

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
November 19, 2015
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, November 19, 2015 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoeft, Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg.

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Finance Jennifer Chernak, Director of Development Services Charles Nordman, and Village Attorney John Cowlin.

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

SPECIAL PRESENTATION:

- a) November is Pulmonary Hypertension and Men's Cancer Awareness Month

Mayor Sass read the following proclamation:

**PROCLAMATION
PULMONARY HYPERTENSION AWARENESS AND
MEN'S CANCER AWARENESS MONTH**

WHEREAS, the health of our community's people is the foundation for a caring and productive society, and our future rests with our ability to adequately treat, and ultimately find cures for, individuals who are afflicted with illnesses such as pulmonary hypertension and various types of Men's Cancers; and

WHEREAS, pulmonary hypertension (PH) is a chronic, life-threatening lung disease marked by elevated blood pressure in the lungs; and

WHEREAS, multiple treatments are available for PH but it takes patients an average of nearly 3 years to be accurately diagnosed with this delay in diagnosis not changing in the past twenty years; and

WHEREAS, education can help with early diagnosis and funding for research can help find a cure which is everyone's ultimate goal; and

WHEREAS, the Pulmonary Hypertension Association is a nonprofit organization that seeks ways to prevent and cure pulmonary hypertension, and to provide hope for the PH community through support, education, advocacy and awareness; and

WHEREAS, the month of November is also dedicated to Men's Cancer Awareness and sometimes referred to as Movember; and

WHEREAS, Movember was created to encourage men to grow moustaches and move with additional physical activity in support and awareness of men's cancer; and

WHEREAS, despite advances in medical technology and research, men continue to live an average of almost 6 years less than women; and

WHEREAS, 1 in 2 men will be diagnosed with cancer in their lifetime; and

WHEREAS, educating the public and health care providers about the importance of healthy lifestyles and early detection of male health problems will result in reducing the rates of mortality from disease; and

WHEREAS, men who are educated about the value that prevention health can play in prolonging their lifespans and their roles as productive family members will be more likely to participate in health screenings;

NOW, THEREFORE, on behalf of the Board of Trustees, I, Charles H. Sass, Mayor of the Village of Huntley, do proclaim November 2015, as PULMONARY HYPERTENSION AWARENESS and MEN'S CANCER AWARENESS MONTH, and call upon the people of the Village to educate themselves and follow a healthy lifestyle.

Mayor Sass invited Ms. Deborah Webster up to receive a certificate.

PUBLIC COMMENTS: None

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration – Approval of the October 22, 2015 Village Board and November 5, 2015 Village Board Meeting Minutes

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

A MOTION was made to approve the October 22, 2015 Village Board and November 5, 2015 Village Board Meeting Minutes

MOTION: Trustee Westberg

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Leopold, Kanakaris, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- b) Consideration – Approval of the November 19, 2015 Bill List in the Amount of \$684,463.57

Mayor Sass asked the Village Board if there were any comments or questions regarding the Bill List; there were none.

A MOTION was made to approve the November 19, 2015 Bill List in the Amount of \$684,463.57.

MOTION: Trustee Leopold

SECOND: Trustee Kanakaris

AYES: Trustees: Goldman, Hoeft, Leopold, Kanakaris, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- c) Consideration – An Ordinance Approving (i) Final Planned Unit Development, including any necessary relief and (ii) a Special Use Permit for a Restaurant with a Drive-Through to accommodate the proposed Burger King Restaurant within Outlot 9, Huntley Grove Commercial Subdivision

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that the petitioner/contract purchaser of the subject property, N3 Real Estate, and Viking – TDC Huntley, LLC, owner, are proposing the construction of a 2,567 square foot Burger King Restaurant on Outlot 9 (1.37 acres) within the Huntley Grove Commercial Subdivision, adjacent to Route 47. In addition to Final Planned Unit Development approval, the proposed restaurant includes dual drive-through lanes necessitating a Special Use Permit.

The Annexation Agreement approved in 2007 for the subject property established the Preliminary Planned Unit Development and framework for the development of the Huntley Grove Commercial Subdivision stipulating that the Plan Commission and Village Board are to review and approve the Final Planned Unit Development plan for each Lot/Outlot. The Village’s Commercial Design Guidelines, which is an exhibit to the Annexation Agreement, provides further standards for development throughout the commercial subdivision.

The Annexation Agreement that originally served to annex and zone the Huntley Grove commercial subdivision in 2007 was amended in 2013 as part of the development of Outlot 8 for the McDonald’s restaurant. Specifically, the amendment to the Annexation Agreement reduced the greenbelt/landscape buffer for the Huntley Grove Outlots adjacent to Route 47 from 100 feet to 70.5 feet.

Required Approvals

The following review and approvals are required from the Plan Commission and Village Board for the proposed development of the 1.37-acre site:

- Final Planned Unit Development, including any necessary relief
- Special Use Permit for a Restaurant with a Drive-Through

Staff Analysis

Final Planned Unit Development

The 2,567 square foot Burger King Restaurant, with dual drive-through lanes and associated site improvements, is proposed on Outlot 9 of the Huntley Grove commercial subdivision, directly south of McDonald’s.

Site Plan

Ingress/egress to the site will be from two drives on the east side of the Outlot to/from the north-south Huntley Grove access drive providing traffic circulation throughout the commercial subdivision. The eighteen (18') foot wide one-way drive aisles provide vehicular circulation within the site.

The proposed front, side and rear-yard building setbacks exceed minimum required setbacks (70.5 feet, 20 feet and 20 feet, respectively). Parking setbacks for the site are in conformance with the requisite ten (10') foot minimums along the rear and respective side lot lines. The 70.5 feet front-parking setback matches the parking lot setback of the neighboring McDonald's.

The site's dumpster enclosure will be constructed of brick to match the restaurant building, include solid metal gates and landscaped with nine (9) Emerald Green Arborvitae.

Parking

The Declaration of Covenants, Conditions, Easements and Restrictions (CCRs) for Huntley Grove, recorded in 2007 included a requirement specifying ten (10) parking spaces per 1,000 square feet for restaurants under 5,000 square feet. The Annexation Agreement for the Huntley Grove property required a lower parking ratio of four (4) parking spaces per 1,000 square feet. The forty (40) parking spaces proposed on the site exceed the requirements of both the CCRs and annexation agreement.

Building Façade

The building facade includes a combination of dark brown and crème-color face brick, vintage wood fiber cement board and metal awnings. The main entrance is on the south (side) elevation, with a secondary entrance on the west (front) elevation and drive-through windows on the north (side) of the building. Building materials samples will be available at the Village Board meeting.

Site Lighting

The petitioners propose Parkway Square® lantern-style, single-light fixtures that are the same manufacturer/type of fixture used on the adjacent McDonald's site. The Village's Zoning Ordinance requires parking lot lighting to have an average minimum illumination of two foot-candles within the parking lot and a maximum of 0.5 foot-candles at the property lines. Village staff will continue to work with the petitioners to ensure compliance with the lighting requirements prior to the issuance of a building permit.

Landscaping

The landscape plan submitted for the site includes foundation and perimeter plantings and trees meeting or exceeding the Village's Landscape Ordinance and Commercial Design Guidelines. The dumpster enclosure screening includes a combination of plant materials including, most notably, nine (9) Emerald Green Arborvitae.

Signage – Ground Sign

The proposed ground signage for the restaurant consists of a two-sided, 5' x 10' (50 square foot/side), six (6') foot tall monument sign adjacent to Route 47. The proposed sign includes an electronic message board and will be constructed of brick to match the building with stone cap. The proposed monument sign does not match the Outlot monument sign-template approved with the Preliminary Planned Unit Development and includes an Electronic Message Center which prohibited by the Village's Sign Regulations. Therefore, both the architectural style of the proposed Outlot monument sign and Electronic Message Board will require relief which is included as part of the Final Planned Unit Development approval.

The two-sided, three (3') foot tall, 5.0 square foot directional signage proposed for the site is in conformance with all applicable Sign Regulations.

Signage – Wall

The Village's Sign Regulations allow a single wall sign with square footage not to exceed the linear frontage of the building frontage. The front (west) elevation of the Burger King restaurant facing Route 47 is thirty-four (34') feet wide. Proposed signage for the restaurant includes four (4) 28.3 square foot circular "Burger King" logo signs on the front (west), drive-through (north) side and main entrance (south) side, with a "Taste is King" sign and a "Home Of The Whopper" sign proposed on the south side of the restaurant. The proposed six (6) wall signs (totaling 127.4 total square feet) require relief for five (5) additional wall signs and an additional 93.4 square feet.

In accordance with the Sign Ordinance, the restaurant is permitted one wall sign; therefore, relief will be required to allow four (4) additional wall signs. Additionally, the "Merchandising" sign areas, shown on the north and south elevations, are prohibited and will be removed (these are shown only on the black and white version of the building elevations).

Final Planned Unit Development - Requested Relief

1. The Sign Package requires the following relief:
 - a. Wall Signage – relief for four (4) additional signs and an additional 93.4 square feet
 - b. Monument Sign – relief to accommodate the architectural style not matching the Outlot sign-template approved as part of the Planned Unit Development for the Huntley Grove site.
 - c. Monument Sign – relief to accommodate the Electronic Message Board

Special Use Permit

The Annexation Agreement for the subject property limits drive-through restaurants to no more three (3) within the Huntley Grove Outlots. The proposed Burger King restaurant with dual drive-through lanes represents the second of these establishments to develop on an Outlot within the Huntley Grove commercial subdivision with the McDonald's restaurant adjacent to the north being the first.

Village Board Concept Review

The Village Board reviewed the conceptual plans for the project on October 15, 2015, and referred it to the Plan Commission to begin the formal development review and approval process. Village Board recommendations included the following:

- Darker color for the building's awnings - *The petitioner has kept the awnings the same color as originally proposed.*
- Adding gooseneck lighting over the building's awnings – *the petitioner has added lighting under the awnings.*

Plan Commission Recommendation

The Plan Commission reviewed the petition at a public hearing on November 9, 2015. The Plan Commission unanimously recommended approval by a vote of 5-0, subject to the following conditions:

1. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.

2. The petitioner will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, its agents and assignees are responsible for not increasing the rate of stormwater runoff and will be required, to the extent practicable, to minimize any increase in runoff volume through “retention” and design of multi stage outlet structures.
4. The electronic message center sign shall contain static messages only and shall not have movement or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity other than that provided through an automatic dimming system to control overall illumination intensity. Each message on the sign shall be displayed for a minimum of 10 seconds. The change of messages must be accomplished immediately.
5. The proposed monument sign will be constructed with a stone cap and brick to match the exterior of the principal building.
6. The location of the ground sign shall be revised to be setback no less than 50 feet from the front lot line (Route 47).
7. In accordance with the Zoning Ordinance Section 156.106 (C) (14), a bicycle rack is required to be added to the site plan.
8. As per the amended annexation agreement, upon request by the Village, the petitioner/owner shall grant a multi-use pathway easement within the westernmost 70.5 feet of the greenbelt perimeter buffer. The exact location of the easement shall be determined by the Village and Owner at such time as the Village requests the multi-use path easement.
9. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
10. All permanent and seasonal plantings must be replaced immediately upon decline.
11. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
12. No building plans or permits are approved as part of this submittal.
13. No sign permits are approved as part of this submittal.

Conditions added by the Plan Commission:

14. The petitioner shall add brick accents around the building’s wall pack lighting fixtures. – *The Building Elevations have been revised to address this condition.*
15. The petitioner shall add awnings above the rear doorways.
16. The petitioner shall relocate the dumpster enclosure to the southeast corner of the site. - *The Site Plan has been revised to address this condition.*

Director Nordman reported that representatives of the Petitioner were in attendance to answer questions.

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

Trustee Piwko asked if the east sidewalk matched up with the McDonald’s sidewalk; Director Nordman said that it connected.

There were no other comments or questions.

A MOTION was made approving an Ordinance granting (i) Final Planned Unit Development, including any necessary relief and (ii) a Special Use Permit for a Restaurant with a Drive-Through

to accommodate the proposed Burger King Restaurant within Outlot 9, Huntley Grove Commercial Subdivision.

MOTION: Trustee Kanakaris

SECOND: Trustee Hoeft

AYES: Trustees: Goldman, Hoeft, Leopold, Kanakaris, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- d) Consideration – An Ordinance Approving a Final Planned Unit Development for a ±85,000 square foot Medical Office Building, ±1,080 square foot Maintenance Building, Modifications to the Ambulatory Care Mall and related site improvements for the Centegra Healthcare Campus (10350 Haligus Road)

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that on August 22, 2013, the Village Board adopted Ordinance (O)2013-08.48 approving a Preliminary Planned Unit Development (PUD), Special Use Permit for a Heliport, and Preliminary Plat of Subdivision for the Centegra Health Care Campus. The Preliminary PUD included a 5-story, 128-bed hospital of approximately 375,000 square feet and a 4-story Medical Office Building (MOB) consisting of approximately 80,000 square feet. The Preliminary PUD also included related site improvements (parking, stormwater management facilities, etc.) to accommodate the hospital and MOB. Centegra later received Final PUD approval for the hospital and related site improvements on December 19, 2013 (Ordinance (O)2013-12. 86)

The Final PUD plan approved on December 19, 2013 did not include plans for the MOB, maintenance building or the necessary modifications to the Ambulatory Care Mall (ACM). The petitioner chose to submit a separate Final PUD application for these improvements in order to expedite the start of construction on the hospital.

Staff Analysis

Final Planned Unit Development

All proposed elements (MOB, modification to the ACM and new maintenance building) were included in the Preliminary PUD approved by the Village Board on August 22, 2013. The one notable change to the Preliminary PUD is the relocation of the maintenance building away from Algonquin Road. The site plan for the Preliminary PUD proposed to locate the maintenance building at the southeast corner of the campus near the HealthBridge trash enclosure. At staff's direction, the petitioner found an alternative location for the maintenance building that is on the interior of the campus and much less visible from surrounding roadways. The proposed location is approximately 800 feet from the nearest street (Reed Road). The proposed brick maintenance building will be further screened with landscaping.

Building Elevations

The design of the proposed four-story, ±85,000 square foot, MOB is similar to the plan presented as part of the Preliminary PUD and the proposed building materials are a combination of those used on the hospital and ACM. The primary entrance to the building will be on the north elevation and parking is provided in the newly constructed north parking lot.

The proposed modifications to the ACM will move the building's main entrance to the north elevation so it is accessible from the north parking lot; however, the main entrance to the Immediate Care facility

will remain at its current location on the south elevation. The modifications to the building are primarily on the north elevation to accommodate the new entrance and associated entrance canopy and drop-off area.

Parking

Parking for the MOB was planned for and constructed as part of the Final Planned Unit Development for the hospital. The parking lot that has been constructed to the north of the MOB and ACM will serve as the primary parking for both buildings. A total of 632 parking spaces are provided in the north parking lots with an additional 120 parking spaces landbanked for future construction, if needed.

Landscaping

The proposed landscape plan primarily consists of foundation plantings for the MOB and ACM which includes deciduous and evergreen shrubs and perennials. Proposed shade trees vary between 3 to 4 inches in caliper. Parking lot landscaping and landscaping around the perimeter of the site was previously approved as part of the Final Planned Unit Development for the hospital.

Signage

Proposed signage for the MOB includes seven wall signs (Three walls signs will be located on the north elevation, three will be located on the west elevation, and one will be located on the south elevation). The proposed signage for the ACM includes the addition of two wall signs to the north elevation. The existing signs on the west and south building elevations will remain.

Ground signage will be installed in accordance with the sign package approved as part of the Final Planned Unit Development for the Hospital.

Village Board and Plan Commission Conceptual Review

The Village Board reviewed conceptual plans at their meeting on September 17, 2015 and were generally supportive of the appearance of the building and site plan. It was agreed that the new location of the maintenance building was preferred over the location next to Algonquin Road. It was also requested that larger caliper trees be included in the future when the landscaping plan is presented for approval.

The Plan Commission reviewed conceptual plans at their October 12, 2015 meeting. The Commission's comments pertained to the small size of the doors proposed for the maintenance building based on its use for salt storage. The doors have since been increased in size.

Plan Commission Action

The Plan Commission reviewed the petition at their November 9, 2015 meeting and unanimously recommended approval by a vote of 5-0, subject to the following conditions:

1. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioner will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
4. All permanent and seasonal plantings must be replaced immediately upon decline.

5. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
6. No building plans or permits are approved as part of this submittal.
7. No sign permits are approved as part of this submittal.

Condition added by the Plan Commission:

8. The petitioner shall work with staff to ensure adequate lighting for the maintenance building/salt shed.

Director Nordman reported that the Petitioner was in attendance to answer questions.

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

A MOTION was made to approve an Ordinance granting approval of a Final Planned Unit Development for a ±85,000 square foot Medical Office Building, ±1,080 square foot Maintenance Building, Modifications to the Ambulatory Care Mall and related site improvements for the Centegra Healthcare Campus (10350 Haligus Road).

MOTION: Trustee Kanakaris

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Leopold, Kanakaris, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

Trustee Kanakaris left the room.

- e) Consideration – An Ordinance Approving a Special Use Permit for a Veterinary Clinic to locate at 12372 Princeton Drive within the “C-2-PDD” Regional Retail – Planned Development District, pursuant to the requirements of Village of Huntley Ordinance (O) 1999.08.12.04 which established the Regency Square Development Guidelines

The petitioner, Randall Road Animal Hospital, and Interstate Partners LLC, owner, are requesting a Special Use Permit for a veterinary clinic to operate within the ±1,483 square foot lease space at 12372 Princeton Drive. The tenant space is located at the southern end of the three-unit building within Lot 6A, Regency Square – Unit 1. The two (2) occupied tenant spaces within the multi-tenant building include Athletico Physical Therapy and Sleepy’s at 12360 and 12364 Princeton Drive, respectively.

The proposed veterinary clinic will operate under the name Sun City Animal Clinic and provide preventative care, minor surgery and treat sick animals, primarily dogs and cats, five or six days a week between the hours of 8:00 a.m. and 7:00 p.m. Initially, the facility will operate with one veterinarian and two to three employees and ultimately have no more than five (5) employees.

The clinic staff will transfer any animals requiring more intensive care and/or overnight accommodation to their Crystal Lake facility and will not board animals overnight in the subject lease space. Additionally, the clinic will provide a dog waste station in the landscaped area on the south side of the building.

Plan Commission Recommendation

The Plan Commission reviewed the petition at a public hearing on November 9, 2015. No one offered testimony in opposition to the request. The Plan Commission recommended approval by a vote of 4-1, 11.19.15 VB Minutes

subject to the following conditions:

1. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
3. An animal waste station shall be provided on the exterior of the tenant space and shall be properly maintained at all times.
4. No building plans or permits approved as part of this submittal.
5. No sign permits approved as part of this submittal.

Added by the Plan Commission

6. An area of artificial turf shall be provided in the landscaped area to the south of the tenant space for pets to use as a restroom.

Director Nordman reported that the developer and business owners were in attendance to answer questions.

Mayor Sass asked if the developer, Mark Ebacher wanted to make a statement.

Mr. Ebacher stated that prior to the meeting he met with the business owners and that they would be changing the name to Advanced Animal Care of Huntley. He also stated that they surveyed local residents and found that this type of facility would be appealing to Huntley residents.

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

Trustee Leopold asked if in addition to the dogs and cats mentioned would the clinic also care for small animals such as reptiles and birds. Dr. Mandeep Sandhu stated that they could but the business would mainly care for cats and dogs. Trustee Leopold asked how the animal waste would be disposed; Dr. Sandhu said that it would be disposed through normal disposal. Mr. Ebacher stated that there would be an outside waste removal station and that the waste would be picked up immediately.

Trustee Goldman stated that she did not like that this use would be located in a strip center.

Trustee Westberg stated that he was a proponent of the project and liked the idea of a “minute clinic” for dogs and cats but stated that the site is supposed to be a restaurant with outdoor seating. Mr. Ebacher responded that the animal clinic would be a destination draw and that the site is too small for most restaurants. Mr. Ebacher stated that the Veterinary Clinic has a great track record at their other facilities.

Trustee Piwko stated that he approved of the proposal.

Mr. Ebacher stated that this type of business is the current trend to be included with retail centers. Trustee Hoeft asked what items will be sold on site; the petitioner reported that they will be selling prescription foods and dental needs for pets. Trustee Hoeft asked what percentage of the business will be retail; Dr. Sandhu stated retail sales will be 5-10%.

Mayor Sass asked if the owners of Sleepy’s and Athletico were told of this proposed business and asked what they thought of the business; Mr. Ebacher stated that they were contacted and they liked the clinic. There were no other comments or questions.

A MOTION was made to approve an Ordinance granting a Special Use Permit for a Veterinary Clinic within the “C-2-PDD” Regional Retail – Planned Development District, pursuant to the requirements of Village of Huntley Ordinance (O) 1999.08.12.04 which established the Regency Square Development Guidelines.

- MOTION: Trustee Piwko**
- SECOND: Trustee Westberg**
- AYES: Trustee Piwko**
- NAYS: Trustees: Goldman, Hoeft, Leopold, and Westberg**
- ABSENT: None**
- ABSTAIN: Trustee Kanakaris**
- The motion failed: 1-4-0-1**

- f) Consideration – A Resolution Approving an Intergovernmental Agreement Between the Village of Huntley, the County of McHenry, the City of Crystal Lake, the City of Harvard, the City of Marengo, the City of McHenry, the City of Woodstock, the Village of Johnsburg, the Village of Ringwood, and the Village of Lakewood for General Public Dial-A-Ride Transit Service in 2016

Assistant Village Manager Lisa Armour reported that the Village Board approved Resolution (R) 2015-02.06 on February 12, 2015 to enter into an intergovernmental agreement (IGA) with McHenry County and participating municipalities and townships of Cities of Crystal Lake, Harvard, Marengo, McHenry, and Woodstock; the Villages of Huntley, Johnsburg, Lakewood, and Ringwood for General Public Dial-A-Ride Transit Service. The service, also known as MC Ride, provides bus service for seniors, disabled, and the general public from the Village to other participating communities that are a party to the IGA. The service for Huntley residents began in March, 2015. The current IGA expires November 30, 2015. In order to continue providing the service to Village residents a new IGA must be entered into with the County and other participating agencies. There are no new participating agencies this year.

Staff Analysis

Participating municipalities and townships that are a party to the intergovernmental agreement are the Cities of Crystal Lake, Harvard, Marengo, McHenry, and Woodstock; the Villages of Huntley, Johnsburg, Lakewood, and Ringwood. The agreement is for a one-year period (December 1, 2015 through November 30, 2016). The County will also enter into a new intergovernmental agreement between with the Townships of Dorr, Greenwood, Nunda, and Grafton.

Below are some of the highlights of the program (same as current program):

- a. Service hours are Monday – Friday 6am – 7pm; Saturday 9am – 5pm
- b. If a rider has a disability and requires a personal travel assistant, one assistant rides free
- c. Up to two children 7 years or younger can ride free per fare paying adult
- d. Service would be provided to all residents within the Village of Huntley, including Kane County
- e. Fees are as follows:
 - General Public \$2.00
 - Senior (+60) \$1.00
 - Person with a Disability \$1.00(Plus \$.25 / mile for each additional mile after the first five)
- f. Riders may travel to any location that is included in the MCRide Program

- g. Trip reservations for general public riders may be made the day before the requested trip and up to 1 hour before the requested trip; senior and individuals with disabilities may reserve trips between 7 days in advance and up to 1 hour before the requested trip

There were 70 distinct riders utilizing the program and a total of 245 trips originating in Huntley in March. Since then, the number of riders utilizing the service has ranged from 59 to 66, with as many 301 trips originating in Huntley in August (latest available data).

Financial Impact

The maximum cost for the Village to participate in 2016 is \$48,582 (\$2 per capita). Grant funding received by the County will reduce the cost to the Village to approximately \$2,651 per month, or \$31,815. As part of the Village's FY2015 budget, \$40,000 was included in line item 01-10-2-6355 to fund the Village's participation in the program. The FY2016 budget will include \$40,000 to continue the program.

Legal Analysis

The agreement is the same as that approved in February, 2015.

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

A MOTION was made to approve a Resolution Approving an Intergovernmental Agreement Between the Village of Huntley, the County of McHenry, the City of Crystal Lake, the City of Harvard, the City of Marengo, the City of McHenry, the City of Woodstock, the Village of Johnsburg, the Village of Ringwood, and the Village of Lakewood for General Public Dial-A-Ride Transit Service in 2016.

MOTION: Trustee Westberg

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Leopold, Kanakaris, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- g) Policy Direction – Village of Huntley 2015 Tax Levy

Director of Finance and Human Resources Jennifer Chernak reviewed a Power Point presentation and reported that the Village Board must approve the annual property tax levy in sufficient time to file the approved property tax levy ordinance with the County Clerks by the last Tuesday in December, which is December 29, 2015.

Staff Analysis

The following points are important facts to consider in formulating the property tax levy:

- The tax levy process is an estimation based on assessed valuations, estimated new construction and annexations that have occurred during the year.
- The 2015 tax levy must consider multiple factors when attempting to calculate the potential property tax revenue.
- The Township Assessors calculate the estimated valuations and the County Clerks ensure that the Village's net levy does not exceed authorized rate limits.

- Final valuations are also affected by rate multipliers imposed by the Counties and the State of Illinois.
- Property tax revenues do not affect any enterprise funds, such as the water/sewer funds. The water/sewer funds operate like a business where user fees are the primary source of revenue.

Property Tax Extension Limitation Law (PTELL)

The collar counties (DuPage, Kane, Lake, McHenry and Will) are subject to the PTELL. Under PTELL (for non-home rule taxing districts), the Village’s maximum property tax increase without requiring referendum approval is limited to the lower of 5.0% or the consumer price index (CPI). The County Clerks have notified the Village that the CPI to use for the 2015 property tax levy is 0.8%.

Truth-in-Taxation Disclosure Requirements

The Village of Huntley is required to comply with Public Act 89-102, known as the “Truth in Taxation Act.” This Act places requirements on the Village in the adoption of the 2015 property tax levy if the proposed 2015 gross property tax levy is 105% greater than the 2014 net property tax extension. The 2015 tax levy options are under the 105% threshold; therefore, the required publication and public hearing will not be needed.

Property Tax Levy Process

1. The Village does not levy for the tax rate, the Village levies for dollars. The rate is calculated based on the total request. The dollar request has been greater than the anticipated dollar amount to allow for adjustments by the counties in their calculations of the assessed values and added multipliers.
2. As a non-home rule community, the Village cannot recover any lost levy dollars if a levy request is not maximized due to the calculation of the property tax caps.
3. Allows the Village to capture new growth and new construction so that the tax burden is allocated across all available taxpayers.

Financial Impact

At the time of preparation for this agenda item, McHenry County has not calculated the estimated valuations; however the McHenry County Assessor estimates that the value of new construction in the County will be approximately \$14 million. Kane County is estimating a 13.37% increase in valuation of which \$10,506,121 is attributable to new construction.

VILLAGE OF HUNTLEY PROPERTY TAX HISTORY												
LEVY YEAR		2010		2011		2012		2013		2014		
Rate Setting EAV	Mc Henry	2.76%	516,599,303	-12.13%	528,381,653	2.28%	473,939,151	-10.30%	457,764,870	-3.41%	466,265,122	1.86%
	Kane**	6.44%	279,779,514	-3.06%	262,438,752	-6.20%	237,920,902	-9.34%	215,710,609	-9.34%	212,325,860	-1.57%
		3.94%	<u>796,378,817</u>	-9.14%	<u>790,820,405</u>	-0.70%	<u>711,860,053</u>	-9.98%	<u>673,475,479</u>	-5.39%	<u>678,590,982</u>	0.76%
NEW GROWTH	Mc Henry		4,684,337		5,167,259		6,829,727		6,695,054		14,570,039	
	Kane		5,292,068		2,570,032		2,156,376		3,397,952		541,762	
			<u>9,976,405</u>		<u>7,737,291</u>		<u>8,986,103</u>		<u>10,093,006</u>		<u>15,111,801</u>	
	South TIF EAV		33,108,307		30,127,559		28,779,309		26,789,478		27,384,742	
	Downtown TIF EAV								60,823		157,071	
	TOTAL EAV	3.88%	829,487,124	-8.96%	820,947,964	-1.03%	740,639,362	-9.78%	700,325,780	-5.44%	706,132,795	0.83%

Base valuations are expected to rise however both counties continue to make prior year adjustments to equalize large swings in valuations.

The Village of Huntley tax levy funds are allocated for General Fund operations, Police Pension Fund obligations, Liability Insurance costs and Cemetery operations. Under the tax caps, the Village is limited in its ability to increase the levy to match the increase in the obligations. As Pension Funding requirements by the State of Illinois increase the cost to the Village, these funds must come from or reduce funds allocated to the General Fund.

Levy	<u>2011</u>	<u>2012</u>		<u>2013</u>		<u>2014</u>		<u>2015</u>	
General Fund	3,179,293.16	3,142,241.25	-1.17%	3,033,503.94	-3.58%	3,015,255.00	-0.61%	2,903,500.00	-3.85%
Police Pension	318,704.33	354,105.69	11.11%	462,843.00	23.49%	482,745.00	4.12%	595,000.00	18.87%
Cemetery	2,003.64	2,012.22	0.43%	2,012.00	-0.01%	2,000.00	-0.60%	1,500.00	-33.33%
Liability Insurance	299,998.87	301,640.84	0.55%	301,641.06	0.00%	300,000.00	-0.55%	300,000.00	0.00%
	\$ 3,800,000.00	\$ 3,800,000.00		\$ 3,800,000.00		3,800,000.00		3,800,000.00	

2015 Tax Levy Options

Option 1: Request a levy amount of approximately \$5,000,000* which would capture all available dollars including new growth and the increase in valuations to the Village of Huntley, publish the Truth in Taxation and hold a public hearing.

**levy request to be determined upon receipt of McHenry County valuations*

Option 2: Request a levy amount of less than 5% to capture new construction which is estimated to be approximately \$24 million between the two counties. Estimated levy request of \$4,000,000.

Option 3: Hold the levy amount of \$3,800,000 which would represent a 0% increase from the 2014 levy request which would not capture growth in EAV or new construction.

The 2016 draft budget document currently assumes no increase in the levy request (\$3,800,000) at this time. The tax burden shift, adjustments of property valuations and multiplier adjustments all factor into the final rate.

Again, final tax rates are not calculated by the counties until spring 2016.

VILLAGE OF HUNTLEY RATE, EAV AND TAX LEVY HISTORY

Levy	Rate	%Chng	Rate EAV	%Chng	Levy Request	%Chng	Received	%Chng
2000	0.5712		\$ 154,736,202		\$ 1,157,265		\$ 884,324	
2001	0.5416	-5.18%	213,675,280	38.09%	1,500,000	29.62%	1,257,595	42.21%
2002	0.5304	-2.07%	274,778,282	28.60%	1,800,000	20.00%	1,457,428	15.89%
2003	0.4678	-11.80%	358,059,795	30.31%	2,100,000	16.67%	1,674,170	14.87%
2004	0.4520	-3.38%	455,734,372	27.28%	2,500,000	19.05%	2,059,825	23.04%
2005	0.4442	-1.73%	557,318,704	22.29%	3,000,000	20.00%	2,476,135	20.21%
2006	0.4296	-3.29%	676,220,947	21.33%	3,500,000	16.67%	2,904,886	17.32%
2007	0.4155	-3.28%	775,261,883	14.65%	3,750,000	7.14%	3,220,979	10.88%
2008	0.4138	-0.41%	843,255,156	8.77%	3,950,000	5.33%	3,489,390	8.33%
2009	0.4119	-0.46%	876,512,659	3.94%	3,665,000	-7.22%	3,608,084	3.40%
2010	0.4714	14.45%	796,378,817	-9.14%	3,800,000	3.68%	3,783,954	4.87%
2011	0.4805	1.93%	790,820,406	-0.70%	3,800,000	0.00%	3,800,000	0.42%
2012	0.5338	11.09%	711,860,053	-9.98%	3,800,000	0.00%	3,800,000	0.00%
2013	0.5642	5.70%	673,475,479	-5.39%	3,800,000	0.00%	3,816,116	0.42%
2014	0.5599	-0.76%	678,590,982	0.76%	3,800,000	0.00%	3,770,733	-1.19%

***2015 Estimated rate/EAV is not available at this time**

The following schedule will be followed for the 2015 Tax Levy process:

November 19, 2015 Present a report estimating total funds to be requested for 2015 tax levy.

December 10, 2015 Village Board to approve:
a.) 2016 Annual Budget
b.) 2015 Property Tax Levy Ordinance
c.) 2015 Special Service Area Levy Ordinances

Mayor Sass asked if the Village Board had any questions.

Trustee Leopold asked how much additional revenue would be realized with Option #2; Director Chernak reported about \$85,000. Trustee Leopold stated that amount was minimal and stated that the levy should be held. The other Trustees agreed.

Mayor Sass stated that this will be the 5th year holding the levy but stated that next year the amount will have to change due to increasing costs.

It was the direction of the Village Board to follow Option 3: Hold the levy amount of \$3,800,000 which would represent a zero percent (0%) increase from the 2014 levy request which would not capture growth in EAV or new construction.

h) Consideration – Accept and Place on File the Third Quarter 2015 Financial Reports for the Village of Huntley

Village Manager David Johnson reported that at the end of the third quarter 2015 activity ended as projected. The 2nd installment of the 2015 County property bills has been received. Expenditures are within budgeted thresholds.

Notes to consider when reviewing this report:

Revenues

- 01-00-0-4020 Sales Tax: Sales tax collection is in arrears. The 3rd quarter 2015 amount of \$1,770,804.26 includes \$418,191.38 of 2014 revenue which will be adjusted during the 2015 audit process.
- 01-00-0-4021 Local Use Tax: Local Use Tax received as of the 3rd quarter 2015 totals \$346,754.41 which includes \$43,579.84 of 2014 revenue which will be adjusted during the 2015 audit process. As of July 2015, the State has withheld distributions of Use Tax revenues to municipalities the budget impasse is resolved.
- 01-00-0-4025 Income Tax: Income tax received as of the 3rd quarter 2015 totals \$2,176,651.18 which includes \$272,101.71 of 2014 revenue which will be adjusted during the 2015 audit process.
- 01-00-0-4060 Video Gaming: The State has withheld distributions of gaming tax revenues to municipalities as well. 2015 recorded revenues of \$28,714.50 are receipts through June 2015.
- 01-00-2-4210 Building Permits: Revenues collected as of the 3rd quarter 2015 are \$894,220.87 or 27.7% higher than the 2015 budget.
- 42-00-0-4005 Motor Fuel Tax: The State has also withheld distributions of Motor Fuel tax revenues to municipalities until Springfield can resolve its state-budget impasse. 2015 recorded revenues of \$328,656.26 are receipts through June 2015.

Expenditures

At the end of the 3rd quarter 2015, the Village's General Fund expenditures are on target at 75.6% of the 2015 budget (excludes the one-time revenue transfer). The Village's Water Operating Fund 3rd quarter 2015 expenditures are 73.7% of the 2015 budget and Sewer Operating Fund 3rd quarter expenditures are 74.1% of the 2015 budget.

Investment Report

The Village's investment report as of September 30, 2015 provides detail of the Village's cash position by financial institution, maturity and allocation by fund. As of this report, IMET has recovered and disbursed \$16,303.32 to the Village of Huntley reducing the hold on funds to \$311,429.34. The most recent correspondence from IMET dated October 7, 2015 indicates three of the five hotel properties previously owned by the fraudulent investor have now closed and one more is scheduled to close by the end of the month. The timeframe for additional distributions to IMET members has not yet been disclosed.

Police Pension Fund

Attached is the 2015 Village of Huntley Police Pension Fund Board annual tax levy report to the Village Board.

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

It was the consensus of the Village Board to Accept and Place on File the Third Quarter 2015 Financial and Investment Reports for the Village of Huntley.

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT:

Trustee Piwko asked if everything was in order for the anticipated snow event on Friday and Saturday. Village Manager Johnson reported that the pre-treatment of the roadways had begun and noted that the Talamore Subdivision was added to the Village routes this year.

VILLAGE PRESIDENT’S REPORT:

Mayor Sass noted the information distributed to the Trustees regarding the donor plaque to be attached to the Town Square clock and asked Trustees which wording option they would prefer. It was the consensus of the Village Board to move forward with Option 2.

Mayor Sass also noted the “No Parking” map for the TTF event.

Mayor Sass reminded the Village Board that there will be no meeting on November 26th (Thanksgiving) and stated that the December 3rd Village Board Meeting is cancelled.

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 8:02 p.m.

MOTION: Trustee Hoeft

SECOND: Trustee Kanakaris

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary