VILLAGE OF HUNTLEY
VILLAGE BOARD MEETING
August 9, 2012
MINUTES

CALL TO ORDER:
A meeting of the Village Board of the Village of Huntley was called to order on Thursday, August 9, 2012 at 7:00 p.m. in the Municipal Complex, Village Board Room, 10987 Main St., Huntley, Illinois 60142.

ATTENDANCE:

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

ABSENT: None

IN ATTENDANCE: Village Manager David Johnson, Senior Assistant to the Village Manager Lisa Armour, Management Assistant Barbara Read, Director of Finance and Human Resources Jennifer Chernak and Village Attorney Mike Coppedge.

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

PUBLIC COMMENTS: None

CONSENT AGENDA:

a) Approval of the July 12, 2012 Village Board Meeting Minutes

b) Approval of the August 9, 2012 Bill List in the amount of $407,600.79

c) Approval of Ordinance (O)2012-08.34 – An Ordinance Approving Special Use Permits for Drive-Through Food Service Establishments within the "C-2-PDD" Regional Retail – Planned Development District, Preliminary and Final Plat of Subdivision, and Site Plan Review, including approval of such relief as may be necessary to allow development in accordance with the site plan that has been submitted to, and is on file with, the Village of Huntley, pursuant to the requirements of Village of Huntley Ordinance (O) 1999.08.12.04 establishing the Regency Square Development Guidelines – Lots 4, 5, and 6 in Regency Square Phase 2A

d) Approval of Payout Request No. 1 to Plote Construction, Inc. – 2012 MFT Street Program

e) Approval of Resolution (R)2012-08.28 - Submittal of Village of Huntley Federal Aid Urban (FAU) route improvements and local cost share to the McHenry County Council of Mayors Call for Projects for Federal Fiscal Years 2015-2017

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

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

A MOTION was made to approve the Consent Agenda.

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

ITEMS REMOVED FROM THE CONSENT AGENDA:

a) Approval of the July 19, 2012 Liquor Commission Hearing and the July 19, 2012 Village Board Meeting Minutes

Mayor Sass reported that these Minutes were removed from the Consent Agenda because Trustee Hahn was absent and asked if the Board had any comments or changes to the Minutes; there were none.

A MOTION was made to approve the July 19, 2012 Liquor Commission Hearing and the July 19, 2012 Village Board Meeting Minutes.

MOTION: Trustee Leopold
SECOND: Trustee Fender
AYES: Trustees Fender, Hanson, Kanakaris, Leopold and Piwko
NAYS: None
ABSENT: None
ABSTAIN: Trustee Hahn
The motion carried: 5-0-0-1

ITEMS FOR DISCUSSION AND CONSIDERATION:

a) Ordinance (O)2012-8.35 – An Ordinance Amending Ordinance (O)2005-08.69 - Final Planned Unit Development, Site Plan and Final Plat of Subdivision approval for Cider Grove – Unit One to accommodate construction of a rear yard fence within a lot adjacent to Huntley-Dundee Road – 10175 Hopkins Street

Village Manager David Johnson reported that the petitioners are requesting an amendment to Village of Huntley Ordinance (O)2005-08.69 approving the Final Planned Unit Development (PUD), Site Plan and Final Plat of Subdivision for the Cider Grove Unit One. Specifically, the Final PUD required a split rail fence to be installed along the rear property lines of the homes abutting Huntley/Dundee Road (Lots 1-8). The requested amendment will allow the installation of a five (5) foot tall colonial style cedar fence around the perimeter of their rear yard.

The petitioners' property at 10175 Hopkins Street (Lot 7, Cider Grove – Unit One) is one of the eight lots which abut Huntley/Dundee Road that has the split rail fence across the rear of the lot. The split rail fence, which is on Outlot C, is located 1.8 feet south of the petitioners' rear property line and would remain after the petitioners' fence is installed.

The petitioners are requesting the amendment to the Final PUD so they may construct a fence which offers security and protection for their son who has a condition where he is susceptible to wondering off their property if not suitably secured within the rear yard area.

The Development Services Department is in receipt of a letter from the Board of Directors for the Cider Grove Homeowners Association approving a variance from The Declaration of Covenants, Conditions and Restrictions (CCRs) for Cider Grove Homeowners Association; Section 5.1 Fence Restriction, which only allows a cedar two rail split rail fence across the rear of Lots 1 through 8. The Board of Directors conditioned their approval subject to the Village of Huntley approving the proposed fence.

The type of fence allowed on other lots in the Cider Grove Subdivision is further regulated by Subdivision's Covenants and Restrictions under Section 5.1, which specifically states the following:

(d) The fence shall be constructed with cedar boards only not to exceed five (5) feet in height, unless otherwise restricted by the Village of Huntley Code of Ordinances. Chain link fence is prohibited on all Lots.

The proposed five (5) foot high, red cedar fence is in adherence to the above requirement.

The intent of the Final PUD condition requiring the installation of a split rail fence across the rear of the Lots 1-8 was to ensure a uniform appearance from Huntley/Dundee Road; therefore, staff recommends the following conditions be applied should the Village Board approve the requested amendment:

1. Any future permit requests for fences to be installed on Lots 1-8 shall require the use of the same type, height, and material as the fence to be constructed on Lot 7.

2. No fence permits are approved as part of this Amendment request.

Village Manager Johnson reported that the petitioners, Peter and Jenna Kulikowski, were in attendance to answer questions.

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

Trustee Piwko stated that he had no issues with the fence but he recommends that the homeowners association amend their by-laws to note this amendment.

There were no other comments or questions.

A MOTION was made to approve Ordinance (O)2012-08.35 – An Ordinance Amending Ordinance (O)2005-08.69 - Final Planned Unit Development approval for Cider Grove – Unit One to accommodate construction of a rear yard fence within a lot adjacent to Huntley-Dundee Road – 10175 Hopkins Street.

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

b) Approval of Paving S. Union Road as part of the 2012 MFT Program

Mayor Sass reported that at the April 19th Committee of the Whole meeting, the Village Board reviewed the bid results for the 2012 Street Improvement Program. Per the Board's direction, staff identified additional work to be added to the program to take advantage of the favorable bid prices. The work included approximately $40,000 to grind and overlay Church Street from Algonquin Road south to 2nd

Street; $20,000 to grind S. Union Road, with the surface course to be completed by Village staff; and $5,000 for miscellaneous repairs on Douglas Street and Charles Street. Total cost for this additional work was estimated at $65,000.

Staff Analysis

Revised estimates for the additional work to be performed as well as the original contract work indicate a savings of approximately $19,309.

Work Performed	Original Estimate	Revised Estimate	Difference
Original Contract Award	$695,930	$684,348	$11,582
Church St. Grind/Overlay	$40,000	$33,497	$6,503
S. Union Road Grinding	$20,000	$19,066	$934
Douglas/Charles St. Patches	$5,000	$4,710	$290
		SAVINGS	$19,309

Prior to moving forward with the grinding of S. Union Road, staff conducted an analysis of the costs for Plote to also complete the surface course and for Public Works to do this portion of the project. Estimated costs are as follows:

Plote: $52,152.70 (includes cost of asphalt, prime coat, and labor)
$9,360 for thermoplastic striping
Time to complete paving – approximately 2 days

Public Works: $50,360 (cost of asphalt, prime coat, and fuel; does not include labor)
$1,743 for painted striping
Time to complete paving – approximately 5 days with 8 employees
Additional costs – rental of large roller
Public Works does not have equipment to prime coat a length of pavement this long and would likely have to use a contractor to complete this portion of the job

Exclusive of striping, which Public Works staff could complete, the difference in cost between Plote and Village staff to pave S. Union Road is $1,793. The advantages of Plote doing the paving is the reduced timeframe (2 days vs. 5 days for Village staff), and the potential extra costs associated with equipment rental or sub-contracting the application of the prime coat.

Financial Impact

With the estimated savings of $19,309, the net increase over the original MFT program estimate would be $32,844. This would bring the total cost for the 2012 Street Improvement Program to $887,174 including engineering.

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

A MOTION was made to approve the paving S. Union Road as part of the 2012 MFT Program.

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

c) Ordinance (O)2012-08.36 – Authorizing the Purchase of the Property Located at 11801 Main Street and Amending the FY 2012 Budget

Mayor Sass reported that on June 14, 2012, the Village Board approved Resolution (R)2012-06.25 giving authorization to enter into a real estate sales contract for the property located at 11801 Main Street (Donahue Building). The owner of the property is National Loan Investors, L.P.

Staff Analysis
As directed, staff entered into negotiations to purchase the property and the owner has agreed to sell for the property for $115,000. A tentative closing date is scheduled for August 10, 2012.

Financial Impact
While sufficient funds are available in the Municipal Buildings Fund, purchase of the property was not budgeted for in the FY12 budget. Therefore, the budget needs to be amended to utilize the Municipal Buildings Fund for the associated due diligence costs and purchase of 11801 Main Street.

Line Item	Budget Amount	Increased (Decreased)	Revised Amount
Municipal Buildings Fund 05-10-4-7500	$757,127	$150,000	$907,127

Legal Analysis
The Village Attorney has reviewed the Real Estate Sales Contract and all is in order for Village Board consideration.

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

Trustee Leopold recommended that when the Village Board does discuss what the Village will do with the property that should it be decided to increase the size of the municipal parking lot that the Village make a small park area with a monument to the mill that is currently on the property.

Trustee Hanson asked what the estimated cost would be to demolish the building. Village Manager Johnson reported that research has not been done for this site as the closing has not yet taken place and the Village Board has not discussed the options for this site.

Trustee Fender stated that she agrees with the purchase of the site but will not agree with razing the building.

A MOTION was made to approve Ordinance (O)2012-08.36 – Authorizing the Purchase of the Property Located at 11801 Main Street and Amending the FY12 Budget.

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

VILLAGE ATTORNEY'S REPORT: None

VILLAGE MANAGER'S REPORT:

Trustee Leopold asked about the truck traffic on Del Webb Blvd; Village Manager Johnson reported that the contractors for Bravo, Deerpath and the Interchange projects have been notified not to use Del Webb Blvd.

Trustee Fender asked about the estimated number of Emerald Ash Borer (EAB) infested Ash trees that have been removed from Village parkways; Management Assistant Barb Read reported that prior to this year about 200 Ash trees have been removed and it is anticipated that approximately 400 Ash trees have been marked to be removed in 2012.

VILLAGE PRESIDENT'S REPORT:

Mayor Sass reported that the ground breaking for the Deer Path Supportive Living Community is scheduled for Tuesday, Aug 21st at 4 pm.

Mayor Sass reported that Centegra is planning a thank-you lunch for the Village Board on August 24th and more information will follow.

UNFINISHED BUSINESS: None

NEW BUSINESS:

EXECUTIVE SESSION:

A MOTION was made to enter into Executive Session at 7:15 p.m. for a) Probable or Imminent Litigation and Pending Litigation; b) Contractual; and c) Property Acquisition, Purchase, Sale or Lease of Real Estate.

MOTION: Trustee Piwko
SECOND: Trustee Leopold
The Voice Vote noted all ayes and the motion carried.

A MOTION was made at 7:43 p.m. to exit Executive Session.

MOTION: Trustee Kanakaris
SECOND: Trustee Leopold
The Voice Vote noted all ayes and the motion carried.

ACTION ON CLOSED SESSION ITEM: None

ADJOURNMENT:

There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:44 p.m.

MOTION: Trustee Hanson
SECOND: Trustee Piwko
The Voice Vote noted all ayes and the motion carried.

Respectfully submitted,

Barbara Read
Recording Secretary