

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
November 8, 2018
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, November 8, 2018 at 7:05 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Ronda Goldman, Tim Hoeft, Niko Kanakaris, Harry Leopold, John Piwko and JR Westberg.

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Assistant Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman, Sgt. Scott Sullivan and Village Attorney John Cowlin.

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

SPECIAL PRESENTATION:

- a) Citizen Emergency Response Team (CERT) Graduation

Trustee John Piwko gave the background of CERT and showed a video of the CERT training.

Trustee Piwko and Sgt. Sullivan then presented the CERT graduates.

- b) Recognition of Commitment and Dedication to the Village of Huntley: Illinois State Senator Pamela Althoff

Mayor Sass outlined the commitment and dedication to the Village of Huntley that was shown by Senator Althoff working with IDOT, the Tollway, the Interchange and Widening of Route 47 projects and if Huntley ever needed anything, Senator Althoff was just a phone call away. Mayor Sass thanked Senator Althoff on behalf of the Village and Board of Trustees.

Senator Althoff thanked the Mayor and Village Board and shared some of her plans for the future.

PUBLIC COMMENTS: None

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration – Approval of the September 27, 2018 Liquor Commission, September 27, 2018 Village Board and October 11, 2018 Village Board Meeting Minutes

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

A MOTION was made to approve the September 27, 2018 Liquor Commission, September 27, 2018 Village Board and October 11, 2018 Village Board Meeting Minutes

MOTION: Trustee Leopold

SECOND: Trustee Hoeft

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- b) Consideration – Approval of the November 8, 2018 Bill List in the amount of \$582,196.91

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

A MOTION was made to approve the November 8, 2018 Bill List in the amount of \$582,196.91.

MOTION: Trustee Piwko

SECOND: Trustee Leopold

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- c) Consideration – An Ordinance Approving the Issuance of a Video Gaming Location License to Casa Rubi-os; 11900 Freeman Road

Mayor Sass reported that the Village of Huntley regulates video gaming licenses and terminals in the Village through its Code of Ordinances, Title XI, Section 110.60 Gaming Licenses. Pursuant to the Village of Huntley Code of Ordinance amendment approved by the Village Board in March 2017, separate approval is required for all gaming requests.

Staff Analysis

The Village is in receipt of a Class “A” Liquor License (which allows for video gaming) request from Ms. Patricia Rubio for Casa Rubi-os’ 11900 Freeman Road. Ms. Rubio informed staff it is her intent to include video gaming within the restaurant; however, not until after January 1, 2019. Casa Rubi-os will appear before the Liquor Commission and Village Board again in December for the 2019 renewal process so Ms. Rubio will be submitting the gaming application with all proper paperwork for five (5) machines at that time. The gaming machines will be located in the private room off the main dining room which meets current requirements for screening machines from the public. Approval is being requested at this time to allow for the video gaming within Casa Rubi-os.

Financial Impact

Payment for five (5) machines will be processed with Casa Rubi-os application for the 2019 renewal / approval process before the Village Board and Liquor Commission in December.

Legal Analysis

Section 110.60 of the Village Code of Ordinances regulates video gaming in the Village. The application has been reviewed and is in compliance with Section 110.60 Video Gaming.

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

A MOTION was made to approve an Ordinance Approving the Issuance of a Video Gaming Location License to Casa Rubi-os; 11900 Freeman Road, pursuant to the Village of Huntley Code of Ordinances Section 110.60.

MOTION: Trustee Leopold
SECOND: Trustee Westberg
AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg
NAYS: None
ABSENT: None
The motion carried: 6-0-0

- d) Consideration – An Ordinance Approving an Easement Agreement for the Huntley Self Storage, Lot 1, Huntley Self Storage Subdivision

Director of Development Services Charles Nordman reported that electric service is required for the Huntley Self Storage development on Lot 1 of Huntley Self Storage Subdivision. The nearest utility connection location is east of the development along Ruth Road. The existing plat of easement does not include public utility easements between the source of the electric service and Lot 1. The proposed easement will allow for electric service to be provided to the lot. An existing Municipal Utility Easement (MUE) exists parallel to the right-of-way of Kiley Drive which may not be used for the installation of private utilities. The proposed 30-foot wide easement will overlap the existing 20-foot MUE and allow for the installation of other underground utilities as needed to serve the properties along the north side of Kiley Drive. There are no Village-owned utilities within the MUE.

Before the grant of easement goes into effect, it must be approved by the Village Board, signed by the Village President and recorded with McHenry County.

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

A MOTION was made to approve an Ordinance Accepting a Grant of Easement for Private Utility for the Huntley Self Storage Subdivision.

MOTION: Trustee Goldman
SECOND: Trustee Hoeft
AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg
NAYS: None
ABSENT: None
The motion carried: 6-0-0

- e) Consideration – An Ordinance Approving a Final Plat of Re-subdivision and Minor Amendment to the Final Planned Unit Development for Pod 3 of the Talamore Subdivision for a New Townhome Product and Reduction in Certain Transition Fees

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that on August 3, 2006, the Village Board adopted Ordinance (O)2006-08.69 approving the Final Plat of Subdivision and Final Planned Unit Development (“PUD”) for Lennar, Pod 3. The Final PUD and Final Plat consisted of twenty-two (22) buildings/lots and 114 townhome units. Since that time, four (4) buildings containing 24 townhome units have been built.

CalAtlantic Group, Inc., now an affiliate of Lennar Corporation, is the successor owner of the unbuilt portion of Pod 3 which includes eighteen (18) lots / 90 townhome units. CalAtlantic is proposing to amend the Final PUD and Final Plat of Subdivision for Pod 3 to allow an alternate urban style townhome product for the remaining lots.

The new townhome product will differ slightly from the existing urban style townhome that was previously built in Pod 3. Most notably, the front raised ranch units that face Disbrow Street and Dolby Street would be eliminated. From a streetscape standpoint, this eliminates garage doors facing the street and reduces the number of driveways on the street. The change will result in all garages being oriented toward the rear court between the buildings. The size of the proposed units/floorplans will vary from 1,345 – 1,987 square feet, whereas the previous units ranged from 1,729 – 1,766 square feet in area.

The proposed Final Plat of Re-Subdivision is necessary to accommodate the new townhome product. The revised plat contemplates minor geometric shifts to fit the new townhome buildings within the constraints of the approved setbacks. The lots shown on the plat are actually building envelopes surrounded on all sides by common area. The slight modifications proposed to the plat ensure the new townhome buildings meet the previously approved setbacks. As noted above, there are no changes proposed to either the approved unit count or to the general layout of Pod 3.

Financial Impact

The following impact/transition fee schedule is proposed:

3 Bedroom Townhome	Current	Proposed
Huntley Fire Protection District – Impact and Transition	\$685	\$685
Library – Impact and Transition	\$340	\$340
District 158 – Impact and Transition	\$2,317	\$1,817
Municipal Complex Fee	\$1,000	\$0
Village - Transition	\$1,000	\$0
Township - Impact	\$100	\$100
TOTAL	\$5,442	\$2,942

A similar request to eliminate transition fees was considered and approved by the Village Board on September 27, 2018 for the remaining single-family lots in Pod 4. Transition fees were originally implemented at a time when the Village, school district, and other taxing bodies were experiencing extraordinary growth. The transition fees were needed to help fund operations during the period between the time when a new home was occupied and generating students and residents to the time when the full amount of property tax revenue was actually received by the taxing bodies. This period could take up to 18 months. With the changes that have occurred in the housing market over the last decade, the Village, school district, and other taxing bodies have been in a position to absorb new residents and students without experiencing a significant impact on operations. The Village Board reviewed elimination of transition fees at the April 26, 2018 Village Board meeting and provided policy direction consistent with the proposed fee schedule.

As noted with the Pod 4 request, the Village Manager presented the proposed elimination of the school transition fee at the May 3, 2018, School Board meeting, and has also presented similar information to representatives of the other taxing districts.

Plan Commission Recommendation

The Plan Commission reviewed the request for the proposed Final Plat of Re-Subdivision on October 22, 2018 and unanimously recommended approval by a vote of 5-0.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “Promote New Business Development, Retention, and Expansion” as a Strategic Priority, “Diversify Residential Development Options” as a goal, and “Pursue new residential development” as an objective.

Director Nordman reported that Richard Murphy from Lennar was in attendance to answer questions.

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

Trustee Goldman complimented them for moving the driveways to the rear of the buildings.

