

**VILLAGE OF HUNTLEY
VILLAGE BOARD
April 25, 2019
MEETING MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, April 25, 2019 at 7:00 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, Director of Public Works and Engineering Timothy Farrell, Human Resources Manager Chrissy Hoover, and Village Attorney John Cowlin.

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

SPECIAL PRESENTATION:

- a) Arbor Day Proclamation and the Village of Huntley Named a 2018 Tree City USA

Mayor Sass read the following Arbor Day Proclamation:

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our Village increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal;

THEREFORE, BE IT RESOLVED that I, Charles H. Sass, Mayor of the Village of Huntley formally declare April 26, 2019, as an Arbor Day Celebration in the Village of Huntley, and I urge all citizens to celebrate Arbor Day and support efforts to protect trees and woodlands, and participate in the Green & Clean Huntley Day on April 27, 2019.

Public Works and Engineering Director Timothy Farrell then presented the Mayor and Village Board of Trustees with a plaque from the Arbor Day Foundation naming the Village of Huntley as a 2018 Tree City USA.

PUBLIC COMMENTS:

Duane Foss, Junior Vice Chairman of the West Dundee Legion Post 679 addressed the Board regarding sponsorship of “The Wall That Heals” a Vietnam Veterans Memorial replica and mobile education center that will be set up in Randall Oaks Park in West Dundee from July 4 – 7, 2019. He also asked if the Village could advertise the event on the website, message board, newsletter, etc.

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration – Approval of the April 25, 2019 Bill List in the amount of \$257,977.10

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

A MOTION was made to approve the April 25, 2019 Bill List in the amount of \$257,977.10.

- 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**

- b) Consideration – An Ordinance Approving a Site Plan for a ±15,860 Square Foot Warehouse Building and Related Site Improvements, for ASAP Garage Door Repair, Inc. for Lot 36 in Bernat Industrial Center

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that ASAP Garage Door Repair is proposing to develop Lot 36 (1.51 acres) in the Bernat Industrial Center located at the northwest corner of Smith Drive and Kreutzer Road (across from HS Crocker). The property is located in the “M” Manufacturing Zoning District. The proposed ±15,860 square foot building will be used primarily for warehousing.

This will be the third Huntley location for ASAP Garage Doors. The main existing condo space (12,500 SF) is located at 11351 Allison Court and houses the showroom, offices, and some warehouse space. ASAP also owns satellite warehouse space (5,800 SF) in the building directly to the west on Allison Court. All three building spaces will be utilized by ASAP Garage Door Repair as they grow their business in Huntley.

Staff Analysis

The subject property is zoned M Manufacturing. A warehouse is a permitted use in the Manufacturing zoning district.

Site Plan

The site plan orientates the front of the ±15,860 square foot building to Smith Drive and includes four at-grade garage doors and two loading docks. There is one curb cut on Smith Drive to accommodate site access and parking. The site plan provides for the required 30-foot setback along Kreutzer Road, but future road widening plans could impact this site if additional right-of-way is needed.

All ASAP delivery trucks are straight trucks and should easily maneuver the site. The company
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anticipates they will receive a total of 2 to 3 semi-truck deliveries per week that would require backing into the loading docks from Smith Drive. The site plan provides parking for 18 vehicles, which exceeds the required 17 parking spaces, which are ten feet wide.

The petitioner has requested an eight-foot wide paved path at the north side of the building, which will provide for cross-access between the new ASAP warehouse building and the existing ASAP showroom building. The petitioner states the cross-access paving is meant to be mostly for pedestrian traffic and on occasion, forklift traffic. It allows workers to go back and forth between buildings easily. Forklift traffic will be occasional, on the order of a couple of times per week, moving supplies or product from one location to the other. Access would typically be from the east overhead door of the existing showroom building, with a travel distance of approximately 50'-75' between buildings. In addition, the owner will provide an executed cross-access agreement, which will be recorded against both properties in Kane County. (The showroom building on Allison Court is a condo building with two owners, ASAP Garage and MLS Mailing.)

Building Elevations

The building will be constructed with a concrete foundation, prefabricated steel frame, textured insulated wall panels, and a metal panel low slope roof. The front (east facing) and south facing elevations will also feature a brick wainscot accent in accordance with Zoning Ordinance requirements. The trash enclosure located on the north side of the structure utilizes a City Scope product, which is the same material, used with the downtown trash enclosures.

Sign Plan

Proposed signage includes two wall-mounted signs and a monument style sign to be located along Kreutzer Road. Proposed wall signs include an "ASAP" logo on the south side (36 SF) and an east facing sign with channel lettering for "A.S.A.P Garage Door Repair" (77 SF). The proposed monument sign measures 8 feet in height and 9 feet 9 inches wide and will be internally lit. The sign base will be constructed of brick and will include a stone cap, and landscaping will also be provided around the base.

Landscape Plans

Landscape plans indicate the removal of 6 of the 17 existing trees on the lot. Twenty (20) additional trees are proposed to be planted throughout the site including a mix of Sunset Maple, Northern Catalpa, Hackberry, Thornless Hawthorn, Common Witchhazel, Swamp White Oak, and Douglas Fir. The proposed site landscaping also includes perimeter plantings of shrubs, ornamental grasses, perennials, and annuals along the east side of the parking lot and the south side of the building.

Village Board Conceptual Review

On March 14, 2019, the Village Board conceptually reviewed the proposed site plan and building elevations for the 15,860 square-foot building. The Village Board favorably reviewed the proposed plans and provided the following comments:

1. The Village Board suggested accent lighting be added to the south elevation of the building. *The petitioner has updated the elevations to include accent lighting for the south elevation.*
2. The Village Board requested parking stalls to be no less than ten (10) feet in width. *The petitioner has revised the parking stalls to be 10 feet in width.*

Plan Commission Recommendation

The Plan Commission reviewed the petitioner's request on April 8, 2019, and, with no members of the 04.25.19 VB Meeting

public offering comments in favor or opposition to the request, unanimously recommended approval of the petition by a vote of 6 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 petitioner shall agree to dedicate additional right-of-way to the Village at no cost, if needed, for the future realignment of Kreutzer Road.
4. The petitioner shall obtain final approval of the Landscape Plan from the Development Services Department.
5. All permanent and seasonal plantings must be replaced immediately upon decline.
6. No building permits are approved as part of this submittal.
7. No sign permits are approved as part of this submittal.
8. A cross-access agreement between ASAP Garage Door Inc., located at Lot 36 in Bernat Industrial Center, and the condo owners of 11381 Allison Court (currently MLS Mailing) must be executed and recorded in Kane County prior to issuance of the building permit.

Condition added by the Plan Commission:

9. Directional signage should be added to direct customers to the ASAP showroom at 11351 Allison Court.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “Promote New Business Development, Retention, and Expansion” as a Strategic Priority, “Attract and Retain Businesses to Enhance Tax Base and Create New Jobs” as a goal.

Director Nordman reported that representatives of the Petition were in attendance to answer questions.

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

Trustee Westberg asked if the directional signage would include a brick base, but Board consensus was not to require it.

There were no other comments or questions.

A MOTION was made to approve an Ordinance Approving Site Plan Review for a ±15,860 Square Foot Warehouse Building and Related Site Improvements, for ASAP Garage Door Repair, Inc. for Lot 36 in Bernat Industrial Center.

MOTION: Trustee Hoeft

SECOND: Trustee Goldman

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

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- c) Consideration – A Resolution Authorizing the Bid Award to Hastings Asphalt Services, Inc. for the 2019 Crack and Pavement Sealing Program

Director of Public Works and Engineering Timothy Farrell reported that the Crack and Pavement Sealing Program is a new approach for the Village to address pavement maintenance needs with the goal of prolonging the useful life of the pavement and delaying the resurfacing of the entire roadway section. This approach was tested in 2018 as a joint venture with Behm Pavement Maintenance Inc., in Sun City NH 8 where the roadway was first crack sealed followed by two (2) Liquid Road applications. Liquid Road is a polymer-modified, fiber reinforced asphalt emulsion coating with specially graded aggregate that results in a highly durable, slip-resistant surface treatment that extends pavement service life. The NH 8 project appears to be successful after the one-year inspection and following an extremely harsh winter. The Village plans to target Sun City NH 4 for the 2019 Crack and Pavement Sealing Program at an approximate 56% reduction in cost as compared with edge mill and overlay unit pricing.

On March 21, 2019, the Village received bids from three (3) contractors for the 2019 Crack and Pavement Sealing Program. The bid documents required a Base Bid for each of three consecutive years beginning in 2019. The Total Base Bid Year 1 is based off unit pricing and estimated quantities in Sun City NH 4. Renewal each year would be subject to Village Board approval. The bid results are summarized as follows:

Company Name	Year 1	Year 2	Year 3
Hastings Asphalt Services, Inc.	\$48,920.00	\$50,877.00	\$52,403.00
SKC Construction, Inc.	\$56,512.50	\$59,365.00	\$63,865.00
Behm Pavement Maintenance, Inc.	\$62,952.50	\$65,217.50	\$68,500.00

Staff Analysis

The bids have been reviewed by Public Works and Engineering Department Staff. All is in order to award the bid to Hastings Asphalt Services, Inc. in the amount of \$48,920.00 for the 2019 Crack & Pavement Sealing Program.

Financial Impact

The FY2019 budget for this program is \$75,000.00. The amount is budgeted in the Streets Improvements and Roads & Bridges Fund 420-00-00-8001.

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

A MOTION was made to approve a Resolution Authorizing a Bid Award to Hastings Asphalt Services, Inc., for the 2019 Crack and Pavement Sealing Program.

MOTION: Trustee Leopold

SECOND: Trustee Westberg

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

NAYS: None

ABSENT: None

The motion carried: 6-0-0

- d) Consideration – An Ordinance Authorizing the Ceding of Private Activity Bonding Authority to the Upper Illinois River Valley Development Authority (UIRVDA)

Assistant Village Manager Lisa Armour reported that the federal tax code allows state and local governments to use tax-exempt bonds to finance certain projects that would be considered private

activities. Congress uses an annual state volume cap to limit the amount of tax-exempt bond financing generally and restricts the types of qualified private activities that would qualify for tax-exempt financing to selected projects defined in the tax code. Private activity bonds, sometimes referred to as industrial development bonds, are primarily limited to manufacturing and processing facilities. The Village is in receipt of a request from the Upper Illinois River Valley Development Authority (UIRVDA) to transfer the Village's 2019 Home Rule Volume Cap to UIRVDA to assist with financing of eligible economic development projects.

Staff Analysis

In 2019, home rule communities will receive a volume cap allocation of \$105 per capita. The State of Illinois allocation guidelines identify Huntley's population at 27,207, resulting in a volume cap allocation of \$2,856,735. Of the total amount available to each home rule unit of government with less than 2,000,000 inhabitants, the amount that has not been granted, transferred, or reserved by home rule units for specific projects or purposes as of May 1, 2019, shall be reserved to the Governor's Office on June 1, 2019 (the "Home Rule Pool"). Since the Village does not have any eligible projects to utilize the available volume cap, transferring it to UIRVDA prior to May 1st will allow the cap to remain with UIRVDA until December 31st. This would also allow for a project within the Village to have access to the volume cap after May 1st. An ordinance and follow up letter to the Governor's office is required to transfer the volume cap, which otherwise would go back to the state's Home Rule Pool.

Assistant Village Manager Armour stated that there were currently no projects for this but the Village had used this in the past for Cargo Equipment.

Financial Impact

There is no impact to the Village in ceding the volume cap.

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

A MOTION was made to approve an Ordinance Authorizing the Ceding of Private Activity Bonding Authority to the Upper Illinois River Valley Development Authority (UIRVDA).

MOTION: Trustee Kanakaris

SECOND: Trustee Leopold

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

NAYS: None

ABSENT: None

The motion carried: 6-0-0

e) Policy Direction - Electronic Sweepstakes Machines

Village Manager David Johnson reported that electronic sweepstakes machines are beginning to appear in suburban municipalities and also being requested to be installed in Huntley businesses. Two sweepstakes machines are already installed at the Mobil gas station at Village Green. Sweepstakes machines look very similar to video gaming machines; however, they are not licensed or regulated by any public agency and are not subject to any of the regulations that apply to video gaming.

Staff Analysis

Staff was directed at the April 11th Village Board meeting to prepare options for addressing electronic sweepstakes machines. Based on the limited resources available to identify Illinois municipalities that prohibit or regulate sweepstakes machines, the following communities were found to prohibit

sweepstakes machines and only one community was found to allow with regulations.

Prohibit

1. Flossmoor
2. Mount Prospect
3. Mundelein
4. Niles
5. Oak Park
6. Streator

Allow and Regulate

1. Dolton; only allowed in those businesses with a liquor license

Staff prepared the following outline requesting policy direction as to amending the Village Code to either prohibit or allow electronic sweepstakes machines with or without regulations. Current regulations for video gaming are provided as a comparison.

Electronic Sweepstakes Machines	Yes	No
Shall sweepstakes machines be permitted?		
If yes, shall a licensing process be established to regulate sweepstakes machines?		
Potential Licensing Requirements		
Establish a limit on the number of machines available for each business? <i>Five (5) video gaming machines are allowed per location.</i>	If yes, how many	
Establish a license fee for each sweepstakes machine? <i>Current video gaming fees are \$500 per machine.</i>	If yes, how much	
	Yes	No
Establish a license fee for each sweepstakes machine operator? <i>Current video gaming operator's fee is \$1,000 per location.</i>	If yes, how much	
Require posting on the machine of a minimum age requirement to play of 21 years old? <i>There is no age limit for sweepstakes machine players. Video gaming terminals shall at all times be located in an area restricted to persons over 21 years of age and shall be kept separate from areas accessible to minors.</i>		
Create penalty fees for violation of the sweepstakes code? <i>Current penalties for violating the video gaming code is no less than \$50 or more than \$1,000 per violation with possible license suspension and/or revocation.</i>		
Require screening for the sweepstakes machines similar to video gaming requirements? <i>A physical barrier is required to restrict visibility of video gaming terminals.</i>		

Financial Impact

Licensing fees, if desired, will be included in the code amendment.

Legal Analysis

A code amendment is required to prohibit or regulate sweepstakes machines.

Village Manager Johnson asked the first question, "Shall sweepstakes machines be permitted?"

Trustee Leopold stated that he was not impressed that Dolton was the only municipality to allow them and stated that he was concerned about control and supervision of the machines. Trustee Leopold stated that if the Village would allow them then they would have to follow the same rules as video gaming. Trustee Leopold stated that he was not in favor of permitting sweepstakes machines.

Trustee Goldman stated that she wanted to prohibit sweepstakes machines until the State allows them and provides guidelines for their use.

Trustee Westberg noted the August 6, 2018 article in the *Sun Times* that reported that sweepstakes machines ended up in places that could not have them legally and stated that there was no way to enforce proper use of them. Trustee Westberg stated that he did not want them permitted.

Both Trustee Hoeft and Trustee Piwko stated that they did not want them permitted in the Village.

It was the consensus of the Village Board to amend Village code to prohibit electronic sweepstakes machines.

- f) Consideration – A Resolution Approving Liability Insurance Renewal for 2019-2020 - Municipal Insurance Cooperative Agency (MICA)

Village Manager David Johnson reported that the Village joined the MICA insurance pool effective July 1, 2009 to provide public liability insurance. The pool renews annually on May 1 of each year.

Staff Analysis

October 11, 2018 the Village Board passed a resolution giving notice of its intent to withdraw from MICA. MICA's by laws state in part "...any member of the Agency may withdraw from the Agency at the end of a fiscal year of the Agency upon the giving of at least one (1) year's prior written notice." Article III continues to state, "The Board may, at its sole discretion, choose to waive any portion of the one-year notice requirement it deems necessary in order to protect the best interests of the AGENCY."

At MICA's December 21, 2018 Executive Committee meeting, the Committee voted to up-hold the one-year notification requirement. As a result, Huntley is required to remain a member of MICA until April 30, 2020. The 2019/2020 renewal process has been completed and the Village's premium renewal cost is \$468,323.

Staff continues to research options for liability insurance.

Financial Impact

The FY2019 budget includes \$517,448 for the funding of the 2019-2020 MICA pool premium. The Liability Insurance Fund is budgeted at \$295,000, with \$111,224 budgeted in the Water Operating Fund and \$111,224 budgeted in the Sewer Operating Fund. The budget was estimated at a 5% increase over the 2018-2019 premium. However, the actual premium came in lower than last year by 1.06% or \$4,994.

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

A MOTION was made to approve a Resolution for the Liability Insurance Renewal with Municipal Insurance Cooperative Agency (MICA) for the 2019-2020 Insurance Year.

MOTION: Trustee Goldman

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

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT: None

VILLAGE PRESIDENT'S REPORT:

Mayor Sass reported that on April 26 there will be an Arbor Day Tree Planting event at 4:30pm

Mayor Sass reported that on April 27 Green & Clean Huntley will take place.

Mayor Sass reported that on April 28 Huntley's first Kite Fest will take place at the Betsey Warrington Soccer Fields from 11am to 4pm.

Mayor Sass asked Trustee Goldman to report on the McCOG meeting. Trustee Goldman reported that the meeting took place in Hebron and the McHenry County Conservation District reported on their current initiatives.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

EXECUTIVE SESSION:

- a) Probable or Imminent Litigation and Pending Litigation
- b) Contractual
- c) Property Acquisition, Purchase, Sale or Lease of Real Estate
- d) Appointment, Employment, Dismissal, Compensation, Discipline and Performance of an Employee of the Village of Huntley
- e) Collective Bargaining
- f) Appointment, Discipline or Removal of Public Officers
- g) Appointment of a Public Officer
- h) Review of Closed Session Minutes
- i) Other

A MOTION was made to Enter into Executive Session at 7:38 p.m. for a) Probable or Imminent Litigation and Pending Litigation and c) Property Acquisition, Purchase, Sales or Lease of Real Estate.

MOTION: Trustee Leopold
SECOND: Trustee Kanakaris
The Voice Vote noted all ayes and the motion carried.

A MOTION was made to Exit Executive Session at 7:43 p.m.

MOTION: Trustee Leopold
SECOND: Trustee Kanakaris

The Voice Vote noted all ayes and the motion carried.

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 7:44 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Westberg

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary