

**VILLAGE OF HUNTLEY  
COMMITTEE OF THE WHOLE MEETING  
August 16, 2012  
MINUTES**

**CALL TO ORDER:**

A meeting of the Committee of the Whole of the Village of Huntley was called to order on Thursday, August 16, 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 and Village Attorney Mike Coppedge.

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

**PUBLIC COMMENTS:** None

**ITEMS FOR DISCUSSION:**

- a) Discussion – Approval of the August 2, 2012 Committee of the Whole 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 August 2, 2012 Committee of the Whole Meeting Minutes.*

- b) Discussion – Approval of the August 23, 2012 Bill List in the amount of \$3,546,855.94

Mayor Sass reported that \$3,301,599.14 (or 93% ) of the total bill list was attributable to a Municipal Funds Transfer from Harris Bank to deposit in the IL Funds Account and payment to Plote Construction for Payout#2 for the 2012 MFT Street Program.

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 23, 2012 Bill List in the amount of \$3,546,855.94.*

- c) Discussion – Ordinance (O)2012-08.37 – An Ordinance Recognizing the Legal Nonconforming Status for 11014 S. Illinois Route 47 / Sammy’s Restaurant

Village Manager David Johnson reported that due to the widening of Route 47 between Kreutzer Road and Reed Road, the Illinois Department of Transportation (IDOT) acquired additional right-of-way from the property at 11014 S. Route 47. The property is owned by McHenry Savings Bank and is zoned “B-

2" Highway Service. The property is currently an undeveloped parcel that is entirely covered with gravel and being used for parking. The property is currently considered to be non-conforming in accordance with Section 156.180 of the Village's Zoning Ordinance due to the gravel parking lot encroaching into the required setbacks.

The petitioner, Samir Abdullai, owns the 3,200 square foot Sammy's Restaurant which adjoins the subject site. Mr. Abdullai has a land contract with McHenry Savings Bank that allows him to use the property; however, the bank still holds title to the property. Mr. Abdullai is proposing to pave the existing gravel lot to create an additional ten (10) parking stalls for use by restaurant patrons (the parking lot will result in a net increase of seven parking spaces for the restaurant). The new parking lot, in addition to the existing lot, will provide a total of 43 spaces for the restaurant.

#### Updated Information

The Mayor and Staff met with Mr. Abdullai and Mr. Jim Marinangel, Executive Vice President McHenry Savings Bank, to discuss the possibility of Village assistance for additional landscaping improvements to the site. Mr. Marinangel was supportive of the parking lot proposed by Mr. Abdullai; however, Mr. Marinangel explained the bank will not commit to preserving any such landscaping should the land contract with Mr. Abdullai expire. Staff notes the concrete wall, which borders the subject site, is located within Village and State of Illinois right-of-way; therefore, the Village could make improvements to the wall without requiring any approvals or cooperation from the bank.

#### Staff Analysis

The paving of the existing gravel lot will require the following relief to be approved by the Village Board:

1. In accordance with Section 156.106(C)(2) of the Zoning Ordinance, no parking space shall be located within the 10 foot landscaped buffer as measured from the street right-of-way. As proposed, the parking lot would be located approximately 4 feet from the Route 47 and Coral Street rights-of-way. A small area at the southwest corner of the parking lot will have a zero lot line to provide a maneuvering area for a vehicle exiting the southernmost parking stall.
2. In accordance with Section 156.106(C)(6) of the Zoning Ordinance, all parking areas shall be illuminated with an average minimum illumination of two (2) footcandles. The petitioner is not proposing the installation of lighting within the new parking lot. Staff notes, the street lighting from the Route 47 project will provide some level of lighting for the parking lot.
3. In accordance with Section 156.106(C)(7) of the Zoning Ordinance, every parking lot shall be bordered by a six (6) inch high concrete curb. The petitioner is not proposing to install a concrete curb around the perimeter of the parking lot, similar to the existing parking lot for the restaurant.

Should the Village Board approve the nonconforming status of the subject site and required relief, Staff recommends the following conditions of approval:

1. The petitioner shall submit a revised landscape plan to Staff that indicates the size and species of all plant materials. The Landscape Plan shall include at least one (1) tree of not less than 2 ½ inches in caliper and the installation of shrubs along the Route 47 (west) and Coral Street (south) property lines of no less than 36" in height, preferably utilizing evergreens for year-round screening of the parking lot.
2. The petitioner shall obtain all required permits from the Development Services Department prior to constructing the proposed parking lot and shall provide proof of ownership at the time of permit application.

Village Manager Johnson reported that Mr. Samir Abdullai was in attendance to answer questions.

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

Trustee Leopold reported that he did not have an issue with the legal non-conforming status of the property but noted that the changeable copy wall signs that were recently approved were supposed to be high enough on the building so no one could wrongfully change the copy and Trustee Leopold stated that his grandson could reach the changeable copy of the sign and perhaps a shield should be placed over the lettering. Mayor Sass reported that the representative from the sign company reported that a shield could be added should the necessity occur. Trustee Leopold asked if the Village Board would approve the final landscape plan; Village Manager Johnson stated that Staff would review the final plan.

Trustee Finder asked about the landscaping at the perimeter of the parking lot and asked if the proposed 36” bushes would be too tall for the site lines or an issue in seeing the restaurant itself. Village Manager Johnson reported that staff does not anticipate an issue with the plantings as the designated area is back from the street.

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 Ordinance (O)2012-08.37 – An Ordinance the Recognizing the Legal Nonconforming Status for 11014 S. Illinois Route 47 / Sammy’s Restaurant.***

- d) Discussion - Ordinance (O)2012-08.38 – Acceptance of Public Improvements for Rosati’s Resubdivision (Jac Reed LLC)

Mayor Sass reported that the Village Board routinely accepts public improvements for ownership and maintenance once said improvements have been successfully constructed and inspected. The Village has received a request from Peak Properties for acceptance of the public improvements for Rosati’s Resubdivision, 26.18 acres ±, bounded by Reed Road on the south, by IL Route 47 on the west and Rainsford Drive on the north. The property has been in foreclosure since 2010. Peak Properties is the court-appointed receiver working on behalf of the bank that held the letter of credit for the public improvements. In late 2010, the Village called the letter of credit in the full amount of \$857,225 to complete the public improvements. Peak Properties, acting on behalf of the bank, utilized the services of Podolsky Northstar CORFAC International to complete the work, which included regrading of the berm along Route 47 and replacement of dead landscaping and other miscellaneous work. Some of the landscaping replaced last year died this summer and has been removed. It will be replaced in the fall. The maintenance security includes the cost of replacing these plantings.

The public improvements punch lists generated by the Village and CBBEL have been successfully completed by Podolsky Northstar CORFAC International. It is recommended that the Village accept the public improvements for Rosati’s Resubdivision as follows:

<b>Project</b>	<b>Work Completed</b>	<b>Maintenance Security Required (10%)</b>
Rosati’s Resubdivision	\$394,465.00	\$39,446.00

Said maintenance security shall remain in effect for one (1) year from the date of acceptance by the Village Board of Trustees.

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

Trustee Leopold asked if the landscaping was irrigated; Village Manager Johnson reported that the landscaping is irrigated and they run it early in the morning.

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 Ordinance (O)2012-08.38 – Acceptance of Public Improvements for Rosati’s Resubdivision (Jac Reed LLC).***

- e) Discussion – Ordinance (O)2012-08.39 – Authorizing the Village of Huntley to Enter into a Permanent Easement Agreement with the Illinois State Toll Highway Authority, the Illinois Department of Transportation and ATG Trust Company (Barancik Property)

Village Manager David Johnson reported that as part of the construction of the full interchange at I-90 and Route 47, permanent easements are required for the conveyance, retention of, redirection, and discharge of storm water onto portions of the Barancik property located on the southwest corner of the interchange. The easements are required to avoid flooding, pooling or draining of water over and upon Illinois Route 47. Securing the easements is part of the land acquisition process for the interchange project. Additional property is being acquired from the property owner for the ramps on the southwest corner.

#### Staff Analysis

The status of the permanent easements has arisen as an issue of concern on the property owner’s part during the negotiation process to acquire property. The property owner is concerned that the easements may need to be relocated at the time the property develops and is seeking reassurance that they can be relocated. The easement agreement provides for the relocation of the easements as needed and the conditions that must be met to relocate the easements. The relocation and the property drainage system must meet the same capacity as the original easements or better for conveyance, retention of, and redirection of all storm water. The relocation must be approved by the Village and IDOT.

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 Ordinance (O)2012-08.39 - Authorizing the Village of Huntley to enter into a Permanent Easement Agreement with the Illinois State Toll Highway Authority, the Illinois Department of Transportation, and ATG Trust Company (Barancik Property).***

- f) Discussion – Resolution (R)2012-08.29 – Renewal of a Professional Services Agreement – Government Relations / Morreale Public Affairs Group (MPAG)

Village Manager David Johnson reported that the contract for professional services from the Morreale Public Affairs Group (MPAG) is due to terminate on August 31, 2012. A new contract is proposed at a fee of \$4,000/month. This is a reduction from the current contract fee of \$5,000 per month.

#### Staff Analysis

The Village has contracted with MPAG since 2007. MPAG was instrumental in maintaining a Village presence in Springfield and in particular advocating for the inclusion of the Route 47 widening project and the I-90 / Route 47 full interchange project in the State’s financial budget. MPAG continues to monitor and advocate legislation in the General Assembly that is advantageous to the Village. Other

projects MPAG assists with include mass transit, economic development, fiber optic access and identifying funding opportunities for major water and sewer improvement required south of I-90.

Financial Impact

The contract is included in the FY2012 Budget Tollway Fund, line item 07-10-4-7500. Line item funding in FY2013 will be determined through the FY2013 budget planning process.

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 Resolution (R)2012-08.29 - A Resolution authorizing the renewal of Professional Services Agreement with Morreale Public Affairs Group (MPAG) to provide Government Relations for the Village of Huntley.***

- g) Discussion – Approval of Payout Request No. 2 to Plote Construction, Inc. – 2012 MFT Street Program

Mayor Sass reported that on April 26, 2012 the Village Board approved Resolution (R)2012-04.15 - To appropriate \$715,930.00 in Motor Fuel Tax Funds for Contract Construction for the 2012 Street Improvement Program and Resolution (R)2012-04-16 - Execution of the Construction Contract to the lowest responsible bidder, Plote Construction, Inc., in the amount not to exceed \$695,930.00.

The Village’s project engineer, CBBEL, has submitted the second payout request under the 2012 MFT Street Program.

Staff Analysis

On August 9, 2012 the Village Board approved Payout Request #1. The program is approximately 49% complete as of Payout Request #2. Waivers of Lien and payroll certifications have been received.

<u>Pay Request</u>	<u>Completed Work</u>	<u>Retention (10%)</u>	<u>Previous Payments</u>	<u>Amount Requested</u>
#1	\$82,580.41	\$8,258.04	-0-	\$74,322.37
#2	\$417,690.56	\$41,769.06	\$74,322.37	\$301,599.14

Financial Impact

The Engineering Department recommends payment to Plote Construction, Inc. in the amount of \$301,599.14.

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. 2 to Plote Construction, Inc. in the amount of \$301,599.14 for the work completed under the 2012 MFT Street Program.***

- h) Discussion – Ordinance (O)2012-08.40 – Authorizing the Purchase of the Property Located at the Northwest Corner of Route 47 and Main Street and Amending the FY12 Budget

Village Manager David Johnson reported that in accordance with Village Board direction, staff has negotiated the purchase of the property located at the northwest corner of Route 47 and Main Street. The current owners of the property are Ted and Elizabeth Jankowski.

Staff Analysis

As directed, staff entered into negotiations to purchase the 8,402 square foot parcel and the owner has agreed to sell for the property for \$30,000.

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 the northwest corner of Route 47 and Main Street.

<u>Line Item</u>	<u>Budget Amount</u>	<u>Increased (Decreased)</u>	<u>Revised Amount</u>
Municipal Buildings Fund 05-10-4-7500	\$907,127	\$50,000	\$957,127

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 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 Ordinance (O)2012-08.40 – Authorizing the Purchase of the Property Located at the Northwest Corner of Route 47 and Main Street and Amending the FY12 Budget.***

- i) Discussion – Resolution (R)2012-08.30 – Approval of McHenry County Council of Governments Local Government Vehicle and Equipment Auction Agreement and approval of the Sale and/or Disposal of Village Owned Property

Mayor Sass reported that the McHenry County Council of Governments is hosting its annual vehicle and equipment auction at the McHenry County fairgrounds in Woodstock on Saturday, September 22, 2012.

Staff Analysis

Staff is requesting approval to sell or dispose of the vehicles and miscellaneous office items such as computer parts, old printers, scanners and other old office equipment as outlined. The items have reached the end of their useful life with the Village. The vehicles will be sold in accordance with our Village vehicle replacement policy at an auction being conducted by the McHenry County Council of Governments (McCOG). Miscellaneous office items and equipment will be disposed of through online sales, scrap sales or recycling centers.

**McHenry County Council of Governments  
Local Government Vehicle and Equipment Auction**

<b>Description</b>	<b>Serial Number</b>
1997 Chrysler Jeep 4x4 (127,020 miles) (veh #1303)	1J4FJ68S3VL556139
1999 Ford F250 Super Duty XLT 4x4 Pickup with snowplow (103,397miles) (veh #1601)	1FTNX21L0YEA48327
2000 Dodge SLT Pickup 4x4 (96,211 miles) (veh #1805)	FB7GG22X01S170980
2004 Ford Crown Victoria (85,508 miles) (veh #1911)	2FAFP71W44X146500

2004 Chevrolet Impala (62,482 miles) (car #1706)	2G1WF55K749303958
2004 Chevrolet Impala (66,182 miles) (car #1708)	2G1WF55K049304692
2006 Crown Victoria	2FAFP71W16X143993
2009 Crown Victoria	2FAHP71V59X126022
2009 Crown Victoria	2FAH971V99X126024
2009 Crown Victoria	2FAHP71V09X126025
2004 Chevrolet Impala	2G1WF55K149299471
Motorola Max Trac Radio	428TVG2853
Motorola Max Trac Radio	428TVG2746
Body Guard Cage	
Bin ASM Utility	13973844T1
Plastic Seat for Crown Victoria	
Plastic Seat for Crown Victoria	
Plastic Seat for Crown Victoria	
Pro Guard Plastic Seat	
Ledco Power Supply	26886
Ledco Power Supply	26 (reminder unknown)
Ledco Docking Station	003629
Ledco Docking Station	003622
Ledco Power Supply	26886
Ledco Docking Station	003631
Platinum PF 300R	185150F
Whelen Headlight Flasher	C1136819
Federal Signal Model UPKM3	
Police Trunk Pack Dupont Kevlar	88908345
Police Trunk Pack Dupont Kevlar	8890906
Police Trunk Pack Dupont Kevlar	08098847
Police Trunk Pack Dupont Kevlar	75406066
Dell Keyboard	CNON62507161654158G
Dell Keyboard	CN0W76583717265N07JO
Dell Keyboard	CN0W76583717265N07PN
Dell Speakers	CN0F63064822063D0053
Cordless Phone Battery	D-AA800BX3
Directional Golden Eagle II Remote	200206700
UB12120 Universal Battery	
Dell Mouse	
Ledco Power Supply	26886
Charge Guard	
Ledco Docking Station	003623
Ledco Docking Station	003630
Ledco Docking Station	003628
Ledco Power Supply	26886
Panasonic Tough Book Docking Station	4KDCF283235
Digital Patroller	2169
Docking Station	
Quill Document Holder	
Ace Aerator Dual Thread 2/9	40088

Medal Document Holder	
Tripp Lite Battery Back Up	AG0M725USBKSR61
Digital Patroller Rear Camera	E050901477
Digital Patroller Data Talker	
Zebra Battery Pack	09609SJS0078R4
Kenwood KMC-27 microphone	
3 ½" Disk Drive	DL1BA166AAA 2FDD 4C
3 ½" Disk Drive	DL1BA0170AAA 0FDD 5B
3 ½" Disk Drive	DL1BA0174ARA 0FDD 5L
3 ½" Disk Drive	DL1BAA174ARA 0FDD 6B
3 ½" Disk Drive	DL1AB0166AAA 2FDD 4C
3 ½" Disk Drive	DLBAA174ARA 0FDD 6B
3 ½" Disk Drive	DL1BAA174ARA 0FDD 6B
3 ½" Disk Drive	DL1BAA174ARA 0FDD 6B
Panasonic CF-28 Toughbook	2DKYB03071
Panasonic CF-28 Toughbook	2DKYB03102
Panasonic CF-29 Toughbook	5BKXA01339
Panasonic CF-29 Toughbook	4CKYA27556
Panasonic CF-29 Toughbook	4CKYA27150
Whelen Universal Strobe Power Supply	57720
Whelen Universal Strobe Power Supply	57886
Whelen Universal Strobe Power Supply	45916
Whelen Red/Blue Strobe	PII05786
Whelen Red/Blue Strobe	PII05778
Whelen Red/Blue Strobe	PHK02897
Whelen Red/Blue Strobe	PHK02895
Whelen Red/Blue Strobe	PHK02886
Whelen Headlight Flasher	65610-06
Code 3 Siren Box	FP-C3360
Flashlight Charger	
Flashlight Charger	
Flashlight Charger	
Box of Misc Wires	
Kenwood KMC-26 Microphone	
Zebra Battery	12708SJS0168R4
Digital Patroller Data Talker	
Digital Patroller Data Talker	
Kenwood KMC-26 Microphone	
Motorola 3.6V Lithium Ion Battery	Z3Y420ATODDA
Motorola 3.6V Lithium Ion Battery	R6N714DBSDJR
BlackBerry Lithium Ion Rechargeable Battery	G0925C
Ledco Power Supply	3221002R
Baggie containing 8 locker number plates	
Pollak 12-705 6.24 Volts Plug-In	

Financial Impact

Revenue generated from the vehicle sales will go into the Vehicle Replacement Fund.

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 Resolution (R)2012-08.30 – McHenry County Council of Governments Local Government Vehicle and Equipment Auction Agreement and Approval of the sale and/or disposal of all Village-owned property listed and miscellaneous office items and equipment.*

**VILLAGE ATTORNEY’S REPORT:** None

**VILLAGE MANAGER’S REPORT:**

Trustee Leopold noted that the light fixtures along Del Webb Blvd need painting at the bottoms. Trustee Leopold noted that an evergreen tree is dead near the lift station at Route 47 and Main Street and that several of the trees along Algonquin Road are dead and asked if they were still under guarantee; Village Manager Johnson noted that staff was identifying the trees that have not survived and reported that he did not believe that the landscaping was still in the guarantee period.

**VILLAGE PRESIDENT’S REPORT:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

Trustee Leopold alerted that Committee that there is another computer scam sending an e-mail that a friend or possibly a relative is stuck in Europe and needs funds; Village Manager Johnson stated that the Police Department has been notified and are looking into this current computer scam.

**EXECUTIVE SESSION:** None

**ACTION ON CLOSED SESSION ITEM:** None

**ADJOURNMENT:**

**There being no further items to discuss, a MOTION was made to adjourn the meeting at 7:19 p.m.**

**MOTION: Trustee Piwko**

**SECOND: Trustee Fender**

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

Respectfully submitted,

Barbara Read  
Recording Secretary