

**VILLAGE OF HUNTLEY  
VILLAGE BOARD MEETING  
October 23, 2008  
MINUTES**

**CALL TO ORDER:**

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, October 23, 2008 at 7:00 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:** Village Manager David Johnson, Village Attorney Mike Coppedge, Management Assistant Barb Read, and Village Clerk Rita McMahon.

**PLEDGE OF ALLEGIANCE:**

Mayor Sass led the Pledge of Allegiance.

**PUBLIC COMMENTS**

None

**ITEMS FOR CONSIDERATION:**

A. Approval of the October 23, 2008 Bill List in the amount of \$1,970,903.68

A MOTION was made to authorize payment of the October 23, 2008 Bill List in the amount of \$1,970,903.68

<b>MOTION:</b>	<b>Trustee Leopold</b>
<b>SECOND:</b>	<b>Trustee Piwko</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 Payout Request No. 1 in the amount of \$147,695.40 – Home Towne Electric, Inc. – Construction of the Haligus Road at Reed Road and Haligus Road at Huntley-Dundee Road Traffic Signals

Mayor Sass reported that at the August 14, 2008 Village Board meeting the Village Board awarded the construction of the Haligus Road at Reed Road and Haligus Road at Huntley-Dundee Road Traffic Signals to Home Towne Electric, Inc. in the amount of \$413,408.60.

The project is part of the Village’s 5-Year Capital Improvement Program (CIP) included in the Capital Project Fund line item 02-10-4-6925.

Work completed to date includes the underground conduits, concrete foundations for the traffic signal posts and handholes. The project is approximately 40% complete, and is on schedule to be fully operational on or before December 30, 2008. All landscape and correction list work shall be completed by May 1, 2009.

The contractor is prepared to install the signals immediately upon delivery. Industry lead time for delivery of traffic signal hardware is 8 - 10 weeks. The Village and the contractor are making every effort to expedite the delivery date.

Pay Request No. 1 reflects a 10% retention amount, and waivers of lien have been received.

The Village Engineer recommends payment to Home Towne Electric, Inc. in the amount of \$147,695.40.

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

**A MOTION of the Village Board to approve Payout Request No. 1 in the amount of \$147,695.40 to Home Towne Electric, Inc. for the construction of the Haligus Road at Reed Road and Haligus Road at Huntley-Dundee Road Traffic Signals**

<b>MOTION:</b>	<b>Trustee Fender</b>
<b>SECOND:</b>	<b>Trustee Kadakia</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 Payout Request No. 2 in the amount of \$873,430.20 – Merryman Excavation, Inc. – Huntley Sanitary Forcemain Improvements

Mayor Sass presented that on June 19, 2008 the Village Board awarded the Huntley Sanitary Forcemain Improvement construction contract to Merryman Excavation, Inc. in the amount of \$2,189,702.00. This project is part of the plan to provide sanitary sewer service to a point south of I-90 to areas within the Village’s Facilities Planning Area (FPA). A future, separate project to construct a regional sanitary pump station south of I-90 coupled with the current forcemain project will provide the trunk system needed to service the Village’s FPA south of I-90.

The project is funded through the Capital Projects Fund line item 02-10-4-6925.

Work completed to date includes open cut and directional drilled forcemain construction, watermain construction, erosion control and traffic control. The project is approximately 68% complete, and is on schedule to be substantially completed within the 154 calendar day completion period. All landscape and clean-up work shall be completed by May 30, 2009.

Pay Request No. 2 reflects a 10% retention amount, and waivers of lien have been received. The Village Engineer recommends payment to Merryman Excavation, Inc. in the amount of \$873,430.20. Funds paid to date including the proposed is \$1,350,993.15. Awarded contract amount \$2,189,702.00 minus payouts to date, \$1,350,993.15, leaves an outstanding balance of \$838,708.85.

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

**A MOTION of the Village Board to approve Payout Request No. 2 in the amount of \$873,430.20 to Merryman Excavation, Inc. for the work completed on the Huntley Sanitary Forcemain Improvement project**

<b>MOTION:</b>	<b>Trustee Kadakia</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>

D. Approval of West Wastewater Treatment Plant Improvements Phase 3 Work Change Directive No. 1

Mayor Sass explained that an existing Non-Potable Water (NPW) line installed during Phase I of the West Wastewater Treatment Plant construction cannot be reused because it cannot withstand the pressure of the new NPW system being installed as part of the Phase III expansion.

The Village's Project Engineer, Baxter & Woodman, requested that J.J. Henderson provide a "not to exceed" time and material cost (\$22,000) for replacing the existing pipe (SDR35 Push Pipe) with 170 feet of 6" ductile iron pipe.

The cost of this work will be an extra to the original contact of \$14,320,000. The original contract does not have contingency funds built into it, and therefore all additional costs must be approved by the Village Board. 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.

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

**A MOTION of the Village Board to approve West Wastewater Treatment Plant Improvements Phase 3 Work Change Directive No. 1**

<b>MOTION:</b>	<b>Trustee Piwko</b>
<b>SECOND:</b>	<b>Trustee Kadakia</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>

E. Approval of Payout Request No. 20 – Joseph J. Henderson & Son, Inc. West Wastewater Treatment Plant Improvements Phase 3 - \$278,188.69.

Mayor Sass stated that an 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 August 20, 2008 (twentieth 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 \$278,188.69. The Phase 3 improvement is 90% 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 \$12,695,658.35. Awarded contract amount \$14,320,000.00 minus payouts to date, \$12,695,658.35, leaves an outstanding balance of \$1,624,341.65.

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

**A MOTION of the Village Board to approve the Engineer's Payment Estimate No. 20 for the West Wastewater Treatment Plant Improvements Phase 3 and payment to Joseph J. Henderson & Son, Inc. in the amount of \$278,188.69**

<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>

- F. Approval of Resolution (R)2008-10.52 – Engineering Services Agreement/ Christopher B. Burke Engineering, Ltd. (CBBEL) – Preliminary Engineering Design Services for the Huntley-Dundee Road Resurfacing Project (Motor Fuel Tax Funds)

Mayor Sass reported that at the August 21, 2008 meeting, the Village Board approved Resolution (R)2008-08.47 - Submittal of the Village of Huntley Federal Aid Urban (FAU) route improvements and local cost share to the McHenry County Council of Mayors (MCCM) Special Call for Federal Fiscal Year (FFY) 2009 projects. The Village submitted the Huntley-Dundee Road resurfacing project for the MCCM's

consideration and the project was accepted for Federal participation at an 80% federal and 20% local funding split with a maximum of \$700,000 federal participation. MCCM requires that this project be let by September 18, 2009.

Christopher B. Burke Engineering, Ltd. (CBBEL) has submitted a proposal to the Village to furnish design engineering services for the project in accordance with Local Agency Pavement Preservation (LAPP) requirements. Design engineering services will include the following:

- Field investigation: surveying, subsurface pavement investigation, determining condition of existing drainage structures, field measurements
- Drainage and utility investigation: Coordination with utility companies to identify existing utility locations and possible utility conflicts, scheduling of utility relocations as necessary
- Plans, specifications, and estimate: Preparation of plans, specifications, contract documents and an estimate of construction cost in accordance with all federal and IDOT requirements

CBBEL will provide these services for a cost not to exceed \$25,500.00. CBBEL is very familiar with the conditions of the roads in the Village as they have developed the update of the Village's Pavement Management Program approved by the Village Board at the July 24, 2008 meeting (Resolution (R)2008-07.38.).

The Huntley Dundee Road Resurfacing Project is proposed to be funded as a part of the FY2009 budget.

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

**A MOTION of the Village Board to approve Resolution (R)2008-10.52 – Engineering Services Agreement/Christopher B. Burke Engineering, Ltd. (CBBEL) – Preliminary Engineering Design Services for the Huntley-Dundee Road Resurfacing Project (Motor Fuel Tax Funds)**

<b>MOTION:</b>	<b>Trustee Fender</b>
<b>SECOND:</b>	<b>Trustee Piwko</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. Approval of Ordinance (O)2008-10.65 – Exemptions from the Provisions of the Sign Regulations to Allow an Off-Premise Banner for the KinderCare Learning Center

Village Manager Johnson presented a brief power point outlining the location of off-premise signs within the KinderCare property.

KinderCare Learning Center has requested exemptions from the Village’s Sign Regulations to allow for the installation of a temporary off-premise banner for the KinderCare Learning Center presently under construction on Princeton Drive in Regency Square. The proposed off-premise banner will advertise “Opening Soon” and would be located along Route 47 between Princeton Drive and Regency Parkway. The proposed banner would measure 8 feet in width and 4 feet in height.

The Village’s Sign Regulations allow off-premise signs provided they receive Village Board approval and that certain standards and criteria are adhered to.

Consideration of this request is required in accordance with Sign Regulations §153.17 which addresses Off-Premise Signs. If the Village Board elects to approve the Temporary Off-Premise Sign request for the banner, a sign permit will be issued by the Building Division subject to the Village Board’s conditions of approval.

Staff recommends the following condition be added should the Village Board approve the sign request:

- The Banner shall be removed when a certificate of occupancy has been issued by the Building Division for the KinderCare facility.

With the conclusion of the power point presentation, Village Manager Johnson asked if there were any questions. Trustee Fender inquired as to what type of material the banner would be. Manager Johnson responded that the banner will be a plastic-like material. Trustee Fender also asked if the Board would be asked to approve a permanent off-premise sign at a later date. Manager Johnson stated that a permanent on-site monument sign was previously approved as part of the site plan.

**A MOTION of is requested of the Village Board to approve Ordinance (O)2008-10.65 – An Ordinance Granting Exemptions from the Provisions of the Sign Regulations to Allow an Off-Premise Banner for KinderCare Learning Center**

<b>MOTION:</b>	<b>Trustee Kanakaris</b>
<b>SECOND:</b>	<b>Trustee Mercer</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>

H. Approval of Ordinance (O)2008-10.66 – Village of Huntley Identity Theft Prevention Program

Village Manager Johnson stated that new Federal regulations known as the “Red Flag Rules” require creditors and financial institutions to develop and implement a written identity-theft-prevention program. The red flag rules are part of the Federal Fair and Accurate Credit Transactions (FACT) Act of 2003. Under these regulations creditors, financial institutions and municipalities that provide services must have identity-theft-prevention programs in place by November 1, 2008.

The definition of “creditor” requires municipalities that provide water, sewer, refuse, electric and other such services to customers to comply with these regulations.

It is required that the initial adoption and approval of the Identity Theft Prevention Program be by Ordinance of the Village Board. Thereafter, changes to the Program of a day-to-day operational character and decisions relating to the interpretation and implementation of the Program may be made by the Director of Finance (Program Administrator). Major changes or shifts of policy positions under the Program shall only be made by the Village Board. The Program Administrator will report at least annually to the Village Manager regarding compliance with this Program.

Trustee Leopold asked Manager Johnson if a red flag would be indicated if a large refund was requested by a resident on their average sized water bill. Manager Johnson responded that yes a red flag would be shown and staff would investigate the situation.

**A MOTION of the Village Board to approve Ordinance (O)2008-10.66 – Village of Huntley Identity Theft Prevention Program**

<b>MOTION:</b>	<b>Trustee Leopold</b>
<b>SECOND:</b>	<b>Trustee Piwko</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>

I. Policy Direction – Establishment of Village Arboretum for 50/50 Residential Parkway Tree Program

Management Assistant Barb Read reported that in 2007, the Village established a 50/50 Residential Parkway Tree Replacement Program to assist residents in replacing their sick or dying trees in the parkways. In 2007, the program offered a choice two

trees: a Honey Locust and an Autumn Blaze Maple. In 2008, the program offered a choice of three trees: a Hackberry, a Honey Locust and a Marmo Freeman Maple.

Management Assistant Read continued that each year for the next several years, it is anticipated that different trees will be offered before reverting back to the original tree offerings. This will add to the variety of trees in the parkways throughout the Village as well as ensure that should an insect or some other disease affect the tree population that whole neighborhoods will not lose their tree cover.

Establishing an arboretum in the Village will allow residents to gain first hand knowledge on how each tree will look throughout the year as well as provide valuable information on each tree to help them in their decision.

The proposed location for the arboretum is on both the north and south sides of the sidewalk which runs along the north side of the treatment plant on Main Street. In addition to serving as the arboretum, this location will ultimately provide for additional landscape buffering of the treatment plant.

The following trees will be installed as part of the initial plantings of the arboretum:

Autumn Blaze Maple	Black Maple
Bradford Pear	Chinkapin Oak
Ginkgo	Hackberry
Marmo Freeman Maple	Shademaster Honey Locust
Skyline Honey Locust	

Trustee Leopold requested that staff look into other tree varieties which he thought could be added to the list and to also ensure that the ground is prepared properly for when residents walk around to view the trees. Staff will check with the Village's landscaping consultant as to other variety of trees and to make sure that there is more than one tree of each variety.

Trustee Piwko asked what size the trees would be in the arboretum. Management Assistant Read replied that they are a 2 ½" caliber.

Trustee Mercer stated that he thought it was a good reference point to begin the arboretum and felt it was a great idea.

**The Village Board gave policy direction to proceed with the establishment of the Village Arboretum for the 50/50 residential parkway tree program.**

#### J. Discussion – 2008 Farmers Market Report Update

Management Assistant Read provided a brief overview of the 2008 Farmers Market. She reported that the 2008 Farmers Market was held each Saturday from June 7<sup>th</sup> through September 27<sup>th</sup> from 8:00 a.m. until Noon.

### **Highlights of the Market**

- The season began with six vendors (the 2007 season started with three vendors) and during the peak weeks the market had 12 vendors in attendance. Of all the vendors in attendance during the season the following products were sold:
  - 5 – Vegetable vendors (3 of these also offered some fruit)
  - 2 – Bakers (1 offering only breads and the other offering a variety)
  - 1 – Fruit only vendor (offering plums and apples, when available)
  - 1 – Salsa only vendor
  - 1 – Refreshment vendor
  - 1 – Jams, jellies and honey only vendor
  - 1 – Gourmet dog treat vendor
- Orion Samuelson from WGN radio and Master Gardner Jim Fizzell attended the market once during the season and mentioned the market on the radio several times during the summer.
- The market had 15 free performances during the market season.
- Farmers Market canvas tote bags were purchased for sale and/or giveaway during the season. During the first two weeks of the market, staff gave away approximately 20 tote bags to returning regular 2007 shoppers. The remaining tote bags were sold for \$1 each.

### **Advertising Grant**

The Village was awarded \$4,000 as part of the Illinois Department of Agriculture's 2008 Farmers Market Advertising Grant program. The award was a matching fund grant and was to be used for weekly print publications. Considering the much larger visitor turn out at the market and the calls for more information on events, Staff feels this helped the market out tremendously. The vendors were also very appreciative of the marketing efforts as each vendor was listed on the weekly ads.

### **Theme/Special Events Held in Conjunction with the Market**

- The market held a craft fair on the first Saturday of each month (4 fairs). The combination of the farmers market and craft fair seemed to work well together.
- The Friends of the Library had a book sale twice during the farmers market (June 14<sup>th</sup> and August 2<sup>nd</sup>) in the old village hall which was well received.
- Dad's Day was held on June 14<sup>th</sup>. Karen Fleck Studios offered portraits with dad at a reduced rate. The illustrator of *Grandfather's Wrinkles* signed and sold his books and did a couple of readings of the book in the gazebo.
- Pet Pictures in the Park Day (July 19<sup>th</sup>) offered pictures with your pet by Karen Fleck. Animal House Pet Shelter was scheduled to hold an adoption day in the square, but due to rainy conditions they cancelled.
- Healthy Huntley Day was held on August 9<sup>th</sup>. Centegra, several local chiropractors and the McHenry County Health Department had booths and

offered free screenings and information. Heartland Blood Centers held a blood drive.

- August 23<sup>rd</sup> featured the McHenry County Antique Farm Equipment Association's display of antique equipment. Orion Samuelson and Jim Fizzell were also in attendance.
- The market's first Apple Pie Contest was held on September 13<sup>th</sup>. The winners received a small bushel basket full of product from the vendors.
- The final market on September 27<sup>th</sup> began with the Carl Tomaso Celebration Walk and the Historic Commission held a "Save It Forward" day.

The entertainment and special events held in conjunction with the farmers market helped attendance considerably as staff was able to see fluctuations in attendance depending on the scheduled/advertised event.

### **Follow Up Surveys**

In the next several weeks, a vendor's survey and a guest survey will be distributed for feedback on the 2008 market and suggestions for the 2009 market.

Once completed surveys are returned, staff will coordinate a meeting with vendors to both recap and plan for next year.

Trustee Fender inquired as to the budget for the Farmers Market. It was reported that the market costs came in under budget. She also asked Staff as to how they felt the market could be improved for next summer. Management Assistant Read responded by saying that she will be meeting with the vendors during the winter to get their input as to how to improve.

The Village Board congratulated Management Assistant Read for her hard work and commitment to the Farmers Market, and applauded her on a job well done.

### **VILLAGE ATTORNEY'S REPORT:**

No report

### **VILLAGE MANAGER'S REPORT:**

No report

### **VILLAGE PRESIDENT'S REPORT:**

Mayo Sass reported that there will be no meeting on October 30<sup>th</sup>. Trustees Fender, Mercer and Kadakia gave a brief recap of the roundtable discussion from the McHenry County Council of Government meeting held on October 22<sup>nd</sup>. Mayor Sass also reported that two precincts will have their polling place at the Municipal Complex on November 4<sup>th</sup>.

### **UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

None

**ACTION ON EXECUTIVE SESSION ITEM(S):**

None

**ADJOURNMENT:**

**A MOTION was made to adjourn the meeting at 7:39 pm.**

**MOTION: Trustee Kadakia**

**SECOND: Trustee Piwko**

**Motion carried unanimously**

Respectfully submitted,

Rita M. McMahon

Village Clerk