

**VILLAGE OF HUNTLEY  
VILLAGE BOARD MEETING  
February 14, 2013  
MINUTES**

**CALL TO ORDER:**

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, February 14, 2013 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

**ATTENDANCE:**

**PRESENT:** Mayor Charles Sass; Trustees: Pam Fender, Ron Hahn, Nick Hanson, Niko Kanakaris, Harry Leopold and John Piwko.

**ABSENT:** None

**IN ATTENDANCE:** Village Manager David Johnson, Senior Assistant to the Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Development Services Charles Nordman, Village Clerk Rita McMahan and Village Attorney Mike Coppedge.

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

**PUBLIC COMMENTS:** None

**SPECIAL PRESENTATION:** None

**ITEMS FOR DISCUSSION AND CONSIDERATION:**

- a) January 10, 2013 Village Board, January 17, 2013 Committee of the Whole and January 24, 2013 Village Board Meeting Minutes

Mayor Sass asked if the Village Board had any comments or changes to the Minutes; there were none. Mayor Sass reported that Trustee Leopold was absent from the January 17, 2013 meeting and therefore those minutes would be voted on separately.

**A MOTION was made to approve the January 10, 2013 and January 24, 2013 Village Board meeting minutes.**

**MOTION:** Trustee Hanson  
**SECOND:** Trustee Kanakaris  
**AYES:** Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko  
**NAYS:** None  
**ABSENT:** None  
**The motion carried: 6-0-0**

**A MOTION was made to approve the January 17, 2013 Committee of the Whole meeting minutes.**

**MOTION:** Trustee Fender  
**SECOND:** Trustee Hahn  
**AYES:** Trustees Fender, Hahn, Hanson, Kanakaris and Piwko

**NAYS: None**  
**ABSENT: None**  
**ABSTAIN: Trustee Leopold**  
**The motion carried: 5-0-0-1**

b) Consideration of the February 14, 2013 Bill List in the Amount of \$390,059.29

Mayor Sass reported that \$112,713.87 of the bill list expenditures was from the FY12 Budget and the remaining \$277,345.42 was from the FY13 Budget.

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

**A MOTION was made to approve the February 14, 2013 Bill List in the Amount of \$390,059.29.**

**MOTION: Trustee Piwko**  
**SECOND: Trustee Leopold**  
**AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**  
**NAYS: None**  
**ABSENT: None**  
**The motion carried: 6-0-0**

c) Consideration – Advisory Board Appointments

- i. Consideration of Police Commission Appointment – Bryant Haniszewski
- ii. Consideration of Cemetery Board Appointment – Charles Yerke

Mayor Sass reported that he proposed the following appointments to the Police Commission and Cemetery Board: Mr. Bryant Haniszewski, Police Commission; Mr. Charles Yerke, Cemetery Board.

Each candidate has expressed an interest in serving the Village. Mr. Haniszewski is currently a Police Officer in the Patrol / Criminal Investigations Division of the South Barrington Police Department and Mr. Yerke's job will allow him to be available to meet with families in need to purchase a cemetery plot during the day if necessary at the cemetery property.

#### Legal Analysis

Applicable State Statutes and Village Code of Ordinances governing appointments to the Police Commission and Cemetery Board have been reviewed by the Village Attorney, and all is in order for Village Board consideration at this time.

Mayor Sass reported that both gentlemen were in attendance to answer questions. Mayor Sass also acknowledged the members of the Cemetery Board and the Police Commission who were in attendance.

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

**A MOTION was made to appoint Bryant Haniszewski to the Police Commission.**

**MOTION: Trustee Fender**  
**SECOND: Trustee Kanakaris**  
**AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**  
**NAYS: None**  
**ABSENT: None**  
**The motion carried: 6-0-0**

**A MOTION was made to appoint Charles Yerke to the Cemetery Board.**

**MOTION: Trustee Hahn**

**SECOND: Trustee Leopold**

**AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**

**NAYS: None**

**ABSENT: None**

**The motion carried: 6-0-0**

Village Clerk Rita McMahon administered the Oaths of Office to Mr. Bryant Haniszewski, Police Commission Member and to Mr. Charles Yerke, Cemetery Board Member.

d) Consideration of an Ordinance Granting Approval of Two Additional Wall Signs for Doga USA, 12060 Raymond Court

Director of Development Services Charles Nordman reported that Doga USA (a multi-product company and the maker of wiper & washer systems and DC motors and general motors), 12060 Raymond Court, is requesting approval for two (2) additional wall signs on the south elevation of their tenant space. Doga had recently submitted and received a sign permit for a fifty-three (53) square foot (3'-8" x 14'-5") wall sign over the main entrance to their tenant space; however, upon inspection it was found that two additional wall signs had been installed on the south building elevation (facing Kreutzer Road).

The two (2) additional wall signs include a 7.5 square foot (1'-6" x 5'-0") sign installed over the western most entrance to the tenant space and a 20 square foot (2'-6" x 8'-0") wall sign installed over the garage doors within the loading dock area.

Staff Analysis

Section 156.123 of the Zoning Ordinance, allows one wall sign per tenant or one per street frontage on corner lots. The building at 12060 Raymond Court has frontage on Raymond Court only; therefore allowing one wall sign per tenant (the building is also visible from Kreutzer Road, but the lot does not have frontage on Kreutzer Road). Relief is required to allow Doga to have two additional wall signs.

The petitioner has cited the additional sign above the western-most entrance is necessary to avoid confusion given the significant distance between the west and east entrances to the Doga tenant space. Similarly, the petitioner points out that the wall sign within the loading dock denotes the two (2) eastern-most loading docks which serve Doga.

All three (3) wall signs have received approval from the building owner.

Staff recommends the following conditions be added should the Village Board approve the request for the two (2) additional wall signs:

1. The petitioner shall obtain a sign permit for the two (2) additional wall signs from the Development Services Department upon receiving approval from the Village Board.
2. The signs shall be maintained in good condition at all times.

Financial Impact

The petitioner must pay the applicable sign permit fees for the two additional wall signs.

Legal Analysis

The Village Board’s authorization for this request is required in accordance with Section 156.128 of the Zoning Ordinance.

Mr. Nordman reported that a representative from the sign company was in attendance to answer questions.

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

**A MOTION was made to approve an ordinance granting approval of two additional wall signs for Doga USA, 12060 Raymond Court.**

- MOTION: Trustee Leopold**
- SECOND: Trustee Kanakaris**
- AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**
- NAYS: None**
- ABSENT: None**
- The motion carried: 6-0-0**

- e) Consideration of a Resolution Approving a Sign Relocation Fee in the amount of \$30,000 for Walgreens, 12000 Princeton Drive

Village Manager David Johnson reported that in order to construct the extension of Kreutzer Road west of Route 47, the Village needs to acquire approximately 8,259 square feet of permanent right-of-way and 7,754 square feet of temporary construction easement from Route 47 & Kreutzer, LLC, the owner of Lots 1 and 2, Phase 2-A of Regency Square (Walgreens and the multi-tenant center anchored by Dunkin Donuts). The ground sign for Walgreens, which has a ground lease for Lot 1, is located at the right-in/right-out access to Kreutzer Road and is within the permanent right-of-way and will need to be relocated.

Staff Analysis

As part of the property acquisition process, the Village is required to compensate Walgreens for moving the ground sign. Walgreens has requested a lump-sum payment of \$30,000 to pay for the relocation and reconstruction of the sign.

Financial Impact

Overall, land acquisition costs for the extension of Kreutzer Road include \$30,000 for Walgreens, \$275,000 for Route 47 & Kreutzer, LLC and \$300,000 for the Manke property (\$605,000). The previous estimate for land acquisition was \$1,573,500.

Legal Analysis

The Village Attorney has reviewed a letter of agreement and all is in order for Village Board approval of the payment to Walgreens.

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

**A MOTION was made to approve a resolution approving a Sign Relocation Fee in the amount of \$30,000 for Walgreens, 12000 Princeton Drive.**

- MOTION: Trustee Piwko**
- SECOND: Trustee Hanson**

**AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**  
**NAYS: None**  
**ABSENT: None**  
**The motion carried: 6-0-0**

f) Consideration of an Ordinance Approving Reduction in Letter of Credit for Huntley Professional Center Phase I

Senior Assistant to the Village Manager Lisa Armour reported that the Village has received a request from Doherty & Associates, Inc. for a reduction in their Letter of Credit. Huntley Development Group, LLC (Doherty & Associates, Inc.) is the developer of a ±3.94 acre tract northwest of the intersection of Kiley Drive and Ruth Road known as Huntley Professional Center Phase I.

The original Letter of Credit in the amount of \$217,668.00 received November 20, 2007, was reduced to \$96,600.90 on March 17, 2008 and again on April 28, 2008 to \$49,195.70.

Staff Analysis

The Civil Engineer has reviewed the request and concludes that the amount of the Letter of Credit may be reduced from its current value of \$49,195.70, by \$12,917.70, to a new amount of \$36,278.00. The new amount represents the retainage to be held until acceptance of the project.

Project	Original LOC Amount	Original Engineer's Estimate of Cost	Current LOC Amount	Reduction	New LOC Amount
Huntley Professional Center – Phase I	\$217,668.00	\$181,390.00	\$49,195.70	\$12,917.70	\$36,278.00

Financial Impact

There is no financial impact to the Village.

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

**A MOTION was made to approve an Ordinance Approving a Reduction in Letter of Credit for Huntley Professional Center Phase I.**

**MOTION: Trustee Kanakaris**  
**SECOND: Trustee Hahn**  
**AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**  
**NAYS: None**  
**ABSENT: None**  
**The motion carried: 6-0-0**

g) Approval of Payout Request No. 5 to Plote Construction, Inc. – 2012 MFT Street Program

Senior Assistant to the Village Manager Lisa Armour reported that on April 26, 2012 the Village Board approved Resolution (R)2012-04.15 - To Appropriate \$715,930.00 in Motor Fuel Tax Funds for Contract Construction for the 2012 Street Improvement Program and Resolution (R)2012-04-16 - Execution of the Construction Contract to the lowest responsible bidder, Plote Construction, Inc., in the

amount not to exceed \$695,930.00. The Board also authorized an additional \$65,000 of work to complete the grind and overlay of Church Street from Algonquin Road south to Second Street and the grinding of S. Union Road. On August 9<sup>th</sup>, the Board authorized the additional work of paving S. Union Road. On October 12, 2012 the Board approved three change orders increasing the 2012 MFT Street Program total amount to \$800,701.71. Based upon final quantities submitted for the final payment, the total contract amount is \$790,694.73.

The Village's project engineer, CBBEL, has submitted the fifth and final payout request under the 2012 MFT Street Program.

Staff Analysis

On August 9, 2012 the Village Board approved Payout Request #1. On August 23, 2012 the Village Board approved Payout Request #2. On October 11, 2012 the Village Board approved Payout Request #3 with the three additional change orders. On November 8, 2012, the Village Board approved Payout Request #4. The program is 100% complete as of Payout Request #5. Waivers of Lien and payroll certifications have been received.

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1	\$82,580.41	\$8,258.04	-0-	\$74,322.37
#2	\$417,690.56	\$41,769.06	\$74,322.37	\$301,599.14
#3	\$714,415.37	\$35,720.77	\$301,599.37	\$302,773.20
#4	\$783,194.73	\$15,663.89	\$302,773.20	\$88,836.14
#5	\$790,694.73	\$0.00	\$88,836.14	\$23,163.89

Financial Impact

The Engineering Department recommends payment to Plote Construction, Inc. in the amount of \$23,163.89. Total project cost for the 2012 MFT Program, including engineering of \$93,400, is \$884,094.73.

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

**A MOTION was made to approve the final Payout Request No. 5 to Plote Construction, Inc. in the amount of \$23,163.89 for the work completed under the 2012 MFT Street Program.**

- MOTION: Trustee Kanakaris**
- SECOND: Trustee Hahn**
- AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**
- NAYS: None**
- ABSENT: None**
- The motion carried: 6-0-0**

- h) Consideration of Resolution Approving an Illinois Elevator Safety Program Agreement with the Office of the State Fire Marshall

Director of Development Services Charles Nordman reported that in 2007 the Village Board approved an Illinois Elevator Safety Program Agreement with the Office of the State Fire Marshal (OSFM) which allowed the Village to continue to operate a local Elevator Safety Program. The Village's program is administered by Thompson Elevator Inspection Services.

On October 1, 2012, revisions to the Illinois Elevator Safety Rules (41 Ill. Admin. Code 1000) reflecting prior amendments to the Elevator Safety and Regulation Act became effective as State law. As a result of these revisions, a new Agreement must be entered into with the OSFM. The new Agreement contains the following changes:

1. The term of the agreement is 4 years. The previous Agreement did not have an expiration date.
2. Removes the need for local code adoption of specific elevator codes. Such codes are identified in the Illinois Elevator Safety Rules, which became State law on October 1, 2012.
3. The deadline to comply with adding a door restrictor to existing elevators has been moved from January 1, 2015 to January 1, 2014.
4. Upon request by OSFM, permit and inspection records must be made available for a 2-year period, rather than 1-year as required by the previous Agreement.
5. Ensure that all inspections and maintenance are performed by personnel properly licensed by the State.

Without the Village's Elevator Safety Program, the authority to review plans, issue permits, and inspect elevators would be the responsibility of the OSFM which has four inspectors whose inspection responsibilities cover the entire state. By continuing the Agreement, the Village achieves enhanced safety through more frequent inspections and ensures permits are reviewed and issued expeditiously.

#### Financial Impact

The Agreement allows the Village to continue to operate an Elevator Safety Program which generated \$11,634 in revenue in 2012.

#### Legal Analysis

The Agreement constitutes a voluntary contract between the OSFM and the Village of Huntley, permitting the Village to operate an Elevator Safety Program in conformance with Section 140 of the Elevator Safety and Regulation Act (225 ILCS 312/140), and the Administrative Rules (41 Ill. Adm. Code 1000). Without the Agreement, authority over the Village's elevator program reverts to the OSFM.

Mayor Sass asked if the Board had any comments or questions. Trustee Fender asked how many elevators were in the Village. Director Nordman reported that there were 30. There were no other comments or questions.

**A MOTION was made to approve a resolution approving an Illinois Elevator Safety Program Agreement with the Office of the State Fire Marshall.**

**MOTION: Trustee Piwko**

**SECOND: Trustee Fender**

**AYES: Trustees Fender, Hahn, Hanson, Kanakaris, Leopold and Piwko**

**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 the ribbon cutting for Andare’ at Talamore will be on Wednesday, February 20<sup>th</sup> from 5:00–7:00 p.m.

Mayor Sass reported that the ribbon cutting for Starbucks will be on Thursday, February 21<sup>st</sup> from 3:00-5:00 p.m.

Mayor Sass reported that the Village Offices will be closed on Monday, February 18<sup>th</sup> in observance of President’s Day.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** None

**EXECUTIVE SESSION:** None

**ACTION ON CLOSED SESSION ITEM:** None

**ADJOURNMENT:**

**There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:20 p.m.**

**MOTION: Trustee Piwko**

**SECOND: Trustee Leopold**

**The Voice Vote noted all ayes and the motion carried.**

Respectfully submitted,

Barbara Read  
Recording Secretary