee Kadakia referred to the Water Capital Development Fund Balance on page 38 in the Detailed Revenue & Expense Report and asked what the deficit was attributed to; Village Manager Johnson reported that funds have been used from this account for making payments for projects and the funds needed for the emergency repair of Well #11. It was also noted that the transfers from the Water Fund have not yet been made which would also attribute to the current balance.

There were no other comments or questions.

*It was the consensus of the Committee of the Whole to forward this item on to the Village Board to Accept and Place on File the First Quarter 2011 Financial and Investment Reports for the Village of Huntley.*

**VILLAGE ATTORNEY'S REPORT:** None

**VILLAGE MANAGER'S REPORT:** None

Village Manager Johnson reported that due to technical difficulties with the equipment that this meeting was not videotaped.

Trustee Leopold noted that several residents received letters while they were away for the winter regarding their backflow inspections; Village Manager Johnson stated that Backflow Solutions, Inc. (BSI) generates those letters but that no one has had their water turned off because they had not yet had their backflow inspection.

**VILLAGE PRESIDENT'S REPORT:**

Mayor Sass reminded the Board to RSVP for the McCOG meeting to Rita or Barb.

Mayor Sass reported that the Oaths of Office will be administered at next week's Board Meeting and also informed the Board that a new formal board picture will be taken next week after board meeting.

Trustee Leopold asked for clarification in using the terminology “swear or affirm”. Village Attorney Coppedge stated that both words need to be said as part of the oath.

**UNFINISHED BUSINESS:**

Trustee Fender asked for the status of the repairs to Old Village Hall; Village Manager Johnson stated that prices are being received for the repair of the roof and once the roof repairs are completed it will be a short time until the building is ready for the Chamber to begin moving into the facility.

**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 7:35 p.m.**

**MOTION: Trustee Piwko**

**SECOND: Trustee Fender**

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

Respectfully submitted,

Barbara Read  
Recording Secretary