

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
July 24, 2008
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, July 24, 2008 at 7:02 p.m. in the Municipal Complex Village Board Room 10987 Main Street, Huntley, Illinois 60142.

ATTENDANCE:

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

ABSENT: None

IN ATTENDANCE: Assistant Village Manager David Johnson, Village Attorney Mike Coppedge, Management Assistant Barb Read, Management Assistant Margo Griffin, Finance Director Jennifer Chernak, Police Chief John Perkins and Village Clerk Rita McMahon.

PLEDGE OF ALLEGIANCE:

Mayor Sass led the Pledge of Allegiance.

PUBLIC COMMENTS

None

SPECIAL PRESENTATIONS

1. Save Abandoned Babies Foundation
Mayor Sass read a certificate acknowledging the Village of Huntley as one of the first 100 towns in Illinois to be a safe haven for abandoned babies.
2. Administration of the Oath of Office – Police Officers Tiffany Levernier and Raul Valladares
Police Chief Perkins introduced and gave credentials for newly hired Police Officers Tiffany Levernier and Raul Valladares. Chief Perkins congratulated both on meeting the high standards for Huntley Police Officers. Village Clerk Rita McMahon administered the Oath of Office to Ms. Lavernier and Mr. Valladares.
3. Recognition of Service – Sergeant Gavin Schmitt
Chief Perkins reported that Sergeant Gavin Schmitt will be leaving the Village of Huntley Police Department for a new job in Arizona. Mayor Sass presented Sergeant Schmitt with a Certificate of Appreciation on behalf of the Board of Trustees and thanked him for his dedication to the community and residents of the Village.

4. Administration of the Oath of Office – Sergeant Linda Hooten

Chief Perkins introduced Officer Linda Hooten and provided information regarding the promotion of Police Officer Linda Hooten to Sergeant. Village Clerk Rita McMahon administered the Oath of Office to Sergeant Hooten. Sergeant Hooten thanked family and friends in attendance as well as the Police Department for the support she has received throughout the years.

ITEMS FOR CONSIDERATION:

A. Approval of July 10, 2008 Village Board Meeting Minutes

A MOTION was made to approve the July 10, 2008 Village Board Meeting Minutes as presented.

MOTION:	Trustee Leopold
SECOND:	Trustee Kanakaris
AYES:	Trustees Fender, Kanakaris, Leopold, Mercer and Piwko
NAYS:	None
ABSTAIN:	Trustee Kadakia
Motion carried	5:0:1

B. Approval of the July 24, 2008 Bill List in the amount of \$83,377.41

A MOTION was made to authorize payment of the July 24, 2008 Bill List in the amount of \$83,377.41

MOTION:	Trustee Piwko
SECOND:	Trustee Fender
AYES:	Trustees Fender, Kadakia, Kanakaris, Leopold, Mercer and Piwko
NAYS:	None
ABSTAIN:	None
Motion carried	6:0:0

C. Approval of Ordinance (O)2008-07.50- Amending Title XIII, General Offenses, Chapter 130, of the Village of Huntley Code of Ordinances / Noise Ordinance

Assistant Village Manager Johnson reported that the Village of Huntley presently does not have a noise ordinance. When Huntley Police Officers respond to citizen complaints of excessive noise, the first option is to request voluntary cooperation. There is little that can be done as far as enforcement if subsequent calls are received at the same location. If the actions resulting in the excessive noise do not meet the elements of Disorderly Conduct, no enforcement action can be taken. This often frustrates citizens that call the police for noise issues.

The ordinance was drafted by the Village Attorney and Chief of Police. By approving the ordinance, Huntley Police Officers will have the option of issuing an ordinance violation ticket for noise complaints. This can be handled at the scene without the need to physically arrest the individual. The fine structure is \$100 for the first offense, \$250 for the second violation and \$500 for a third.

Other highlights of the ordinance include;

- Requiring a permit for the use of sound-amplification devices
- In general, prohibiting unreasonably loud or raucous noise
- Factors taken into considerations include; proximity of sound to sleeping facilities, the time of day or night the sound occurs, the duration of the sound, and whether the sound is recurrent, intermittent, or constant.
- Establishing a quiet time between the hours of 10:00 p.m. and 7:00 a.m.
- Taken into consideration evening lawn mowing and snow blowing.
- The ordinance mirrors the times presently allowed for construction noise

It should be noted that the Huntley Police Department will strive to obtain voluntary compliance by way of warning, notice or education. If this method proves unsuccessful, this noise ordinance will provide an effective enforcement option.

The quiet time for Friday and Saturday night was discussed. It was a general consensus of the Village Board to amend Section F6(a) to allow the quiet time on Friday and Saturday night to 11:00 p.m. from 10:00 p.m.

A MOTION was made to approve Ordinance (O)2008-07.50 - Amending Title XIII, General Offenses, Chapter 130, of the Village of Huntley Code of Ordinances / Noise Ordinance.

MOTION:	Trustee Fender
SECOND:	Trustee Piwko
AYES:	Trustees Fender, Kadakia, Kanakaris, Leopold, Mercer and Piwko
NAYS:	None
ABSTAIN:	None
Motion carried	6:0:0

D. Approval of Resolution (R)2008-07.38 – Engineering Services Agreement/Christopher B. Burke Engineering, Ltd. (CBBEL) – Update of the Village’s Pavement Management Program

Assistant Village Manager Johnson explained that as part of the Fiscal Year 2008 Budget, funds were included for engineering services to conduct an update of the Village’s Pavement Management Report for Village streets. This work will aid in identifying the streets requiring maintenance or repair as part of the Villages five-year pavement maintenance program.

Creation of the Pavement Management Report will be broken into five tasks:

1. Coordination Meeting: CBBEL will meet with Village staff to discuss the maintenance plans and various funding methods.
2. Pavement Evaluation: CBBEL and Village staff will visually inspect each road section in the Village and use a rating system whereby the road sections can be assigned a pavement condition index. CBBEL will research Village records and interview Village staff to establish the year that each street was built and its structure. To supplement this information, CBBEL may need to core the pavement to determine its structure. This work would be an addition to the base fee.
3. Data Compilation and Database Development: CBBEL will update the Village's pavement database developed originally by Baxter and Woodman in May 2002 assigning each street segment a rating between 1-10, with 10 being the best condition. Additional information such as length, width, base and pavement type, and age will also be compiled in the database.
4. Coordination Meeting: CBBEL will meet with Village staff to discuss the pavement ratings, the pavement database and the recommended treatments for each pavement based on a 20-year cycle.
5. Pavement Management Report: CBBEL will prepare a written report summarizing the findings of the pavement evaluation, and the recommended street maintenance program. Estimates of cost for each maintenance recommendation will also be provided. A five-year maintenance plan and accompanying budget will be included. CBBEL will develop a Village-wide map illustrating the recommended five-year maintenance plan. The maintenance plan map will be added to the Village GIS upon availability.

The scope of work as described above shall not exceed \$32,400; however, until the initial investigation is made, the pavement coring schedule described in Sub-task 2 will not be known. It is recommended that an allowance of \$2,500 be included for coring the existing pavements. With this allowance, the total not-to-exceed figure is \$34,900.00 which is below the budgeted amount of \$35,000 (Road and Bridge Fund, 43-05-3-6750).

Mayor Sass asked if there were any questions. There were none.

A MOTION was made to approve Resolution (R)2008-07.38 – Engineering Services Agreement/Christopher B. Burke Engineering, Ltd. (CBBEL) – Update of the Village's Pavement Management Program.

MOTION: Trustee Kanakaris
SECOND: Trustee Fender
AYES: Trustees Fender, Kadakia, Kanakaris, Leopold,
 Mercer and Piwko
NAYS: None
ABSTAIN: None
Motion carried 6:0:0

- E. Approval of Ordinance (O)2008-06.40 - Petition No. 08-3.3, J. Jireh's Corporation and The Portofino Group, LLC, , Requesting (i) A text amendment to the Village's Zoning Ordinance Table II adding as a Special Use in the B-3 District "apartments above first floor business and office uses"; (ii) A zoning map amendment rezoning of the most westerly 19.80 acres more or less of Parcel 2 to R-4 Townhomes and Condominiums; (iii) A Special Use Permit for a Preliminary Planned Unit Development for the total subject Property; (iv) Preliminary Plat of Subdivision for the total subject Property; and (v) Approval of such other relief as may be necessary to allow for development in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, all pursuant to the requirements of the Zoning Ordinance, including specifically Section 156.120 et seq.

Mayor Sass gave a brief history of the request stating that on April 24, 2008 at the Village Board meeting the Portofino Group, LLC presented their petition to the Village Board for consideration. At that meeting, the unanimous policy consensus of the Village Board was to direct the petitioner to resolve the access alignment issues with the three property owners on the east side of Route 47 directly across from the subject site. The petitioner has been attempting to resolve this issue to date. No resolution has been reached.

In accordance with Village of Huntley Zoning Code of Regulations Section 156.124 *Review Procedures*, the Corporate Authorities are required as specified in Section (C) to take specific action regarding the petitioner's request. Specifically, action needs to be taken within 60 days of the public hearing that is held before the Zoning Board of Appeals (ZBA). The public hearing was held before the ZBA on April 16, 2008, thus the 60 day period ended on June 16, 2008.

The ordinance does not state a specific time period extension for a stay of proceedings.

At the June 12, 2008 Village Board Meeting, Mr. Gary Marks, President and CEO of the Portofino Group, submitted a letter to Mayor Sass and Board of Trustees requesting a 45-day continuation which is a suspension of the original 60-day time frame. The petitioner's request was approved at the meeting.

On July 17, 2008, Mr. Gary Marks, President and CEO of the Portofino Group submitted a letter to the Village respectfully requesting a second continuation for a period of 30 days. The petitioner's request needs to be considered by the Village Board along with the other options as referenced below.

In accordance with the code regulations the Village Board is required to do one of the following:

- Approve the petition
- Approve the petition with modifications
- Refer the proposal back to the Zoning Board of Appeals or Planning Commission for further consideration
- Disapprove the petition
- Enact a continuation of the proceedings that must be mutually agreed upon by the petitioner for further review to address open ended issues. This simply means that the 60 day decision deadline period is suspended in order for the petitioner to attempt to resolve and/or address any open ended issues. At the end of the continuation period, the remaining time left in the 60 day time period would conclude and at that point a decision would have to be made before the corporate authorities.

If granted, the 30-day extension period would require the Village Board to take some form of action by August 23, 2008.

Mayor Sass asked if there were any questions. All Trustees were in favor of the continuation.

A MOTION was made to approve a 30 day continuation on consideration of Ordinance (O)2008-06.40 – granting Petition No. 08-3.3, J. Jireh’s Corporation and The Portofino Group, LLC, , Request (i) A text amendment to the Village’s Zoning Ordinance Table II adding as a Special Use in the B-3 District “apartments above first floor business and office uses”; (ii) A zoning map amendment rezoning of the most westerly 19.80 acres more or less of Parcel 2 to R-4 Townhomes and Condominiums; (iii) A Special Use Permit for a Preliminary Planned Unit Development for the total subject Property; (iv) Preliminary Plat of Subdivision for the total subject Property; and (v) Approval of such other relief as may be necessary to allow for development in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, all pursuant to the requirements of the Zoning Ordinance, including specifically Section 156.120 et seq.

MOTION:	Trustee Leopold
SECOND:	Trustee Kanakaris
AYES:	Trustees Fender, Kadakia, Kanakaris, Leopold, Mercer and Piwko
NAYS:	None

ABSTAIN: **None**
Motion carried **6:0:0**

F. Discussion – Introduction of the Transit Station Site Selection & TOD Guidelines Project - The Lakota Group

Management Assistant Read introduced Mr. John LaMotte, Principal of The Lakota Group to make a presentation regarding the selection of the Transit Station Site and TOD Guideline Project. Mr. LaMotte’s presentation outlined several of their previous projects and the scope of services being provided to the Village during the course of the project.

- In 2007, The Village of Huntley was awarded a grant from the Regional Transportation Authority (RTA) to prepare a Transit Station Site Selection and Transit Oriented Design (TOD) Guidelines.
- The Lakota Group (which includes Civiltech Engineering, Inc. as a sub-contractor) was chosen as the best consulting team to complete this project. The Lakota Group has an impressive background in this type of design project. Civiltech is currently the transportation consultant for the Village and, therefore, would spend less time on learning the transportation issues, priorities and future transportation plans of the Village.
- At the June 26, 2008 Village Board Meeting, the Village Board approved the Technical Services Agreement with the RTA and the Professional Services Agreement with The Lakota Group.

Trustees thanked Mr. LaMotte for his presentation and assistance in this important project.

VILLAGE ATTORNEY’S REPORT:

No report

VILLAGE MANAGER’S REPORT:

No report

VILLAGE PRESIDENT’S REPORT:

Mayor Sass announced that Trustee Mercer would represent the Village Board on the Steering Committee for the Transit Station Site Selection.

The Village of Huntley received notification from the Illinois Commerce Commission that the request for an extension was granted to August 8, 2008 to allow the Village to respond to the ICC ruling regarding the overhead power lines proposed for Kreutzer Road.

Mayor Sass announced that there will be no Village Board meeting on July 31, 2008.

Trustee Piwko reported that it was a very interesting McCOG meeting at Barrington Hills the night before. Attendees were given a ride on one of only four carousels of its type in the world.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

ACTION ON EXECUTIVE SESSION ITEM(S):

None

ADJOURNMENT:

A MOTION was made to adjourn the meeting at 8:09 pm.

MOTION: Trustee Piwko

SECOND: Trustee Kadakia

Motion carried unanimously

Respectfully submitted,

Rita M. McMahon
Village Clerk