

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
August 28, 2008
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, August 28, 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: Village Manager David Johnson, Village Clerk Rita McMahon, Finance Director Jennifer Chernak, Director of Development Services Lisa Armour, Management Assistant Barb Read, Management Assistant Margo Griffin, Village Attorney Mike Coppedge, Police Chief John Perkins and Recording Secretary Anita Powers of Karick & Associates.

PLEDGE OF ALLEGIANCE:

Mayor Sass led the Pledge of Allegiance.

PUBLIC COMMENTS

None

SPECIAL PRESENTATION

a) National Chamber of Commerce Week September 8 – 12, 2008

Mayor Sass read the following proclamation recognizing National Chamber of Commerce Week and presented a plaque to Chamber President/CEO Rita Slawek.

WHEREAS, the State of Illinois is home to the International Chamber of Commerce, the Great Lakes Regional Office of the U.S. Chamber of Commerce, the Illinois State Chamber of Commerce and more than 450 local chambers of commerce; and

WHEREAS, chambers of commerce have contributed to the civic and economic life of Illinois for 170 years - since the founding of the Galena Chamber of Commerce in 1838; and

WHEREAS, the Village of Huntley is fortunate to have the Huntley Area Chamber of Commerce, which was established in 1987 and currently has over 350 involved members, as an ambassador of local businesses for the residents of our community; and

WHEREAS, the Huntley Area Chamber of Commerce leads by example of their purpose and mission statement, “*Working Together To Make A Difference*”, of promoting a prosperous business environment that enhances the quality of life within Huntley’s business community; and

WHEREAS, on behalf of the Village Board, I encourage the residents of the Village of Huntley to attend the events being provided by the Huntley Area Chamber of Commerce during the week of September 8th to support the local area businesses.

NOW, THEREFORE, I, Charles H. Sass, President of the Village of Huntley, proclaim September 8th through September 12, 2008 as CHAMBER OF COMMERCE WEEK in recognition and appreciation of the Huntley Area Chamber of Commerce’s significance to the businesses and residents of the Village of Huntley.

Passed and approved this 28th day of August, 2008.

ITEMS FOR CONSIDERATION:

A. Approval of August 7, 2008 Village Board and August 14, 2008 Village Board Meeting Minutes

A MOTION was made to approve the August 7, 2008 Village Board and August 14, 2008 Village Board Meeting Minutes as presented

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

B. Approval of August 28, 2008 Bill List in the amount of \$342,475.09

A MOTION was made to authorize payment of the August 28, 2008 Bill List in the amount of \$342,475.09

MOTION:	Trustee Fender
SECOND:	Trustee Piwko
AYES:	Trustees Fender, Kadakia, Kanakaris, Leopold, Mercer and Piwko

NAYS: None
ABSTAIN: None
Motion carried 6:0:0

C. Approval of the Acceptance of Public Improvements – Wing Pointe Commons Original Commercial Subdivision

Village Manager Johnson reported that the Village Board routinely accepts for ownership and maintenance, phases of developments once the public improvements are successfully constructed and inspected.

A request has been received by Centerville Properties, LLC for the Village's acceptance of the public improvements for the Wing Pointe Commons original commercial subdivision, along with the release of the financial performance guarantee for the public improvements. The Wing Pointe Commons original commercial subdivision was approved on January 27, 2005. The public improvements include Huntley-Dundee Road improvements, storm sewer, and watermain construction. The original letter of credit amount of \$119,565.72 is based on the Village's requirement of 120% of the total cost estimate for the improvements (\$99,638.10 x 120%).

It is recommended that the Village accept the public improvements for the Wing Pointe Commons Original Commercial Subdivision subject to the Village receiving the required maintenance guarantee. The required maintenance amount of \$9,963.00 is a result of 10% of the total Cost Estimate (\$99,638.10) for the Wing Pointe Commons original commercial subdivision improvements.

The maintenance security shall remain in effect for three (3) years from the date of acceptance by the Village Board.

Village Manager Johnson noted that Phase II will contain a few items carried over from this project.

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

A MOTION was made to approve the acceptance of public improvements for the Wing Pointe Commons Original Commercial Subdivision, conditioned by the receipt of the required maintenance security.

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

D. Discussion – Adoption of Revised Local Amendments to Village of Huntley Building Codes

Village Manager Johnson reported that this item will be considered by the Village Board on September 11, 2008.

The Village adopted the 2003 versions of the International Code Council Building Codes in 2005. The codes were adopted with various local amendments. In January 2006, the local amendments to the International Residential Code were revised. Local amendments are intended to strengthen the national and state codes based upon local conditions and experiences. However, the building process is expedited for all concerned when amendments are minimal. It also better facilitates the building process when contractors who work in various communities do not encounter numerous different local requirements. Staff has carefully reviewed the existing amendments and has prepared a revised set that reduces their number, while still addressing those items that are important to the safety and quality of construction.

One of the most significant revisions in 2006 dealt with an expanded definition of swimming pools and the height requirement for barriers. The 2006 definition of swimming pools stated that any swimming or recreational bathing structure capable of containing water 24 inches deep or more, including inflatables, would be considered a pool and subject to the need for a barrier. In addition, the barrier height was increased from four feet to five feet. Staff is proposing to eliminate this amendment and revert back to the International Residential Code as written, which would return the barrier requirement to four feet and would change the definition of a pool to a structure containing water over 24 inches deep. The taller barrier requirement has been difficult for many residents to comply with when building a pool, as many already have pre-existing fences four feet in height. It has also caused conflict with several of the homeowner's associations, which have fence height restrictions that in many cases limit fence height to four feet. The depth issue has also created an enforcement issue and has resulted in residents being required to remove smaller inflatable pools.

Overall, the revised amendments have been streamlined to provide a smoother building process, while still providing stronger standards where local conditions and experience have shown them to be important to quality and safety.

It is important to note that in most instances when an amendment is being deleted, the code already provides language addressing that particular item. The Village is not completely eliminating a requirement of the code because the amendment is deleted. By deleting the amendment, it reverts back to what the code states. Village Manager Johnson noted that there has been a minimal amount of negative feedback from the community.

Trustee Fender stated that she would like to see a requirement for a fence surrounding a 24” pool. Trustee Kanakaris agreed. Village Manager Johnson stated that the blue inflatable pools that have become common can be filled to 30”. They require a fence even though the manufacturer recommends filling them to 23”.

There was a consensus of the Village Board that it is acceptable to have a fence requirement for any pool over 24” deep.

E. Approval of Ordinance (O)2008-08.55 - Amending Title XV: Land Usage; Chapter 150: Building Regulations; Section 150.41 Compliance Bond Requirements of the Code of Ordinances for the Village of Huntley

Village Manager Johnson reported that per Section 150.41 of the Village of Huntley Code of Ordinances regarding Compliance Bonds, “A bond is required on all building construction or improvements in excess of \$1,500...” The code further states that “No cash bond shall be required for the installation of fences, sheds, decks, patios, sidewalks, driveways on private property in residentially zoned one and two-family areas, unless the Building Commissioner deems it a necessity to assure compliance.” Over the past few years, previous Staff implemented the bonds for decks and patios which significantly increased the number of bonds collected and processed. Beginning September 1st, Staff will no longer require compliance bonds for decks and patios.

Staff is requesting to increase the dollar value of construction projects requiring compliance bonds from \$1,500 to \$5,000. The higher dollar value would be more reflective of current construction costs and would also reduce the number of projects requiring a compliance bond.

Staff is also requesting to add irrigation systems, second water meters, pergolas, and gazebos to be required if the Building Official deems it a necessity to assure compliance.

Subsection (E) of Section 150.41 provides for the release of compliance bonds. It currently states that “Refund of compliance bonds in the amount of \$2,500 or less shall be authorized by the Building Commissioner. Refund of compliance bonds in an amount of more than \$2,500 shall be authorized by the Village Board in conjunction with approval of the Building Commissioner.”

Staff is requesting to amend (E) to provide for the release of compliance bonds, in any amount, to be authorized by the Building Official.

By implementing these amendments, it is anticipated that the number of compliance bonds needed to be posted would be reduced greatly and the timing of returning required bonds will be expedited.

Trustee Leopold asked if there should be a ceiling to the Building Official's authority to release compliance bonds. After discussing, the Trustees agreed that the Building Official should be able to authorize any amount due to the Village Board having ultimate authority by approval of the weekly bill list.

A MOTION was made to approve Ordinance (O)2008-08.55 – Amending Title XV: Land Usage; Chapter 150: Building Regulations; Section 150.41 Compliance Bond Requirements of the Code of Ordinances for the Village of Huntley

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

F. Authorization to Enter Into a Letter of Intent (LOI) with the Illinois Department of Transportation (IDOT) for the Reconstructed Full Interchange at I-90 and Illinois Route 47

Village Manager Johnson reported that over the course of the last nine months, the Village has been working with IDOT officials to define the State's financial participation in the full interchange project at I-90 and Route 47. The Village, the Illinois State Toll Highway Authority (ISTHA), the McHenry County Division of Transportation (McDOT) and the Kane County Division of Transportation (KDOT) remain the lead agencies for the project. The Village is the designated lead agency for the Phase I (Start-Up) Engineering.

The current cost estimate for the project is \$66,900,000 (2010 dollars) and the proposed financial participation for each agency is as follows:

ISTHA	50%
IDOT	25.97%
VOH	8.96%
KDOT	8.34%
McDOT	6.45%

The Letter of Intent (LOI) identifies the terms and conditions in which IDOT is willing to participate in the project.

The two most notable conditions in the LOI are 1) IDOT has agreed not to utilize federal funding for the project (federal funding likely would increase the cost and lengthen the timing of the project) and 2) IDOT's financial commitment is based solely on the project being included in a State-wide Capital Improvement Program.

The LOI will serve as the basis for future Intergovernmental Agreement(s). Staff and the Village Attorney have reviewed the LOI and all is in order for Village Board consideration.

A MOTION was made to authorize the Village President to execute a Letter of Intent with the Illinois Department of Transportation for the reconstructed full interchange at I-90 and Illinois Route 47

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

G. Approval of Resolution (R)2008-08.48 – Collective Bargaining Agreement with the Metropolitan Alliance of Police, Chapter #207

Mayor Sass began by stating that he felt this was the most important item on the agenda for the evening. He remembered the first contract negotiations being difficult, needing a mediator and involving numerous attorneys. One year after the original contract, negotiations began for the second contract. The Mayor stated that he felt the second contract went smoother, however attorneys were still involved and the process was laborious. He emphasized that with this current contract, a commitment was made by the Village Board to the Metropolitan Alliance of Police (MAP) to bring their benefits along and to make them comparable to communities of comparable size. The Mayor stressed that it is paramount to reach a four year contract and that there was a tremendous positive movement over the previous contracts. He specifically congratulated Kevin Keane, LJ Marak, and Joe Willard representing the MAP negotiating team and Carl Tomaso, Dave Johnson and Staff for setting the groundwork for this contract with no attorneys involved until the end approval. Mayor Sass announced that the contract was unanimously approved by MAP at their meeting and looks forward to four positive years. The Mayor then asked if Detective Keane would like to say a few words.

Detective Kevin Keane addressed the Trustees and thanked them for bargaining in good faith and being committed to authorizing the necessary financial resources for a

fair and equitable contract. He also commended the bargaining teams and thanked the Mayor and Village Board on their commitment to achieving CALEA certification.

Chief Perkins gave an update regarding the apprehension of suspects in two local robberies. He indicated that the Huntley Police Department was instrumental in solving these cases. Chief Perkins stated that the department continues to strive for the Gold Standard.

Village Manager Johnson reported that the current contract between the Village and the Metropolitan Alliance of Police (MAP) expires on December 31, 2008. Village and MAP representatives began negotiating in June. The final draft of the proposed agreement has been formally ratified (unanimously) by MAP Chapter #207 and tentatively agreed to by the Village's bargaining team. Final Village Board approval of the agreement is necessary to complete the collective bargaining process. The term of the new agreement is four years from January 1, 2009 through December 31, 2012. Other than the economic package authorized by the Village Board through the bargaining process, the most significant change to the contract is related to the disciplinary process. Previously State law required any discipline imposed upon post-probationary officers, which was subject to the grievance procedure, to be reviewed by the Village's Police Commission. The new State law allows the option for disciplinary hearings to be referred to an arbitrator and/or the Board of Police Commissioners. The agreement refers unsettled grievances to arbitration.

Village Manager Johnson addressed the Board of Trustees and MAP representatives present. He thanked them for their support and dedication in finalizing the contract. Manager Johnson presented Gold Standard certificates to the Mayor, Staff members and MAP representatives in recognition of their dedication. A plaque recognizing the Carl J. Tomaso fitness award was also presented to the Village Board. The male and female police officer who finishes first in the annual fitness program will have their names engraved on the commemorative plaque which will hang in the Police Department lobby.

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

A motion is requested of the Village Board to approve the Collective Bargaining Agreement with MAP Chapter #207.

A MOTION was made to approve Resolution (R)2008-08.48– Collective Bargaining Agreement with the Metropolitan Alliance of Police, Chapter #207

MOTION:	Trustee Leopold
SECOND:	Trustee Kadakia
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:

Mayor Sass reported that Clarke Mosquito will complete its fourth application this weekend. There will be no Village Board meeting on September 4th. The Homecoming parade will take place on September 11th. Mayor Sass gave an update on the relocation of Parker Hannifin.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

ADJOURNMENT INTO EXECUTIVE SESSION

None

ACTION ON CLOSED SESSION ITEM:

None

ADJOURNMENT:

There was a MOTION made to adjourn the meeting at 7:45pm.

MOTION: Trustee Leopold

SECOND: Trustee Kadakia

Motion carried unanimously

Respectfully submitted,

Anita M. Powers
Recording Secretary
Karick & Associates.