Trustee Kanakaris asked if the density is the same as it was in 2006; Director Nordman stated that the density remains the same.

Trustee Westberg thanked Lennar for finishing up the development.

There were no other questions or comments.

A MOTION was made to approve an Ordinance Approving a Final Plat of Re-Subdivision and Minor Amendment to the Final Planned Unit Development for Pod 3 of the Talamore Subdivision for a New Townhome Product and Reduction in Certain Transition Fees.

- MOTION:** Trustee Leopold
- SECOND:** Trustee Kanakaris
- AYES:** Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg
- NAYS:** None
- ABSENT:** None
- The motion carried: 6-0-0**

- f) Consideration – An Ordinance Approving (i) a Final Plat of Subdivision; and (ii) a Preliminary Planned Unit Development including any necessary relief for the B-3 (PUD) Shopping Center Business District-zoned ±10.9-acre parcel located generally east of Illinois Route 47, north of Powers Road and south of Regency Parkway / Huntley Crossings

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that RUBY-02-HNTLYCMRCL, LLC is proposing to subdivide the subject ±10.9-acre portion of the Huntley Crossings – Phase II property into seven (7) outlots adjacent to Route 47 between Powers Road and Regency Parkway. The Huntley Crossings – Phase II subdivision, zoned B-3 (PUD) Shopping Center Business District – Planned Unit Development, was annexed in December 2006 (Ordinance (O)2006-11.108) as part of the Riedl Annexation Agreement and subsequently amended in 2014 and 2017.

Staff Analysis

On March 23, 2017, the Village Board approved a second amendment to the Annexation Agreement governing the subject property (the first amendment occurred in October, 2014). This second amendment accommodated the Huntley Springs 130-unit senior independent living facility, on a portion

of the thirty (30) acre, R-4 (PUD)-zoned Huntley Crossings Phase III property adjacent to the east. Additionally, the second amendment accommodated changes to certain restrictions within the B-3 (PUD)-zoned commercial (Phase II) property, with the following being the most significant changes pertaining to the commercial property:

- The number of subphases allowed for developing the property was increased from two to four.
- The maximum number of drive-through restaurants was increased from two to four (Panda Express is the first drive-through restaurant).
- A restriction was added that free standing medical service providers may be allowed on the Phase II Parcel, except that no freestanding medical service provider shall be allowed on the outlots having frontage on Illinois Route 47 unless subsequently approved by the Village as a special use. There was no restriction on the location of freestanding medical service providers in the original agreement.
- The setback for the outlot monument signs was reduced from 50 to 10 feet.

Final Plat of Subdivision

The final plat of subdivision proposes to divide the ±10.9-acre property to accommodate seven (7) outlots adjacent to Route 47.

The seven (7) proposed outlots along Route 47 range in size from 54,450 square feet (1.25 acres) to 78,887 square feet (1.81 acres), with lot widths of between 128.68 and 198.68 feet. The B-3(PUD) zoning district requires a minimum lot area of 80,000 square feet (1.84 acres) and lot width of no less than 200 feet. Therefore, all seven (7) proposed lots require relief from the minimum lot area and width requirements. Similar relief was approved for the six (6) lots that were platted as part of the first phase of the Huntley Crossings Phase II subdivision (these are the lots that include Verizon, Panda Express, and O'Reilly's)

Preliminary Planned Unit Development

The proposed Preliminary Planned Unit Development (PUD) will create seven (7) outlots adjacent to Route 47, between Powers Road and Regency Parkway with access to the outlots provided from the proposed north-south private drive connecting these two roadways. There shall be no direct access to Route 47 from the outlots.

Landscaping

The petitioner has submitted a landscape plan in accordance with the Annexation Agreement requirements for plantings within the Route 47 Greenbelt Buffer/Stormwater detention area adjacent to Outlots 7 through 13. The installation of this landscaping must be installed prior to the issuance of a certificate of occupancy for any outlot. Additionally, the petitioner is responsible for planting the required parkway trees (1 tree/40 feet) along the south side of Regency Parkway (parkway trees have been previously installed along Powers Road). The site landscaping on the individual outlots will be reviewed/approved with the Final Planned Unit Development process for those individual sites.

Signage

The amended Huntley Crossings – Phase 2 Annexation Agreement allows the following signs to be constructed within the Route 47 Greenbelt Buffer, with each sign set back a minimum of ten (10) feet from the dedicated Route 47 right-of-way: (i) one shopping center monument sign at the Regency Parkway entry, having a height not to exceed thirty-two (32) feet, and (ii) one independent monument sign on each outlot fronting Route 47, with a maximum height of ten (10) feet each.

The petitioner is not proposing to construct a shopping center monument sign at this time and will need to submit a design for approval by the Village Board at some point in the future if a sign is to be installed.

Lighting

Street lighting along the private north-south access drive between Powers Road and Regency Parkway includes seven (7) LED fixtures mounted on forty-two (42') foot tall posts proposed along the east side of the access drive. Similar to the proposed site landscaping within the individual outlots, any parking lot and wall mounted lighting within the outlots will be addressed with the Final Planned Unit Development review for each outlot.

Requested Relief

The following relief is requested as part of the Preliminary Planned Unit Development:

1. Relief is requested to allow a minimum lot area of 1.25 acres rather than the required 1.84 acre minimum lot area in the "B-3" Shopping Center Business District.
2. Relief is requested to allow a minimum lot width of 128.68 feet rather than the required 200 foot minimum lot width in the "B-3" Shopping Center Business District.

Plan Commission Recommendation

The public hearing to consider the request for the Final Plat of Subdivision and Preliminary Planned Unit Development including any necessary relief was held before the Plan Commission on Monday, October 22, 2018. One member of the public spoke in support of the request. Having considered the criteria for Preliminary Planned Unit Development Review, the Plan Commission unanimously recommended approval of the request by a vote of 5 to 0, subject to the following conditions:

1. All public improvements and site development must occur in full compliance with the submitted plans (see list of exhibits) and all other applicable Village Municipal Services (Engineering, Public Works, Planning and Building) site design standards, practices and permit requirements.
2. The petitioner will comply with all final engineering revisions to be approved by the Village Engineer and Development Services Department.
3. The Village of Huntley will require adherence to Illinois drainage law and best management practices for stormwater management. The petitioner, its agents and assignees are responsible for not increasing the rate of stormwater runoff and will be required, to the extent practicable, to minimize any increase in runoff volume through "retention" and design of multi stage outlet structures.
4. The petitioner is required to meet all development requirements of the Huntley Fire Protection District.
5. In accordance with Section 155.221(A)(6) of the Subdivision Ordinance, the developer shall record the final plat of subdivision with the Recorder of Kane County within three months of approval by the Village Board.
6. No building permits are approved as part of this submittal.
7. No sign permits are approved as part of this submittal.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies "*Promote New Business Development, Retention, and Expansion*" as a Strategic Priority.

Director Nordman reported that a representative from the Petition was in attendance to answer
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questions.

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

Trustee Kanakaris asked if something better could be done to the stormwater detention area having less weeds. Village Manager Johnson stated that it is said those plantings take some time to look better but Staff is currently in discussion with the property owner regarding this area. Director Nordman stated that the detention area is on the current punch list that the engineer is reviewing.

Trustee Leopold asked if the utilities are installed; Director Nordman stated that the utilities are installed along the access drive; however, more will come with building.

There were no other comments.

A MOTION was made to approve an Ordinance for (i) a Final Plat of Subdivision; and (ii) a Preliminary Planned Unit Development including any necessary relief for the B-3 (PUD) Shopping Center Business District-zoned ±10.9-acre parcel located generally east of Illinois Route 47, north of Powers Road and south of Regency Parkway.

MOTION: Trustee Leopold

SECOND: Trustee Goldman

AYES: Trustees: Goldman, Hoeft, Kanakaris, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- g) Consideration – An Ordinance Amending Title XI, Business Regulations, Chapter 112 - Raffles

Mayor Sass reported that current Village Code requires a raffle permit for any person, firm, or corporation conducting raffles or chances within the Village. Licenses shall be issued only to bona fide religious, charitable, labor, fraternal, educational, or veteran organizations that operate without profit to their members and which have been in existence continuously for a period of five years immediately before making application for a license and which have been during that entire five-year period a bona fide membership engaged in carrying out their objectives. Any raffle in which the aggregate value of the prizes is equal to or less than five hundred dollars (\$500.00) shall be considered automatically licensed without necessity of an application.

Staff Analysis

The current maximum aggregate retail value of a prize or merchandise awarded by a licensee in a single raffle is \$15,000. Due to increasing prize values, the following change is proposed:

§ 112.07 CONTENT OF LICENSE APPLICATION

The license application shall contain the following information:

(A) The aggregate retail value of all prizes or merchandise awarded by the licensee in a single raffle. In no event shall the aggregate retail value of any prize or merchandise exceed the sum of ~~\$15,000~~ \$100,000 in a single raffle.

(B) The maximum retail value of each prize awarded by the licensee in a single raffle. In no

event shall the aggregate retail value of any prize or merchandise exceed the sum of ~~\$15,000~~ \$100,000 in a single raffle.

Penalty, see § 10.99

Legal Analysis

An amendment to Section 112.07 of the Village Code of Ordinances is required to increase the limits of the maximum aggregate retail value of a prize or merchandise awarded by a licensee.

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

Trustee Leopold asked what the current fees were; Village Manager Johnson reported that there is no fee for under \$5,000 and \$25 for over \$5,000.

Trustee Westberg stated that he did not think it was worth the \$25 fee.

Trustee Kanakarlis suggested that the aggregate retail value be increased to \$200,000. Trustee Leopold suggested with the higher limit the fee should be increased to \$100 or do not charge a fee at all.

Mayor Sass and Trustee Goldman stated that the fee structure works well now and there is not a reason to change.

It was the consensus of the Village Board to increase the aggregate retail value to \$200,000 and keep the fee structure the same.

There were no other comments or questions.

A MOTION was made to approve an Ordinance Amending Title XI, Business Regulations, Chapter 112 – Raffles.

MOTION: Trustee Hoeft

SECOND: Trustee Kanakarlis

AYES: Trustees: Goldman, Hoeft, Kanakarlis, Leopold, Piwko and Westberg

NAYS: None

ABSENT: None

The motion carried: 6-0-0

h) Consideration – Accept and Place on File the Village of Huntley 3rd Quarter Financials

Village Manager David Johnson reported that submitted for review and acceptance are the Village's third quarter FY2018 Financial and Investment Reports and noted that the following reports were distributed in the Village Board's packet:

1. FY2018 Third Quarter Financial and Investment Report Review
2. FY2018 Revenue and Expense Detail

Village Manager Johnson reported that at the end of the 3rd Quarter, 80 % of the General Fund revenue was collected and expenditures were at 74%. Water and Sewer revenues collected were at 67% for water and 72% for sewer.

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

It was the consensus of the Village Board to accept and place on file the following reports for the Village of Huntley:

- 1. FY2018 Third Quarter Financial and Investment Report Review**
- 2. FY2018 Revenue and Expense Detail**

i) Review of 2016 – 2020 Strategic Plan Priorities, Goals, and Objectives

Village Manager David Johnson reported that the 2016 – 2020 Strategic Plan Priorities, Goals, and Objectives were distributed in the Village Board’s packets and asked if the Board had any comments, questions or changes.

Mayor Sass stated that they looked good. Trustee Kanakaris stated that he is looking for a pedestrian bridge over Route 47.

There were no other comments.

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT:

Trustee Leopold stated that he has noticed that certain LED lights on the garages of some of the homes on Cold Springs are flickering.

Trustee Westberg asked if some of the parking lot lights could be on timers as he has noticed that Taco Locos lot lights are not on.

VILLAGE PRESIDENT’S REPORT:

Mayor Sass congratulated Trustee Hoefft for being selected as one of the Northwest Herald’s Best Under 40.

Mayor Sass also congratulated Attorney John Cowlin and presented him with the following certificate:

Certificate of Recognition
*The Village of Huntley Board of Trustees
congratulates and acknowledges*

John Cowlin
Village Attorney

The Huntley Board of Trustees is honored to recognize Attorney John Cowlin for reaching an impressive 50 years as a member of the Illinois Bar Association.

During his tenure Attorney Cowlin, while working at the law firm his father founded, has served many organizations, but most importantly the Village of Huntley as Village Attorney. The Village Board extends their heartfelt congratulations and appreciation for your contributions to our fine community. Congratulations—keep up the good work.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION: None

POSSIBLE ACTION ON ANY CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:55 p.m.

MOTION: Trustee Westberg

SECOND: Trustee Leopold

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary