

**VILLAGE OF HUNTLEY  
VILLAGE BOARD MEETING  
August 7, 2008  
MINUTES**

**CALL TO ORDER:**

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, August 7, 2008 at 7:00 pm 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, and Recording Secretary Anita Powers of Karick & Associates.

**PLEDGE OF ALLEGIANCE:**

Mayor Sass led the Pledge of Allegiance.

**PUBLIC COMMENTS**

None

**ITEMS FOR CONSIDERATION:**

- A. Approval of July 17, 2008 Village Board and July 24, 2008 Village Board Meeting Minutes

**A MOTION was made to approve the July 17, 2008 Village Board Meeting Minutes as amended and the July 24, 2008 Village Board Meeting Minutes as presented**

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

B. Approval of the August 7, 2008 Bill List in the amount of \$1,192,359.12

**A MOTION was made to authorize payment of the August 7, 2008 Bill List in the amount of \$1,192,359.12**

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

C. Approval of Resolution (R) 2008-08.39- Temporary Use Permit For a Tent Sale at Tom Peck Ford of Huntley, Inc., 13900 Auto Mall Drive

Petitioner: Tom Peck, Sr.

Assistant Village Manager Johnson reported that Tom Peck, owner of Tom Peck Ford of Huntley, Inc., is requesting a Temporary Use Permit for a Special New and Used Vehicle Sales Event. Per Section 156.075 of the Zoning Code concerning Temporary Uses, the tent sale would fall under the definition of a Special Promotion, as the event involves the sale of goods outside. Per the Zoning Code, such permit shall be for a period of not more than 72 consecutive hours (three days) in any one calendar month. Mr. Peck is requesting that the Board approve the Temporary Use Permit for a sale period of four (4) days, with the sale event beginning August 27<sup>th</sup> and ending on August 30<sup>th</sup>. The tent would be put up on Tuesday, August 26<sup>th</sup>, and removed the following Tuesday, September 2<sup>nd</sup>. The open-sided tent will be 40' x 80' and will be located in the asphalt parking area of the dealership in the west central portion of the lot.

Conditions of Approval

1. Temporary Use Permit Fee of \$75.00 shall be paid prior to the first day of the event
2. The petitioner shall be required to arrange for inspection of the tent prior to the first day of the event and shall meet all building and fire code requirements of the Village of Huntley and the Huntley Fire Protection District

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

**A MOTION was made to approve Resolution (R) 2008-08.39 granting a request for a Temporary Use Permit to allow a Tent Sale at Tom Peck Ford of Huntley, Inc., 13900 Auto Mall Drive, subject to the above referenced conditions.**

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

D. Approval of Ordinance (O)2008-08.51 - Exemptions from the Provisions from the Sign Ordinance / Temporary Off-Premise Sign, Prime Outlet Mall

Petitioner: Prime Outlets, 11800 Factory Shops Boulevard – Richard Feder

Assistant Village Manager Johnson reported that Prime Outlets has requested an exemption from the provisions of the Village of Huntley Sign Ordinance to allow for the installation of temporary off-premise signage to advertise four (4) sidewalk sales for the below listed dates. The proposed off-premise signage would be located at the southeast corner of Route 47 and Freeman Road, adjacent to the existing Outlet Mall/Automall ground sign. The proposed sign is an A-frame style sign that measures 25 inches wide by 45 inches high. The proposed display dates and events are as follows:

<u>Date</u>	<u>Event</u>
August 29 <sup>th</sup> – September 1 <sup>st</sup>	Labor Day Sidewalk Sale
October 10 <sup>th</sup> – October 13 <sup>th</sup>	Columbus Day Sidewalk Sale
October 31 <sup>st</sup> – November 2 <sup>nd</sup>	Halloween Sidewalk Sale
November 7 <sup>th</sup> – November 11 <sup>th</sup>	Veteran’s Day Sidewalk Sale

Consideration of this request is required in accordance with Sign Code §153.17 Prohibited Signs, subparagraph (G) (1) Off-Premise Signs and (D) Portable Signs. In accordance with the sign code regulations, if the Village Board elects to issue the authorization of the Temporary Off-Premise Sign permit for the A-frames sign as requested, a sign permit will be issued for the identified display dates.

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

**A MOTION was made to approve Ordinance (O)2008-08.51– An Ordinance Granting an Exemption from the Provisions from the Sign Ordinance of the Village of Huntley for Prime Outlets, 11800 Factory Shops Boulevard for a temporary off-premise sign**

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

E. Approval of Payout Request No. 18 – Joseph J. Henderson & Son, Inc. West Wastewater Treatment Plant Improvements Phase 3 - \$230,608.36.

Mayor Sass reported that on October 5, 2006 the Village Board of Trustees awarded Joseph J. Henderson & Son, Inc., the contract for the 1 million gallon Phase 3 expansion of the West Wastewater Treatment plant. The contract amount awarded was \$14,320,000.00.

In accordance with the Facility Expansion Agreement with Huntley Venture for the Talamore Subdivision all costs for the Phase 3 West Wastewater Treatment Plant Improvements are to be funded by Huntley Venture. Since retainage is no longer being held on the payout, payment will be held until funds are received from Huntley Venture.

Joseph J. Henderson & Son, Inc. is now requesting partial payment for work performed and material purchased through June 20, 2008 (eighteenth payout request).

In the opinion of the Village's project Engineer, Baxter & Woodman, the amount now due and payable to Joseph J. Henderson & Son, Inc. in accordance with the terms of the Construction Contract Documents for this project is \$230,608.36. The Phase 3 improvement is 88% complete. J.J. Henderson has requested in accordance with article 14.02, Subsection A, Paragraph 3 it states "Periodic partial payments shall be made for the value of the completed work as approved by the engineer until construction is 50% complete, after which no additional amount will be retained if contractor is making progress to owner satisfaction and there is no specific cause for withholding 10% of the total value of completed work". Staff is in agreement with the request and will no longer reduce payouts by 10% for retainage.

Funds paid to date including the proposed is \$12,128,242.89. Awarded contract amount \$14,320,000.00 minus payouts to date, \$12,128,242.89, leaves an outstanding balance of \$2,191,757.11.

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

**A MOTION was made to approve the Engineer's Payment Estimate No. 18 for the West Wastewater Treatment Plant Improvements Phase 3 and payment to Joseph J. Henderson & Son, Inc. in the amount of \$230,608.36.**

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

F. Approval of Payout Request No. 2 in the amount of \$522,515.03, Plote Construction, Inc. – 2008 Street Improvement Program

Mayor Sass reported that on February 28<sup>th</sup>, the Village Board awarded the 2008 Street Improvement Program contract to Plote Construction, Inc. in the amount of \$747,260.39. The project is funded through the Village’s Motor Fuel Tax (MFT) Fund and Capital Projects Fund.

On July 10<sup>th</sup>, the Village Board approved Payout Request #1 in the amount of \$97,786.78.

Work completed as of Payout Request No. 2 includes concrete curb and gutter, sidewalk and driveway approach removal and replacement. The project is approximately 90% complete as of Payout Request No. 2. Payout Request No. 2 reflects a 5% retention amount, and Waivers of Lien have been received.

The Village Engineer recommends payment to Plote Construction, Inc. in the amount of \$522,515.03. Funds paid to date including the proposed is \$620,301.81. Awarded contract amount \$747,260.39 minus payouts to date, \$620,301.81, leaves an outstanding balance of \$126,958.58.

Mayor Sass noted that feedback from residents has been positive.

Trustee Leopold inquired about the amount of work left to be completed. Assistant Village Manager Johnson stated that only final punch list items remain.

**A MOTION was made to approve Payout Request No. 2 for the 2008 Street Improvement Plan to Plote Construction, Inc., in the amount of \$522,515.03.**

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

G. Policy Direction – McHenry County Zoning Variance Request / Thomas C. Halat, as Trustee under a Trust Agreement dated November 14, 1991 and known as Trust No. 101 and Cheryl S. Halat, as Trustee under a Trust Agreement dated November 14, 1991 ad known as Trust 102, 10214 Algonquin Road / Unincorporated McHenry County

Assistant Village Manager Johnson presented a PowerPoint presentation including an aerial photograph of the property in question, a site plan for the new entrance and

parking lot, and a diagram of the new intersection directly west of the existing access to Tom's Farm.

Assistant Village Manager Johnson reported that the Village is in receipt of a notice from the McHenry County Zoning Department regarding a public hearing to be conducted for a variance from the McHenry County Zoning Ordinance. The request is from the Thomas C. Halat Trust, et.al. for the property located along Algonquin Road. The property is approximately 43.71 acres with the Village of Huntley zoning to the North and West, Lake in the Hills zoning to the East and A-1 and A-1C zoning to the South and is more commonly known as 10214 Algonquin Road.

A variance is being requested from the McHenry County Zoning Ordinance for the yard requirements for parking set forth in Section 405.3(3) of the Zoning Ordinance to permit the petitioner to maintain its service drive and parking areas within one (1) foot of the new Algonquin Road right-of-way instead of the required thirty (30) foot setback.

It should be noted that although the property in question is located outside of the Village's corporate limits, the Village of Huntley may provide feedback either positive or negative to the McHenry County Zoning Department if the Village Board desires.

Assistant Village Manager Johnson stated that a full access will be constructed south of Algonquin Road by November 1, 2008 which will provide the only full access to Springbrook Church.

Curb and gutter is planned only on Algonquin Road by access and/or entranceways, with the exception of "in town" from Ruth Road to Church Street. Springbrook Church entranceway will be converted to a right in/ right out access only, with the widening of Algonquin Road, but the access road across from Tom's will lead to the church parking lot. Algonquin Road will have asphalt shoulders from Ruth Road to Annandale, except for the entranceways. There will be approximately 23' of landscaping between the curb and right of way.

The Pinecrest setback to the Algonquin Road right of way is zero. The distance between the pavement of Algonquin Road and the parking lot pavement is 30' +/- to the west of the entrance and tapers off between 30' and 25' to the east of the entranceway

Pinecrest did not lose any right of way because the McHenry County Division of Transportation took property on the south side of Algonquin Road not on the north side in front of Pinecrest.

Trustee Leopold asked if overflow parking will be on the east side during Fall Fest. Assistant Village Manager Johnson answered yes. Trustee Leopold asked if the drive will be limited to one-way traffic. Assistant Village Manager Johnson said yes.

Trustee Piwko asked if the existing 2-story farmhouse will be moved. Assistant Village Manager Johnson stated that it may be moved in the future.

Trustee Fender expressed concern regarding safety during Fall Fest due to the loss of frontage near the house. Assistant Village Manager Johnson noted that Tom's will have concrete barriers and orange fencing to increase safety if Fall Fest is held in the same location.

There was a consensus of the Village Board to direct Staff to draft a letter of support on the zoning variance request to McHenry County to be entered into the official record.

H. Authorization to enter into a Letter of Understanding with the Huntley Park District for the use of Village owned property

Assistant Village Manager Johnson reported that the Village is in receipt of a request from the Huntley Park District to use the open space behind the Public Works facility along the east side of Donald Drive. They wish to use the property for youth soccer from August 11<sup>th</sup> through November 1, 2008. The Park District has used this property previously for five or six smaller soccer fields for the 4 – 8 year old age group.

For the 2008 season, the Park District is requesting permission to place four (4) regular fields behind the Public Works facility for use on Monday-Friday evenings from 5:00 PM – 7:00 PM. The Park District will do all the mowing of the site and field marking that is needed. They would also like to place two port-a-potties on the site as they have done in the past.

As a safety precaution, the Park District will again install temporary fencing along Donald Drive to help prevent soccer balls and kids from crossing Donald Drive, as has been requested in the past.

Staff is requesting authorization to enter into a Letter of Understanding with the Huntley Park District to allow for the use of Village owned property for the use of soccer fields from August 11, 2008 – November 1, 2008. The Park District will provide required waivers and certificates of insurance.

Assistant Village Manager Johnson noted that Staff will continue to work with the Park District to encourage people to park to the east of the fields.

Trustee Leopold asked if there will be trash receptacles at the fields. Assistant Village Manager Johnson answered yes. Trustee Kadakia asked that recycling cans also be added.

Assistant Village Manager Johnson stated that there will be a designated walkway with a double fence for pedestrians walking from Donald Drive. Trustee Kadakia asked if there have been any problems on Donald Drive in the past. Assistant Village Manager Johnson answered no. Trustee Mercer expressed his approval of the safety measures in place.

There was a consensus of the Village Board to enter into a Letter of Understanding with the Huntley Park District for the use of Village owned property for the use of soccer fields on Donald Drive.

I. Approval of Resolution (R)2008-08.40 - McHenry County Council of Governments Local Government Vehicle and Equipment Auction Agreement and approval of the Sale and/or Disposal of Village Owned Property

Mayor Sass reported that Staff is requesting approval to auction or dispose of the following items. These items have reached the end of their useful life with the Village. The vehicles will be sold in accordance with our Village vehicle replacement policy at an auction being conducted by the McHenry County Council of Governments (McCOG). The Village Attorney has reviewed the agreement and reports that all is in order for Village Board consideration.

Village Board approval is requested for the sale at auction of the following items:

Vehicles for Auction:	V.I.N.	Mileage
#1910 1996 Chevy Caprice	1G1BL52P9TR120444	82,589
#1960 1995 Ford F450	1FDLF47F1SEA69603	58,902
#1702 1999 Dodge 1500 Pickup	3B7HC12Y2XG181546	79,236
#1703 1998 Dodge 1500 Pickup	1B7HC16X1WS650635	103,239
#1709 2004 Ford Crown Vic	2FAFP71W14X146499	82,589
#1804 1998 Dodge 2500	3B7KF26Z5WM288046	98,125
#1906 2000 Ford Crown Vic	2FAFP71W2YX148459	111,113
#13 2000 Chevy Impala	2G1WF55K5Y9101125	80,860

Equipment for Auction:

- Homelite 3” Diaphragm Trash Pump, 80 GPM, Model W1-14
- Mannesmann- DeMag Crane and Hoist system, 1000 lb Electric hoist, approx. 230 ft. of rails

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

**A MOTION was made to approve Resolution (R)2008-08.40 - the McHenry County Council of Governments Local Government Vehicle and Equipment Auction Agreement and to approve the sale and/or disposal of all Village owned property as referenced above.**

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

**VILLAGE ATTORNEY’S REPORT:**

None

**VILLAGE MANAGER’S REPORT:**

None

**VILLAGE PRESIDENT’S REPORT:**

Trustee Fender reported that National Night Out was a success and stated that it was good to see Police Officers interacting with residents.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

None

**EXECUTIVE SESSION:**

None

**ACTION ON CLOSED SESSION ITEM:**

None

**ADJOURNMENT:**

**There was a MOTION made to adjourn the meeting at 7:28 pm.**

**MOTION:** Trustee Fender

**SECOND:** Trustee Piwko

**Motion carried unanimously**

Respectfully submitted,

Anita M. Powers  
Recording Secretary  
Karick & Associates.