

PUBLIC MEETING NOTICE AND AGENDA
VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING



THURSDAY, NOVEMBER 18, 2010
7:00 P.M. or soon thereafter
AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Public Comments
4. Items for Discussion and Consideration:
 - a) October 28, 2010 Liquor Commission Hearing and the October 28, 2010 Village Board Meeting Minutes
 - b) Approval of the November 18, 2010 Bill List in the Amount of \$419,776.81
 - c) Ordinance (O) 2010-11.58 – An Ordinance Approving a Preliminary/Final Plat of Subdivision, Special Use Permit for Minor Automobile Repair, and Preliminary/Final Planned Unit Development, pursuant to the requirements of Section 156.068 and Section 156.070 of the Village of Huntley Zoning Ordinance, Lot 1 of Bakley's 18th Addition East and portions of Lot 17 in Bakley's 17th Addition and Lot 1 in Bakley's 13th Addition (SEC Route 47/ Joan Avenue)
 - d) Referral of Bravo Properties, LLC to the Plan Commission to begin the formal development review process
 - e) Payout Request No. 1 (Final) in the amount of \$10,889.50 – Plote Construction, Inc. – Reed Road Additional Resurfacing
 - f) Payout Request No. 3 (Final) in the amount of \$16,929.86 – Big Time Construction, Inc. – Northbridge Subdivision Public Improvement Concrete Repairs
 - g) Payout Request No. 2 (Final) in the amount of \$3,430.44 – Chicagoland Paving Contractors, Inc. – Marlowe Bike Path Project
 - h) Approval of the following Resolutions allowing Snow Plow Agreements as follows:
 - i) Approval of Resolution (R)2010-11.46 – A Snow Plow Agreement with Richmond American Homes for the Lion's Chase Subdivision
 - ii) Approval of Resolution (R)2010-11.47 – A Snow Plow Agreement with Huntley Venture for the Talamore Subdivision

iii)Approval of Resolution (R)2010-11.48 – A Snow Plow Agreement with Pistakee Partners, L.L.C. for the Regency Square Subdivision

i) Policy Direction -Village of Huntley Property Tax Levy Ordinance

5. Village Attorney's Report
6. Village Manager's Report
7. Village President's Report
8. Unfinished Business
9. New Business
10. Executive Session
 - a) Probable or Imminent Litigation and Pending Litigation
 - b) Contractual
 - c) Property Acquisition, Purchase, Sale or Lease of Real Estate
 - d) Appointment, Employment, Dismissal, Compensation, Discipline and Performance of an Employee of the Village of Huntley
 - e) Collective Bargaining
 - f) Appointment, Discipline or Removal Public Officers
 - g) Appointment of a Public Officer
 - h) Review of Closed Session Minutes
 - i) Other
11. Possible Action on any Closed Session Item
12. Adjournment

MEETING LOCATION
Village of Huntley Municipal Complex
10987 Main Street
Huntley, IL 60142

The Village of Huntley is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, are requested to contact Mr. David Johnson, Village Manager at 847-515-5200. The Village Board Room is handicap accessible.



David J. Johnson, Village Manager

Agenda Item: **Approval of the October 28, 2010 Liquor Commission Hearing and
the October 28, 2010 Village Board Meeting Minutes**

Department: **Village Manager's Office**

Introduction

The following meeting minutes are being presented for Village Board approval:

- October 28, 2010 Liquor Commission Hearing
- October 28, 2010 Village Board

Action Requested

A motion of the Village Board to approve the above referenced meeting minutes.

Agenda Item: November 18, 2010 Bill List in the amount of \$419,776.81

Department: Finance Department

Included in the agenda packet is the November 18, 2010 Bill List. The Bill List has been reviewed by Staff. All is in order for Village Board approval at this time.

• Bill List - Detail Board Report	\$	336,291.05
• Bill List – Manual Checks Issued - 10/01/10	\$	5,063.36
• Bill List – Manual Checks Issued - 10/08/10	\$	3,780.25
• Bill List – Manual Checks Issued - 10/13/10	\$	5,045.70
• Bill List – Manual Checks Issued - 10/15/10	\$	4,520.63
• Bill List – Manual Checks Issued - 10/22/10	\$	64,923.92
• Bill List – Petty Cash Checking Account	\$	<u>151.90</u>
Total for approval:	\$	419,776.81
• Vendor Summary Report		

Please note that \$227,792.88(54%) of the Bill List is due to four final payouts for Capitol and Street Improvement Projects and Impact Fees paid to the Fire, Park and School Districts.

Village Board Action

A motion of the Village Board to authorize the payment of the November 18, 2010 Bill List in the amount of \$419,776.81

Reviewed by:  11/12/10
Village Manager

Reviewed by:  11/12/10
Finance Director

Petition: **Ordinance (O) 2010-11.58 - An Ordinance Approving a Preliminary/Final Plat of Subdivision, Special Use Permit for Minor Automobile Repair, and Preliminary/Final Planned Unit Development, pursuant to the requirements of Section 156.068 and Section 156.070 of the Village of Huntley Zoning Ordinance, Lot 1 of Bakley's 18th Addition East and portions of Lot 17 in Bakley's 17th Addition and Lot 1 in Bakley's 13th Addition (SEC Route 47/ Joan Avenue)**

Petitioner: **Edward Miculinich - Auto Tech Centers**

Department: **Development Services – Planning and Zoning**

Introduction

Auto Tech Centers was founded in 1985 and currently has three locations in McHenry County (McHenry, Crystal Lake and Woodstock) providing **minor** automobile repair service. The fourth location is proposed on a 0.95-acre site at the southeast corner of Route 47 and Joan Avenue.

The site is zoned B-3 Shopping Center Business, which requires it to be developed as a Planned Unit Development (PUD). Additionally, a Special Use Permit is required for minor automobile repair B-3 district and a Plat of Resubdivision is required to create the 0.95-acre lot.

The Village Board reviewed the concept plan on December 17, 2009 and referred the project to the Plan Commission. The Plan Commission reviewed the concept plan at their March 22, 2010, meeting. Comments received included reducing the amount of masonry block by adding more brick and increasing the amount of landscaping along the east lot line and around the foundation of the building. To address these comments, the petitioner has eliminated the masonry block and added a row of 6 foot tall Arborvitae along the east and south lot line.

Preliminary and Final Plat of Subdivision

The petitioner is proposing to resubdivide Lot 1 in Bakley's 18th Addition East, Lot 1 in Bakley's 13th Addition and Lot 17 in Bakley's 17th Addition. The proposed three-lot resubdivision creates the 0.95 acre Huntley Auto Tech site and two lots south of the Auto Tech site that are dedicated for ingress/egress. The two lots along the south side of the proposed resubdivision, Lot 2 (.0197 ac.) and Lot 3 (0.152 ac.), are undersized and undevelopable and serve only to accommodate an ingress/egress easement for the Huntley Auto Tech site to the north and shopping center to the south. These lots will provide a driveway to Church Street which does not presently exist.

The proposed plat of resubdivision requires the following relief:

1. Relief is required to allow B-3 zoned lots to have a minimum lot area of less than 80,000 square feet and minimum lot width of less than 200 feet for all three lots in the proposed resubdivision. Lots 1, 2, and 3 have an area of 41,206 square feet, 8,594 square feet and 6,647 square feet and lot widths of approximately 186 feet, 66 feet and 46 feet, respectively.

Preliminary and Final Planned Unit Development

Section 156.070(B)(3) of the Zoning Ordinance requires that all land zoned B-3 Shopping Center Business must be developed as a Planned Unit Development (PUD) subject to review and approval by the Plan Commission and Village Board.

Site Plan

The 8,208 square foot automotive repair facility is located on the 0.95 acre B-3 Shopping Center Business zoned lot located at the southeast corner of Route 47 and Joan Street. Site ingress/egress is proposed from Route 47 via the 25 foot-wide access drive at the southwest corner of the site and Joan Street to the northeast. The facility will have ten (10) service bays and approximately 1,400 square feet of retail sales space. The proposed parking area will have 32 parking stalls which exceeds the required number of parking spaces (2 parking spaces per service bay and 4 parking spaces per 1,000 square feet of retail sales or 26 spaces) by six (6) stalls. A bicycle rack is provided near the southwest corner of the building as required for parking areas with 20 or more parking spaces.

Stormwater detention for the site is accommodated within an existing detention basin across Route 47 to the northwest. The trash dumpster enclosure at the southeast corner of the site is proposed with masonry to match the building and solid metal gates.

The proposed site plan requires the following relief:

1. Section 156.106(C)(13) of the Zoning Ordinance requires drive aisles to be a minimum of 24 feet wide. The petitioner is proposing a 22 foot wide drive aisle on the east side of the site.
2. The proposed location of the trash enclosure encroaches into the ten (10) foot required landscape setback. The trash enclosure will be setback 5.24 feet from the east lot line.

Building Façade

The building features a flat, parapet roof with pre-finished metal coping. Exterior materials include various colors of Harvard brick. The aluminum/glass storefront entrance is oriented to face Route 47 and there are three (3) glass and aluminum-framed overhead doors on the north elevation and seven (7) proposed on the south elevation. The roof-mounted HVAC units are required to be screened by the roof's parapet or with the aid of screening devices mounted directly upon the equipment.

Landscaping

Building foundation landscaping is concentrated along the west and north elevations facing Route 47 and Joan Street, respectively. Parkway plantings include four (4) State Street Maples along Route 47, three (3) Accolade Elms along Joan Street and three (3) Autumn Blaze Maples along the Church Street, which meets the street landscaping requirement of 1 tree per 40 feet of frontage. The parkway trees are augmented by clusters of Sumac and shrubbery including Viburnum and Chokeberry.

Plantings along the site perimeter include two (2) Thornless Honey Locust to the southwest and Arborvitae lining both the south and east sides of the site. Screening of the dumpster enclosure is aided by three (3) Arborvitae and four (4) Black Hill Spruce trees.

Lighting

The average illumination within parking lots cannot average less than 2.0 footcandles with a maximum illumination at the property line not to exceed 0.5 footcandles and light poles no more than 20 feet in height. The site plan calls for three (3) Eurotique architectural light fixtures at the north, south and west edges of the parking area. Lighting on the east side of the building will be provided by two (2) Lithonia wall-mounted architectural sconces at the rear and near the northeast corner of the facility.

Signage

A 6 foot tall, 14 foot wide Harvard brick/cast stone capped monument sign with a 49 square foot sign face is proposed at the northwest corner of the site. The sign copy area is divided between the "Auto

Tech Center” sign face and an electronic message center that will allow changeable information regarding the business activities.

The proposed electronic message board requires the following relief:

1. The Sign Ordinance prohibits signs that move or flash (§156.25(A)), therefore, relief is required to allow a changeable copy sign that will move and/or flash.

Special Use Permit

In accordance with the Village’s Zoning Ordinance, the B-3 Shopping Center Business zoning district allows minor automobile repair as a special use. Accordingly, the petitioner has requested a special use permit to allow Huntley Auto Tech to operate within the proposed Bakley’s 19th Addition, Lot 1.

Plan Commission Action

The Plan Commission conducted a public hearing and reviewed the petition at their October 25, 2010 meeting. During the public hearing, several neighboring residents raised concerns regarding potential nuisances posed by the proposed business including noise, odor, traffic, litter and light pollution. Specific concerns were raised regarding the increased traffic on Church Street as a result of the new driveway and the noise that would be created by the air impact wrenches used by Huntley Auto Tech. Neighbors stated the proposed minor automobile repair use is better suited for industrially zoned land.

Having fully heard and considered testimony, the Plan Commission recommended approval of the request by a vote of 5 to 1, 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 petitioners 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.
4. The following easement language excerpt shall be included on the Bakley’s 19th Addition Resubdivision: The owner of Lots 2 and 3, as grantor, hereby grants to the owners of Lot 1 and Lot 23 in Bakley's 5th Addition and Lot 17 in Bakley's 17th Addition, their respective tenants, contractors, employees, agents, customers, licensees, invitees, and the subtenants of such tenants, a nonexclusive perpetual easement for ingress and egress by vehicular and pedestrian traffic, but not parking, over and across all of Lots 2 and 3.
5. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
6. The petitioner shall obtain final approval of the Lighting Plan from the Development Services Department.
7. 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.

8. In accordance with the Section 155.221(A)(5) of the Subdivision Ordinance, the developer shall record the Plat of Resubdivision with the Recorder of McHenry County within three months of approval by the Village Board.
9. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
10. No building plans or permits are approved as part of this submittal.
11. No sign permits are approved as part of this submittal.

Staff Analysis

Following the Plan Commission meeting, at the Village's request, the petitioner and property owner met on the development site with neighbors to discuss their concerns. The meeting was held on Tuesday, November 2, 2010, and included approximately 15 residents from the surrounding neighborhood.

Financial Impact

Not applicable.

Legal Analysis

Not required.

Action Requested

A motion of the Village Board to approve Ordinance (O) 2010-11.58 - Granting Approving a Preliminary/Final Plat of Subdivision, Special Use Permit for Minor Automobile Repair, and Preliminary/Final Planned Unit Development, pursuant to the requirements of Section 156.068 and Section 156.070 of the Village of Huntley Zoning Ordinance, Lot 1 of Bakley's 18th Addition East and portions of Lot 17 in Bakley's 17th Addition and Lot 1 in Bakley's 13th Addition (SEC Route 47/ Joan Avenue)

Exhibits

- Building Elevations, dated 8/20/10
- Floor Plan, dated 8/20/10
- Layout Plan, dated 8/20/10
- Grading Plan, dated 8/20/10
- Landscape Plan, dated 8/20/10
- Photometric Plan, dated 8/20/10
- Parking Lot Fixture Specifications (including fence details), not dated
- Final Plat of Resubdivision, dated 8/16/10
- Draft Ordinance

Petition: **Referral of Bravo Properties, LLC to the Plan Commission to begin the formal development review process**

Petitioner: **Bravo Properties, LLC**

Department: **Development Services Department – Planning and Zoning Division**

Introduction

Bravo Properties is proposing to construct a 128-unit supportive living facility on a 5.4-acre site within Regency Square, immediately north of Heritage Woods Assisted Living. The proposed supportive living facility will house residents with physical disabilities ranging in age from 22 to 64 years. The facility will have nursing and direct care staff on-site 24 hours a day to assist residents with daily activities dependant on their level of need. The facility will be operated by BMA Management, Ltd., which also operates Heritage Woods Assisted Living. It is estimated that the project will create 45 new jobs.

The proposed site plan calls for a 3-story (117,870 square foot) building and parking for 128 vehicles (27 of the 128 parking spaces would be landbanked), which conforms to the maximum building height and parking requirements for the BP Business Park zoning district. The proposed exterior building materials would include a combination of Northfield Stackstone, red utility brick, and cement board siding.

Staff Analysis

The proposed site is zoned BP Business Park and must be developed in accordance with the Regency Square Development Guidelines, which require a special use permit for a congregate care facility. Additionally, the proposed plan will require approval of a plat of resubdivision and site plan review.

Financial Impact

Not applicable.

Legal Analysis

Not required.

Action Requested

A consensus of the Committee of the Whole to refer Bravo Properties, LLC to the Plan Commission to begin the formal development review and approval process.

Exhibits

- Huntley Supportive Living Facility Summary, not dated
- Site Plan, Gleason Architects, 11/10/10
- Regency Square Aerial, Gleason Architects, dated 11/2/10
- Building Elevation, Gleason Architects, not dated
- Floor Plans, Gleason Architects, not dated
- Apartment Floor Plan, Gleason Architects, not dated

Agenda Item: **Payout Request No. 1 (Final) in the amount of \$10,889.50 – Plote Construction, Inc. – Reed Road Additional Resurfacing**

Department: **Engineering Department**

Introduction

The Reed Road Reconstruction project began on April 19, 2010. The road reconstruction started just east of Haligus Road to 300 feet west of Cambridge Drive (the entrance to Southwind). The total length of improvements was 2,418 feet. The easternmost ending point was the terminus of the Village’s jurisdiction. In 2009, the Village of Lake in the Hills (LITH) resurfaced the portion of Reed Road under their jurisdiction east of Huntley’s project; however, it was determined at the commencement of our project that approximately 300 feet of Reed Road west of Cambridge Drive/Annandale Drive, which is under LITH’s jurisdiction, was not resurfaced during that time.

Staff Analysis

Earlier this year, Village staff contacted LITH to notify them of the gap and offered to execute a change order to our contract for the repair and resurfacing of this portion within LITH municipal boundaries so there would be no gap between the improved pavement surfaces. On May 27, 2010, the Village Board approved Resolution (R)2010-05.27 authorizing the execution of an Intergovernmental Agreement between the Villages of Huntley and Lake in the Hills for paving work on Reed Road.

Financial Impact

The original total cost was \$11,021.60. Through the proposed Intergovernmental Agreement, LITH agreed to pay the Village a flat fee of \$5,520.00 for the work performed at the completion of the project. This payment has been received from LITH. The remainder will be paid by the Village via the Development Agreement with Centegra Health System/NIMED Corp. for Reed Road Reconstruction (Resolution (R)2009-04.19).

The project is 100% complete. Waivers of Lien and Payroll Certifications have been received

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1 (Final)	\$10,889.50	-0-	-0-	\$10,889.50

Legal Analysis

Not required.

Action Requested

A motion of the Village Board to approve Payout Request No. 1 (Final) in the amount of \$10,889.50 to Plote Construction, Inc. for the Reed Road Additional Resurfacing.

Agenda Item: **Payout Request No. 3 (Final) in the amount of \$16,929.86 – Big Time Construction, Inc. – Northbridge Subdivision Public Improvement Concrete Repairs**

Department: **Engineering Department**

Introduction

At the August 27, 2009 Village Board meeting the Village Board authorized the Village Manager to execute a Letter of Understanding with Lennar, Inc. for the repair of public driveway approaches, sidewalk and curb/gutter in the Northbridge Subdivision. The cost of design and construction engineering paid for by Lennar was \$189,803.33. On December 17, 2009, the Village Board awarded the contract for the Northbridge Subdivision Public Improvement Concrete Repairs to Big Time Construction, Inc.

Staff Analysis

The project is 100% complete. Payout #3 (Final) includes payment of all retained amounts. Waivers of Lien, Payroll Certifications and the required 1 year maintenance bond have been received.

Financial Impact

Funds for the project in the amount of \$189,803.33 have been received from Lennar. No Village funds were used for the project. [Capital Projects Fund (Special Projects) #02-10-4-6925]

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1	\$81,064.00	\$8,106.40	-0-	\$72,957.60
#2	\$169,298.58	\$16,929.86	\$72,957.60	\$79,411.12
#3 (Final)	\$169,298.58	-0-	\$152,368.72	\$16,929.86

Legal Analysis

Not required.

Action Requested

A motion of the Village Board to approve Payout Request No. 3 (Final) in the amount of \$16,929.86 to Big Time Construction, Inc. for the Northbridge Subdivision Public Improvement Concrete Repairs.

Agenda Item: **Payout Request No. 2 (Final) in the amount of \$3,430.44 – Chicagoland Paving Contractors, Inc. – Marlowe Bike Path Project**

Department: **Engineering Department**

Introduction

On August 12, 2010, the Village Board awarded the contract for the Marlowe Bike Path Project to Chicagoland Paving Contractors, Inc. in the amount of \$48,310.00.

Staff Analysis

On October 14, 2010 the Village Board approved Payout Request #1. The project is 100% complete. The total amount of work completed comes in \$14,005.64 lower than the original contract amount.

Payout #2 (Final) includes payment of all retained amounts. Waivers of Lien, Payroll Certifications and the required maintenance bond have been received. The Village Engineer recommends payment to Chicagoland Paving Contractors, Inc. in the amount of \$3,430.44.

Financial Impact

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1	\$34,304.36	\$3,430.44	-0-	\$30,873.92
#2 (Final)	\$34,304.36	-0-	\$30,873.92	\$3,430.44

The FY2010 Budget includes funding for the project in the amount of \$45,000.00. The funding sources are through the Capital Projects Fund 02-10-4-6925 (\$22,500.00) and the Street Improvement Fund 04-00-4-7500 (\$22,500.00).

Legal Analysis

Not required.

Action Requested

A motion of the Village Board to approve Payout Request No. 2 (Final) in the amount of \$3,430.44 to Chicagoland Paving Contractors, Inc. for the Marlowe Bike Path Project.

Agenda Item: **Approval of Snow Plow Agreements**

Department: **Public Works**

Action Requested: **Approval of the following Resolutions allowing Snow Plow Agreements as follows:**

- i. Approval of Resolution (R)2010-11.46 – A Snow Plow Agreement with Richmond American Homes for the Lion’s Chase Subdivision**
 - ii. Approval of Resolution (R)2010-11.47 – A Snow Plow Agreement with Huntley Venture for the Talamore Subdivision**
 - iii. Approval of Resolution (R)2010-11.48 – A Snow Plow Agreement with Pistakee Partners, L.L.C. for the Regency Square Subdivision**
-

Summary

The following is the proposed snowplow agreement for Pistakee Partners, L.L.C., Huntley Venture and Richmond American Homes. The agreement is the same for each development and will be signed individually by the Mayor and an authorized agent from each respective developer. The same agreements were executed with each developer last year.

Proposed Snow Plow Agreement

A. SCOPE OF WORK

The scope of routine work for the respective subdivision is listed as follows, and shall constitute the general responsibilities to be assumed by the Village of Huntley in carrying out the provisions in the contract.

1. Roads shall be snowplowed on same schedule as Village roads and will be plowed from curb to curb at the end of each snowfall.
2. Ice control shall consist of spot salting only.
3. Any additional Roads may be added to this contract at the unit price shown in the agreement.
4. If conditions warrant the use of heavy equipment (Endloader) due to drifting or heavy snow, there will be an additional charge as shown in the list of locations and cost.

5. (Developer) shall indemnify and hold the Village of Huntley harmless for any actions, damages, causes of action, claims or expenses resulting from contamination, damage, property damage or personal injury on (Developer) property arising from snowplowing and salting on all roads covered by this agreement.

B. DURATION OF CONTRACT

This contract shall be in full force for a one year period, renewable annually following the date and acceptance of the contract, subject, however, to the right of (Developer) to cancel and terminate the same at any time by giving thirty (30) days notice in writing to the Contractor. In the event of such cancellation the Contractor shall be entitled to receive payment for services and work performed and materials furnished under terms of the contract prior to the effective date of such cancellation, but shall not be entitled to receive any damages on account of such cancellation or any further payment whatsoever.

C. ROAD HAZARDS

(Developer) shall prevent all infrastructures from causing damage to snowplows.
(Developer) shall also prevent mud and debris from accumulating or being placed on the roadway causing a driving hazard for snowplow operators.

D. CONTRACTOR'S RECORDS

Any records required to be maintained by the Contractor, under terms of this contract as well as any other records of the Contractor of which form the basis of affidavits, invoices or bills, made by the Contractor under this contract shall be open to inspection and verification by (Developer).

E. LOCATIONS AND COST

- All non-dedicated streets located within the Subdivision
- \$100.00/HR for snowplowing and spot salting
- Requested additional snowplowing and salting will be a two-hour minimum charge \$200.00 dollars and \$100.00 dollars there after
- Heavy Equipment rate (Endloader w/operator) \$125.00 per hour

Exhibits

- Draft Snow Plow Agreements with Subdivision Maps
- Draft Resolutions

Agenda Item: **Village of Huntley Tax Levy Ordinance**

Department: **Finance Department**

Action Requested: **Village Board is requested to conduct a public hearing on December 9, 2010 to elicit comments on the 2010 tax levy and direct staff to prepare a Tax Levy Ordinance and Truth-in-Taxation notice based on a dollar request of \$3,800,000**

Summary and Background Information

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 28, 2010.

Property Tax Extension Limitation Law (PTELL)

The collar counties (DuPage, Kane, Lake, McHenry and Will) became subject to the PTELL for the 1991 levy year for taxes paid in 1992. Cook County was added in 1994. Under this property tax cap legislation (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 2010 property tax levy is 2.7%.

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 2010 property tax levy if the proposed 2010 gross property tax levy is 105% greater than the 2009 net property tax extension. The actual Truth in Taxation publication percentage increase is distorted because the required comparison is from the *prior year actual levy receipts* to the *current year request*. For example, the actual increase in property tax extensions from 2008 levy (\$3,489,390) compared to the actual extensions from the 2009 levy (\$3,608,068) is 3.29% however; the Truth in Taxation increase for 2010 will show a 5.32% increase. (\$3,608,068 actual 2010 receipts vs. \$3,800,000 request).

Village Board policy has been for the levy request to exceed 105% of the prior year's property tax extension for the following reasons:

1. The Village does not levy for the tax rate, the Village levys for dollars. The rate is calculated based on the total request. It is recommended that the dollar request be 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.

Tax Rate Analysis

Levy Year	Tax rate per \$100 Equalized Assessed Valuation
1999	.5734
2000	.5712
2001	.5416
2002	.5304
2003	.4678
2004	.4520
2005	.4442
2006	.4296
2007	.4155
2008	.4138
2009	.4119
2010	.4639 estimate

Assessed Valuation Analysis

The estimated 2010 assessed valuation is estimated to decrease for the first time. A historical analysis follows.

Levy Year	Assessed Valuation	Increase (Decrease)	Percentage
1999	\$104,126,744		
2000	\$154,736,202	\$ 50,609,458	48.60%
2001	\$213,675,280	\$ 58,939,078	38.09%
2002	\$274,778,282	\$ 61,103,002	28.60%
2003	\$358,059,795	\$ 83,271,513	30.31%
2004	\$455,734,372	\$ 97,674,577	27.28%
2005	\$557,318,704	\$119,584,332	22.29%
2006	\$676,220,947	\$118,902,243	21.33%
2007	\$775,261,883	\$ 99,064,667	4.65%
2008	\$843,255,156	\$ 67,993,273	8.77%
2009	\$876,512,659	\$ 33,257,503	3.94%
2010	\$811,457,351	(\$65,055,308)	-7.42%

Levy Tax Dollars Received by the Village of Huntley

Levy Year	Levy Request	Actual Levy Dollars Rec'd	Increase
2001	\$1,500,000	\$1,257,595	
2002	\$1,800,000	\$1,457,428	\$199,833
2003	\$2,100,000	\$1,674,170	\$216,742
2004	\$2,500,000	\$2,059,825	\$385,655
2005	\$3,000,000	\$2,476,135	\$416,310
2006	\$3,500,000	\$2,904,886	\$428,751
2007	\$3,750,000	\$3,220,979	\$316,093
2008	\$3,950,000	\$3,489,390	\$268,411
2009	\$3,665,000	\$3,608,084	\$118,694

Summary

- The tax levy process is an **estimation** based on assessed valuations, estimated new construction and annexations that have occurred during the year.
- The Township Assessors calculate the estimated valuations and the County Clerks ensure that the Village's net levy does not exceed authorized limits.
- Final valuations are affected by rate multipliers imposed by the Counties and the State of Illinois.

It should be noted that 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 income.

The following schedule will be followed for the 2010 Tax Levy process:

- November 18, 2010 Present a notice estimating the amount of funds to be levied for 2010 tax levy.
- November 29, 2010 Publish Notice of Public Hearing and Truth in Taxation disclosure.
- December 9, 2010 Public Hearing held during the scheduled Village Board Meeting
- December 9, 2010 Village Board to approve:
a.) 2011 Annual Budget
b.) 2010 Property Tax Levy Ordinance
c.) 2010 Special Service Area Levy Ordinances**

**Truth in taxation requirements and public hearings are not part of the Special Service Area levies because these levies are strictly bond and interest repayments. The Special Service Area levies are calculated by the Service Area Administrator based on debt service repayment needs.