

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
July 8, 2010
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, July 8, 2010 at 7:12 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

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

ABSENT: Trustee Paul Mercer

IN ATTENDANCE: Village Manager David Johnson, Senior Assistant to the Village Manager Lisa Armour, Management Assistant Barbara Read and Village Attorney Mike Coppedge.

PLEDGE OF ALLEGIANCE: Mayor Sass led the Pledge of Allegiance.

APPROVAL OF AGENDA: There were no changes to the Agenda.

PUBLIC COMMENTS: None

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Approval of the June 3, 2010 Committee of the Whole, June 10, 2010 Liquor Commission Hearing and June 10, 2010 Village Board Meeting Minutes

Mayor Sass asked if there were any comments or changes to any of the Minutes; there were none.

A MOTION was made to approve the June 3, 2010 Committee of the Whole, June 10, 2010 Liquor Commission Hearing and June 10, 2010 Village Board Meeting Minutes.

MOTION: Trustee Kadakia
SECOND: Trustee Fender
AYES: Trustees: Fender, Kadakia, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

- b) July 8, 2010 Bill List in the amount of \$121,385.97

Mayor Sass reported that included in the agenda packet was the July 8, 2010 Bill List. The Bill List has been reviewed by Staff. All is in order for Village Board approval at this time.

Mayor Sass asked if there were any comments or questions; there were none.

A MOTION was made to approve the July 8, 2010 Bill List in the amount of \$121,385.97.

MOTION: Trustee Piwko
SECOND: Trustee Fender
AYES: Trustees: Fender, Kadakia, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

- c) Resolution (R) 2010-07.29 - Temporary Use Permit Request for a Temporary Banner and Off-Premise Temporary Signs – Centegra Health System, 10450 Algonquin Road

Mayor Sass reported that the Village is in receipt of a request from Centegra Health System to display one (1) 4' by 30' (120 sq. ft.) temporary banner advertising the Centegra Family Health Fest to be held on Saturday, July 17, 2010. The banner would be located on the south elevation of the Health Bridge Fitness Center so it is visible from Algonquin Road. The banner would be installed on July 9th and removed on Monday, July 19, 2010.

The petitioner is also requesting approval to display multiple 18-inch x 24-inch signs along Haligus Road to direct traffic to overflow parking at Marlowe Middle School. The signs would be installed Friday, July 16th and removed immediately following the event on Saturday, July 17, 2010. Centegra has received permission from District 158 to utilize Marlowe Middle School's parking lot for overflow parking. A shuttle will transport people from the school to the Health Fest.

Staff Analysis

Should the Village Board approve the Temporary Use Permit, Staff recommends the following conditions of approval:

1. A permit shall be obtained from the Development Services Department prior to the display period.
2. The Temporary Use Permit is not transferable to other events.

Legal Analysis

The Village Board's authorization for this request is required in accordance with the Sign Ordinance Section 156.125 Prohibited Signs, subparagraph (K) prohibiting Banners and Flags and Section 156.125 Prohibited Signs, subparagraph (G) (1) Off-Premise Signs.

Mayor Sass asked if there were any comments or questions; there were none.

A MOTION was made to approve Resolution (R) 2010-07.29 - Temporary Use Permit Request for a Temporary Banner and Off-Premise Temporary Signs – Centegra Health System, 10450 Algonquin Road.

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

NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

- d) Ordinance (O) 2010-07.35 – An Ordinance Approving a Special Use Permit for a Dog Kennel/Boarding Facility – F.Y.D.O. Land, 11520 Smith Drive, Units 1 and 2

Mayor Sass reported that this agenda item request has been withdrawn by the petitioner as they have decided to remain in their current location. No further action is required.

- e) Ordinance (O) 2010-07.36 – An Ordinance Approving the Final Plat of Subdivision for Huntley Professional Center Unit 1 and Plat of Easement for Off-site Utilities

Senior Assistant to the Village Manager Lisa Armour reported that the Village Board previously approved the Final Plat of Subdivision for Phase I of the Huntley Professional Center on August 16, 2007; however, the petitioner did not record the plat within the three month timeframe required by Section 155.221(A)(5) of the Subdivision Ordinance. As a result, the Village Board's approval became null and void. The petitioner has resubmitted the Final Plat of Subdivision for approval by the Village Board. Upon approval, the petitioner shall record the plat within three months.

The petitioner has also provided a Plat of Easement for a Municipal Utility Easement (M.U.E.) that must be created for an off-site sanitary sewer that has been extended from Kiley Drive to serve the development. The 20-foot wide M.U.E. allows the Village to access and maintain the sanitary sewer. The easement requires approval by the Village Board, and will be recorded with McHenry County.

Staff Analysis

Staff recommends the following conditions, should the Village Board approve the Final Plat of Subdivision and Plat of Easement:

1. The petitioner shall comply with all Final Plat of Subdivision revisions to be approved by the Engineering Department.
2. All easements required for off-site utilities necessary to support the development shall be recorded concurrently with, or prior to, the recording of the Final Plat of Subdivision.

Ms. Armour reported that the petitioner, Mr. Jim Doherty, was in attendance to answer questions.

Mayor Sass asked if the Village Board had any comments or questions.

Trustee Leopold asked if any significant changes were made to the Plat of Subdivision; Ms. Armour reported that there were none.

There were no other comments or questions.

A MOTION was made to approve Ordinance (O) 2010-07.36 – An Ordinance Approving the Final Plat of Subdivision for Huntley Professional Center Unit 1 and Plat of Easement for Off-site Utilities.

MOTION: Trustee Fender
SECOND: Trustee Leopold
AYES: Trustees: Fender, Kadakia, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

- f) Payout Request No. 1 in the amount of \$117,857.88 – Plote Construction, Inc. – Brier Hill Resurfacing Project

Mayor Sass reported that on March 11, 2010 the Village Board awarded the contract for resurfacing the 2,300 lineal feet of Brier Hill Road under Village jurisdiction to Plote Construction, Inc. in the amount of \$141,259.70. Payout Request No. 1 includes work completed as of June 3, 2010.

Staff Analysis

Staff recommends payment to Plote Construction, Inc. in the amount of \$117,857.88.

Financial Impact

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention (5%)</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1	\$124,060.93	\$6,203.05	-0-	\$117,857.88

Pay Request No. 1 reflects a 5% retention amount. Waivers of Lien and payroll certifications have been received.

This project is funded through the Capital Projects Fund, Account #02-10-4-6925.

Mayor Sass asked if the Village Board had comments or questions.

Trustee Leopold stated that the final lift has not yet been installed on Copperwynd Road. Village Manager Johnson reported that the installation of the final lift in this area is the responsibility of Pulte and that Staff will follow up with Pulte to see when this will be completed.

There were no other comments or questions.

A MOTION was made to approve Payout Request No. 1 in the amount of \$117,857.88 to Plote Construction, Inc. for the Brier Hill Resurfacing Project.

MOTION: Trustee Leopold
SECOND: Trustee Kanakaris
AYES: Trustees: Fender, Kadakia, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

- g) Payout Requests to Plote Construction, Inc. – 2010 MFT Street Program as follows:
 - i) Payout Request #2 in the amount of \$216,496.91
 - ii) Payout Request #2 – Cambridge Drive in the amount of \$29,312.65
 - iii) Payout Request #1 (Final) – Grove Street in the amount of \$33,442.50

Mayor Sass reported that on January 14, 2010 the Village Board accepted and approved the Professional Design Engineering and Construction Observation Services contract with Christopher B. Burke Engineering, Ltd. (CBBEL) for the 2010 MFT Street Program.

On March 18, 2010, the Village Board accepted and approved Resolution (R)2010-03.13 – Execution of the Construction Contract to the lowest responsible bidder, Plote Construction, Inc., for the 2010 Street Improvement Program. Their low bid of \$721,266.95 was 35.8% below the engineer’s estimate of \$1,123,385.00. This favorable bid allowed for the addition of Change Order #1 - Cambridge Drive from Reed Road to Dalton Drive in the amount of \$110,178.75 approved by the Village Board on April 8, 2010.

On June 10, 2010, the Village Board approved Change Order #2 to the 2010 Street Improvement Program to include Additional Road Improvements (curb and gutter) on Grove Street between Mill Street and the Union Pacific Rail Road Tracks in the amount of \$33,442.50.

On June 10, 2010, the Village Board also accepted and approved payment to Plote Construction, Inc. for the following work completed under the 2010 MFT Street Program:

- a) Payout Request #1 in the amount of \$378,708.77
- b) Payout Request #1 – Cambridge Drive in the amount of \$59,258.55

CBBEL has submitted additional payout requests under the 2010 MFT Street Program.

Staff Analysis

The base program is approximately 85% complete as of Payout Request #2. Waivers of Lien and payroll certifications have been received.

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention (5%)</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#2	\$626,532.29	\$31,326.61	\$378,708.77	\$216,496.91

Change Order #1 – Cambridge Drive is approximately 85% complete as of Payout Request #2. Waivers of Lien and payroll certifications have been received.

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention (5%)</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#2	\$93,233.05	\$4,661.65	\$59,258.55	\$29,312.65

Change Order #2 – Grove Street is 100% complete (curb and gutter) as of Payout Request #1 (Final). Waivers of Lien and payroll certifications have been received.

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention (0%)</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1-Final	\$33,442.50	N/A	-0-	\$33,442.50

Financial Impact

The project is included in the FY2010 Budget under the following funding sources:

Motor Fuel Tax Fund / 42-05-3-6750	-	\$650,000.00
Capital Projects Fund / 02-10-4-6925	-	\$350,000.00

Mayor Sass asked if the Village Board had comments or questions; there were none.

A MOTION was made to approve the following Payout Requests to Plote Construction, Inc. for the 2010 MFT Street Program:

- i) Payout Request #2 in the amount of \$216,496.91**
- ii) Payout Request #2 – Cambridge Drive in the amount of \$29,312.65**
- iii) Payout Request #1 (Final) – Grove Street in the amount of \$33,442.50**

MOTION: Trustee Kadakia
SECOND: Trustee Fender
AYES: Trustees: Fender, Kadakia, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

- h) Ordinance (O)2010-07.37 – Approval of PAR Development, Inc. Bond Reduction Request to \$191,800.00 for Huntley Grove Mass Grading

Village Manager David Johnson reported that the Village Board routinely reduces sureties once a portion of the improvements covered by the sureties has been substantially completed.

The Village received a request from Haeger Engineering LLC, acting on behalf of PAR Development, Inc., for a reduction of Bond No. 6492555 posted by Safeco Insurance Company of America. The original value of this bond was \$1,528,980.00 and it’s intended to guarantee mass grading and utility work associated with the Huntley Grove subdivision. In accordance with the Subdivision Regulations and the project annexation agreement, the bond may be reduced in value after partial completion of the covered improvements.

Staff Analysis

This bond was previously reduced on February 19, 2009 to \$237,926.00 to account for completed work. Haeger Engineering has submitted documentation of additional work completed to substantiate another reduction.

Project	Original Cost Estimate for Work	120% of Remaining Work	10% of Completed Work	10% Completed Work Plus Remaining Work
Huntley Grove Mass Grading	\$1,357,683.50	\$61,000.00	\$130,700.00	\$191,800.00

The Civil Engineer has reviewed PAR Development’s request and concludes that the bond amount may be reduced from its current value of \$237,926.00 to \$191,800.00. This represents 120% of the unfinished work plus 10% of the completed work.

Mayor Sass asked if the Village Board had comments or questions.

Trustee Piwko asked about the remaining dirt piles across from Regency Square; Village Manager Johnson reported that those were left by Rubloff and that Rubloff has been asked to take care of those piles.

There were no other comments or questions.

A MOTION was made to approve Ordinance (O)2010-07.37 – Approval of PAR Development, Inc. Bond Reduction Request to \$191,800.00 for Huntley Grove Mass Grading.

MOTION: Trustee Piwko
SECOND: Trustee Fender
AYES: Trustees: Fender, Kadakia, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

- i) Strategic Plan – Transmittal of SWOT Worksheets

Village Manager David Johnson reported that one of the items identified for inclusion in the Strategic Plan is a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis by the Village Board. This part of the strategic planning process will allow the Village Board to identify strengths, weaknesses, opportunities and threats to the organization and community.

The worksheets for the Village Board SWOT analysis were included in the board packet and will be discussed at the July 22nd Village Board Workshop meeting. Electronic copies of the worksheets were also sent to the Village Board, and it requested that each board member return the worksheets to the Village Manager’s Office by July 21st for inclusion in the Power Point presentation.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

No formal action was required of the Village Board for this agenda item.

- j) Ordinance (O)2010-06.33 – Approval of Site Plan Amendment and Agreement for Lot 7 of Kreutzer Industrial Park, Kreutzer Road and Raymond Court

Village Manager David Johnson reported that per the terms of the June 27, 1997 Consent Decree governing Plote’s property including the asphalt plant and adjacent lots on what was previously Lot 1 of the Kreutzer Road Industrial Park, Plote Construction, Inc. is requesting an amendment to the asphalt plant site plan to allow construction of a concrete batch plant on Lot 7. This lot is immediately south of the asphalt plant. Per the decree, revisions to the site plan are to be approved by the Board.

Staff Analysis

Per the terms of the Consent Decree, cement products, including concrete batch plant and manufacture of concrete products is a permitted use. Plote has stated it is their intention to operate a

plant at this location permanently to serve the Route 47 reconstruction project, the reconstructed tollway interchange and other major construction projects.

Financial Impact

Plote has agreed to compensate the Village for the potential adverse impacts of the concrete plant through a credit of \$10,000 annually in material or services for each year the plant is in use for production of concrete. If the concrete plant is not in operation for an entire calendar year (Jan 01-Dec 31) then the \$10,000 credit would not be available to the Village. Material for the Village is defined as concrete, asphalt or gravel that is located on site. Services, if requested would be based upon equipment and labor rates of the current calendar year they are requested and deducted from the yearly credit, not to exceed \$10,000.

Legal Analysis

The Village Attorney has reviewed the terms of the Consent Decree and has determined that the lot immediately south of the asphalt plant is subject to the terms and conditions of the consent decree and therefore Plote has the right to construct a concrete batch plant at this location.

Mayor Sass asked if the Village Board had any comments or questions; there were none.

A MOTION was made to approve Ordinance (O)2010-06.33 – Approval of Site Plan Amendment and Agreement for Lot 7 of Kreutzer Industrial Park, Kreutzer Road and Raymond Court.

MOTION: Trustee Piwko
SECOND: Trustee Leopold
AYES: Trustees: Fender, Kadakia, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: Trustee Mercer
The motion carried 5-0-1

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT:

Trustee Leopold asked that staff stress in future e-news that Mosquito spraying is only conducted on Village streets and not on private property.

VILLAGE PRESIDENT’S REPORT:

Mayor Sass reported that Reed Road reconstruction project is complete and now open. He also stated that the Route 47 Widening Project is still on hold due to the continuation of the strike.

Mayor Sass reported that the July 3rd farmers’ market and family fun day was a success as were the firework’s display on July 4th. Trustee Leopold noted that the firework’s show lasted 22 minutes.

Mayor Sass announced that the Village will be hosting the July McCOG meeting on July 28th at Pinecrest.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: None

ACTION ON CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items for discussion, a MOTION was made to adjourn the meeting at 7:33 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Kanakaris

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary