

**VILLAGE OF HUNTLEY
COMMITTEE OF THE WHOLE MEETING
July 21, 2016
MINUTES**

CALL TO ORDER:

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, July 21, 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 and John Piwko

ABSENT: Trustee JR Westberg

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: None

ITEMS FOR DISCUSSION:

- a) Discussion – Approval of the June 16, 2016 Committee of the Whole, June 23, 2016 Liquor Commission and June 23, 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 June 16, 2016 Committee of the Whole, June 23, 2016 Liquor Commission and June 23, 2016 Village Board Meeting Minutes.

- b) Discussion – Approval of the July 28, 2016 Bill List in the amount of \$1,285,637.93

Mayor Sass reported that \$609,216.35 or (47%) of the total bill list is directly attributed to the payment of development impact fees to other taxing bodies (\$238,183.94), payment of SSA Property Taxes (\$120,012.12), TIF Sales Tax (\$145,840.77), and Sales Tax Rebate to Viking – TDC Huntley, LLC (\$105,179.52).

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 the July 28, 2016 Bill List in the amount of \$1,285,637.93.

c) Discussion – Consideration of an Ordinance Approving the Issuance of a Class “A” Liquor License to Pakkos Enterprises Corporation (Taco Loco) / 12132 Route 47

Mayor Sass 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

The Village is in receipt of an application for a Class “A” liquor license from Francisco and Rachel Pacheco of Pakkos Enterprises Corporation (Taco Loco) to operate a fast food Mexican restaurant with video gaming at 12132 Route 47. Taco Loco is currently located at 10996 Route 47 and has signed a lease agreement with Viking-TDC Huntley to relocate their business to the former Jimano’s Pizza unit in front of Walmart. A video gaming application has been submitted to include three (3) 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 Taco Loco 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 \$75 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 reported that the petitioner was in attendance to answer questions.

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

Trustee Piwko asked when the restaurant would be moving to its new location. Taco Loco owner, Rachel Pacheco, stated that they anticipate moving at the end of August.

There were no other comments or questions.

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 Pakkos Enterprises; 12132 Route 47 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.***

d) Discussion – Consideration of a Resolution Approving an Off-Premise Sign Request for the inaugural KISS of HOPE Open golf outing at Whisper Creek Golf Course

Director of Development Services Charles Nordman reported that the Cancer Kiss MY Cooley
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organization has requested to place temporary signs in the Village rights-of-way the first two (2) weeks of August (August 1st through August 13th) promoting their Saturday, September 17, 2016 KISS of HOPE Open charitable golf outing at Whisper Creek Golf Course. The signs will be installed beginning August 1st, 2016 and will be removed no later than August 16, 2016. Installation of 18"x24" corrugated plastic signs at the following locations:

- Route 47 and Reed Road
- Route 47 and Algonquin Road
- Route 47 and Mill Street
- Route 47 and Del Webb Boulevard
- Route 47 and Kreutzer Road
- Route 47 and Dean Street
- Route 47 and Main Street (NE corner)
- Algonquin Road and Haligus Road (NE and SW corners)
- Huntley/Dundee Road and Haligus Road
- Huntley/Dundee Road and Main Street
- Reed Road and Haligus Road
- Haligus Road and Main Street
- Kreutzer Road and Main Street
- Kreutzer Road and Haligus Road
- Entrances to Huntley Subdivisions *where feasible*

Staff Analysis

The Village’s Sign Regulations allow off-premise signs provided they receive Village Board approval and adherence to certain standards and criteria. The below table details the criteria and the proposed sign:

Criteria	Proposed
Sign adjacent to and intended to be viewed from Route 47 Only	A majority of the signs are proposed adjacent to Route 47; however, several are along other Village roadways.
Prohibited within a residentially zoned property	A majority of the signs are proposed adjacent to commercially zoned property; however, several are proposed near residential subdivisions
Maximum area of a sign face, whether a single sign face, two back-to-back, or a V-shaped type sign is 100 square feet	The proposed signage is 3.0 square feet
Maximum height is 15 feet above grade	The height of the signs are less than 3.5 feet above grade
The location shall not obscure or interfere with an official traffic control device or railroad safety signal or sign, or obstruct or interfere with a driver’s view of approaching, merging or intersecting traffic for a distance of 500 feet	The proposed sign locations will meet this requirement

The Cancer Kiss My Cooley organization acknowledges that some sites are not under the Village’s jurisdiction. Additionally, no signs will be posted on private property without prior authorization of the property own and no more than one (1) sign will be placed at any of the specified locations.

Financial Impact

The temporary sign permit fees are waived by Section 156.115 of the Zoning Ordinance.

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 a Resolution granting an off-premise sign permit to Cancer Kiss My Cooley.

- e) Discussion – Consideration of an Ordinance Authorizing the Village to Enter into an Agreement with A & J Sewer Service for Sludge Waste Disposal

Village Manager David Johnson reported that the Village has been contacted by a wastewater sludge hauler, A & J Sewer Service, contracted by Touhy Mobile Home Park and Blackhawk Estates Mobile Home Park of Des Plaines, IL and Fox Point Mobile Home Park of Wheeling, IL to discuss a potential contract arrangement for disposal of treated wastewater sludge produced at each of these facilities. Staff has visited each location to review the condition, operation and maintenance of the potable water and wastewater treatment facilities. Staff has also reviewed available sludge sampling analysis documents. The specific request is for the Village to consider a contract with A & J Sewer Service to accept for disposal at the Village of Huntley West Wastewater Treatment Facility the sludge produced at the three mobile home parks wastewater treatment facilities.

Staff Analysis

Staff has negotiated the following sludge hauling and disposal terms with A & J Sewer Service:

- The Village of Huntley will accept sludge hauled by A & J Sewer Service from the previously stated facilities for an indefinite period for processing at the Village's West Wastewater Treatment Facility (WWTF);
- The rate is 8.0 cents per gallon, with approximately 6,000 gallons accepted per week (estimated 25,000 gallons annually);
- The delivery driver, at the time of discharge and in the presence of Village wastewater operations staff, will complete the log form at the West WWTF to document the date, time, origin and amount of sludge discharged. The Village will invoice A & J Sewer Service monthly based on the logged records.

Acceptance of the sludge is subject to the following:

- A & J Sewer Service shall obtain and keep current the necessary permits including the IEPA permit(s) and provide required reports and manifests to the IEPA and the Village as may be required by the permit(s);
- Dumping times at Village of Huntley West Wastewater Plant will be during Village staffed working hours from 7:00 a.m. to 2:00 p.m., Monday through Friday. A & J Sewer Service is responsible for maintaining a clean and orderly dumping area at all times;

- The Village reserves the right to postpone the acceptance of any additional sludge or if necessary, terminate the contract immediately upon notification. Reasons for termination include, but are not limited to, a Wastewater Treatment Plant upset, available capacity, and IEPA compliance concerns. A & J Sewer Service also reserves the right to terminate the contract immediately upon notification;
- The Village reserves the right to review and adjust the rate annually. A & J Sewer Service will be notified a minimum of 30 days in advance of a rate adjustment;
- A & J Sewer Service agrees to follow the Village of Huntley Sewer Use Ordinance. Pre-treatment standards - local limits will be monitored by sludge generators at intervals stated by the Village;
- A & J Sewer Service agrees to Village approved procedures of screening discharge sludge to remove inorganic solids prior to sludge entering discharge manhole. Procedures set forth by the Village must be strictly adhered to. These practices will protect the West WWTP raw influent pumps and screen.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Promote Sound Financial Management and Fiscal Sustainability* as a Strategic Priority, and “Explore additional revenue enhancement options” as an objective.

Financial Impact

Based on the established rate of \$0.08 per gallon and the maximum annual volume of disposed sludge, the Village revenue received would be approximately \$25,000.00 annually.

Legal Analysis

The agreement follows the same format and includes the same terms and provisions as the agreement entered into on January 14, 2016 between the Village and Dean Foods except that the rate is 128% higher (8 cents compared to 3.5 cents for Dean’s).

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

Trustee Leopold asked how much capacity is currently available. Village Manager Johnson reported that the Village currently treats approximately 1 million gallons per day but has the capacity to treat 2.6 million gallons per day.

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 authorizing the Village to enter into an Agreement with A & J Sewer Service to allow for waste sludge produced at the wastewater treatment facilities of Touhy Mobile Home Park and Blackhawk Estates Mobile Home Park of Des Plaines, IL and Fox Point Mobile Home Park of Wheeling, IL to be hauled and disposed of at the Village West Wastewater Treatment Facility.

- f) Discussion – Zoning Ordinance Text Amendment to Article II - Interpretations and Definitions, Article V - Business and Non-Residential Districts, Article VI - Planned Development District, and Appendices - Table 2: Uses Permitted in Zoning Districts and Table 3: Uses Permitted in Planned Development District

Director of Development Services Charles Nordman reviewed a Power Point presentation and reported that on January 28, 2016 the Village Board approved a six month moratorium on the issuance of an occupancy permit or any other development approval or building permit for payday loan facilities, currency exchanges, resale shops, pawn shops and similar uses in order to review the existing uses and determine the proper zoning classification and regulations for such establishments as well as the review process for locating such establishments in the Village. The moratorium was enacted due to an increase in the number of inquiries for locating payday loan facilities, currency exchanges, resale shops, pawn shops and similar uses within the Village. These uses are permitted and special uses within the Village's Zoning Ordinance. The secondary effects of these uses could be detrimental to development within the Village and effectively limit the ability to attract diverse types of business and therefore warranted further study to determine proper zoning classifications and regulations. The moratorium on the issuance of an occupancy permit or any other development approval or building permits extends to July 31, 2016.

Staff Analysis

The following definitions are proposed for the uses that are subject to the moratorium. Currently, none of the uses are defined within the Zoning Ordinance. The proposed zoning districts for the permitted uses and special uses are listed below each definition. If a use is listed as "permitted" it may locate within a zoning district by right and does not require approval from the Plan Commission or Village Board. If a use is listed as a "special use" it is considered as having a special impact or uniqueness that requires careful review of its location, design, configuration and impact to determine the desirability of permitting it on any given site. Special uses are reviewed and approved by the Plan Commission and Village Board.

PROPOSED DEFINITIONS:

ANTIQUÉ SALES: Antique Sales engage exclusively in the business of selling, bartering, or exchanging items which are by their style, design, or use commonly considered to be of another era or age, and not simply because the same is not a new product, including but not limited to works of art, pieces of furniture, decorative objects, clocks, lamps, clothing, rugs, toys, and the like. This definition excludes firearms, and vehicles and vehicle parts, both restorable and in working condition. This definition further excludes "pawn shops" and "secondhand store." A store that primarily sells books is included under "bookstore."

Proposed zoning districts: Permitted in the "B-2" Highway Service, "B-3" Shopping Center Business, "B-4" Adaptive Reuse Business, "C-1" Neighborhood Business District and "C-2" Regional Retail.

AUCTION HOUSE: An enclosed place or establishment conducted or operated for compensation or profit as a private or public market where items are offered for sale through competitive bidding. The term "auction house" shall not include on premises estate, foreclosure, real estate or personal property sales conducted upon the estate, foreclosed or for sale property or property belonging to the personal property owner.

Proposed zoning districts: Special Use in the "M" Manufacturing and "ORI" Office/Research Industrial District

CURRENCY EXCHANGE: A commercial use that exchanges common currencies, sells money orders, or

cashier’s checks and cashes checks as its principal business activity. “Currency Exchange” shall not include a “Financial Institution.”

Proposed zoning districts: Special Use in the “B-3” Shopping Center Business and “C-2” Regional Retail.

FURNITURE SALES, USED: A retail store that buys or accepts donations and sells previously used furniture that is in good repair or has been restored or reconditioned to a clean and usable condition.

Proposed zoning districts: Special Use in the “B-2” Highway Service, “B-3” Shopping Center Business, and “C-1” Neighborhood Business District and “C-2” Regional Retail.

PAWN SHOP: An establishment that engages, in whole or in part, in the business of receiving property in pledge or as a security for money or other things advanced to the pawner or pledger.

Proposed zoning districts: None.

PERSONAL LOAN AGENCY: An establishment providing loans to individuals in exchange for receiving personal checks or titles to the borrower’s motor vehicles as collateral. The definition excludes “financial institution” and “currency exchange”.

Proposed zoning districts: Special Use in the “B-3” Shopping Center Business and “C-2” Regional Retail.

SECONDHAND STORE: A retail store that buys or accepts donations and sells previously used merchandise, such as clothing, furniture, appliances, household goods, sporting goods, recreational equipment or other merchandise not considered to be antique, that is in good repair or has been restored or reconditioned to a clean and usable condition.

Proposed zoning districts: Special Use in the “B-2” Highway Service, “B-3” Shopping Center Business, “C-1” Neighborhood Business District and “C-2” Regional Retail.

The following tables provide a comparison of the existing and proposed zoning districts for the uses that are subject to the moratorium.

PERMITTED AND SPECIAL USES

USE		RE-1	RE-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	O-1	HC	M	ORI
Antique Sales	Existing								S	X	X	X				
	Proposed									X	X	X				
Auction House	Existing									X					S	
	Proposed														S	S
Currency Exchange	Existing									X	X					
	Proposed										S					
Furniture Sales, Used	Existing									X	X					
	Proposed									S	S					
Pawn Shop	Existing									X						
	Proposed															
Personal Loan Agency	Existing									X	X		S			
	Proposed										S					
Secondhand Store	Existing									S	S					
	Proposed									S	S					

X = Permitted Use S = Special Use

PLANNED DEVELOPMENT DISTRICT – PERMITTED AND SPECIAL USES

USE		ER	ER-1	ER-2	SF-1	SF-2	MF-1	MF-2	C-1	C-2	O	BP	P
Antique Sales	Existing								X	X			
	Proposed								X	X			
Currency Exchange	Existing								X	X	X		
	Proposed									S			
Furniture Sales, Used	Existing								X	X			
	Proposed								S	S			
Personal Loan Agency	Existing								X	X	X		
	Proposed									S			
Secondhand Store	Existing								S	S			
	Proposed								S	S			

X = Permitted Use S = Special Use

Village Board and Plan Commission Conceptual Review

The Village Board favorably reviewed the proposed amendments on June 23, 2016, and referred it to the Plan Commission to begin the formal review and approval process. The Plan Commission conceptually reviewed proposed amendments on June 27, 2016, and provided favorable feedback.

Plan Commission Action

The public hearing to consider the petition was held before the Plan Commission on Monday, July 11, 2016. Having fully heard and considered testimony, the Plan Commission recommended approval by a vote of 5 to 0.

Strategic Plan Priority

The 2016-2020 Strategic Plan identifies *Preserve and Enhance Quality of Life for Village Residents* as a Strategic Priority, and “maintain high quality development standards” as a goal.

Financial Impact

None.

Legal Analysis

The text amendment was reviewed with the Village Attorney and the required public hearing was conducted by the Plan Commission.

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

Trustee Leopold asked for and received clarification on zoning for offices.

There were no other comments or questions.

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval an Ordinance for a Zoning Ordinance Text Amendment to Article II - Interpretations and Definitions, Article V - Business and Non-Residential Districts, Article VI - Planned Development District, and Appendices - Table 2: Uses Permitted in Zoning Districts and Table 3: Uses Permitted in Planned Development District.

VILLAGE ATTORNEY’S REPORT: None

VILLAGE MANAGER’S REPORT:

Trustee Leopold stated that he heard rumors that the new owners of the Outlet Mall were not renewing leases. Village Manager Johnson reported that the Mall is notifying businesses that they are not renewing leases. Manager Johnson reported that Staff has been in discussion with the mall owners regarding acceptable uses of the property.

Trustee Goldman asked who has jurisdiction of the north side of Kreutzer Road near Adams Collision in regards to property maintenance issues; Village Manager Johnson stated that Staff will look into it and follow up.

VILLAGE PRESIDENT’S REPORT:

Mayor Sass reported that mosquito spraying will take place on July 22nd.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

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 7:16 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Leopold

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary