

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
November 6, 2008
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, November 6, 2008 at 7:00 pm in the Municipal Complex Village Board Room 10987 Main St, 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, Management Assistant Margo Griffin, Village Attorney Mike Coppedge, 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 October 16, 2008 Village Board Workshop Meeting Minutes

A MOTION was made to approve the October 16, 2008, Village Board Workshop 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 November 6, 2008 Bill List in the amount of \$612,098.54

A MOTION was made to authorize payment of the November 6, 2008 Bill List in the amount of \$612,098.54

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

C. Approval of Resolution (R)2008-11.53 – Accept and Place on File, the Christopher B. Burke Engineering, Ltd. (CBBEL) Wetlands Phase II Report, dated October 28, 2008

Village Manager Dave Johnson reported that as part of the FY2008 budget, the Village Board budgeted \$50,000 in the Capital Projects line item 02-10-4-6925 to develop a comprehensive management program for wetlands within the Village of Huntley. CBBEL was authorized by the Village Board to conduct the Phase I wetland study on May 8, 2007.

The Phase II study is intended to expand upon the Phase I study to summarize the attributes of the wetlands as identified in Phase I with respect to size, location, jurisdiction, permit status, ownership and maintenance entity, and compliance with performance standards.

The Phase II study was completed September 30, 2008. The report contains the project history and a summarization of attributes, ownership, jurisdiction, performance rating and near-term maintenance tasks.

The Village Engineer has reviewed the Phase I and Phase II reports and recommends acceptance by the Village Board.

Meagan Connolly from CBBEL presented a PowerPoint presentation to the Trustees.

Ms. Connolly explained that in order to develop a database of wetlands in the Village, a map review was conducted. Ms. Connolly gave an overview of the Map Study resources and noted that the boundaries of the wetlands are not exact on the maps. CBBEL found that there were 231 wetlands covering approximately 1,603 square acres; 28 of the wetlands were of high quality. The high quality wetlands cover approximately 586 square acres. After reviewing ownership and maintenance responsibilities it was found that only 4 of the high quality wetlands are the responsibility of the Village.

A pilot study of Sun City was conducted. Within the Sun City development, a map was created to indicate ownership of wetlands. Owners within the development include the HOA, the golf course, Pulte Homes, and Prime Horizon Group. Ms. Connolly presented a chart outlining maintenance responsibilities, sign-off status, and condition of the wetland. She also gave some future maintenance suggestions. She

noted that the Prime Horizon mitigation wetland in the center of the development was scheduled to be signed off this year. However, it will not be signed off as it does not meet the performance criteria of the U.S. Army Corps of Engineers due to weeds in the wetlands. CBBEL plans to keep an eye on this wetland so it does not cause deterioration of other wetlands in the development.

Trustee Leopold asked about the size of the wetland shown in blue. Ms. Connolly estimated it is about the same size as the wetland shown in red. Trustee Leopold asked who owns the blue area in the middle of the map. Ms. Connolly stated that Prime Horizon leases the land from the Sun City residents and the land is maintained by V3 Engineering. V3 has been trying to actively maintain the wetland but has had problems getting Prime Horizon to react to the deterioration. The land can be turned over as soon as it meets the Army Corp performance criteria. Trustee Leopold asked that the ownership of the land be verified.

Trustee Kadakia asked what the Village needs to do to maintain the four quality wetlands. Ms. Connolly stated that a quality study needs to be conducted and the Village would need to develop a maintenance schedule. Trustee Kadakia asked if there is a reporting schedule requirement for long-term maintenance. Ms. Connolly answered no.

Trustee Fender asked if the wetlands owned by the Village will be the responsibility of the Village from this point forward. Ms. Connolly answered yes.

Village Manager Johnson stated that the Talamore wetland maintenance responsibility is a matter of debate based on a maintenance document approved as a part of the Talamore development. Mayor Sass noted that there is a maintenance SSA agreement in Southwind.

Trustee Leopold complimented Ms. Connolly and CBBEL on the fine work that has been conducted.

A MOTION was made to approve Resolution (R)2008-11.53 – accept and place on file, the Christopher B. Burke Engineering, Ltd. (CBBEL) Wetlands Phase II Report, dated October 28, 2008.

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

D. Approval of Resolution (R)2008-11.54 – Accept and Place on File, the Christopher B. Burke Engineering, Ltd. (CBBEL) Village of Huntley Pavement Management Program Report, dated November 6, 2008

Village Manager Dave Johnson reported that on July 24, 2008, the Village Board approved an Engineering Services Agreement with Christopher B. Burke Engineering, Ltd. (CBBEL) to update the Village's Pavement Management Program. The study was included in the FY08 budget in the Road and Bridge Fund line item 43-05-3-6750. The scope of the study included a review of the existing pavement management program, updating the Village's street inventory, field data collection including pavement cores, assigning a pavement Condition Rating to each street, and a final report of a recommended long-term pavement management plan.

The result of the study yields a proposed pavement management program for 2009 through 2017, assuming a budget of approximately \$1.2 million per year. CBBEL provided exhibit maps indicating each year's proposed program.

It should also be noted that the Village awards an annual pavement crack sealing program, which is a vital component in extending pavement life.

The report is considered as a guideline for planning future street programs. Annual updates are recommended to verify pavement condition ratings for prioritization of annual street improvements.

Lee Fell from CBBEL presented a PowerPoint presentation. Mr. Fell gave an overview of the study and pavement condition index. A pavement condition index (PCI) was assigned to all streets on the 9 year plan. CBBEL developed an overall street map that is color coded with road conditions. Mr. Fell gave an overview of the techniques and associated costs for repair and presented exhibits of maps for the years 2009-10.

Mayor Sass questioned the practice of delaying repairs until a road is in a deteriorated condition. Mr. Fell stated that the commercial construction is so expensive that it is usually delayed as long as possible; streets with residential traffic usually take precedence. Trustee Kadakia asked what the average life span of a road is. Mr. Fell said 12-15 years and some industrial roads last 15-20 years. Mayor Sass noted that if 3" of asphalt is lasting 15-20 years then perhaps that type of construction is sufficient.

Trustee Kadakia asked if CBBEL has looked at areas both east and west of Route 47. Mr. Fell said that all streets were looked at from the beginning point of the Baxter Woodman study.

Trustee Kadakia asked if the repair process can be expedited. Village Manager Johnson explained that dedicating more financial resources would speed up the projects and noted that perhaps an additional \$150,000-175,000 could be collected based on the Special Census.

A MOTION was made to approve Resolution (R)2008-11.54 – Accept and Place on file, the Christopher B. Burke Engineering, Ltd. (CBBEL) Village of Huntley’s Pavement Management Program Report, dated November 6, 2008

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

E. Approval of Resolution (R) 2008-11.55 - Temporary Use Permit Request – Prime Outlets Huntley – Temporary Banner, 11800 Factory Shops Boulevard

Petitioner: Prime Outlets Huntley – Stephanie Henninger

Mayor Sass reported that Staff is in receipt of a request from Prime Outlets Huntley to install one (1) 4’ by 8’ temporary banner advertising the “Midnight Madness Sale”. The banner would be located within the landscaped island at mall’s entrance and would be installed from November 7 – 28, 2008, pending Village Board approval. The Village Board’s authorization for this request is required in accordance with the Sign Code §153.17 Prohibited Signs, subparagraph (K) Banners and Flags.

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

A MOTION was made to approve Resolution (R) 2008-11.55 - granting a request for a temporary use permit for a banner at Prime Outlets Huntley, 11800 Factory Shops Boulevard.

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

F. Approval of Payout Request No. 21 – Joseph J. Henderson & Son, Inc. West Wastewater Treatment Plant Improvements Phase 3 - \$194,676.46.

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 September 20, 2008 (twenty-first 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 \$191,676.46. 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 \$12,890,334.81. Awarded contract amount \$14,320,000.00 minus payouts to date, \$12,890,334.81, leaves an outstanding balance of \$1,429,665.19.

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

A MOTION was made to approve the Engineer's Payment Estimate No. 21 for the West Wastewater Treatment Plant Improvements Phase 3 and payment to Joseph J. Henderson & Son, Inc. in the amount of \$194,676.46.

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. Policy Direction - ComEd Overhead Alignment for Sandwald Road / Jim Dhamer Drive

Village Manager Dave Johnson presented a PowerPoint presentation including an aerial map outlining the proposed overhead powerline route.

ComEd informed the Village earlier this year of the need to provide additional electrical feeders north of I-90. Three new 3-phase circuits are proposed to relieve the loading on existing circuits in the area.

These circuits will originate at the new West Rutland Transmission Distribution Center (TDC) being constructed on the former Olson property at the southeast corner of I-90 and Sandwald Road. Two circuits will run north on Sandwald Road and a third circuit is proposed to run east from the substation south of I-90 to Route 47 along the north property line of the Barancik/Pancor property. This circuit would be south of the proposed 138 kV transmission line planned to be constructed in the tollway right of way.

For the two northbound circuits going north out of the substation along Sandwald Road ComEd has proposed to use an existing overhead pole line that runs north on the west side of Sandwald. The existing poles are planned to be replaced with taller poles that can support the two 3-phase circuits.

After crossing to the north side of I-90, the overhead lines will go both east and west essentially along the north side of I-90. From Sandwald heading east, the line would run overhead along the south property line of the Reiche property to the creek. From the creek north to Jim Dhamer Drive, the circuit is proposed to be buried to a switchgear box in an easement on the south side of Jim Dhamer Drive.

From Sandwald heading west, ComEd would run overhead along the south property line of the Reiche property to a point south of the intersection of Hennig Road and Jim Dhamer Drive. As proposed, ComEd will continue the circuit underground north along Hennig Road to an electrical box in the right of way north of Jim Dhamer Drive.

Prior to finalizing engineering, ComEd is requesting the Village's approval of the route as described above. In reviewing the proposed route, it is important to note the following:

1. ComEd's original proposal to staff was to install overhead lines north along Sandwald Road to Jim Dhamer Drive and east on Jim Dhamer Drive to the existing electrical box/switch gear. Staff communicated to ComEd that this proposal was unacceptable.
2. As a part of the same proposal, ComEd proposed to run overhead lines west along Old Freeman Road to Hennig Road to Jim Dhamer Drive. Staff communicated that this overhead route was unacceptable.
3. Staff's direction to ComEd was to bury all of the proposed overhead lines. ComEd's response was that they would be willing to do so if the Village wanted to implement a Rider LGC to spread the cost across all ComEd customers in the Village. Based on previous policy direction from the Village

Board in implementing such a funding mechanism, Staff did not view this as a viable alternative.

Staff has reviewed the proposed overhead lines with the Village Attorney to determine what obligations, if any, the property owners would have to bury the lines. The property on the north side of the tollway has already been subdivided and final platted; therefore, the Village would not have the authority to require burial unless there was a future request to resubdivide the land. In regard to the property on the south side of the tollway (Barancik property), the developer would be required to bury the lines per the subdivision ordinance at the time of development; however, it is important to note that this would not eliminate above-ground electric lines in this area, as the 138 kV line that ComEd will run as part of the Northwest Reliability project will run adjacent to the roadway on tollway right-of-way. The costs associated with burial of overhead lines on the Barancik property would significantly increase development costs for this property, which is already subject to extraordinary costs associated with improvements to Route 47, dedication of land for the tollway, dedication of property for a lift station and well site, and environmental issues such as the amount of wetlands on the property that reduce the developable acreage. It is important to note that the property owner and contract purchaser have been very cooperative in working with the Village to secure the dedication of the various sites for the public improvements noted above.

It is important to note that ComEd would need to acquire easement rights from Reiche and Barancik to proceed with the project as proposed.

Village Manager Johnson noted that having overhead lines along the tollway and buried lines heading to the switch box is a good compromise. If the plan is acceptable to the Village Board, ComEd would move forward with negotiations with property owners.

With the conclusion of the PowerPoint presentation, Village Manager Johnson asked if there were any questions.

Trustee Kadakia stated that he would have liked to see ComEd engineers come to the Village earlier in the process. Mayor Sass noted that it was not long ago that ComEd bought the property for the new power station at Sandwald Road.

Trustee Kanakaris asked to hear from the property owners. Adam Reiche stated that he is not opposed to the plan but sees it as a temporary fix for the next 2-3 years before a duct system would be necessary. Rich Panichi from Pancor stated that he understands the need to work with ComEd and noted that the proposal will not impede development of the property.

Trustee Fender stated that she is not happy with ComEd.

Dean Breuer, of ComEd, stated that this is a major substation to support load growth in the south portion of Huntley. Mr. Breuer stated that ComEd will exhaust all overhead options before burying lines and agreed that at some point these lines will all need to be buried.

Trustee Fender asked for a comparison to the cost of burying lines on Algonquin Road. Mr. Breuer stated that there were offsetting credits for the Algonquin Road project that lowered its cost.

Trustee Kanakarlis asked if this project will affect the full tollway interchange at Route 47. Mayor Sass answered no.

Trustee Leopold asked how many feeders are on each pole. Mr. Breuer stated that there will be two but it is difficult to speculate how it would be handled in the future. Trustee Leopold asked about the height and material of the poles. Mr. Breuer stated that they would be wood poles approximately 40 feet tall.

The Policy Direction of the Village Board was to move forward with the ComEd overhead alignment for Sandwald Road / Jim Dhamer Drive as presented.

H. Authorization to Proceed with the Main Street Sanitary Sewer Pump Station Relocation

Village Manager Dave Johnson presented a PowerPoint presentation with aerial photos of the two alternates for relocation. Due to the widening of Route 47 and associated intersection improvements at Main Street requiring additional right-of-way, the existing Main Street lift station must be relocated. At the August 14th Village Board meeting, the Village Board directed staff to explore the possibility of moving the station from the originally proposed location on the southeast corner of Main Street and Route 47. Per the Village Board's direction, staff has reviewed potential relocation site alternatives and two options are listed below:

<u>Alternative</u>	<u>Location</u>	<u>Estimated Cost</u>
1	Dean Foods property	\$540,000
2	Abandoned Well #4 site	\$673,900

As noted above, the additional cost of locating the lift station site to the abandoned Well #4 site is estimated to be \$133,900. Major costs include the crossing of the UPRR right-of-way and the additional length of pipe needed to extend to this site.

A breakdown of the \$133,900 is as follows:

Additional Gravity Main – 420 LF @ \$75.00/LF	=	\$ 31,500
(2) Additional Manholes – 2 ea. @ \$3,000.00	=	\$ 6,000
Boring pipe under UPRR – 170 LF @ \$300.00	=	\$ 51,000

UPRR permitting and insurance premium	=	\$ 5,000
Existing pavement restoration – 267 SY @ \$40.00/SY (parking lot)	=	\$ 10,700
Trench Backfill (parking lot) – 267 CY @ \$30.00/CY	=	\$ 8,000
Remove abandoned well site pump	=	\$ 5,000
Additional engineering (per Stanley alternate)	=	<u>\$ 16,700</u>
		\$133,900

In addition, it should be noted that both options require private property owners to grant easements to the Village for the station. Dean's has already agreed verbally to grant the Village an easement. There has been no discussion with Parkside. Staff also explored the possibility of locating the station on the Village owned property/parking lot. The number of parking spaces lost seemed to eliminate this as a viable option.

Staff is seeking the Village Board's authorization to proceed in engineering the station and is requesting that the Village Board select one of the site alternatives.

Trustee Fender stated that Alternative 1 works better with future development and is also a better choice because of the lower cost. Trustee Kanakaris agreed.

There was a consensus of the Village Board to proceed using Alternative site 1 and authorize engineering for the station.

VILLAGE ATTORNEY'S REPORT:

None

VILLAGE MANAGER'S REPORT:

None

VILLAGE PRESIDENT'S REPORT:

Mayor Sass noted that Huntley will be hosting the McHenry County Council of Government dinner on November 19th at Pinecrest.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Village Engineer Bill Geegan reported that he attended a Utility Coordination Meeting for the Route 47 project. ComEd announced that they have another 6 weeks in design and that will effect timing of other utilities. Plans were supposed to have been to IDOT by Dec 5. Mr. Geegan gave a reminder that without the approval of a capital bill the project is not yet funded. To date, 15 of 80 parcels have been acquired.

ADJOURNMENT INTO EXECUTIVE SESSION

There was a motion made at 8:10pm. to adjourn the meeting into Executive Session to discuss litigation and other business.

MOTION: Trustee Leopold

SECOND: Trustee Piwko

Motion carried unanimously

ADJOURNMENT OUT OF EXECUTIVE SESSION

There was a motion made to exit Executive Session at 8:24pm.

MOTION: Trustee Kanakaris

SECOND: Trustee Mercer

Motion carried unanimously

ACTION ON CLOSED SESSION ITEM:

None

ADJOURNMENT:

There was a MOTION made to adjourn the meeting at 8:25pm.

MOTION: Trustee Kanakaris

SECOND: Trustee Mercer

Motion carried unanimously

Respectfully submitted,

Anita M. Powers
Recording Secretary
Karick & Associates.