

**VILLAGE OF HUNTLEY  
COMMITTEE OF THE WHOLE MEETING  
June 16, 2016  
MINUTES**

**CALL TO ORDER:**

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, June 16, 2016 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 and Village Attorney John Cowlin.

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

**PUBLIC COMMENTS:**

Catherine Portera, Huntley, IL asked when the Village would be getting the ComEd Smart Meters. Village Manager David Johnson reported it is anticipated that the process would begin in 2018. Ms. Portera stated that she is concerned about having to get the meter and will provide the Village Board with information regarding the Smart Meters.

Maureen Garcelon, Huntley, IL stated that she was surprised that the Village is not involved more with the installation of the Smart Meters. Village Manager Johnson reported that this is all under the jurisdiction of ComEd.

**ITEMS FOR DISCUSSION:**

Mayor Sass reported that the following Item has been removed from the Agenda: Discussion – Consideration of an Ordinance Approving a Special Use Permit to operate an Indoor Recreation Facility within the “M (PUD)” Manufacturing – Planned Unit Development District-zoned property at 10725 Wolf Drive / Huntley Gymnastics Academy and Academy of Cheer

- a) Discussion – Approval of the May 19, 2016 Village Board Meeting Minutes

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

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the May 19, 2016 Village Board Meeting Minutes.***

b) Discussion – Approval of the June 23, 2016 Bill List in the amount of \$575,503.08

Mayor Sass reported that \$176,426.11 (or 30.7%) of the total bill list is attributable to Payout #6 to Alliance Contractors Inc. for the Downtown Streetscape Improvements Project(\$140,705.95) and payment to Corrective Asphalt Materials, LLC for the 2016 Asphalt Rejuvenator Program(\$35,720.16). Mayor Sass asked if the Committee had any comments or questions regarding the Bill List; there were none.

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval the June 23, 2016 Bill List in the amount of \$575,503.08.***

c) Discussion – Consideration of an Ordinance Approving a Simplified Residential Zoning Variation for a Building Addition Encroaching into the Rear Yard Setback – 12242 Winne Lane

Director of Development Services Charles Nordman reviewed a Power Point Presentation and reported that the petitioners are requesting 10.7-foot relief from the forty (40') foot minimum rear yard building setback to accommodate the construction of a screen room addition on the north side of the “RE-1 (PUD)” Residential Estate – Planned Unit Development-zoned residence at 12242 Winne Lane.

The proposed 11.5-foot x 14.5-foot (166.75 square feet) screen room addition on the rear (north) side of the residence will encroach 10.7 feet into the forty (40') foot rear yard setback established per Village of Huntley Ordinance #2013-09.51. The subject property abuts Outlot A to the north and Outlot F to the east which provide for stormwater detention and a Municipal Utility Easement / Drainage Easement, respectively. Both Outlots are dedicated to the Talamore Community Association.

The petitioners note their extreme allergies to mosquitos and other outdoor contaminants and the Talamore developer not offering a model with a screen porch as reasons for wanting the screened addition that requires relief from the rear setback requirement. The Development Services Department is in receipt of the Talamore Community Association letter approving the proposed screen room addition.

#### Zoning Board of Appeals Recommendation

The Zoning Board of Appeals reviewed the petitioners' request at a public hearing on June 8, 2016 and unanimously recommended approval of the request 5-0 subject to the following condition:

1. No building permits or Certificates of Occupancy are approved as part of the Simplified Residential Zoning Variation.

Director Nordman reported that the homeowners are in attendance to answer questions.

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

***It was the consensus of the Committee of the Whole to forward on to the Village Board an Ordinance Approving a Simplified Residential Zoning Variation for an addition encroaching into the Rear Yard Building Setback – Robert and Frances Fry, 12242 Winne Lane.***

d) Discussion – Consideration of a Resolution Approving a Façade Improvement Assistance Program Grant for the Village Inn Restaurant, 11713 E. Main Street

Director of Development Services Charles Nordman reviewed a Power Point Presentation and reported that the petitioner, Mr. William Galanis, previously appeared before the Committee of the Whole on April 21, 2016, requesting approximately \$50,000 in funding from the Façade Improvement Assistance Program. At that time, his proposal had a total estimated cost of \$76,092.80 and included the following improvements:

- Installation of a brick masonry base to the front elevation
- Installation of LP Smart Siding to the front, side and rear building elevations (LP Smart Siding was used on the Hackett House renovation and SKM building)
- Architectural shingles on the existing mansard roof
- Installation of new can lights within the mansard roof
- Repair and painting of rear deck
- Closure of an existing rear door

The Village Board expressed concern regarding the amount of funding that was requested by the petitioner and recommended he reduce the scope of work and return with a revised plan that would be more affordable for him. In response, he has submitted a revised application that eliminates raising the parapet wall and windows on the front elevation and eliminating the new signage, ramp, and fencing from the rear of the building. The project cost of the revised application is \$59,070.00.

#### Staff Analysis

The Façade Improvement Assistance Program Guide identifies specific exterior improvements that are eligible for reimbursement. All proposed exterior improvements are identified as eligible improvements under the guidelines of the program.

The Village Board shall evaluate the projects based on the value of the aesthetic improvements to the Village of Huntley and the following criteria:

- Condition of the building and need for renovation
- Extent to which the improvements conform to the Downtown Revitalization Plan and Commercial Design Guidelines
- Extent to which the proposed improvements restore, maintain, or enhance the character of the building and surrounding area

Staff has reviewed the proposal and the projects appear to meet the criteria for the program.

#### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Promote New Business Development, Retention, and Expansion*” as a priority, and “continue downtown revitalization efforts” as an objective.

#### Financial Impact

The FY2016 budget includes \$90,000 for the Façade Improvement Assistance Program in the Downtown Improvement Fund (To date, \$44,047.50 of the FY2016 funds have been dedicated to projects).

The Façade Improvement Assistance Program allows reimbursement of up to fifty percent (50%) of the project cost per property with a maximum reimbursement of \$10,000 per project. The maximum aggregate amount of all grants approved for a property within any five (5) year period shall be limited to \$20,000. The Village Inn is located on two lots (and has two PINs) and is therefore eligible for up to \$20,000 per lot over the 5 year period (\$40,000 total).

The total cost of the projects is \$59,070.00 which would allow a maximum reimbursement of \$29,535.00 (50% of the project cost) for the properties. If the full amount is approved by the Village Board, reimbursement would be divided over two years (\$20,000 from FY2016 and \$9,535.40 from FY2017).

#### Legal Analysis

If the requested grant is approved by the Village Board, the petitioner must sign and abide by the terms of the Façade Improvement Assistance Program Agreement in order to be reimbursed for the project.

Director Nordman reported that a representative for the petitioner was in attendance to answer questions.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Westberg asked when the improvements would begin; Mr. Joe Mukite, Xanadu Builders stated that they will begin as soon as possible.

Trustee Piwko asked for clarification that they will be keeping the existing sign; Mr. Mukite stated that the existing sign is remaining.

Trustee Leopold asked for clarification that the petitioner would be reimbursed \$29,535. Director Nordman stated that the amount is 50% of the project cost and it would be reimbursed \$20,000 from FY2016 and \$9,535.40 from FY2017.

There were no other comments or questions.

***It was the consensus of the Committee of the Whole to forward to the Village Board a Resolution Approving a Façade Improvement Assistance Program Grant for the Village Inn Restaurant, 11713 E. Main Street.***

- e) Discussion – Consideration of a Resolution Approving a Façade Improvement Assistance Program Grant for The Woodstock Street LLC, 11021 – 11023 Woodstock Street

Director of Development Services Charles Nordman reviewed a Power Point Presentation and reported that the petitioner, The Woodstock Street LLC, has submitted a Façade Improvement Assistance Program application requesting \$10,000 in assistance for improvements to 11021 – 11023 Woodstock Street. The scope of work proposes to replace the existing vinyl siding with Hardiplank Lap Siding, installation of copper gooseneck lamps on the Main Street and Woodstock Street building elevations, and replacing the existing awnings on the Woodstock and Main Street elevations.

### Staff Analysis

The Façade Improvement Assistance Program Guide identifies specific exterior improvements that are eligible for reimbursement. All proposed exterior improvements are identified as eligible improvements under the guidelines of the program.

The Village Board shall evaluate the projects based on the value of the aesthetic improvements to the Village of Huntley and the following criteria:

- Condition of the building and need for renovation (see photos with application)
- Extent to which the improvements conform to the Downtown Revitalization Plan and Commercial Design Guidelines
- Extent to which the proposed improvements restore, maintain, or enhance the character of the building and surrounding area

Staff has reviewed the proposal and the projects appear to meet the criteria for the program.

### Strategic Plan Priority

The 2016-2020 Strategic Plan identifies “*Promote New Business Development, Retention, and Expansion*” as a priority, and “continue downtown revitalization efforts” as an objective.

### Financial Impact

The FY2016 budget includes \$90,000 for the Façade Improvement Assistance Program in the Downtown Improvement Fund (To date, \$44,047.50 of the FY2016 funds have been dedicated to projects).

The Façade Improvement Assistance Program allows reimbursement of up to fifty percent (50%) of the project cost per property with a maximum reimbursement of \$10,000 per project. The maximum aggregate amount of all grants approved for a property within any five (5) year period shall be limited to \$20,000. The petitioner previously received a Façade Improvement Assistance Program grant in 2014 for \$7,925.00 to replace the second floor windows.

The estimated cost of the proposed improvements totals \$26,853.73 which would allow for a maximum reimbursement of \$10,000.

### Legal Analysis

If the requested grant is approved by the Village Board, the petitioner must sign and abide by the terms of the Façade Improvement Assistance Program Agreement in order to be reimbursed for the project.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Leopold asked if the Goose Lamp style fixtures were on both the Main Street and Woodstock Street sides of the building; Director Nordman reported that the fixtures would be installed on both façades.

Trustee Piwko stated that he liked the look of the proposed project.

Trustee Goldman complimented the project.

There were no other comments or questions.

***It was the consensus of the Committee of the Whole to forward to the Village Board a Resolution Approving a Façade Improvement Assistance Program Grant for The Woodstock Street LLC, 11021 – 11023 Woodstock Street.***

- f) Discussion – Conceptual Review of a Proposed Site Plan and Building Elevations for Advocate Health Care, ±5.89 acres located on Quality Drive

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that Advocate Health Care is proposing to construct a ±20,000 square foot medical office building on a ±5.89 acre site at the southern end of Quality Drive. The site is directly east of Life Spine. The proposed single-story medical office building will focus on ambulatory care.

The proposed single-story building will be orientated to face Route 47 with the front elevation featuring a combination of Harvard modular brick veneer, cast stone and large windows. Signage will be located on the west, north and south elevations to be visible from Route 47, Interstate 90 and Quality Drive. The rear of the building is proposed to use a combination of the Harvard modular brick veneer and preformed metal panels.

The proposed site plan provides 88 parking spaces for the ±20,000 square foot building (80 spaces are required) with parking to the west, south and east of the building. An open space is provided to the north of the building to allow for a possible addition at some point in the future. Stormwater detention will be provided on the north side of the site, adjacent to the entrance driveway.

#### Staff Analysis

The proposed ±5.89 acre site is zoned “O” Corporate Office Park which allows Health Care Facilities, including professional doctor offices or clinics, as a permitted use.

The proposed plan will require the following reviews and approvals from the Plan Commission and Village Board:

- Final Plat of Subdivision
- Site Plan Review, including any necessary relief

#### Strategic Plan Priority

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

Michael McGinn from HDR Architects reviewed a Power Point presentation outlining the exterior features of the building.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Leopold stated that the wall signs will be hard to read from Route 47 and I90. Mr. McGinn stated that they tried to place them in the best possible location.

Trustee Piwko asked about the location of the dumpsters; Mr. McGinn reported that they will be located on the west side of the building. Trustee Piwko also asked where an ambulance would enter; Mr. McGinn reported that the canopy over the front entrance is tall enough for an ambulance and the rear entrance is also available for an ambulance.

Trustee Kanakaris asked if the drive aisles are wide enough for emergency vehicles; Director Nordman stated that the drive aisles are wide enough for emergency vehicles. Trustee Kanakaris asked if there will be lights on the exterior of the building; Mr. McGinn stated that they have not yet been included on the plan. Trustee Kanakaris asked where the location of the monument sign will be; Mr. McGinn reported that the monument sign will be located at the Quality Drive entrance.

Trustee Goldman asked why there was no signage on the west side of the building; Mr. McGinn reported that side faces Life Spine so it would not be visible.

Trustee Westberg stated that the plans look great and asked if the building would be tax exempt; Mr. McGinn said yes.

There were no other comments or questions.

***It was the consensus of the Committee of the Whole to refer Advocate Health Care to the Plan Commission to begin the formal development review and approval process.***

- g) Discussion – Consideration of an Ordinance Approving (i) the ±39.39-acre Final Plat of Subdivision Regency Square – Phase 2C generally located at the Southwest corner of Kreutzer Road and Princeton Drive and (ii) the ±14.6 acre Final Plat of Subdivision of Alden of Huntley generally located at the Northwest corner of Regency Parkway and Princeton Drive and (iii) a Plat of Vacation

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that on June 27, 2013, the Village Board adopted Ordinance (O)2013-06.39 which approved the preliminary plat of subdivision, map amendment, special use permits, and site plan for the Alden Realty Services development. The proposed development, located on 14.6 acres at the northwest corner Regency Parkway and Princeton Drive, includes a 60-bed memory care facility, 110-bed skilled nursing facility and 79-units of independent living. Ordinance (O)2013-06.39 included an extension allowing the necessary approvals to be valid for two (2) years; however, the process of obtaining tax credits/financing took longer than originally anticipated and Alden received an additional one year extension that extended the approval to June 27, 2016.

### Staff Analysis

#### *Final Plat of Subdivision Regency Square – Phase 2C*

The Final Plat of Subdivision Regency Square – Phase 2C is a two-lot subdivision of 39.39 acres at the southwest corner of Kreutzer Road and Princeton Drive. The two-lot subdivision will create a 4.84 acre lot that will become part of the Alden campus and a 34.55 acre lot that will be retained by SBTC Redevelopment, LLC Series Pistakee and marketed for future development.

The following tables provide a further comparison of the proposed and zoning requirements for each lot:

*Lot 1 (Vacant) – BP Business Park and C-2 Regional Retail*

	Code Requirement	Proposed	Relief Required
Lot Area	Min. 1 acre	34.55 acres	None
Lot Width	Min. 100 feet	1,345 feet	None

*Lot 2 (Portion of Alden Campus) – C-2 Regional Retail*

	Code Requirement	Proposed	Relief Required
Lot Area	Min. 1 acre	4.84 acres	None
Lot Width	Min. 100 feet	256.75 feet	None

*Final Plat of Alden of Huntley*

The Final Plat of Subdivision of Alden of Huntley will subdivide the ±14.6 acre Alden campus into three lots, including the 4.84 acre Lot 2 which was created in the Final Plat of Subdivision Regency Square - Phase 2C. Easements are proposed on the Final Plat to accommodate the necessary utilities, stormwater management, and cross-access for the Alden campus.

The following tables provide a further comparison of the proposed and zoning requirements for each lot:

*Lot 1 (Independent Living) - BP Business Park*

	Code Requirement	Proposed	Relief Required
Lot Area	Min. 1 acre	5.439 acres	None
Lot Width	Min. 100 feet	114.84 feet (at street)	None

*Lot 2 (Skilled Nursing/Rehabilitation and Memory Care): C-2 Regional Retail*

	Code Requirement	Proposed	Relief Required
Lot Area	Min. 1 acre	7.380 acres	None
Lot Width	Min. 100 feet	540.58 feet	None

*Lot 3 (Vacant): C-2 Regional Retail*

	Code Requirement	Proposed	Relief Required
Lot Area	Min. 1 acre	1.846 acres	None
Lot Width	Min. 100 feet	256.75 feet	None

*Plat of Vacation*

The proposed plat of vacation will eliminate several utility, storm sewer, and landscape easements that are no longer necessary due to improvements being constructed on the Alden site. All necessary easements for the Alden development are reflected on the proposed Final Plat of Subdivision of Alden of Huntley.

Plan Commission Recommendation

The Plan Commission will review the respective Final Plats of Subdivision at their meeting on Monday, June 13, 2016. Staff is recommending the following conditions of approval be applied should the Plan Commission forward a positive recommendation to the Village Board:

1. In accordance with Section 155.221(A)(6) of the Subdivision Ordinance, the developer shall record the plat of consolidation with the Recorder of Kane County within three months of approval by the Village Board. Failure to record the Plat(s) of Subdivision within three (3) months shall render the documents null and void.
2. In accordance with the Annexation Agreement for the property, a capital development fee of \$500 per acre shall be required for the Final Plat of Subdivision of Alden of Huntley.
3. The extension of the 5’ public sidewalk from the southwest corner of the site west along the north side of Regency Square will be required to the sidewalk termination east of the Huntley Fire Protection District’s driveway. This work shall be completed prior to October 31, 2017.
4. Binder course remediation and surface course placement along Regency Parkway shall be required as part of development. This work shall be completed prior to October 31, 2017.
5. The Final Plat of Subdivision of Alden of Huntley shall be revised to reflect the following:

Sheet 1 of 2

1. The surveyor shall remove the random dashed lines in the center of proposed Lot 2.
2. The current P.I.N. for the property being subdivided shall be noted on the plat.
3. The Owner’s Notary Certificate needs to be revised (line for two owner’s signatures, but owner’s certificate has one and Standard Bank and Trust reference).
4. The surveyor shall fill in the recording date and document number for Regency Square Phase 2C on all appropriate blank lines or remove from the plat.
5. Update the label in title block of “Expires 11-30-2013”.

Sheet 2 of 2

6. The surveyor shall fill in recording date and document number for Regency Square Phase 2C on all appropriate blank lines or remove from the plat.
7. Update label in title block of “Expires 11-30-2013”.
8. The surveyor shall add the Storm Sewer provisions as referenced.

Financial Impact

In accordance with the Annexation Agreement for the property, a capital development fee of \$500 per acre shall be required for the Final Plat of Subdivision of Alden of Huntley. The capital development fee for Lot 1 of the Final Plat of Subdivision Regency Square – Phase 2C shall be paid in the future when development is proposed to occur on the lot.

Mayor Sass asked if the Committee had any comments or questions.

Trustee Piwko asked if there was a sidewalk on the east end of the property; Director Nordman reported that there was a sidewalk at that location.

There were no other comments or questions.

*It was the consensus of the Committee of the Whole to forward on to the Village Board an Ordinance Adopting (i) a Final Plat of Subdivision for the ±39.39-acre Regency Square – Phase 2C generally located at the Southwest corner of Kreuzer Road and Princeton Drive and (ii) the ±14.6 acre Final Plat of Subdivision of Alden of Huntley generally located at the Northwest corner of Regency Parkway and Princeton Drive and (iii) a Plat of Vacation.*

- h) Discussion – Consideration of an Ordinance Amending the Huntley Code of Ordinances – Business Regulations, Alcoholic Beverages, Chapter 110, Section 110.24 – Limitation on Licenses – Adding one Class “A” License – Liquor Control Ordinance

*Trustee Kanakaris left the room.*

Village Manager David Johnson reported that the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

#### Staff Analysis

Consideration is being requested to amend the Liquor Control Ordinance to make available twelve (12) Class “A” licenses instead of eleven (11) in order to provide for the application from Millie’s LLC; 13310 Village Green Drive. The application has been reviewed by Staff and all is in order for consideration.

The Class “A” license shall permit the retail, sale on the premises specified, of alcoholic liquor, for consumption on the premises, as well as other retail sale of alcoholic liquor in the original package. Listed below are the current licensed establishments with a Class “A” license:

- |  |                                   |
|--|-----------------------------------|
| 1. Bricks & Ivy LLC d/b/a Parkside Pub | 7. Sammy’s Restaurant             |
| 2. Brunch Cafe                         | 8. Soula’s Village Inn            |
| 3. Jameson’s Restaurant                | 9. Starbucks                      |
| 4. Offie’s Tap                         | 10. Tee 2 Green Indoor Golf LLC   |
| 5. Pub 47                              | 11. Triple K & B; d/b/a Rookies 3 |
| 6. Sal’s Pizzeria                      |                                   |

#### Financial Impact

The fee received for a yearly Class “A” License is \$950.00.

#### Legal Analysis

Section 110.24 of the Village Code of Ordinances limits the number of available licenses in each class. There is no available Class “A” license; therefore, if the Liquor Commission elects to issue a license to Millie’s the Commission must create one (1) additional Class “A” license.

Village Manager Johnson reported that the petitioner Michael McGuire of Millie’s LLC was in attendance to answer questions.

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

***It was the consensus of the Committee of the Whole to forward on to the Liquor Commission for consideration of an ordinance Amending the Huntley Code of Ordinances – Business Regulations, Alcoholic Beverages, Chapter 110, Section 110.24 – Limitation on Licenses, Adding one (1) Class “A” License – Liquor Control Ordinance.***

- i) Discussion – Consideration of an Ordinance Approving the Issuance of a Class “A” Liquor License to Millie’s LLC; 13310 Village Green Drive

Village Manager David Johnson reported that in conjunction with the previous agenda item, the Village of Huntley regulates the sale of alcoholic beverages in the Village through its Liquor Control Ordinance, which provides for the issuance of certain classes of liquor licenses and establishes the number of licenses available in each class.

#### Staff Analysis

The Village is in receipt of an application for a Class “A” liquor license from Mr. Michael McGuire of Millie’s LLC (Millie’s) to operate a wine bar with video gaming at 13310 Village Green Drive. The site is approximately 1,600 square feet. A video gaming application has been submitted to include five (5) gaming terminals.

All documents required have been submitted with the exception of the State Liquor License. This is not uncommon to be waiting on the State’s approval while asking for approval from the local Liquor Commission. The Liquor Commission can approve the Class “A” liquor license with the condition of approval being that Millie’s must provide a certified copy (proof) that they obtained a State Liquor License before the Village’s liquor license becomes effective.

#### Financial Impact

The yearly fee of \$950 for the liquor license and \$125 for the gaming license have been received and deposited to 01-00-1-4120 / Liquor License revenue line item.

#### Legal Analysis

Section 110 of the Village Code of Ordinances regulates liquor sales in the Village. The application has been reviewed and is in compliance with Section 110: Alcoholic Beverages requirements.

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

***It was the consensus of the Committee of the Whole to forward on to the Liquor Commission for the Approval and Issuance of a Class “A” Liquor License to Millie’s LLC; 13310 Village Green Drive subject to the following condition of approval:***

- 1. Petitioner must show proof of the State of Illinois Liquor Licenses before the Village of Huntley Class “A” Liquor License becomes effective.***

- j) Discussion – Consideration of an Ordinance Amending Chapter 110: Alcoholic Beverages, of the Village of Huntley Code of Ordinances

Village Manager David Johnson reported that on June 2<sup>nd</sup>, the Village Board reviewed potential guidelines for outdoor cafes on Village right-of-way. The consensus of the Village Board was to allow for the cafes subject to certain requirements.

Staff Analysis

Section 156.084, Temporary Uses, Structures, Obstructions, (E) Permitted Temporary Uses, Structures, Obstructions, (12) of the Village Zoning Code currently provides for the following temporary use:

*Outdoor Restaurants.* In any Commercial or Business District as an accessory use to a restaurant as a principal use, provided however, that any such restaurant serving alcoholic beverages must adhere to Village of Huntley Code of Ordinances Chapter 110: Alcoholic Beverages.

Chapter 110: Alcoholic Beverages, Section 110.23 (A) (1) (a) identifies outside activities as off-premises. In order to allow for outside activities, a licensee must identify the activity and timeframe as part of the liquor license application or renewal. Staff is recommending the following amendment to Section 110.23 of the Liquor Control Code to allow for outdoor cafes. Approval would be on a case-by-case basis and granted as part of the initial liquor license application, the annual renewal, or by an amendment. Proposed language to be added to the codes is in *italics*.

§ 110.23 CLASSIFICATION AND FEES.

(A) There shall be nine classes of licenses:

(1) Class “A”: Class “A,” which shall permit the retail, sale on the premises specified, of alcoholic liquor, for consumption on the premises, as well as other retail sale of alcoholic liquor in the original package. The annual fee for such license shall be \$950.

(a) At the time of annual renewal of any Class “A” liquor license, any licensee who intends to conduct any annual off premises (outside) activities in the upcoming year shall submit a list with complete description to the Liquor Commissioner identifying the date and the hours for these special events. The Liquor Commission shall have the absolute discretion to approve or deny any date set forth on the list submitted as part of the annual renewal application. No amendments shall be approved during the course of the licensed year, and the failure to include a particular date on the list submitted as part of the annual renewal shall preclude any special event on any date not included on the attached list.

*(b) Outside restaurants, as an accessory use, may be located on Village right-of-way subject to the following conditions:*

- 1. The applicant shall include a site plan identifying the location of the seating area, the type and size of furniture to be used, and that a clear continuous pedestrian path of at least four feet in width will be maintained exclusive of any obstructions*
- 2. The applicant shall be required to enter into a license agreement with the Village for the use of the public right-of-way and as part of that agreement shall indemnify and hold harmless the Village and provide proof of insurance in the amount of \$1,000,000 with the Village named as an additional insured*
- 3. The applicant shall be responsible for maintaining the area free and clear of litter and debris*
- 4. Furniture shall be placed outside no earlier than April 1 and removed no later than October 31 so as not to interfere with snow removal operations*
- 5. Approval shall be subject to review annually as part of the liquor license renewal process*
- 6. A supplemental annual fee of \$50.00 shall be paid at the time of liquor license application or renewal*

In order to clarify that consumption of alcoholic beverages in public places would only be as allowed where specifically authorized; Section 110.14 is also proposed to be added as a new section under General Provisions:

*§ 110.14 Drinking in Public Places*

*No person shall openly drink or furnish to others any alcoholic liquor to drink upon any street, sidewalk, or public place within the Village unless otherwise permitted under this code.*

Legal Analysis

The proposed amendment has been reviewed by the Village Attorney.

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

***It was the consensus of the Committee of the Whole to forward to the Village Board for Approval an Ordinance Amending Chapter 110: Alcoholic Beverages, of the Village of Huntley Code of Ordinances.***

*Trustee Kanakarlis re-entered the Board Room.*

- k) Discussion – Approval of Payout Request No. 6 in the amount of \$140,705.95 to Alliance Contractors, Inc. for the Downtown Streetscape Improvements

Mayor Sass reported that on May 14, 2015 the Village Board of Trustees awarded a contract for the Downtown Streetscape Improvements to Alliance Contractors, Inc. The contract amount was \$2,857,772.58. On October 22, 2015 and March 10, 2016 the Village Board of Trustees approved Change Orders No. 1 and 2, respectively. The adjusted contract amount is \$2,939,690.54.

Alliance Contractors, Inc. has submitted the sixth payout request for the Downtown Streetscape Improvements. The Village’s project engineer, CBBEL, has reviewed the request and recommends approval of the payout request No. 6.

Staff Analysis

<u>Pay Request</u>	<u>Total Completed Work</u>	<u>Retention</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1	\$213,434.85	\$21,343.49	\$0.00	\$192,091.36
#2	\$682,701.12	\$68,270.11	\$192,091.36	\$422,339.65
#3	\$1,515,595.71	\$151,559.57	\$614,431.01	\$749,605.13
#4	\$2,682,932.35	\$53,658.65	\$1,364,036.14	\$1,265,237.56
#5	\$2,765,447.52	\$55,308.95	\$2,629,273.70	\$80,864.87
#6	\$2,909,025.02	\$58,180.50	\$2,710,138.57	\$140,705.95

Financial Impact

The FY2015 budget included funds for Streetscape Improvements project(s) in the Downtown TIF Fund 16-10-4-7712.

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

***It was the consensus of the Committee of the Whole to forward on to the Village Board for approval Payout Request No. 6 in the amount of \$140,705.95 to Alliance Contractors, Inc. for the Downtown Streetscape Improvements.***

- 1) Discussion – Consideration of an Ordinance Ascertaining the Prevailing Rate of Wages for Laborers, Mechanics, and other Workman Engaged in the Construction of Public Works Under the Jurisdiction of the Village of Huntley

Mayor Sass reported that each year the Village of Huntley is required by the Illinois Department of Labor to pass a Prevailing Wage Ordinance ascertaining the prevailing wage for laborers, mechanics, and other workmen engaged in the construction of public works. State law requires that municipalities annually adopt this ordinance.

Staff Analysis

Prevailing wages are established by the Illinois Department of Labor. Once approved, the Ordinance will be published in the local newspaper. The Prevailing Wage Scale pertains to the wages that the Village must ensure contractors are providing to laborers that perform work for the Village as part of any municipal project or public works construction or maintenance programs.

Documentation along with a notarized statement is required to be provided by the contractors that work for the Village stating that they are adhering to the Federal law and are in fact paying prevailing wages.

Legal Analysis

Pursuant to State Statute, the Ordinance will be published in the local paper and properly posted.

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

*It was the consensus of the Committee of the Whole to forward on to the Village Board an Ordinance approving the Village of Huntley Prevailing Wage Ordinance.*

**VILLAGE ATTORNEY’S REPORT:** None

**VILLAGE MANAGER’S REPORT:**

Trustee Leopold stated that Horizon had not mowed yet or removed the broken mower; Assistant Village Manager Armour stated that she received an e-mail on June 9<sup>th</sup> from Phil Waters that stated that crews were on their way to mow the site.

Trustee Piwko asked Staff if they knew what utility work was being done on Route 47; Village Manager Johnson reported that it could be fiber work which was allowed by the State.

**VILLAGE PRESIDENT’S REPORT:**

Mayor Sass reminded the Board of the June 22<sup>nd</sup> McCOG meeting.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

Trustee Leopold suggested that the Board look at the number of Liquor Licenses and the number of gaming machines allowed in the Village and consider a maximum number allowed of both. Trustee Leopold also suggested discussing the potential requests from service stations being allowed to hold

liquor licenses and looking at what other communities allow. Mayor Sass stated that once the Village is officially home rule it can be discussed.

**EXECUTIVE SESSION:** None

**ACTION ON CLOSED SESSION ITEMS:** None

**ADJOURNMENT:**

**There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:52 p.m.**

**MOTION: Trustee Hoeft**

**SECOND: Trustee Kanakaris**

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

Respectfully submitted,

Barbara Read  
Recording Secretary