

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
HELD IN THE CITY COUNCIL CHAMBERS,
800 GAME FARM ROAD ON
TUESDAY, JUNE 28, 2016**

Mayor Pro Tem Milschewski called the meeting to order at 7:00 p.m. and led the Council in the Pledge of Allegiance.

City Clerk Warren called the roll.

Ward I	Koch	Present
	Colosimo	Present
Ward II	Milschewski	Present
	Kot	Present
Ward III	Frieders	Present
	Funkhouser	Present
Ward IV	Tarulis	Present
	Teeling	Absent

Also present: City Clerk Warren, City Attorney Orr, City Administrator Olson, Police Chief Hart, Deputy Chief of Police Klingel, Public Works Director Dhuse, Finance Director Fredrickson, EEI Engineer Sanderson, Community Development Director Barksdale-Noble, Director of Parks and Recreation Evans, Administrative Intern Kathman

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

Alderman Tarulis requested that Item # 3 on the consent agenda, Intergovernmental Agreement (KC-TAP) for Kennedy Road Multi-Use Path (PW 2016-34), be moved to the regular agenda under Public Works Committee Report. .

Amendment approved unanimously by a viva voce vote.

PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS ON AGENDA ITEMS

Todd Milliron, 61 Cotswold Drive, addressed the issue of home rule. He also spoke about the issue of the City Center Apartments and the possible use of home rule to rectify the situation.

CONSENT AGENDA

1. Monthly Treasurer's Report for May 2016 (ADM 2016-37)
2. **Ordinance 2016-40** Declaring the United City of Yorkville's Compliance with Illinois Prevailing Wage Act – *authorize Mayor and City Clerk to execute* (ADM 2016-41)
3. **Resolution 2016-14** Approving the Transfer of the United City of Yorkville's Interest in the Stone Subdivision Sign Located at the Southwest Corner of Diehl Farm Road and U.S. Route 34 (1605 Cottonwood Trail) – *authorize Mayor and City Clerk to execute* (PW 2016-35)
4. Wrigley – Grant of Easement – *authorize Mayor and City Clerk to execute* (PW 2016-36)
5. IL Route 47 Improvements at Wrigley Access Drive – *accept bid and award contract to Geneva Construction in an amount not to exceed \$400,504.10* (PW 2016-37)
6. 104 Beaver Street – Grant of Easement – *authorize Mayor and City Clerk to execute* (PW 2016-39)
7. NPDES Annual Report – *authorize the City Administrator to execute* (PW 2016-41)

Mayor Pro Tem Milschewski entertained a motion to approve the consent agenda as amended. So moved by Alderman Kot; seconded by Alderman Koch.

Motion approved by a roll call vote. Ayes-7 Nays-0
Colosimo-aye, Milschewski-aye, Tarulis-aye, Frieders-aye,
Funkhouser-aye, Koch-aye, Kot-aye

MINUTES FOR APPROVAL

None.

BILLS FOR PAYMENT

Mayor Golinski stated that the bills were \$1,446,027.49.

REPORTS

MAYOR'S REPORT

Bond Ordinances

(CC 2016-40)

a. **Ordinance 2016-41** Authorizing the Issuance of waterworks and Sewerage Revenue Refunding Bonds of the United City of Yorkville, Kendall County, Illinois, in an aggregate principal amount not to exceed \$6,500,000

Mayor Pro Tem Milschewski entertained a motion to approve an ordinance authorizing the issuance of waterworks and sewerage revenue refunding bonds of the United City of Yorkville, Kendall County, Illinois, in an aggregate principal amount not to exceed \$6,500,000 and authorize the Mayor the City Clerk to execute. So moved by Alderman Funkhouser; seconded by Alderman Frieders.

Motion approved by a roll call vote. Ayes-7 Nays-0
Koch-aye, Kot-aye, Frieders-aye, Tarulis-aye,
Colosimo-aye, Funkhouser-aye, Milschewski-aye

b. **Ordinance 2016-42** Authorizing the Issuance of General Obligation Refunding Bonds (Alternate Revenue Source), Series 2016 of the United City of Yorkville, Kendall County, Illinois in an amount not to exceed \$6,500,000 for the purpose of refunding all or a portion of the City's outstanding Refunding Debt Certificates, Series 2006A and General Obligation Refunding Bonds (Alternate Revenue Source), Series 2007A

Mayor Pro Tem Milschewski entertained a motion to approve an ordinance authorizing the issuance of general obligation refunding bonds (alternate revenue source), series 2016 of the United City of Yorkville, Kendall County, Illinois in an amount not to exceed \$6,500,000 for the purpose of refunding all or a portion of the City's outstanding refunding debt certificates, series 2006A and general obligation refunding bonds (alternate revenue source), series 2007A and authorize the Mayor the City Clerk to execute. So moved by Alderman Funkhouser; seconded by Alderman Tarulis.

Motion approved by a roll call vote. Ayes-7 Nays-0
Kot-aye, Frieders-aye, Tarulis-aye, Colosimo-aye,
Funkhouser-aye, Milschewski-aye, Koch-aye

c. **Ordinance 2016-43** Calling a Public Hearing Concerning the Intent of the City Council of the United City of Yorkville, Kendall County, Illinois, to sell not to exceed \$6,500,000 General Obligation Alternate Revenue Bonds

Mayor Pro Tem Milschewski entertained a motion to approve an ordinance calling a public hearing concerning the intent of the City Council of the United City of Yorkville, Kendall County, Illinois, to sell not to exceed \$6,500,000 general obligation alternate revenue bonds and authorize the Mayor the City Clerk to execute. So moved by Alderman Funkhouser; seconded by Alderman Frieders.

Motion approved by a roll call vote. Ayes-7 Nays-0
Frieders-aye Tarulis-aye, Colosimo-aye,
Funkhouser-aye, Milschewski-aye, Koch-aye, Kot-aye

Ordinance 2016-44

Approving the Bristol Bay Park Purchase and Sale Agreement

(CC 2016-41)

Mayor Pro Tem Milschewski entertained a motion to approve an ordinance approving the Bristol Bay Park purchase and sale agreement and authorize the Mayor the City Clerk to execute. So moved by Alderman Kot; seconded by Alderman Funkhouser.

City Administrator Olson recommended several revisions to the ordinance. There was discussion among Alderman Funkhouser, Alderman Colosimo, Alderman Frieders, City Attorney Orr, and City Administrator Olson. City Attorney Orr spoke on this ordinance. Alderman Colosimo made a motion to amend the real estate purchase agreement, the sale agreement, and lease use agreement in the packet to amend it to the modification recommended by the Council; seconded by Alderman Frieders.

Roll call on the amended motion.

Motion approved by a roll call vote. Ayes-7 Nays-0
Tarulis-aye, Colosimo-aye, Funkhouser-aye,
Milschewski-aye, Koch-aye, Kot-aye, Frieders-aye

Roll call on the main motion.

Motion approved by a roll call vote. Ayes-7 Nays-0

Colosimo-aye, Funkhouser-aye, Milschewski-aye,
Koch-aye, Kot-aye, Frieders-aye, Tarulis-aye

PUBLIC WORKS COMMITTEE REPORT

**Fountain Village – Development Status
(PW 2016-38)**

Alderman Funkhouser made a motion to approve a letter of default being issued to the developer;
seconded by Alderman Colosimo.

City Administrator Olson gave an update on the development status of Fountain Village.

Motion approved by a roll call vote. Ayes-7 Nays-0
Colosimo-aye, Funkhouser-aye, Milschewski-aye,
Koch-aye, Kot-aye, Frieders-aye, Tarulis-aye

**Intergovernmental Agreement (KC-TAP) for Kennedy Road Multi-Use Path
(PW 2016-34)**

Alderman Funkhouser made a motion an intergovernmental agreement (KC-TAP) for Kennedy Road
Multi use path; seconded by Alderman Frieders.

Alderman Colosimo stated that he normally votes nay on everything involving the Kennedy Road Path.
Alderman Colosimo is willing to support this agreement because it does not impact the tax payers.

Motion approved by a roll call vote. Ayes-6 Nays-1
Funkhouser-aye, Milschewski-aye, Koch-aye,
Kot-aye, Frieders-aye, Tarulis-nay, Colosimo-aye

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Ordinance 2016-45

**Creating a Planning and Zoning Commission
(EDC 2016-33)**

Alderman Koch made a motion to approve an ordinance creating a planning and zoning commission and
authorize the Mayor and City Clerk to execute; seconded by Alderman Colosimo.

Alderman Frieders is in favor of this ordinance.

Motion approved by a roll call vote. Ayes-7 Nays-0
Funkhouser-aye, Milschewski-aye, Koch-aye,
Kot-aye, Frieders-aye, Tarulis-aye, Colosimo-aye

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

**Clerk and Treasurer Referendums
(ADM 2016-42)**

a. **Resolution 2016-15** Providing for the Submission to the Electors of the United City of Yorkville,
Kendall County, Illinois, a Referendum of Whether the City Should Abolish the Elected Office of City
Clerk and the Duties of the City Clerk be Assigned to the Deputy Clerk

Alderman Milschewski made a motion to approve a resolution providing for the submission to the
electors of the United City of Yorkville, Kendall County, Illinois, a referendum of whether the City
should abolish the elected office of City Clerk and the duties of the City Clerk be assigned to the Deputy
Clerk and authorize the Mayor and City Clerk to execute; seconded by Alderman Colosimo.

Alderman Kot wanted clarification as to whether or not this is a binding referendum. City Attorney Orr
stated that it is a binding referendum.

Motion approved by a roll call vote. Ayes-7 Nays-0
Milschewski-aye, Koch-aye, Kot-aye, Frieders-aye,
Tarulis-aye, Colosimo-aye, Funkhouser-aye

b. **Resolution 2016-16** Providing for the Submission to the Electors of the United City of Yorkville,
Kendall County, Illinois, a Referendum of Whether the City Should Abolish the Elected Office of City
Treasurer and the Duties of the City Treasurer be Assigned to the Finance Director

Alderman Milschewski made a motion to approve a resolution providing for the submission to the
electors of the United City of Yorkville, Kendall County, Illinois, a referendum of whether the City
should abolish the elected office of City Treasure and the duties of the City Treasure be assigned to the
Finance Director and authorize the Mayor and City Clerk to execute; seconded by Alderman Tarulis.

Alderman Frieders did not support this measure on the last referendum but supports it now. He believes there will be savings to the tax payers of Yorkville.

Motion approved by a roll call vote. Ayes-7 Nays-0
Milschewski-aye, Koch-aye, Kot-aye, Frieders-aye,
Tarulis-aye, Colosimo-aye, Funkhouser-aye

Resolution 2016-17

Providing for the Submission to the Electors of the United City of Yorkville, Kendall County, a Referendum of Whether the City Should Become a Home Rule Municipality
(ADM 2016-43)

Alderman Milschewski made a motion to approve a resolution providing for the submission to the electors of the United City of Yorkville, Kendall County, a referendum of whether the City should become a Home Rule Municipality and authorize the Mayor and City Clerk to execute; seconded by Alderman Frieders.

Alderman Colosimo addressed this home rule resolution and the taxation implications that go with the home rule issue. Alderman Colosimo offered a plan to have any taxes created by home rule to be offset by reduction in property taxes. This places the burden on the community as a whole and not just the citizen's of Yorkville. Alderman Frieders discussed home rule and the impact it would have on such issues as the joint venture water study, the mold issue brought up in a previous council meeting, as well as additional benefits. He supports the idea of home rule and believes there to be creative methods to be used to avoid additional taxes due to unfunded state programs. Alderman Koch is in favor of home rule and suggests a public relations program to present the positive aspects to the community.

Motion approved by a roll call vote. Ayes-7 Nays-0
Kot-aye, Frieders-aye, Tarulis-aye, Colosimo-aye,
Funkhouser-aye, Milschewski-aye, Koch-aye

PARK BOARD

No report.

PLAN COMMISSION
Ordinance 2016-46

**of the United City of Yorkville, Kendall County, Illinois,
Approving a Special Use for a Commercial/Trade School
Within Units B and C at 210 Beaver Street**
(PC 2016-12)

Mayor Pro Tem Milschewski entertained a motion to approve an ordinance approving a special use for a commercial/trade school within Units B and C at 210 Beaver Street and authorize the Mayor and City Clerk to execute. So moved by Alderman Koch; seconded by Alderman Kot.

Alderman Funkhouser understands the potential benefit to the community but is concerned about the location, due to the current zoning ordinance. Alderman Koch pointed out that there are two establishments that are in this location now that are not compliant with the zoning.

Motion approved by a roll call vote. Ayes-5 Nays-1 Present-1
Frieders-present, Tarulis-aye, Colosimo-aye,
Funkhouser-nay, Milschewski-aye, Koch-aye, Kot-aye

ZONING BOARD OF APPEALS

No report.

CITY COUNCIL REPORT

No report.

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

No report.

STAFF REPORT

4th of July

Director of Parks and Recreation Evans gave information on the 4th of July events.

Summer Solstice

Alderman Frieders discussed Summer Solstice, and complimented the Parks and Recreation staff.

ADDITIONAL BUSINESS

None.

EXECUTIVE SESSION

None.

CITIZEN COMMENTS

Rachel, City Center Apartments, thanked City Administrator Olson. She provided a letter from the property management group, and discussed her opinions in regards to this letter.

Todd Milliron, 61 Cotswold Drive, discussed the Kendall County Food Pantry situation. He also discussed the tri city water treatment plan.

ADJOURNMENT

Mayor Pro Tem Milschewski stated meeting adjourned.

Meeting adjourned at 7:53 p.m.

Minutes submitted by:

Beth Warren

Beth Warren,
City Clerk, City of Yorkville, Illinois

True Properties, LLC

Citizen Comments - 6/28/16
Received from Racheal LaRue

June 27, 2016

Valued City Center Residents,

We have received complaints from several of our residents about solicitation from Tonia Rachel LaRue (E6 City Center resident), Todd Milliron (non-resident) or others regarding their claims of mold at City Center.

This activity is violating your right to privacy and a peaceful environment, as stated in your lease. If this activity continues, please know that as a resident at City Center, you can call the Yorkville Police to file a complaint against anyone who solicits you or bothers you. You can also inform Jim or Rita.

There have been unsubstantiated claims and speculation about health issues, creating concerns for some residents. The independent report, submitted by Perception Environmental, Inc., concluded that our buildings at City Center are sound and that any mold growth in the subject apartments was due to unsanitary conditions and/or clutter.

As our resident, you can bring ANY complaint or concern to our attention by using the Maintenance Request Forms found by the office door or by calling either of the following phone numbers below.

Administration: 630-453-2735

Facilities Maintenance: 630-947-2848

Sincerely,

The Management

Page 2811

Glen Ellyn, IL 60138

(630) 453-2735

trueproperties@ebcglobal.net

REGULAR CITY COUNCIL MEETING

June 28, 2016

PLEASE PRINT

NAME:

SUBDIVISION OR BUSINESS:

Lynn Dubyzi
Megann Horstead
RONALD MOLCHANOV

DLK EDC
Aurora Beacon-Hills
WINDETT RIDGE
County CITIZEN - ^{Home} rule
Coley City Center
Apts

Todd Millum
Rachael LaRue

SIGNIN

REGULAR CITY COUNCIL MEETING
Public Comment

June 28, 2016

PLEASE PRINT

NAME:

Todd Milliron
Rachael

SUBDIVISION OR BUSINESS:

61 Cotswold Dr. Yorkville

SIGNIN