

**VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
May 23, 2013
MINUTES**

CALL TO ORDER:

A meeting of the Village Board of the Village of Huntley was called to order on Thursday, May 23, 2013 at 7:04 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

PRESENT: Mayor Charles Sass; Trustees: Ronda Goldman, Nick Hanson, 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 and Village Attorney Mike Coppedge.

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

PUBLIC HEARING:

Petition for a Second Amendment to the Fryer Company Annexation Agreement / Commonly Known as the Huntley Tech Center, 11189 Dundee Road

Mayor Sass asked for a motion to open the Public Hearing.

A MOTION was made to open the Public Hearing at 7:05 p.m. regarding the Petition for a Second Amendment to the Fryer Company Annexation Agreement / Commonly Known as the Huntley Tech Center, 11189 Dundee Road.

MOTION: Trustee Leopold

SECOND: Trustee Hanson

The Voice Vote noted all ayes and the motion carried.

Mayor Sass reported that the Huntley Tech Center, a multi-tenant building located at 11189 Dundee Road, was annexed to the Village in 1997 and re-zoned to the "M" Manufacturing District with specific uses set forth in the annexation agreement. The first amendment to the annexation agreement was approved in April, 2006, and further clarified the various uses allowed. Tee 2 Green Indoor Golf received approval of a special use permit in 2011 and was issued a Class A liquor license in late 2012. Tee 2 Green is now requesting to add an outdoor seating area (deck) of approximately 1,200 square feet adjacent to the entrance to their unit on the east side of the building.

The "M" Manufacturing District does not accommodate the outside seating area (deck). Re-zoning of the entire property is not a feasible alternative. However, because the annexation agreement has not yet expired, the opportunity exists to specifically address the Tee 2 Green request by amending the agreement as follows:

"The Village shall cause to be issued a Class A liquor license solely for the benefit of Tee 2 Green

Indoor Golf, LLC ("Tee 2 Green"), located at 11173 Dundee Road, located within the Huntley Tech Center. Tee 2 Green shall be allowed an outdoor seating area adjacent to the unit to allow for the consumption of food and alcohol purchased from Tee 2 Green during established hours of operation for Tee 2 Green. Said outdoor seating area shall be constructed in accordance with all prevailing building code provisions of the Village and shall thereafter be operated in accordance with all prevailing codes and ordinances of the Village including, but not limited to, those that pertain to noise. At such time as Tee 2 Green ceases operation, the liquor license shall be surrendered to the Village. The owner of the property shall remove the outdoor seating permitted hereunder within thirty days of the expiration of the liquor license or within thirty day of termination of the Tee 2 Green operation, whichever is the first to occur. The maximum number of liquor licenses available to the Huntley Tech Center shall be one and shall not be transferrable from Tee 2 Green to any successor or assign or to any other unit."

In addition, it should be noted that the temporary changeable copy sign is expected to be removed from the portion of the property located outside the Village limits within the next month. It is proposed to be replaced with permanent signage. Also, the property owner has agreed to discuss the possible annexation of the remainder of the property into the corporate limits of the Village.

Legal Analysis

A public hearing is required to amend the annexation agreement. Notice was published on May 8th in the Northwest Herald for the public hearing. A two-thirds vote of the Village Board is required for approval (5 affirmative votes out of 7).

Village Board Comments, Committee of the Whole Meeting

The Committee of the Whole discussed the petitioner's request on May 16th. The Village Board requested that landscaping should be added adjacent to the proposed outdoor seating area to improve the appearance of the property and to provide screening. The owner of Tee 2 Green was asked to provide additional information as to the appearance of the deck and materials to be used.

Mayor Sass asked if there was anyone in the audience that wished to make a comment about the proposed amendment to the annexation agreement; there was none.

A MOTION was made to close the Public Hearing at 7:06 p.m.

MOTION: Trustee Leopold

SECOND: Trustee Piwko

The Voice Vote noted all ayes and the motion carried.

PUBLIC COMMENTS: None

CONSENT AGENDA:

(All items listed under Consent Agenda have been discussed at the Committee of the Whole and may be approved/accepted by one motion. The Village Clerk will number all Ordinances and Resolutions in order, following approval).

- a) Approval of the May 23, 2013 Bill List in the amount of \$748,361.68
- b) Approval of Advisory Board Appointments
 - i. Historic Preservation Commission Appointment – Diana Carpenter
 - ii. Plan Commission Appointment – Ron Hahn
 - iii. Zoning Board of Appeals Appointment – Terra Jensen

iv. Zoning Board of Appeals Appointment – Grant Freeding

- c) Approval of an Ordinance Approving a Special Use Permit for a Secondhand Store at the Huntley Outlet Center, 11800 Factory Shops Boulevard – Unit 300 / Sweet Repeats
- d) Approval of a Landscaping Plan for the Village of Huntley Cemetery/Columbarium Area
- e) Approval of a Resolution Awarding a Job Order Contract to F. H. Paschen, S. N. Nielsen & Associates, LLC in the amount of \$100,589.48 to Install Two Aerobic Digester Blowers at the East Wastewater Treatment Plant
- f) Approval of an Ordinance Amending Village of Huntley Code of Ordinances, Title IX, Chapter 97, Water Usage
- g) Approval of a Resolution Approving a Proposal for Professional Construction Observation Services for IDOT Contract #63743 – Kreutzer Road Extension with Christopher B. Burke Engineering, Ltd.

Mayor Sass asked if the Village Board had any changes to the Consent Agenda; there were none.

A MOTION was made to approve the Consent Agenda.

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

- a) Approval of the April 18, 2013 Committee of the Whole, April 25, 2013 Village Board and May 2, 2013 Committee of the Whole Meeting Minutes

Mayor Sass reported that the Minutes were removed from the Consent Agenda as Trustees Goldman and Westberg were not yet on the Village Board. 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 April 18, 2013 Committee of the Whole, April 25, 2013 Village Board and May 2, 2013 Committee of the Whole Meeting Minutes.

MOTION: Trustee Leopold
SECOND: Trustee Piwko
AYES: Trustees Hanson, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: None
ABSTAIN: Trustees Goldman and Westberg
The motion carried: 4-0-0-2

- b) Approval of an Ordinance Approving a Second Amendment to the Fryer Company Annexation Agreement (Huntley Tech Center), Ordinance No. 97-02-27-03

Mayor Sass noted the handout of the petitioner's deck request and also noted the letter received by the petitioner. Mayor Sass reported that the petitioner, Marc Tintner was in attendance to answer questions.

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

Trustee Leopold stated that he was not satisfied with the exhibit as it needed more details.

Trustee Hanson stated that the exhibit for the deck needed detailed drawing and an actual building plan and asked that this item be Tabled.

A MOTION was made to TABLE the Approval of an Ordinance Approving a Second Amendment to the Fryer Company Annexation Agreement (Huntley Tech Center), Ordinance No. 97-02-27-03.

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

ITEMS FOR DISCUSSION AND CONSIDERATION:

- a) Consideration of an Ordinance Authorizing the Purchase of Three Vacant Parcels Located Behind the Village Inn Restaurant, 11713 E. Main St.

Mayor Sass reported that in accordance with Village Board direction, staff has negotiated the purchase of three vacant parcels located behind the Village Inn Restaurant, 11713 E. Main Street. The parcels are all under the ownership of William Galanis. The parcels are to the east of the municipal parking lot and to the south the Village owns a parcel that includes a well no longer in use.

Staff Analysis

As directed, staff entered into negotiations to purchase the three vacant parcels totaling ± 23,723 square foot for \$6.00 per square foot. The owner has agreed to sell the property for this price.

Financial Impact

The Downtown Improvement Fund for the FY2013 budget was recently amended to include line item 06-10-4-7710, Property Acquisition, in the amount of \$300,000. The purchase cost and associated due diligence costs would come from this fund.

Legal Analysis

The Village Attorney has reviewed the proposed transactions and all is in order for Village Board consideration.

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 Purchase of Three Vacant Parcels Located behind the Village Inn Restaurant, 11713 E. Main Street

MOTION: Trustee Piwko
SECOND: Trustee Kanakaris
AYES: Trustees Goldman, Hanson, Kanakaris, Leopold, Piwko and Westberg
NAYS: None
ABSENT: None

The motion carried: 6-0-0

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT:

Trustee Leopold noted that Regency Square finally mowed the grass.

Trustee Kanakaris noted that some of the street lights in Northbridge go on and then go off for no reason. Village Manager Johnson reported that an audit was completed with the assistance of the Citizens Police Academy Alumni and the results will be reviewed. Trustee Kanakaris noted that some of the lights stay on due to the trees covering the sensors; Village Manager noted that those trees will be trimmed.

VILLAGE PRESIDENT'S REPORT:

Mayor Sass read a Proclamation for Tommy Piwko regarding his graduation from 8th grade.

Mayor Sass reported that there is no meeting on May 30th as it is the 5th Thursday of the month.

Mayor Sass reported that the first Farmers Market is on May 25th from 8am to 1pm.

Mayor Sass reported that Monday, May 27th is the Memorial Day parade and ceremony and that Village Offices will be closed.

Mayor Sass reported that everyone may notice more traffic in town this weekend as the Huntley Memorial Day Weekend Baseball Bash will be taking place at various ball diamonds throughout the Village.

Mayor Sass reported that May 31st is the Cop on Top day at Dunkin Donuts – a fundraiser by our Police for the Special Olympics.

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 7:18 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Kanakaris

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary