

**VILLAGE OF HUNTLEY
COMMITTEE OF THE WHOLE MEETING
August 1, 2013
MINUTES**

CALL TO ORDER:

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, August 1, 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 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, Director of Development Services Charles Nordman, Director of Public Works Jim Schwartz and Village Attorney Mike Coppedge.

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

PUBLIC COMMENT: None

ITEMS FOR DISCUSSION:

- a) Discussion – Consideration of the July 11, 2013 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 July 11, 2013 Village Board Meeting Minutes.

- b) Discussion – Consideration of the August 8, 2013 Bill List in the amount of \$417,010.75

Mayor Sass reported that \$237,562.50 (or 57%) of the total bill list is attributable to payment of May & June Impact Fees.

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 August 8, 2013 Bill List in the amount of \$417,010.75.

- c) Discussion – Consideration of the Village of Huntley Police Pension Board Re-appointment of Mr. David Richardson

Mayor Sass reported that he is requesting that Mr. David Richardson be re-appointment to the Village of Huntley Police Pension Board.

Mr. Richardson has been on the Police Pension Board since first appointed in 2011. He retired in 2011 from his position as Finance Director and Treasurer for the Village of Streamwood, a position he has held since 1984. From 1977 to 1984 he served as a manager for a Wheaton based CPA firm specializing in providing audit services to local governments. Mr. Richardson is a resident of Elgin. Residency is not required to serve on the Board.

Mr. Richardson has an undergraduate accounting degree from Illinois State University and a master's degree in public administration from Roosevelt University. He also is a certified public accountant (CPA) and a Certified Public Finance Officer (CPFO).

Mr. Richardson is a member of the Illinois CPA Society, the Government Finance Officers Association of the United States and Canada (GFOA) and the Illinois Government Finance Officers Association (IGFOA). He is a past member of IGFOA's Executive Board and GFOA's Standing Committee on Retirement and Benefits Administration. His expertise in the area of municipal financial and investments have been extremely beneficial to the Police Pension Board.

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 re-appointment of Mr. David Richardson.

- d) Discussion – Consideration of a Resolution Approving an Agreement with Dean Dairy Holdings, LLC to Purchase Wastewater Capacity at the East Wastewater Treatment Facility

Village Manager David Johnson reported that Dean Foods currently has an IEPA Pretreatment and Discharge of Process Wastewater Permit (expiration date 8/31/2013) which allows a daily average flow of 72,000 gallons per day (GPD) and a daily maximum flow of 113,000 GPD to be discharged to the Village's East Wastewater Treatment Facility (WTF). Deans has been operating above these flow limits over the past several years and has been paying the Village a surcharge fee. In an effort to correct this situation, staff recommended that Deans purchase additional wastewater capacity from the Village that would meet current and future needs of their company. Deans agreed with staff's recommendation and determined that they would require an additional 13,000 GPD bringing it up to 85,000 GPD average daily flow. This would also increase the daily maximum flow by 13,000 GPD (126,000 GPD maximum flow).

Staff Analysis

In addition to Dean Foods purchasing wastewater capacity from the Village, they will also be renewing their pretreatment and discharge of process wastewater permit through the Village. The United States Environmental Protection Agency (USEPA) is requesting that the Village adopt a pretreatment ordinance for industrial wastewater dischargers. The pretreatment ordinance is also on the August 1 Committee of the Whole meeting with adoption by the Village Board on August 15th. The new pretreatment ordinance sets local discharge limits based on USEPA standards and designates the wastewater facility owner as the local control authority administrator of industrial discharge permits rather than the IEPA.

Financial Impact

Dean Foods has agreed to pay the Village \$10.00 per gallon for additional capacity. Staffs used past facility expansion recapture costs to arrive at the \$10.00 per gallon charge. Deans is requesting to purchase 13,000 gallons at \$10.00 per gallon, for a total of \$130,000.

Legal Analysis

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

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

Trustee Leopold noted that the agreement had a start date but no termination date; Village Manager Johnson reported that the agreement would be in perpetuity.

Trustee Westberg asked if the East Wastewater Treatment Plant can handle this amount; Director of Public Works Jim Schwartz stated that it could and that the East Plant had an additional 800,000 gallons of capacity available.

Mayor Sass asked if the Committee had additional 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 a Resolution Approving an Agreement with Dean Foods to Purchase Additional Wastewater Capacity at the East Wastewater Treatment Facility.

- e) Discussion – Consideration of an Ordinance Amending Title V: Public Works, Chapters 51 (Sewer Use Regulations) and 52 (Water and Sewers; Rates and Charges) of the Village of Huntley Code of Ordinances

Assistant Village Manager Lisa Armour reported that the Federal Clean Water Act has established a regulatory program to address indirect discharges from industries to publicly owned treatment works (POTWs) through the National Pretreatment Program, a component of the National Pollutant Discharge Elimination System (NPDES) Permit Program. The National Pretreatment Program requires industrial and commercial dischargers, called industrial users, to obtain permits or other control mechanisms to discharge wastewater to the POTW. The permit may specify the effluent quality that requires an industrial user to pretreat or otherwise control pollutants in its wastewater before discharging it to a POTW. The National Pretreatment Program provides the regulatory basis to require industrial (non-domestic) dischargers to comply with pretreatment standards to ensure that the goals of the Clean Water Act are attained.

Staff Analysis

The USEPA is now requesting that the Village adopt local pre-treatment standards for industrial wastewater users. With these standards in place, the Village will become the permitting and local control authority for industrial users of the system such as Dean Foods. The Village has been working with Engineering Enterprises, Inc. (EEI) to develop regulations establishing these standards. EEI also reviewed Chapter 51: Sewer Use Regulations to identify those sections of the code that should be rescinded because they are replaced and expanded upon within the body of the proposed General Pretreatment Ordinance. As part of the regular review and update of Village code, staff has identified additional revisions to Chapter 51 and also Chapter 52, Water and Sewers; Rates and Charges. With the pre-treatment regulations in place, the Village will issue a new permit to Dean Foods.

Financial Impact

There will be some costs associated with administration of the pre-treatment program.

Legal Analysis

The Village Attorney has reviewed the proposed pre-treatment regulations. The regulations have also

been reviewed by the IEPA.

Assistant Village Manager Armour reported that Mr. Tim Farrell was in attendance to answer questions.

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 Village Board for Approval an Ordinance Amending Title V: Public Works, Chapters 51 (Sewer Use Regulations) and 52 (Water and Sewers; Rates and Charges) of the Village of Huntley Code of Ordinances.

- f) Discussion – Consideration of a Resolution Approving an Engineering Services Agreement with Trotter & Associates, Inc. for Permitting of the Talamore Irrigation System

Assistant Village Manager Lisa Armour reported that Trotter & Associates, Inc. has submitted a proposal for engineering services to assist in acquiring the necessary IEPA permit which will allow the Huntley Park District and Talamore Home Owners Association (HOA) to utilize an irrigation system which would use reclaimed water from the West Wastewater Treatment Plant. The irrigation system will be owned and operated by the Park District and HOA. Most of the infrastructure to deliver the reclaimed water to Talamore was installed by Huntley Venture with the Phase 3 expansion of the West Wastewater Treatment Plant. However, the irrigation pump system has not been installed. Prior to commissioning the irrigation system, the Village must acquire an IEPA permit to irrigate the proposed areas. An agreement among the Village, Park District, and Huntley Venture that outlines ownership and responsibilities of each party must also be executed as part of the permitting process.

Staff Analysis

The reclaimed water will be used for supplemental watering during drier periods and will be operated by the Homeowners Association and Park District rather than the Village. However, the IEPA has restrictions on when and where reclaimed water may be applied. It has been identified that the previously installed irrigation system along the parkway may not comply with these regulations and that approval to utilize this system may be restricted. Furthermore, land application of ball fields will likely include time of day restrictions.

Financial Impact

The proposal cost estimate is \$33,000, and is dependent upon the amount of time spent to obtain the IEPA permit. The cost is to be reimbursed by Huntley Venture.

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 a Resolution Approving an Engineering Services Agreement with Trotter & Associates, Inc. for Permitting of the Talamore Irrigation System.

- g) Discussion – Consideration of the Authorization to Submit an Application for the Illinois Transportation Enhancement Program (ITEP) for Route 47 Multi-Use Path Extension from Kreutzer Road south to Del Webb Blvd/Oak Creek Parkway

Village Manager David Johnson reported that the Illinois Department of Transportation is accepting applications for the Illinois Transportation Enhancement Program (ITEP). In order to be eligible for enhancement funding, a project must demonstrate a relationship to surface transportation. Projects must

enhance the transportation system either by serving a transportation need or providing a transportation use or benefit. The program will provide reimbursement up to 50 percent for right-of-way and easement acquisition costs, and up to 80 percent for preliminary engineering, utility relocations, construction engineering and construction costs. The remaining 20% or 50% is the responsibility of the project sponsor. There are seven eligible project categories, including provision of on-road and off-road facilities for pedestrians, bicycles and other non-motorized forms of transportation. Application deadline is August 20, 2013.

Staff Analysis

Staff has identified the following project for which an application would be submitted subject to Village Board authorization:

Extension of a Multi-Use Path on the east side of Rt. 47 from the north side of Kreutzer Road to the south side of Oak Creek Parkway, and along Del Webb Boulevard/Oak Creek Parkway

The construction of the west extension of Kreutzer Road includes a bike path on the north side of the roadway. This will provide a complete loop between the intersection of Kreutzer Road and Rt. 47 and the Huntley Park District facilities on West Main Street. The widening of Rt. 47 north of Kreutzer Road provided sidewalks on both sides of the roadway further enhancing off-road pedestrian and bike paths that connect with pedestrian paths that exist along the various east-west roadways intersecting with Rt. 47 (Reed Road, Algonquin Road, Main Street, and Mill Street). The multi-use path would provide off-road access to Huntley Grove (Walmart), Huntley Crossings Phases I and II, and Village Green (Jewel-Osco), in addition to the internal sidewalks planned through these developments.

Financial Impact

Christopher Burke Engineering, Ltd. (CBBEL) has prepared the cost estimate for the path. Total cost is estimated at \$1,401,920, with a local share of \$280,390. The project would be budgeted for in the FY2014 budget.

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

Trustee Leopold stated that he was generally in favor but was concerned with crossing at Del Webb Blvd. over Route 47 and would like further study at this location. Village Manager Johnson stated that the Engineer could look at the safety issues.

Trustee Piwko asked if there was a crossing signal button at Del Webb Blvd.; Trustee Leopold stated that there was a cross button at that location. Trustee Piwko stated that this was a great idea which is needed.

Trustee Hanson asked if there was an expiration date of the grant and what would happen if it expired; Village Manager Johnson stated that the grant had some flexibility.

Trustee Kanakaris asked why the path could not be put on the west side of Route 47; Village Manager Johnson stated that having the path on the eastside of Route 47 was the path of least resistance as the Village is trying not to tear up the landscape buffer on the west side of Rout 47 and that the 2006-07 Par Development approval would include a path on Kreutzer Road to Wing Pointe.

Trustee Goldman stated that she agreed with Trustee Leopold and is concerned with people making improper lane usage at the intersection of Route 47 at Del Webb Blvd.

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

It was the consensus of the Committee of the Whole to forward on to the Village Board for approval a Resolution Authorizing Submittal of an Application for the Illinois Transportation Enhancement Program (ITEP) for Route 47 Multi-Use Path Extension from Kreutzer Road south to Del Webb Blvd/Oak Creek Parkway.

- h) Discussion – Consideration of a Resolution Awarding a Job Order Contract to F.H. Paschen, S.N. Nielsen & Associates, LLC in the amount of \$36,847.65 to Replace Windows at Old Village Hall, 11704 Coral Street

Director of Public Works Jim Schwartz reported that it the replacement of the second floor exterior windows at the Old Village Hall located at 11704 Coral Street was approved as part of the FY2013 Budget. The Village Board approved \$15,000 as part of the budget, but requested that staff also explore a cost to replace all the exterior windows including the first floor, since those windows would need to be replaced in 2014. Staff has obtained price quotes through the Cooperative Job Order Contract (JOC) program to replace the second floor windows only and also to replace both floors. For the second floor only, the cost is \$17,366.48. To replace the first and second floor windows the cost is \$36,847.65.

Staff Analysis

Utilizing JOC for this project eliminates the need for developing construction plans and preparing and distributing a bid package. Staff contacted the Gordian Group, which coordinates the Job Order Contracting Program, to request a proposal to remove and replace windows at the Old Village Hall. Staff met with the contractor to develop the scope of work for the project. Staff has reviewed the proposal, which is above budget, but meets expectations and direction given to staff by Village Board. Staff is recommending a sandstone color to complement the trim around the main entrance.

Financial Impact

The FY2013 Budget includes \$15,000 for replacing the second floor windows only at the Old Village Hall. The funding of this project is coming from the Municipal Buildings Fund, 05-10-4-7600. Sufficient funds are budgeted in the FY2013 Municipal Buildings Fund to accommodate the additional cost of replacing both the first and second floors windows.

Director of Public Works Schwartz distributed a color sample of the proposed windows.

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

Trustee Piwko asked how long the replacement project would take; Director Schwartz stated that it would probably take one month.

Trustee Hanson asked if landscape repair would be part of the project as the building is so nicely landscaped now and he wants to make sure that it is protected; Director Schwartz stated that Staff will closely monitor the project.

Trustee Leopold asked if the Chamber of Commerce was notified and that he would not like the project to interfere with the Farmers Market on Saturdays; Village Manager Johnson stated that Staff will make sure that they will not work on Saturdays and that the equipment will be secured.

Mayor Sass asked if the Committee had any other 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, a Resolution Awarding a Job Order Contract to F.H. Paschen, S.N. Nielsen & Associates, LLC in the amount of \$36,847.65 to Replace Windows at Old Village Hall, 11704 Coral Street.

- i) Discussion – Consideration of an Ordinance Amending Title XV, Land Usage Chapter 150, Building Regulations

Director of Development Services Charles Nordman reported that the Village adopted the 2006 editions of the International Code Council Building Codes (I-Codes) in 2010, with various local amendments. These include amendments to the 2006 International Fire Code (IFC). To enforce the IFC and local amendments, the Village entered into an intergovernmental agreement with the Huntley Fire Protection District (HFPD) to provide advisory fire code enforcement and site plan review services as it applies to fire protection and life safety matters.

There are several differences between the Village's IFC amendments and the HFPD's amendments which have caused confusion with developers and architects. The proposed amendments are intended to minimize these differences and provide similarity between the Village's and HFPD's amendments. The proposed amendments also eliminate several current amendments that duplicate regulations already found in the IFC. The Village's amendments to the 2006 International Building Code (IBC) are also being modified to correspond with the IFC amendments.

Additionally, the amendments have been modified so the Village has final authority over appeals and variances from IFC regulations. The Village's current amendments give the HFPD final authority over such matters, which contradict the advisory nature of the IGA between the Village and HFPD. The HFPD will still be responsible for making interpretations as they pertain to the IFC and local amendments; however, appeals of interpretations and variances would be heard by the Huntley Village Board of Trustees rather than the HFPD Board of Trustees.

Staff Analysis

The amendment to Chapter 150, Building Regulations, of Title XV consists of changing language in this chapter to correspond to amendments by the Huntley Fire Protection District and removing information which is already covered by the 2006 International Fire Code. No changes have been made to the Village's other adopted codes, with exception to the IBC amendments as they relate to proposed changes to IFC amendments.

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 an Ordinance Amending Title XV, Land Usage Chapter 150, Building Regulations

- j) Discussion - Accept and Place on File the Quarterly Financial Reports – Transmittal of the Second Quarter Financial Reports for the Village of Huntley

Village Manager David Johnson reported that the second quarter 2013 activity ended as projected. Now at the halfway point for the year, revenues have increased to budgeted projections due to property tax receipts. Expenditures are within budgeted thresholds.

Revenues

- 01-00-0-4020 Sales Tax: Sales tax collection is in arrears; however, receipts are current through June 2013. Distributions to the TIF are in arrears by three months due to lag reporting from the Illinois Department of Revenue.
- 01-00-0-4025 Income Tax: Income tax revenues to date are \$1,259,777.93 which includes 2012 revenues in the amount of \$480,508.49. The State has issued vouchers through June 2013 which, once received, will bring the total income tax as of June 30, 2013 to \$1,334,534.41. (State payments currently lag with the May and June vouchers totaling \$555,264.97.)
- 01-00-0-4021 Local Use Tax: Local Use Tax received as of June 30, 2013 totals \$199,594.78 and includes \$31,310.35 of revenue recorded to December 2012 and will be adjusted during the 2013 audit process.
- 01-00-2-4210 Building Permits: The Village continued to budget 2013 Building permit revenue utilizing a conservative approach. Revenues collected as of the 2nd quarter of 2013 are \$535,708.32 exceeding the 2013 budget of \$450,000.00.

Expenditures

- 01-50-2-6499 Miscellaneous Contractual / Police: The Police Department miscellaneous contractual line item is over budget due to a required hand held radar certification.
- 01-70-3-6850 Printing & Duplicating / Development Services: The Development Services printing line item exceeds budgeted expenses and funds were utilized for permit cards and inspection forms.

At the end of the 2nd quarter of 2013, the Village's General Fund expenditures are 55.9% of the total 2013 budget. All departments are in compliance with Village Financial and Budget policies.

The Village's Water Operating Fund 2nd quarter 2013 expenditures are 51.08% of the 2013 budget. Sewer Operating Fund 2nd quarter expenditures are 51.27% of the 2013 budget.

Village Manager Johnson reported that at the request of a Trustee additional information regarding Village fuel usage was provided to the Committee at the dais this evening.

Investment Report

The Village's investment report as of June 30, 2013 provides detail of the Village's cash position by financial institution, maturity and allocation by fund. All funds are fully insured and/or collateralized and placed in interest bearing accounts as allowed by State Statutes.

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

Trustee Leopold noted the shared revenue from the State and asked how it compared to 2012; Village Manager Johnson reported that Staff is not alarmed and it is fairly standard.

There were no other comments or questions.

It was the consensus of the Committee of the Whole to forward on to the Village Board to Accept and Place on File the Second Quarter 2013 Financial and Investment Reports for the Village of Huntley.

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT: None

VILLAGE PRESIDENT'S REPORT:

Mayor Sass reported that the Kreutzer Road resurfacing should be complete by Friday, weather permitting.

Mayor Sass reported that additions to the August 8, 2013 Village Board Agenda will include the Request for Proposals (RFP) for the Sawyer Kelley Mill and a brief presentation on the structure analysis of the Hackett House; and the new proposal from Ryland for Talamore. The supporting documents will be included in the packet.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

Trustee Leopold asked if the State will be replacing the Hennig Bridge; Assistant Village Manager Armour stated that she believes that bridge will be replaced in 2014 but Staff will confirm.

Trustee Goldman stated that the Sandwald Bridge is in very bad shape and asked if all the bridges will be closed at the same time; Village Manager Johnson said that the bridges will all be worked on at the same time.

Trustee Westberg noted that on this agenda, Agenda Item 4 e) that on page 30, Section 50.01, he would like the word truck replaced with the word vehicle.

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 7:39 p.m.

MOTION: Trustee Piwko

SECOND: Trustee Kanakaris

The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary