



United City of Yorkville

800 Game Farm Road
Yorkville, Illinois 60560
Telephone: 630-553-4350
www.yorkville.il.us

AGENDA CITY COUNCIL MEETING Tuesday, January 26, 2021 7:00 p.m.

REVISED 01-24-21 @ 2:30 PM

Additional agenda item added.

Mayor's Report Item #6

City Hall Council Chambers
800 Game Farm Road, Yorkville, IL

Call to Order:

Pledge of Allegiance:

Roll Call by Clerk: WARD I

Ken Koch
Dan Transier

WARD II

Jackie Milschewski
Arden Joe Plocher

WARD III

Chris Funkhouser
Joel Frieders

WARD IV

Seaver Tarulis
Jason Peterson

Establishment of Quorum:

Amendments to Agenda:

Presentations:

1. Police Department Adoption of the 10 Shared Principles adopted by the Illinois Association of Chiefs of Police and the NAACP
2. Recognition of Sergeant Andrew Jeleniewski
3. Recognition of Officer Dale Arentsen
4. Swearing-in of Sergeant – Christopher Hayes

Public Hearings:

Citizen Comments on Agenda Items:

Consent Agenda:

1. Minutes of the Regular City Council – January 12, 2021
2. Bill Payments for Approval
 - \$ 871,730.67 (vendors)
 - \$ 636,791.69 (payroll period ending 1/8/21 and 1/22/21)
 - \$ 1,508,522.36 (total)
3. ADM 2021-02 Treasurer's Report for November and December 2020

Mayor's Report:

1. CC 2021-05 Resolution Approving a Premises Use Agreement for the Senior Services Associates Use of a Portion of the Beecher Community Building
2. CC 2021-06 Federal Use of Force Certification for Yorkville Police Department

Mayor's Report (cont'd):

3. CC 2021-07 Bristol Ridge Road Resurfacing – Potential STP Funding
6. **CC 2021-08 Resolution Approving an Intergovernmental Agreement Between the Kendall County Board of Health and the United City of Yorkville Concerning Volunteers to Assist with Administering COVID-19 Vaccinations**

Public Works Committee Report:

Economic Development Committee Report:

Public Safety Committee Report:

Administration Committee Report:

1. ADM 2021-04 Disposal of Real Property – Old Bank Building and Kendall Marketplace Property

Park Board:

Planning and Zoning Commission:

1. PZC 2020-13 and EDC 2021-06 9261 Kennedy Road (Variance) – 1.5 Mile Review
2. PZC 2020-14 and EDC 2021-07 Ordinance Amending the Yorkville Zoning Ordinance Regarding Sign Maintenance and Regulations for Nonconforming Signs

City Council Report:

City Clerk's Report:

Community and Liaison Report:

Staff Report:

Mayor's Report (cont'd):

4. CC 2021-03 FY 21 Budget Update
5. CC 2021-04 Prairie Pointe Building Update

Additional Business:

Citizen Comments:

Executive Session:

Adjournment:

COMMITTEES, MEMBERS AND RESPONSIBILITIES

ADMINISTRATION: February 17, 2021 – 6:00 p.m. – City Hall Conference Room

<u>Committee</u>	<u>Departments</u>	<u>Liaisons</u>
Chairman: Alderman Funkhouser	Finance	Library
Vice-Chairman: Alderman Transier	Administration	
Committee: Alderman Plocher		
Committee: Alderman Peterson		

COMMITTEES, MEMBERS AND RESPONSIBILITIES cont'd:

ECONOMIC DEVELOPMENT: February 2, 2021 – 6:00 p.m. – City Hall Conference Room

<u>Committee</u>	<u>Departments</u>	<u>Liaisons</u>
Chairman: Alderman Milschewski	Community Development	Planning & Zoning Commission
Vice-Chairman: Alderman Peterson	Building Safety & Zoning	Kendall Co. Plan Commission
Committee: Alderman Koch		
Committee: Alderman Frieders		

PUBLIC SAFETY: March 4, 2021 – 6:00 p.m. – City Hall Conference Room

<u>Committee</u>	<u>Departments</u>	<u>Liaisons</u>
Chairman: Alderman Tarulis	Police	School District
Vice-Chairman: Alderman Frieders		
Committee: Alderman Milschewski		
Committee: Alderman Transier		

PUBLIC WORKS: February 16, 2021 – 6:00 p.m. – City Hall Conference Room

<u>Committee</u>	<u>Departments</u>	<u>Liaisons</u>
Chairman: Alderman Plocher	Public Works	Park Board
Vice-Chairman: Alderman Koch	Engineering	YBSD
Committee: Alderman Funkhouser	Parks and Recreation	
Committee: Alderman Tarulis		



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CITY COUNCIL MEETING
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Committee:	Alderman Plocher	
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Committee: Alderman Funkhouser	Parks and Recreation	
Committee: Alderman Tarulis		

UNITED CITY OF YORKVILLE
WORKSHEET
CITY COUNCIL
Tuesday, January 26, 2021
7:00 PM
CITY COUNCIL CHAMBERS

AMENDMENTS TO AGENDA:

PRESENTATIONS:

1. Police Department Adoption of the 10 Shared Principles adopted by the Illinois Association of Chiefs of Police and the NAACP
2. Recognition of Sergeant Andrew Jeleniewski
3. Recognition of Officer Dale Arentsen
4. Swearing-in of Sergeant – Christopher Hayes

CITIZEN COMMENTS ON AGENDA ITEMS:

CONSENT AGENDA:

1. Minutes of the Regular City Council – January 12, 2021

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

2. Bill Payments for Approval

☐ Approved _____

☐ As presented

☐ As amended

☐ Notes _____

3. ADM 2021-02 Treasurer's Report for November and December 2020

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

MAYOR'S REPORT:

1. CC 2021-05 Resolution Approving a Premises Use Agreement for the Senior Services Associates Use of a Portion of the Beecher Community Building

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

-
2. CC 2021-06 Federal Use of Force Certification for Yorkville Police Department

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

-
3. CC 2021-07 Bristol Ridge Road Resurfacing – Potential STP Funding

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

ADMINISTRATION COMMITTEE REPORT:

1. ADM 2021-04 Disposal of Real Property – Old Bank Building and Kendall Marketplace Property

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

PLANNING AND ZONING COMMISSION:

1. PZC 2020-13 and EDC 2021-06 9261 Kennedy Road (Variance) – 1.5 Mile Review

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

-
2. PZC 2020-14 and EDC 2021-07 Ordinance Amending the Yorkville Zoning Ordinance Regarding Sign Maintenance and Regulations for Nonconforming Signs

☐ Approved: Y _____ N _____ ☐ Subject to _____

☐ Removed _____

☐ Notes _____

MAYOR'S REPORT (CONT'D):

4. CC 2021-03 FY 21 Budget Update

☐ Approved: **Y** _____ **N** _____ ☐ Subject to _____☐ Removed _____☐ Notes _____

5. CC 2021-04 Prairie Pointe Building Update☐ Approved: **Y** _____ **N** _____ ☐ Subject to _____☐ Removed _____☐ Notes _____

ADDITIONAL BUSINESS:

CITIZEN COMMENTS:



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input checked="" type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Presentation #1

Tracking Number

Agenda Item Summary Memo

Title: Police Department Adoption of the 10 Shared Principles

Meeting and Date: City Council – January 26, 2021

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: James Jensen Police
Name Department

Agenda Item Notes:



Memorandum

To: Public Safety Committee
From: James Jensen, Police Chief
CC:
Date: January 7, 2021
Subject: 10 Shared Principles

Summary

Discussion of the 10 Shared Principles through the NAACP and the Illinois Association of Chiefs of Police.

Background

In March of 2018 the Illinois Association of Chiefs of Police (ILACP) and the Illinois NAACP announced a resolution of shared principles that are designed to bridge the gap of mistrust between police and communities of color. The first of its kind in our nation's history, the agreement between the NAACP and a statewide law enforcement agency identifies the common ground between local law enforcement and communities of color in their commitment to and passion for defending civil rights and keeping communities safe.

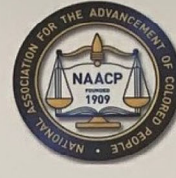
In June of 2020, Chief Jensen signed the Affirmation of Shared Principles with the Illinois Association of Chiefs of Police recognizing the Yorkville Police Department as one of the 251 Illinois Law Enforcement agencies adopting the 10 shared principles. Training is being provided to the members of the Yorkville Police Department, both sworn and civilian, and the signed 10 Shared Principles resolution will be hung in the lobby of the Yorkville Police Department announcing our commitment to bridging the gap of mistrust between police and communities of color.

Recommendation

None

Attachments

Exhibit A: 10 Shared Principles
Exhibit B: <https://youtu.be/NTnFQAYJkvA>



Adoption of Shared Principles by Yorkville Police Department

WHEREAS, on March 22, 2018, the NAACP Illinois State Conference and the Illinois Association of Chiefs of Police agreed to 10 Shared Principles designed to build trust between law enforcement and communities of color, and

WHEREAS, the two statewide associations vowed "by mutual affirmation to work together and stand together in our communities and at the state level to implement these values and principles, and to replace mistrust with mutual trust wherever, whenever, and however we can,"

NOW BE IT THEREFORE RESOLVED that the Yorkville, Illinois, Police Department adopts these same Ten Shared Principles as their own, and thereby adds its name to the historic agreement between the Illinois NAACP and the ILACP. These are the Ten Shared Principles:

1. We value the life of every person and consider life to be the highest value.
2. All persons should be treated with dignity and respect. This is another foundational value.
3. We reject discrimination toward any person that is based on race, ethnicity, religion, color, nationality, immigrant status, sexual orientation, gender, disability, or familial status.
4. We endorse the six pillars in the report of the President's Task Force on 21st Century Policing. The first pillar is to build and rebuild trust through procedural justice, transparency, accountability, and honest recognition of past and present obstacles.
5. We endorse the four pillars of procedural justice, which are fairness, voice (i.e., an opportunity for citizens and police to believe they are heard), transparency, and impartiality.
6. We endorse the values inherent in community policing, which includes community partnerships involving law enforcement, engagement of police officers with residents outside of interaction specific to enforcement of laws, and problem-solving that is collaborative, not one-sided.
7. We believe that developing strong ongoing relationships between law enforcement and communities of color at the leadership level and street level will be the keys to diminishing and eliminating racial tension.
8. We believe that law enforcement and community leaders have a mutual responsibility to encourage all citizens to gain a better understanding and knowledge of the law to assist them in their interactions with law enforcement officers.
9. We support diversity in police departments and in the law enforcement profession. Law enforcement and communities have a mutual responsibility and should work together to make a concerted effort to recruit diverse police departments.
10. We believe de-escalation training should be required to ensure the safety of community members and officers. We endorse using de-escalation tactics to reduce the potential for confrontations that endanger law enforcement officers and community members; and the principle that human life should be taken only as a last resort.

Date

James H. Jensen, Chief of Police



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Consent Agenda #1

Tracking Number

Agenda Item Summary Memo

Title: Minutes of the Regular City Council – January 12, 2021

Meeting and Date: City Council – January 26, 2021

Synopsis: Approval of Minutes

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Lisa Pickering Administration
Name Department

Agenda Item Notes:

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, JANUARY 12, 2021

Mayor Purcell called the meeting to order at 7:02 p.m. and led the Council in the Pledge of Allegiance.

ROLL CALL

City Clerk Pickering called the roll.

Ward I	Koch	Present (electronic attendance)
	Transier	Present (electronic attendance)
Ward II	Milschewski	Present (electronic attendance)
	Plocher	Present (electronic attendance)
Ward III	Funkhouser	Present
	Frieders	Present (electronic attendance)
Ward IV	Tarulis	Present (electronic attendance)
	Peterson	Present (electronic attendance)

Staff in attendance at city hall: City Administrator Olson and Chief of Police Jensen.

Staff in attendance electronically: City Clerk Pickering, Public Works Director Dhuse, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, Assistant City Administrator Willrett, Attorney Orr and EEI Engineer Sanderson.

Clerk’s Note: Due to COVID-19, in accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Act, the United City of Yorkville encouraged social distancing by allowing remote attendance to the City Council meeting.

Members of the public were able to attend this meeting in person while practicing social distancing as well as being able to access the meeting remotely via Zoom which allowed for video, audio and telephonic participation.

A meeting notice was posted on the city’s website on the agenda, minutes and packets webpage with instructions regarding remote meeting access and a link was included for the public to participate in the meeting remotely: <https://us02web.zoom.us/j/84436832689?pwd=Z1BDY21pSGJkZmI3YmErYWZJdjVEQT09>. The Zoom meeting ID was 844 3683 2689.

Mayor Purcell stated that he has determined that under the Governor’s orders the meeting can be held with electronic attendance for the safety of the council members and the public and to help prevent the spread of the coronavirus.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS ON AGENDA ITEMS

None.

CONSENT AGENDA

1. Minutes of the Regular City Council – December 8, 2020
2. Bill Payments for Approval
 - \$ 1,677,317.95 (vendors)
 - \$ 3,079,121.85 (vendors)
 - \$ 679,093.96 (payroll period ending 12/11/20 and 12/23/20)
 - \$ 5,435,533.76 (total)

Mayor Purcell entertained a motion to approve the consent agenda. So moved by Alderman Funkhouser; seconded by Alderman Milschewski.

Motion approved by a roll call vote. Ayes-7 Nays-0 Present-1
Koch-aye, Milschewski-aye, Funkhouser-aye, Tarulis-aye,
Transier-aye, Plocher-aye, Frieders-present, Peterson-aye

REPORTS

MAYOR'S REPORT

Mayor Purcell said that while 2020 was a rough year with the pandemic, there were some positive things that happened. He feels the council was very supportive of staff and businesses. He said the city also acquired a new building for a city hall and police department. Mayor Purcell mentioned that the council will be voting on an intergovernmental agreement this evening to allow the health department to use the new building to administer COVID-19 vaccines. He stated that the city has several staff members who have volunteered to help the health department over the next several weeks as the health department works to get the COVID-19 vaccines administered. He is very proud that staff members stepped up to help the health department.

Local CURE Economic Support Program (CC 2020-86)

Program Update

Mayor Purcell said that currently Yorkville businesses have received over \$3 million dollars in grants during the pandemic. He said that businesses are extremely grateful for the grants they have received. He thanked the City Council for approving the money for the city's local CURE economic support program.

Assistant Administrator Willrett reported that all \$400,000 of the city's program has been awarded by email and the first batch of grant monies has been disbursed. It is hoped to have the second and final batch of grant monies disbursed by the end of next week. She said the budget amendment being considered tonight is to document funds received by the city from the state for the economic support program as well as the downstate stabilization program that was previously approved by the council last June and July.

Ordinance 2021-01

Authorizing the Seventh Amendment to the Annual Budget for the Fiscal Year Commencing on May 1, 2020 and Ending on April 30, 2021

Mayor Purcell entertained a motion to approve an Ordinance Authorizing the Seventh Amendment to the Annual Budget for the Fiscal Year Commencing on May 1, 2020 and Ending on April 30, 2021 and authorize the Mayor and City Clerk to execute. So moved by Alderman Funkhouser; seconded by Alderman Koch.

Motion approved by a roll call vote. Ayes-8 Nays-0
Milschewski-aye, Funkhouser-aye, Tarulis-aye, Transier-aye,
Plocher-aye, Frieders-aye, Peterson-aye, Koch-aye

Resolution 2021-01

Approving an Intergovernmental Agreement between the Kendall County Board of Health and the United City of Yorkville (Use of the 651 Prairie Pointe Drive Building) (CC 2021-01)

Mayor Purcell entertained a motion to approve a Resolution Approving an Intergovernmental Agreement between the Kendall County Board of Health and the City of Yorkville for the use of the 651 Prairie Pointe Drive building and authorize the Mayor and Clerk to execute. So moved by Alderman Peterson; seconded by Alderman Milschewski.

Mayor Purcell stated this is an intergovernmental agreement with the Kendall County Board of Health that will allow the health department to use the city's building to administer the COVID-19 vaccines.

Motion approved by a roll call vote. Ayes-8 Nays-0
Funkhouser-aye, Tarulis-aye, Transier-aye, Plocher-aye,
Frieders-aye, Peterson-aye, Koch-aye, Milschewski-aye

Resolution 2021-02

Approving an Intergovernmental Agreement between the Village of Oswego, the United City of Yorkville, the Village of Montgomery and Kendall County (Elevate Federal Lobbyist Contract) (CC 2021-02)

Mayor Purcell entertained a motion to approve a Resolution Approving an Intergovernmental Agreement between the Village of Oswego, the City of Yorkville, the Village of Montgomery, and Kendall County for the Elevate Federal Lobbyist Contract and authorize the Mayor and City Clerk to execute. So moved by Alderman Transier; seconded by Alderman Plocher.

Mayor Purcell said that if approved, the city's portion of the lobbyist contract is \$37,500 annually. Administrator Olson said that Oswego will be the contract holder with the lobbyist and will invoice the city for our portion of the cost.

Motion approved by a roll call vote. Ayes-8 Nays-0
Tarulis-aye, Transier-aye, Plocher-aye, Frieders-aye,
Peterson-aye, Koch-aye, Milschewski-aye, Funkhouser-aye

PUBLIC WORKS COMMITTEE REPORT

Grande Reserve Unit 23 – Acceptance of Public Improvements (PW 2020-68)

Alderman Plocher made a motion to accept the public improvements as described in the Bill of Sale for ownership and maintenance by the City and authorize a reduction to the performance guarantee resulting in a remaining performance guarantee in the amount of \$520,410.95 to cover the one-year maintenance period, subject to: verification that the developer has no outstanding debt owed to the City for this project; receipt of a signed Bill of Sale; and the developer posting a separate security in the amount of \$336,366.84 to cover 120% for Tuscany Trail and upon receipt of the new performance guarantee and the separate security for Tuscany Trail, the existing bonds may be released; seconded by Alderman Koch.

Motion approved by a roll call vote. Ayes-8 Nays-0
Transier-aye, Plocher-aye, Frieders-aye, Peterson-aye,
Koch-aye, Milschewski-aye, Funkhouser-aye, Tarulis-aye

MFT Resolution and Estimate for 2021 Road to Better Roads Program (PW 2020-69)

Alderman Plocher made a motion to approve an MFT Resolution and cost estimate for the 2021 Road to Better Roads Program and authorize the Mayor and City Clerk to execute; seconded by Alderman Frieders.

Motion approved by a roll call vote. Ayes-8 Nays-0
Plocher-aye, Frieders-aye, Peterson-aye, Koch-aye,
Milschewski-aye, Funkhouser-aye, Tarulis-aye, Transier-aye

ECONOMIC DEVELOPMENT COMMITTEE REPORT

No report.

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

Beecher Park

Director Evans reported that Beecher Park is almost finished and should be ready to use by spring.

PLANNING AND ZONING COMMISSION

No report.

CITY COUNCIL REPORT

National Suicide Prevention + Action Month Proclamation Project

Alderman Frieders reported that outreach has started for the 2021 Hope for the Day National Suicide Prevention + Action Month Proclamation project and they already have ten communities in three different states that have agreed to issue proclamations.

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

Shop with a Cop

Alderman Funkhouser reported the Shop with a Cop event that was held in December was very successful. He said the police department was able to help twenty families.

Law Enforcement Appreciation Day

Alderman Funkhouser reported that law enforcement appreciation day was held last Saturday. He said that he wanted to extend his appreciation and gratitude towards all law enforcement.

State Legislation – Police Reform Bill

Alderman Funkhouser reported that state legislators are considering a police reform bill. This bill is very extensive and has been pushed into the legislative session that ends tomorrow. Alderman Funkhouser said that while there probably needs to be some reform at every level, this bill is being pushed through without communicating with the stakeholders who are involved. He encouraged citizens to email or call their legislators and ask them to take time to thoroughly review this bill and all of its provisions and to get all of the stakeholders involved before voting on it. It is an important bill that should not be pushed through without proper communication and consideration.

Alderman Frieders encouraged citizens to reach out to their elected officials and let them know which portions of the reform bill that they support. He feels that if police officers take away someone's constitutional rights, then the police officers themselves should be held liable instead of the taxpayers.

STAFF REPORT

No report.

MAYOR'S REPORT (cont'd)

New Home Building Permits

Mayor Purcell reported that the city issued 317 new home building permits in 2020.

**FY 21 Budget Update
(CC 2021-03)**

Mayor Purcell reported the city received sales tax numbers for October. The non-home rule sales tax had a nine percent year-over-year increase and the regular sales tax had a six percent year-over-year increase.

**Prairie Pointe Building Update
(CC 2021-04)**

Administrator Olson reported seven out of eight aldermen have met with the architects over the space needs in the new building. He hopes that staff will receive some preliminary layouts or cost estimates in the next week or two. He anticipates having a discussion at the February 9th meeting with options of where the chamber is going to go. The location of the council chambers seems to be the biggest issue to be decided in order for programming of the rest of the building to occur.

Ward 3 Candidates

Mayor Purcell invited both of the Ward 3 new alderman candidates to reach out to staff or to him with any questions they may have about city business.

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

None.

EXECUTIVE SESSION

None.

ADJOURNMENT

Mayor Purcell entertained a motion to adjourn the City Council meeting. So moved by Alderman Funkhouser; seconded by Alderman Plocher.

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 7:45 p.m.

Minutes submitted by:

Lisa Pickering,
City Clerk, City of Yorkville, Illinois



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input checked="" type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Consent Agenda #2

Tracking Number

Agenda Item Summary Memo

Title: Bills for Payment

Meeting and Date: City Council – January 26, 2021

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Amy Simmons Finance
Name Department

Agenda Item Notes:

DATE: 01/11/21
TIME: 11:25:09
PRG ID: AP215000.WOW

UNITED CITY OF YORKVILLE
CHECK REGISTER

CHECK DATE: 01/11/21

CHECK #	VENDOR #	INVOICE NUMBER	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	ITEM AMT
533978	AMERTIRE	AMERICAN TIRE & AUTOMOTIVE					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	4,775.00
					INVOICE TOTAL:		4,775.00 *
					CHECK TOTAL:		4,775.00
533979	ANYTIME	MNO FITNESS LLC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00
					INVOICE TOTAL:		15,000.00 *
					CHECK TOTAL:		15,000.00
533980	ARBYS	RHS YORKVILLE LLC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
533981	AXT	AXT JIU-JITSU					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	14,600.00
					INVOICE TOTAL:		14,600.00 *
					CHECK TOTAL:		14,600.00
533982	BURNT	BURNT BARREL INC.					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	12,500.00
					INVOICE TOTAL:		12,500.00 *
					CHECK TOTAL:		12,500.00
533983	COCINA	COCINA MADRE					

01-110 ADMINISTRATION
01-120 FINANCE
01-210 POLICE
01-220 COMMUNITY DEVELOPMENT
01-410 STREET OPERATIONS
01-540 HEALTH & SANITATION
01-640 ADMINISTRATIVE SERVICES

11-111 FOX HILL SSA
12-112 SUNFLOWER ESTATES
15-155 MOTOR FUEL TAX(MFT)
23-216 MUNICIPAL BUILDING
23-230 CITY-WIDE CAPITAL
25-205 POLICE CAPITAL
25-215 PUBLIC WORKS CAPITAL

25-225 PARKS & REC CAPITAL
42-420 DEBT SERVICE
51-510 WATER OPERATIONS
52-520 SEWER OPERATIONS
72-720 LAND CASH
79-790 PARKS DEPARTMENT
79-795 RECREATION DEPARTMENT

82-820 LIBRARY OPERATIONS
84-840 LIBRARY CAPITAL
87-870 COUNTRYSIDE TIF
88-880 DOWNTOWN TIF
89-890 DOWNTOWN TIF II
90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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CHECK #	VENDOR #	INVOICE NUMBER	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	ITEM AMT
533983	COCINA	COCINA MADRE					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
533984	DAIRYQUN	AAHANA LLC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	2,500.00
					INVOICE TOTAL:		2,500.00 *
					CHECK TOTAL:		2,500.00
533985	DIRECT	DIRECT SIGN SYSTEMS					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,000.00
					INVOICE TOTAL:		10,000.00 *
					CHECK TOTAL:		10,000.00
533986	DUYS	DUY'S SHOES INC.					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
533987	EXMPLIFY	EXMPLIFY HEALTH CENTER					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,000.00
					INVOICE TOTAL:		10,000.00 *
					CHECK TOTAL:		10,000.00
533988	FLIGHT	FLIGHT TEAM LLC					

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01-410 STREET OPERATIONS
01-540 HEALTH & SANITATION
01-640 ADMINISTRATIVE SERVICES

11-111 FOX HILL SSA
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15-155 MOTOR FUEL TAX(MFT)
23-216 MUNICIPAL BUILDING
23-230 CITY-WIDE CAPITAL
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533988	FLIGHT	FLIGHT TEAM LLC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	19,000.00
					INVOICE TOTAL:		19,000.00 *
					CHECK TOTAL:		19,000.00
533989	HEARTSCH	THE HEARTLAND SCHOOL					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
533990	MIK&DENI	MIKE & DENISE'S PIZZA					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
533991	PACIFIC	L & Y NAIL INC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	2,425.00
					INVOICE TOTAL:		2,425.00 *
					CHECK TOTAL:		2,425.00
533992	PARACOVE	PARADISE COVE 220					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00
					INVOICE TOTAL:		15,000.00 *
					CHECK TOTAL:		15,000.00
533993	PARMA	PARMA PIZZA BAR					

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533993	PARMA	PARMA PIZZA BAR						
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00	
					INVOICE TOTAL:		15,000.00 *	
					CHECK TOTAL:			15,000.00
533994	PATELLIS	ANKA ENTERPRISES INC						
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	8,500.00	
					INVOICE TOTAL:		8,500.00 *	
					CHECK TOTAL:			8,500.00
533995	PEPEMEX	JOCEMANSOPHY, INC.						
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	19,000.00	
					INVOICE TOTAL:		19,000.00 *	
					CHECK TOTAL:			19,000.00
533996	PLETKA	PLETKA FAMILY RENTAL INC						
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	4,300.00	
					INVOICE TOTAL:		4,300.00 *	
					CHECK TOTAL:			4,300.00
533997	R0000954	CORNISH CHIRO						
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,000.00	
					INVOICE TOTAL:		10,000.00 *	
					CHECK TOTAL:			10,000.00
533998	R0002088	GRACE HOLLISTIC						

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89-890 DOWNTOWN TIF II
90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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533998	R0002088	GRACE HOLLISTIC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00
					INVOICE TOTAL:		15,000.00 *
					CHECK TOTAL:		15,000.00
533999	RAZOR	RAZOR SHARP BARBER SHOP 2					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	12,000.00
					INVOICE TOTAL:		12,000.00 *
					CHECK TOTAL:		12,000.00
534000	ROADHOUSE	ROADHOUSE RTE 47					
	COVID 21		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	12,500.00
					INVOICE TOTAL:		12,500.00 *
					CHECK TOTAL:		12,500.00
534001	ROWDYS	TCB 123 LLC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	12,500.00
					INVOICE TOTAL:		12,500.00 *
					CHECK TOTAL:		12,500.00
534002	SENSE	SENSE OF SAMADHI					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,000.00
					INVOICE TOTAL:		10,000.00 *
					CHECK TOTAL:		10,000.00
534003	SMOKEYS	ALBAMEX INC					

01-110 ADMINISTRATION
01-120 FINANCE
01-210 POLICE
01-220 COMMUNITY DEVELOPMENT
01-410 STREET OPERATIONS
01-540 HEALTH & SANITATION
01-640 ADMINISTRATIVE SERVICES

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90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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534003	SMOKEYS	ALBAMEX INC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
534004	SOUTHBK	BBQ 123 LLC					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	12,500.00
					INVOICE TOTAL:		12,500.00 *
					CHECK TOTAL:		12,500.00
534005	STERCHI	STERCHI CHIROPRACTIC S.C.					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00
					INVOICE TOTAL:		15,000.00 *
					CHECK TOTAL:		15,000.00
534006	WEGROW	WE GROW KIDS CHILDCARE					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
534007	YORKAUTO	YORKVILLE AUTO BODY, INC.					
	COVID 2021		01/10/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,000.00
					INVOICE TOTAL:		10,000.00 *
					CHECK TOTAL:		10,000.00
					TOTAL AMOUNT PAID:		297,100.00

01-110 ADMINISTRATION
01-120 FINANCE
01-210 POLICE
01-220 COMMUNITY DEVELOPMENT
01-410 STREET OPERATIONS
01-540 HEALTH & SANITATION
01-640 ADMINISTRATIVE SERVICES

11-111 FOX HILL SSA
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82-820 LIBRARY OPERATIONS
84-840 LIBRARY CAPITAL
87-870 COUNTRYSIDE TIF
88-880 DOWNTOWN TIF
89-890 DOWNTOWN TIF II
90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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MANUAL CHECK REGISTER

CHECK #	VENDOR # INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
131180	KCR	KENDALL COUNTY RECORDER'S			01/13/21		
	41941	01/13/21	01	PLAT OF RESUBDIVISION FOR		90-146-00-00-0011	4.00
			02	MENARDS COMMERCIAL COMMONS		** COMMENT **	
						INVOICE TOTAL:	4.00 *
						CHECK TOTAL:	4.00
						TOTAL AMOUNT PAID:	4.00

- 01-110 ADMINISTRATION
01-120 FINANCE
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01-410 STREET OPERATIONS
01-540 HEALTH & SANITATION
01-640 ADMINISTRATIVE SERVICES

11-111 FOX HILL SSA
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82-820 LIBRARY OPERATIONS
84-840 LIBRARY CAPITAL
87-870 COUNTRYSIDE TIF
88-880 DOWNTOWN TIF
89-890 DOWNTOWN TIF II
90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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UNITED CITY OF YORKVILLE
MANUAL CHECK REGISTER

CHECK #	VENDOR # INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	CHECK DATE	ACCOUNT #	ITEM AMT
131181	KCR	KENDALL COUNTY RECORDER'S			01/14/21		
	42035	01/14/21	01	RELEASE UTILITY LIEN		51-510-54-00-5448	67.00
			02	JURISDICTIONAL BOUNDARY LINE		01-220-54-00-5462	67.00
			03	BETWEEN PLAINFIRLD & YORKVILLE		** COMMENT **	
			04	RELEASE 3 MOWING LIENS		25-215-54-00-5448	201.00
						INVOICE TOTAL:	335.00 *
						CHECK TOTAL:	335.00
						TOTAL AMOUNT PAID:	335.00

- 01-110 ADMINISTRATION
01-120 FINANCE
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84-840 LIBRARY CAPITAL
87-870 COUNTRYSIDE TIF
88-880 DOWNTOWN TIF
89-890 DOWNTOWN TIF II
90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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534008	FOXYS	FOXY'S ICE CREAM					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	2,500.00
					INVOICE TOTAL:		2,500.00 *
					CHECK TOTAL:		2,500.00
534009	HARMONY	HARMONY AESTHETICS					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,600.00
					INVOICE TOTAL:		10,600.00 *
					CHECK TOTAL:		10,600.00
534010	HERICAB	HERITAGE CABINETRY					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00
					INVOICE TOTAL:		15,000.00 *
					CHECK TOTAL:		15,000.00
534011	LIGHTHSE	LIGHTHOUSE CENTERS-YORKVILLE					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
534012	LITLEARN	LITTLE LEARNER					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
534013	LOGOFACT	THE IDEA PROS, INC					

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01-210 POLICE
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01-410 STREET OPERATIONS
01-540 HEALTH & SANITATION
01-640 ADMINISTRATIVE SERVICES

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534013	LOGOFACT	THE IDEA PROS, INC					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
534014	NCG	NCG YORKVILLE, INC					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00
					INVOICE TOTAL:		15,000.00 *
					CHECK TOTAL:		15,000.00
534015	PRDENTAL	PRAIRIE GARDEN DENTAL					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,000.00
					INVOICE TOTAL:		10,000.00 *
					CHECK TOTAL:		10,000.00
534016	R0000877	BH MARTIAL ARTS					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	5,000.00
					INVOICE TOTAL:		5,000.00 *
					CHECK TOTAL:		5,000.00
534017	R0001080	ADVANCED PHYSICAL MEDICINE					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	15,000.00
					INVOICE TOTAL:		15,000.00 *
					CHECK TOTAL:		15,000.00
534018	REICHERT	REICHERT MEDICAL					

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95-XXX ESCROW DEPOSIT

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534018	REICHERT	REICHERT MEDICAL					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	10,000.00
					INVOICE TOTAL:		10,000.00 *
					CHECK TOTAL:		10,000.00
534019	SCRAP	THE SCRAP CABANA					
	COVID 2021		01/15/21	01	COVID BUSINESS RELIEF GRANT	01-640-54-00-5431	4,800.00
					INVOICE TOTAL:		4,800.00 *
					CHECK TOTAL:		4,800.00
					TOTAL AMOUNT PAID:		102,900.00

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01-120 FINANCE
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01-220 COMMUNITY DEVELOPMENT
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89-890 DOWNTOWN TIF II
90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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534080	AACVB	AURORA AREA CONVENTION					
	11/20-SUNSET	12/18/20	01	SUNSET HOTEL TAX-NOV 2020	01-640-54-00-5481		38.70
					INVOICE TOTAL:		38.70 *
					CHECK TOTAL:		38.70
534081	ADVAAUTO	ADVANCED AUTOMATION & CONTROLS					
	20-3557	12/23/20	01	FLOW METER INSTALLATIONS	51-510-54-00-5452		1,265.00
					INVOICE TOTAL:		1,265.00 *
					CHECK TOTAL:		1,265.00
534082	ALTORFER	ALTORFER INDUSTRIES, INC					
	PO630012772	12/31/20	01	REMOVE AND INSTALL FUEL	01-410-54-00-5490		2,093.61
			02	PRIMING PUMP	** COMMENT **		
					INVOICE TOTAL:		2,093.61 *
					CHECK TOTAL:		2,093.61
534083	AMPERAGE	AMPERAGE ELECTRICAL SUPPLY INC					
	1130148-IN	12/07/20	01	TORK STARTER	23-230-56-00-5642		194.96
					INVOICE TOTAL:		194.96 *
	1132207-IN	12/15/20	01	FUSES, FUSE HOLDERS, LAMPS,	23-230-56-00-5642		469.50
			02	BALLAST KIT, TURN-LOCK PHOTO	** COMMENT **		
			03	CONTROL	** COMMENT **		
					INVOICE TOTAL:		469.50 *
	1133838-IN	12/18/20	01	LOUVERS	23-216-56-00-5656		98.23
					INVOICE TOTAL:		98.23 *
	1135651-IN	12/29/20	01	TURN-LOCK PHOTO CONTROL, LAMPS	23-230-56-00-5642		275.52

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534083	AMPERAGE	AMPERAGE ELECTRICAL SUPPLY INC					
	1135651-IN	12/29/20	02	BALLAST KIT	** COMMENT **		
					INVOICE TOTAL:		275.52 *
					CHECK TOTAL:		1,038.21
D001930	ANTPLACE	ANTHONY PLACE YORKVILLE LP					
	FEB 2021	01/11/21	01	CITY OF YORKVILLE HOUSING	01-640-54-00-5427		769.00
			02	ASSISTANCE PROGRAM RENT	** COMMENT **		
			03	REIMBURSEMENT FOR FEB 2021	** COMMENT **		
					INVOICE TOTAL:		769.00 *
					DIRECT DEPOSIT TOTAL:		769.00
534084	ATT	AT&T					
	6305536805-1220	12/25/20	01	12/25-01/24 SERVICE	51-510-54-00-5440		445.77
					INVOICE TOTAL:		445.77 *
					CHECK TOTAL:		445.77
534085	ATTINTER	AT&T					
	8554238507	12/10/20	01	12/10-01/09 ROUTER	01-110-54-00-5440		471.16
					INVOICE TOTAL:		471.16 *
					CHECK TOTAL:		471.16
534086	BATTERY	BATTERY SERVICE CORPORATION					
	0069622	12/18/20	01	BATTERY	01-410-56-00-5628		89.95
					INVOICE TOTAL:		89.95 *
					CHECK TOTAL:		89.95

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534087	BEHLANDJ JORI BEHLAND						
	123020-NOTARY	12/30/20	01	NOTARY RENEWAL REIMBURSEMENT	01-110-54-00-5462		53.00
					INVOICE TOTAL:		53.00 *
					CHECK TOTAL:		53.00
534088	BENNETTG BENNETT, GARY L.						
	122120	12/21/20	01	JAN-JUN 2020 BUSH BURNING	01-540-54-00-5443		600.00
					INVOICE TOTAL:		600.00 *
					CHECK TOTAL:		600.00
534089	BNSF BNSF RAILWAY COMPANY						
	1008827	10/26/20	01	SEPT 2020 WORK ON MILL RD	23-230-60-00-6012		2,647.01
			02	CROSSING	** COMMENT **		
					INVOICE TOTAL:		2,647.01 *
	90213451	11/19/20	01	OCT 2020 WORK ON MILL RD	23-230-60-00-6012		1,502.84
			02	CROSSING	** COMMENT **		
					INVOICE TOTAL:		1,502.84 *
	90214767	12/16/20	01	NOV 2020 WORK ON MILL RD	23-230-60-00-6012		620.52
			02	CROSSING	** COMMENT **		
					INVOICE TOTAL:		620.52 *
					CHECK TOTAL:		4,770.37
534090	BNYMGLOB THE BANK OF NEW YORK MELLON						
	252-2347791	12/28/20	01	SERIES 2014 BOND ADMIN FEE	87-870-54-00-5498		535.00
					INVOICE TOTAL:		535.00 *
					CHECK TOTAL:		535.00

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534091	CALLONE	UNITED COMMUNICATION SYSTEMS					
	363648	01/15/21	01	1/15-2/14 ADMIN LINES	01-110-54-00-5440		616.25
			02	1/15-2/14 CITY HALL NORTEL	01-110-54-00-5440		188.59
			03	1/15-2/14 CITY HALL NORTEL	01-210-54-00-5440		188.59
			04	1/15-2/14 CITY HALL NORTEL	51-510-54-00-5440		188.59
			05	1/15-2/14 POLICE LINES	01-210-54-00-5440		561.02
			06	1/15-2/14 CITY HALL FIRE	01-110-54-00-5440		751.07
			07	1/15-2/14 CITY HALL FIRE	01-210-54-00-5440		751.07
			08	1/15-2/14 PW LINES	51-510-54-00-5440		2,379.64
			09	1/15-2/14 SEWER DEPT LINES	52-520-54-00-5440		374.67
			10	1/15-2/14 TRAFFIC SIGNAL	01-410-54-00-5435		56.86
			11	MAINTENANCE	** COMMENT **		
			12	1/15-2/14 REC DEPT LINES	79-795-54-00-5440		339.88
				INVOICE TOTAL:			6,396.23 *
				CHECK TOTAL:			6,396.23
534092	CAMBRIA	CAMBRIA SALES COMPANY INC.					
	42143	12/22/20	01	PAPER TOWEL	52-520-56-00-5620		62.34
				INVOICE TOTAL:			62.34 *
	42163	01/07/21	01	PAPER TOWEL	01-110-56-00-5610		119.20
				INVOICE TOTAL:			119.20 *
				CHECK TOTAL:			181.54
534093	CENTRALL	CENTRAL LIMESTONE COMPANY, INC					
	24342	01/04/21	01	GRAVEL	51-510-56-00-5620		724.04
				INVOICE TOTAL:			724.04 *
				CHECK TOTAL:			724.04
534094	COMED	COMMONWEALTH EDISON					

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534094	COMED	COMMONWEALTH EDISON					
	0091033126-1220	12/31/20	01	11/30-12/31 AUTUMN CRK & RT34	23-230-54-00-5482		61.22
					INVOICE TOTAL:		61.22 *
					CHECK TOTAL:		61.22
534095	COMED	COMMONWEALTH EDISON					
	1161132039-2021	01/06/21	01	MUNICIPAL AGGREGATION	01-000-24-00-2440		64.96
			02	PROVISION REPORT FEE	** COMMENT **		
					INVOICE TOTAL:		64.96 *
					CHECK TOTAL:		64.96
534096	COMED	COMMONWEALTH EDISON					
	1647065335-1220	01/04/21	01	11/30-12/31 SARAVANOS PUMP	51-510-54-00-5480		221.84
					INVOICE TOTAL:		221.84 *
	1651011130-1220	01/04/21	01	12/15-12/31 651 PRAIRIE POINTE	01-110-54-00-5480		2,074.69
					INVOICE TOTAL:		2,074.69 *
	2947052031-1220	12/30/20	01	11/25-12/30 RIVER & RT47	01-110-54-00-5480		474.54
					INVOICE TOTAL:		474.54 *
	6819027011-1220	01/06/21	01	11/24-1/5 MISC PR BUILDINGS	79-795-54-00-5480		217.30
					INVOICE TOTAL:		217.30 *
	7110074020-1221	12/29/20	01	11/24-12/29 104 E VAN EMMON	01-110-54-00-5480		329.95
					INVOICE TOTAL:		329.95 *
	7982120022-1220	01/04/21	01	11/25-12/30 609 N BRIDGE	01-110-54-00-5480		36.84
					INVOICE TOTAL:		36.84 *
					CHECK TOTAL:		3,355.16

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534097	COREMAIN	CORE & MAIN LP					
	N534239	12/30/20	01	BACKFLOW METERS	51-510-56-00-5664		1,950.90
					INVOICE TOTAL:		1,950.90 *
					CHECK TOTAL:		1,950.90
534098	DELAGE	DLL FINANCIAL SERVICES INC					
	70802302	01/18/21	01	COPY CHARGES	82-820-54-00-5462		23.52
					INVOICE TOTAL:		23.52 *
					CHECK TOTAL:		23.52
534099	DELL	DELL MARKETING L.P.					
	10452390168	12/26/20	01	EXTRA CITY HALL LAPTOP	25-212-56-00-5635		1,124.76
					INVOICE TOTAL:		1,124.76 *
	10453671386	01/02/21	01	FINANCE LAPTOP-SIMMONS	25-212-56-00-5635		1,453.91
					INVOICE TOTAL:		1,453.91 *
					CHECK TOTAL:		2,578.67
534100	DIRENRGY	DIRECT ENERGY BUSINESS					
	1704705-210040044357	01/04/21	01	11/24-12/28 KENNEDY RD	23-230-54-00-5482		93.01
					INVOICE TOTAL:		93.01 *
	1704707-203560044260	12/21/20	01	11/13-12/16 RT47 & KENNEDY	23-230-54-00-5482		1,004.93
					INVOICE TOTAL:		1,004.93 *
	1704708-210050044370	01/05/21	01	11/25-12/29 1850 MARKETVIEW DR	23-230-54-00-5482		78.85
					INVOICE TOTAL:		78.85 *
	1704709-210050044370	01/05/21	01	11/25-12/29 7 COUNTRYSIDE PKWY	23-230-54-00-5482		169.74
					INVOICE TOTAL:		169.74 *

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534100	DIRENRYG	DIRECT ENERGY BUSINESS					
	1704710-210040044357	01/04/21	01	11/24-12/28 VAN EMMON LOT	23-230-54-00-5482		16.97
					INVOICE TOTAL:		16.97 *
	1704712-203590044295	12/24/20	01	11/18-12/21 421 POPLAR LITE	23-230-54-00-5482		5,647.17
					INVOICE TOTAL:		5,647.17 *
	1704713-203570044272	12/22/20	01	11/17-12/18 PAVILLION	23-230-54-00-5482		69.28
					INVOICE TOTAL:		69.28 *
	1704714-210050044370	01/05/21	01	11/25-12/29 MCHUGH RD	23-230-54-00-5482		96.25
					INVOICE TOTAL:		96.25 *
	1704715-203590044295	12/24/20	01	11/18-12/21 998 WHITE PLAINS	23-230-54-00-5482		9.17
					INVOICE TOTAL:		9.17 *
	1704716-210050044370	01/05/21	01	11/25-12/30 1 COUNTRYSIDE PKWY	23-230-54-00-5482		189.31
					INVOICE TOTAL:		189.31 *
	1704717-203510044208	12/16/20	01	11/10-12/10 ROSENWINKLE & RT47	23-230-54-00-5482		40.14
					INVOICE TOTAL:		40.14 *
	1704719-203640044317	12/29/20	01	11/20-12/23 LEASURE	23-230-54-00-5482		2,742.45
					INVOICE TOTAL:		2,742.45 *
	1704721-210050044370	01/05/21	01	11/25-12/29 610 TOWER WELLS	51-510-54-00-5480		7,653.36
					INVOICE TOTAL:		7,653.36 *
	1704724-203630044311	12/28/20	01	11/13-12/15 3299 LEHMAN CR	51-510-54-00-5480		5,322.66
					INVOICE TOTAL:		5,322.66 *
					CHECK TOTAL:		23,133.29
534101	DUTEK	THOMAS & JULIE FLETCHER					
	1012787	12/08/20	01	HOSE ASSEMBLY	01-410-56-00-5628		312.00
					INVOICE TOTAL:		312.00 *

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534101	DUTEK	THOMAS & JULIE FLETCHER					
	1012828	12/11/20	01	HOSE ASSEMBLY	79-790-56-00-5640		24.50
					INVOICE TOTAL:		24.50 *
	1012839	12/14/20	01	COUPLER	01-410-56-00-5628		117.00
					INVOICE TOTAL:		117.00 *
					CHECK TOTAL:		453.50
534102	DYNEGY	DYNEGY ENERGY SERVICES					
	386643520121	12/31/20	01	10/27-11/24 420 FAIRHAVEN	52-520-54-00-5480		103.08
			02	10/28-11/29 6780 RT47	51-510-54-00-5480		84.66
			03	11/24-12/28 456 KENNEDY RD	51-510-54-00-5480		145.25
			04	11/10-12/10 BRIDGE ST TANK	51-510-54-00-5480		56.78
			05	11/23-12/27 1106 PRAIRIE CR	52-520-54-00-5480		102.00
			06	11/24-12/28 301 E HYDRAULIC	79-795-54-00-5480		61.77
			07	10/29-11/30 FOXHILL 7 LIFT	52-520-54-00-5480		77.68
			08	11/23-12/27 872 PRAIRIE CR	79-795-54-00-5480		108.21
			09	11/10-12/10 9257 GALENA PK	79-795-54-00-5480		51.76
			10	10/27-11/24 101 BRUELL ST	52-520-54-00-5480		400.22
			11	11/23-12/27 1908 RAINTREE RD	51-510-54-00-5480		275.96
			12	11/24-12/28 PRESTWICK LIFT	52-520-54-00-5480		102.95
			13	11/24-12/28 1991 CANNONBALL TR	51-510-54-00-5480		224.37
			14	10/27-11/24 60 TOWER	51-510-54-00-5480		154.02
			15	11/24-12/28 276 WINDHAM LIFT	52-520-54-00-5480		145.91
			16	11/24-12/28 133 E HYDRAULIC	79-795-54-00-5480		178.63
			17	10/27-11/24 1975 BRIDGE LIFT	52-520-54-00-5480		392.50
					INVOICE TOTAL:		2,665.75 *
					CHECK TOTAL:		2,665.75
534103	FARMFLEE	BLAIN'S FARM & FLEET					
	6467-N.HERNANDEZ	12/03/20	01	WORK BOOTS	79-790-56-00-5600		125.99
					INVOICE TOTAL:		125.99 *

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534103	FARMFLEE	BLAIN'S FARM & FLEET					
	7074-L.GARCIA	12/09/20	01	JEANS	51-510-56-00-5600		31.49
					INVOICE TOTAL:		31.49 *
	8849-G.JOHNSON	12/26/20	01	JACKET	51-510-56-00-5600		80.99
					INVOICE TOTAL:		80.99 *
					CHECK TOTAL:		238.47
534104	FLEEPRI	FLEETPRIDE					
	66199433	01/07/21	01	HUBCAP, LUBE GEAR	01-410-56-00-5628		37.51
					INVOICE TOTAL:		37.51 *
					CHECK TOTAL:		37.51
534105	FOURSEAS	4 SEASONS LANDSCAPING PLUS					
	8241A	11/18/20	01	CONCRETE BLOCKS	23-216-56-00-5656 COVID-19		1,320.00
					INVOICE TOTAL:		1,320.00 *
					CHECK TOTAL:		1,320.00
534106	GARDKOCH	GARDINER KOCH & WEISBERG					
	H-2364C-1815	01/12/21	01	KIMBALL HILL I MATTERS	01-640-54-00-5461		919.00
					INVOICE TOTAL:		919.00 *
					CHECK TOTAL:		919.00
534107	HARRIS	HARRIS COMPUTER SYSTEMS					
	MN00004305	10/28/20	01	ANNUAL MAINTENANCE AGREEMENT	01-120-54-00-5462		19,987.03
					INVOICE TOTAL:		19,987.03 *
					CHECK TOTAL:		19,987.03

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534108	HAWKINS	HAWKINS INC					
	4843835	12/10/20	01	SEALS, O RINGS, ROTATING	51-510-56-00-5638		618.00
			02	ASSEMBLY, INLET VALVE SEAT	** COMMENT **		
					INVOICE TOTAL:		618.00 *
					CHECK TOTAL:		618.00
534109	ILTRUCK	ILLINOIS TRUCK MAINTENANCE, IN					
	029132	12/21/20	01	REPLACE MOTOR, RESISTOR &	01-410-54-00-5490		886.71
			02	BREAKER	** COMMENT **		
					INVOICE TOTAL:		886.71 *
					CHECK TOTAL:		886.71
534110	IMPACT	IMPACT NETWORKING, LLC					
	1987897	12/22/20	01	11/29-12/28 COPY CHARGES	01-110-54-00-5430		54.82
			02	11/29-12/28 COPY CHARGES	01-120-54-00-5430		18.27
			03	11/29-12/28 COPY CHARGES	01-220-54-00-5430		36.31
			04	11/29-12/28 COPY CHARGES	01-210-54-00-5430		71.36
			05	11/29-12/28 COPY CHARGES	01-410-54-00-5462		3.25
			06	11/29-12/28 COPY CHARGES	51-510-54-00-5430		3.25
			07	11/29-12/28 COPY CHARGES	52-520-54-00-5430		3.24
			08	11/29-12/28 COPY CHARGES	79-795-54-00-5462		75.84
			09	11/29-12/28 COPY CHARGES	79-790-54-00-5462		75.84
					INVOICE TOTAL:		342.18 *
					CHECK TOTAL:		342.18
534111	IMPERINV	IMPERIAL INVESTMENTS					
	NOV 2020 REBATE	01/12/21	01	NOV 2020 BUSINESS DIST REBATE	01-000-24-00-2488		628.04
					INVOICE TOTAL:		628.04 *
					CHECK TOTAL:		628.04

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534112	INGEMUNS	INGEMUNSON LAW OFFICES LTD					
	8496	12/01/20	01	NOV 2020 ADMIN HEARINGS	01-210-54-00-5467		450.00
						INVOICE TOTAL:	450.00 *
					CHECK TOTAL:		450.00
534113	ITRON	ITRON					
	572970	11/11/20	01	DEC 2020 HOSTING	51-510-54-00-5462		655.61
						INVOICE TOTAL:	655.61 *
					CHECK TOTAL:		655.61
534114	JDEERE	JOHN DEERE FINANCIAL					
	10293632/10297693	11/05/20	01	HY-GARD GALLONS	79-790-56-00-5640		190.20
						INVOICE TOTAL:	190.20 *
					CHECK TOTAL:		190.20
534115	KCSHERIF	KENDALL CO. SHERIFF'S OFFICE					
	CELL21-YORK	01/08/21	01	2021 CELLBRITE USE	01-210-54-00-5462		462.50
						INVOICE TOTAL:	462.50 *
					CHECK TOTAL:		462.50
534116	KENDCPA	KENDALL COUNTY CHIEFS OF					
	2021 DUES	01/12/21	01	ANNUAL DUE RENEWAL	01-210-54-00-5460		320.00
						INVOICE TOTAL:	320.00 *
					CHECK TOTAL:		320.00
534117	KENDCROS	KENDALL CROSSING, LLC					

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534117	KENDCROS	KENDALL CROSSING, LLC					
	BD REBATE 11/20	01/12/21	01	NOV 2020 BUSINESS DIST REBATE	01-000-24-00-2487		2,427.55
						INVOICE TOTAL:	2,427.55 *
					CHECK TOTAL:		2,427.55
534118	LANEMUCH	LANER, MUCHIN, LTD					
	595800	12/01/20	01	LIBRARY PERSONNEL MATTERS	82-820-54-00-5466		3,825.00
						INVOICE TOTAL:	3,825.00 *
					CHECK TOTAL:		3,825.00
534119	MACKEYM	MICHAEL J. MACKEY					
	2	10/30/20	01	MEN'S SOFTBALL UMPIRE	79-795-54-00-5462		210.00
			02	ASSIGNING FEE	** COMMENT **		
						INVOICE TOTAL:	210.00 *
					CHECK TOTAL:		210.00
534120	MENLAND	MENARDS - YORKVILLE					
	2102	12/03/20	01	COUPLING, PVC PIPE	79-790-56-00-5640		18.97
						INVOICE TOTAL:	18.97 *
	2108	12/03/20	01	HAY BALES, J HOOKS	79-790-56-00-5620		191.78
						INVOICE TOTAL:	191.78 *
	2691	12/09/20	01	WIRE, CONDUIT, CONNECTORS,	79-790-56-00-5640		206.26
			02	ELBOW, NIPPLES, LOCKNUTS	** COMMENT **		
						INVOICE TOTAL:	206.26 *
	2850	12/11/20	01	CABLE TIES, WASHERS, NUTS	79-790-56-00-5640		29.21
						INVOICE TOTAL:	29.21 *

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534120	MENLAND	MENARDS - YORKVILLE					
	2865	12/11/20	01	CEILING TILES	79-795-54-00-5495		35.51
					INVOICE TOTAL:		35.51 *
	2884	12/11/20	01	WIPER BLADES	79-790-56-00-5640		245.70
					INVOICE TOTAL:		245.70 *
	3107	12/14/20	01	BATTERIES, LADDER HOOK	79-790-56-00-5620		15.65
					INVOICE TOTAL:		15.65 *
	3297	12/17/20	01	SAFETY SPRAY	51-510-56-00-5620		5.87
					INVOICE TOTAL:		5.87 *
	3321	12/17/20	01	DRILL BIT	51-510-56-00-5630		7.16
					INVOICE TOTAL:		7.16 *
	3333	12/17/20	01	BLADES, CLEANER	79-790-56-00-5620		60.91
					INVOICE TOTAL:		60.91 *
	3336	12/17/20	01	U-BOLTS, CASTER	51-510-56-00-5638		11.45
					INVOICE TOTAL:		11.45 *
	3628	12/21/20	01	DOORSTOP, BRUSH SWEEP	51-510-56-00-5620		32.97
					INVOICE TOTAL:		32.97 *
	3697	12/22/20	01	CONDUIT, ADAPTERS, NIPPLES,	79-790-56-00-5640		83.42
			02	FUSES, LOCKNUTS, WASHERS,	** COMMENT **		
			03	BUSHING	** COMMENT **		
					INVOICE TOTAL:		83.42 *
	3702	12/22/20	01	ADAPTERS, PVC PIPE, PVC SWEEP,	79-790-56-00-5640		10.51
			02	BUSHING	** COMMENT **		
					INVOICE TOTAL:		10.51 *
	3710	12/22/20	01	FINISH PAD, LIQUID WAX, RAGS	79-790-56-00-5620		46.95
					INVOICE TOTAL:		46.95 *

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534120	MENLAND	MENARDS - YORKVILLE					
	3724	12/22/20	01	DRYING CLOTH, SPONGE, WASH WAX	52-520-56-00-5628		13.43
					INVOICE TOTAL:		13.43 *
	3795	12/23/20	01	SOFTSOAP	52-520-56-00-5620		21.96
					INVOICE TOTAL:		21.96 *
	3802-20	12/23/20	01	KEROSENE	79-790-56-00-5640		33.98
					INVOICE TOTAL:		33.98 *
	4111	12/28/20	01	EXTENSION WAND, NOZZLE	79-790-56-00-5620		14.47
					INVOICE TOTAL:		14.47 *
	4173	12/29/20	01	NOZZLE, METAL CUT-OFFS	79-790-56-00-5630		37.79
					INVOICE TOTAL:		37.79 *
	4353	12/31/20	01	SHACKLE	52-520-56-00-5620		8.29
					INVOICE TOTAL:		8.29 *
	4778	01/06/21	01	SPLASH RV MARINE	01-410-56-00-5628		47.88
					INVOICE TOTAL:		47.88 *
	4779	01/06/21	01	BALLASTS, BULBS	23-216-56-00-5656		164.95
					INVOICE TOTAL:		164.95 *
	4788	01/06/20	01	POSTS, POST MOUNTS	01-410-56-00-5640		127.46
					INVOICE TOTAL:		127.46 *
	537	11/16/20	01	OUTDOOR TIMER	79-790-56-00-5640		35.96
					INVOICE TOTAL:		35.96 *
					CHECK TOTAL:		1,508.49
534121	MIDAM	MID AMERICAN WATER					
	183996A	12/23/20	01	12X30 CLAMP	51-510-56-00-5640		1,351.90
					INVOICE TOTAL:		1,351.90 *
					CHECK TOTAL:		1,351.90

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534122	MIDWSALT	MIDWEST SALT					
	P454535	12/29/20	01	BULK ROCK SALT	51-510-56-00-5638		2,717.96
					INVOICE TOTAL:		2,717.96 *
	P454576	12/30/20	01	BULK ROCK SALT	51-510-56-00-5638		2,829.82
					INVOICE TOTAL:		2,829.82 *
					CHECK TOTAL:		5,547.78
534123	MONTRK	MONROE TRUCK EQUIPMENT					
	331665	01/05/21	01	CYLINDERS	01-410-56-00-5628		1,655.98
					INVOICE TOTAL:		1,655.98 *
					CHECK TOTAL:		1,655.98
534124	MORASPH	MORRIS SAND & GRAVEL, INC.					
	3031	12/15/20	01	SURFACE	23-230-60-00-6025		698.50
					INVOICE TOTAL:		698.50 *
					CHECK TOTAL:		698.50
534125	NEOPOST	QUADIENT FINANCE USA, INC					
	011821	01/18/21	01	REFILL POSTAGE	01-000-14-00-1410		500.00
					INVOICE TOTAL:		500.00 *
					CHECK TOTAL:		500.00
534126	NEOUSA	QUADIENT , INC					
	N8649021	12/29/20	01	JAN 2021-APR 2021 POSTAGE	01-120-54-00-5485		161.97
			02	MACHINE LEASE	** COMMENT **		
					INVOICE TOTAL:		161.97 *
					CHECK TOTAL:		161.97

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534127	NICOR	NICOR GAS					
	00-41-22-8748 4-1220	01/04/21	01	12/2-1/4 1107 PRAIRIE	01-110-54-00-5480		61.71
					INVOICE TOTAL:		61.71 *
	12-43-53-5625 3-1220	01/05/21	01	12/3-1/5 609 N BRIDGE	01-110-54-00-5480		103.05
					INVOICE TOTAL:		103.05 *
	15-41-50-1000 6-1220	01/05/21	01	12/2-1/4 804 GAME FARM RD	01-110-54-00-5480		476.68
					INVOICE TOTAL:		476.68 *
	15-64-61-3532 5-1220	01/04/21	01	12/2-1/4 1991 CANNONBALL TR	01-110-54-00-5480		39.43
					INVOICE TOTAL:		39.43 *
	16-00-27-3553 4-1120	12/11/20	01	11/11-12/11 1301 CAROLYN	01-110-54-00-5480		39.89
					INVOICE TOTAL:		39.89 *
	20-52-56-2042 1-1220	12/31/20	01	12/1-12/31 420 FAIRHAVEN	01-110-54-00-5480		123.51
					INVOICE TOTAL:		123.51 *
	23-45-91-4862 5-1220	01/05/21	01	12/3-1/5 101 BRUELL ST	01-110-54-00-5480		127.47
					INVOICE TOTAL:		127.47 *
	40-52-64-8356 1-1220	01/06/21	01	12/4-1/6 102 E VAN EMMON	01-110-54-00-5480		397.10
					INVOICE TOTAL:		397.10 *
	45-12-25-4081 3-1120	12/11/20	01	11/10-12/10 201 W HYDRAULIC	01-110-54-00-5480		163.15
					INVOICE TOTAL:		163.15 *
	46-69-47-6727 1-1120	12/28/20	01	11/6-12/8 1975 BRIDGE	01-110-54-00-5480		123.20
					INVOICE TOTAL:		123.20 *
	61-60-41-1000 9-1220	01/06/21	01	12/3-1/5 610 TOWER	01-110-54-00-5480		749.37
					INVOICE TOTAL:		749.37 *
	83-80-00-1000 7-1220	01/06/21	01	12/3-1/5 610 TOWER UNIT B	01-110-54-00-5480		311.10
					INVOICE TOTAL:		311.10 *
					CHECK TOTAL:		2,715.66

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534128	NICOR	NICOR GAS					
	91-85-68-4012	8-1220	01/05/21	01 12/2-1/4 902 GAME FARM RD	82-820-54-00-5480		1,873.98
					INVOICE TOTAL:		1,873.98 *
					CHECK TOTAL:		1,873.98
534129	NICOR	NICOR GAS					
	95-16-10-1000	4-1220	01/05/21	01 12/3-1/5 1 RT47	01-110-54-00-5480		38.59
					INVOICE TOTAL:		38.59 *
					CHECK TOTAL:		38.59
534130	OMALLEY	O'MALLEY WELDING & FABRICATING					
	19605		11/23/20	01 REPAIR WELDING ON PARK BENCH	79-790-54-00-5495		105.00
					INVOICE TOTAL:		105.00 *
	19610		12/01/20	01 FLATTENED PIPE ENDS	79-790-54-00-5495		10.00
					INVOICE TOTAL:		10.00 *
	19640		12/17/20	01 PARK BENCH REPAIR WELDING	79-790-54-00-5495		105.00
					INVOICE TOTAL:		105.00 *
					CHECK TOTAL:		220.00
534131	PARADISE	PARADISE CAR WASH					
	224231		01/05/21	01 DEC 2020 CAR WASHES	01-210-54-00-5495		10.00
					INVOICE TOTAL:		10.00 *
					CHECK TOTAL:		10.00
534132	PPFETT	P.F. PETTIBONE & CO.					
	179750		12/29/20	01 DIGITAL PHOTO ID	01-210-54-00-5430		17.00
					INVOICE TOTAL:		17.00 *
					CHECK TOTAL:		17.00

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89-890 DOWNTOWN TIF II
90-XXX DEVELOPER ESCROW
95-XXX ESCROW DEPOSIT

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UNITED CITY OF YORKVILLE
CHECK REGISTER

INVOICES DUE ON/BEFORE 01/26/2021

CHECK #	VENDOR # INVOICE #	INVOICE DATE	ITEM #	DESCRIPTION	ACCOUNT #	PROJECT CODE	ITEM AMT
534133	PITSTOP	PIT STOP					
	PS351491	12/17/20	01	11/20-11/21 BRISTOL BAY DR	79-795-56-00-5620		5.71
			02	PORT-O-LET UPKEEP	** COMMENT **		
					INVOICE TOTAL:		5.71 *
					CHECK TOTAL:		5.71
534134	PLANFILL	PLANO CLEAN FILL					
	788	12/28/20	01	CCDD DUMPING	51-510-54-00-5462		250.00
					INVOICE TOTAL:		250.00 *
					CHECK TOTAL:		250.00
534135	R0001154	COMMUNITY PROPERTY MANAGEMENT					
	010721-REFND	01/07/21	01	LANLORD PAYMENT REFUND FOR	01-000-13-00-1371		245.11
			02	UTILITY BILL PAYMENT FOR	** COMMENT **		
			03	ACCT#0105080908-13 &	** COMMENT **		
			04	0104042910-14	** COMMENT **		
					INVOICE TOTAL:		245.11 *
					CHECK TOTAL:		245.11
534136	R0002427	DHAVIGEN ECLEO					
	010721-REFUND	01/07/21	01	REFUND OVERPAYMENT ON FINAL	01-000-13-00-1371		14.62
			02	BILL FOR ACCT#0208272930-03	** COMMENT **		
					INVOICE TOTAL:		14.62 *
					CHECK TOTAL:		14.62
534137	R0002428	JAMILIAH PINKOUS					
	010721-RFND	01/07/21	01	REFUND OVERPAYMENT ON FINAL	01-000-13-00-1371		203.60

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534137	R0002428	JAMILIAH PINKOUS					
	010721-RFND	01/07/21	02	UTILITY BILL FOR ACCT#01020510	** COMMENT **		
					INVOICE TOTAL:		203.60 *
					CHECK TOTAL:		203.60
534138	R0002429	TRACY CALIENDO					
	18308	01/06/21	01	REFUND PROGRAM FEES	79-000-48-00-4850	COVID-19	18.00
					INVOICE TOTAL:		18.00 *
					CHECK TOTAL:		18.00
534139	RUBINO	RUBINO ENGINEERING INC.					
	6444	12/16/20	01	BOAT LAUNCH	25-225-60-00-6020		316.00
					INVOICE TOTAL:		316.00 *
					CHECK TOTAL:		316.00
534140	SECOND	SECOND CHANCE CARDIAC SOLUTION					
	20-012-725	12/21/20	01	AED FOR SPECIAL EVENTS	79-795-56-00-5606		659.00
					INVOICE TOTAL:		659.00 *
					CHECK TOTAL:		659.00
534141	SUBURLAB	SUBURBAN LABORATORIES INC.					
	183866	12/31/20	01	ROUTINE SAMPLES	51-510-54-00-5429		542.00
					INVOICE TOTAL:		542.00 *
					CHECK TOTAL:		542.00
534142	SUPERIOR	SUPERIOR ASPHALT MATERIALS LLC					

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534142	SUPERIOR	SUPERIOR ASPHALT MATERIALS LLC					
	20201936	12/23/20	01	ASPHALT	23-230-60-00-6036		1,456.00
					INVOICE TOTAL:		1,456.00 *
					CHECK TOTAL:		1,456.00
534143	TRAFFIC	TRAFFIC CONTROL CORPORATION					
	126174	01/06/21	01	BUS INTERFACE UNIT, BRACKETS	01-410-54-00-5435		934.60
					INVOICE TOTAL:		934.60 *
					CHECK TOTAL:		934.60
534144	TRCONTPR	TRAFFIC CONTROL & PROTECTION					
	106033	12/29/20	01	CHANNEL POST DRIVER, TOP	01-410-56-00-5630		3,245.00
			02	THROTTLE KIT, SQUARE DRIVE CAP	** COMMENT **		
					INVOICE TOTAL:		3,245.00 *
					CHECK TOTAL:		3,245.00
534145	TRIBUNE	CHICAGO TRIBUNE COMPANY					
	029906617000	12/31/20	01	ORDINANCE AUTHORIZING THE	01-110-54-00-5426		2,856.00
			02	ISSUANCE OF ALTERNATIVE	** COMMENT **		
			03	REVENUE BONDS	** COMMENT **		
			04	PUBLIC HEARING FOR SIGN	01-220-54-00-5462		157.86
			05	ORDINANCE AMENDMENT	** COMMENT **		
					INVOICE TOTAL:		3,013.86 *
					CHECK TOTAL:		3,013.86
534146	TRICO	TRICO MECHANICAL , INC					
	5660	12/15/20	01	BOOSTER STATION HVAC REAPIR	23-216-54-00-5446		775.00
					INVOICE TOTAL:		775.00 *
					CHECK TOTAL:		775.00

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534147	VITOSH	CHRISTINE M. VITOSH					
	CMV 2003	12/29/20	01	DEC 2020 ADMIN HEARINGS	01-210-54-00-5467		400.00
					INVOICE TOTAL:		400.00 *
					CHECK TOTAL:		400.00
534148	WALDENS	WALDEN'S LOCK SERVICE					
	21492	12/17/20	01	KEYS	23-216-60-00-6011	PRAIRIE PT	179.50
					INVOICE TOTAL:		179.50 *
					CHECK TOTAL:		179.50
534149	WINDCREK	WINDING CREEK NURSERY, INC					
	221144	11/18/20	01	ASSORTED TREES	79-790-56-00-5640		1,620.00
					INVOICE TOTAL:		1,620.00 *
					CHECK TOTAL:		1,620.00
534150	WTRPRD	WATER PRODUCTS, INC.					
	0300504	12/23/20	01	BAND REPAIR CLAMPS	51-510-56-00-5640		576.00
					INVOICE TOTAL:		576.00 *
	0300544	12/31/20	01	BAND REPAIR CLAMPS	51-510-56-00-5640		576.00
					INVOICE TOTAL:		576.00 *
	0300600	01/05/21	01	BAND REPAIR CLAMP	51-510-56-00-5640		173.75
					INVOICE TOTAL:		173.75 *
					CHECK TOTAL:		1,325.75
D001931	YBSD	YORKVILLE BRISTOL					
	122020	01/14/20	01	DEC 2020 SANITARY FEES	95-000-24-00-2450		319,713.70
					INVOICE TOTAL:		319,713.70 *

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D001931	YBSD	YORKVILLE BRISTOL					
	2020.015	01/15/21	01	JAN 2021 LANDFILL EXPENSE	51-510-54-00-5445		17,426.49
					INVOICE TOTAL:		17,426.49 *
	DEC-20	01/05/21	01	DEC 2020 PERMIT FEES	95-000-24-00-2454		15,400.00
					INVOICE TOTAL:		15,400.00 *
					DIRECT DEPOSIT TOTAL:		352,540.19
534151	YORKACE	YORKVILLE ACE & RADIO SHACK					
	172370	12/04/20	01	NUTS, BOLTS	79-790-56-00-5640		8.55
					INVOICE TOTAL:		8.55 *
	172613	01/08/21	01	KEYS	52-520-56-00-5620		9.98
					INVOICE TOTAL:		9.98 *
					CHECK TOTAL:		18.53
534152	YOUNGM	MARLYS J. YOUNG					
	120120	12/21/20	01	12/01/20 EDC MEETING MNUTES	01-110-54-00-5462		53.00
					INVOICE TOTAL:		53.00 *
					CHECK TOTAL:		53.00
TOTAL CHECKS PAID:							118,082.48
TOTAL DIRECT DEPOSITS PAID:							353,309.19
TOTAL AMOUNT PAID:							471,391.67

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UNITED CITY OF YORKVILLE

PAYROLL SUMMARY

January 8, 2021

	REGULAR	OVERTIME	TOTAL	IMRF	FICA	TOTALS
ADMINISTRATION	\$ 19,936.32	\$ -	19,936.32	\$ 2,223.27	\$ 1,476.38	\$ 23,635.97
FINANCE	10,799.01	-	10,799.01	1,216.44	819.91	\$ 12,835.36
POLICE	139,599.19	9,043.04	148,642.23	719.52	11,150.63	\$ 160,512.38
COMMUNITY DEV.	19,707.14	-	19,707.14	2,222.81	1,470.14	\$ 23,400.09
STREETS	16,535.44	3,589.56	20,125.00	2,235.92	1,496.33	\$ 23,857.25
WATER	16,790.71	3,481.98	20,272.69	2,268.94	1,507.57	\$ 24,049.20
SEWER	9,184.27	-	9,184.27	1,020.37	680.38	\$ 10,885.02
PARKS	23,573.70	3,113.20	26,686.90	2,976.03	2,016.54	\$ 31,679.47
RECREATION	14,682.18	-	14,682.18	1,656.20	1,100.63	\$ 17,439.01
LIBRARY	12,082.88	-	12,082.88	880.33	886.76	\$ 13,849.97
TOTALS	\$ 282,890.84	\$ 19,227.78	\$ 302,118.62	\$ 17,419.83	\$ 22,605.27	\$ 342,143.72

TOTAL PAYROLL \$ 342,143.72



UNITED CITY OF YORKVILLE PAYROLL SUMMARY January 22, 2021

	REGULAR	OVERTIME	TOTAL	IMRF	FICA	TOTALS
MAYOR & LIQ. COM.	\$ 808.34	\$ -	\$ 808.34	\$ -	\$ 61.84	\$ 870.18
ALDERMAN	3,200.00	-	3,200.00		244.80	3,444.80
ADMINISTRATION	19,335.01	-	19,335.01	2,148.12	1,426.27	22,909.40
FINANCE	9,352.64	-	9,352.64	1,039.08	701.90	11,093.62
POLICE	108,581.77	1,223.22	109,804.99	719.52	8,127.34	118,651.85
COMMUNITY DEV.	19,707.13	-	19,707.13	2,189.47	1,447.20	23,343.80
STREETS	15,539.95	1,366.76	16,906.71	1,878.32	1,242.07	20,027.10
WATER	16,790.71	100.72	16,891.43	1,876.67	1,233.58	20,001.68
SEWER	9,184.30	-	9,184.30	1,020.38	675.35	10,880.03
PARKS	22,435.70	845.36	23,281.06	2,586.53	1,739.67	27,607.26
RECREATION	15,450.17	-	15,450.17	1,547.88	1,142.17	18,140.22
LIBRARY	15,535.73	-	15,535.73	991.42	1,150.88	17,678.03
TOTALS	\$ 255,921.45	\$ 3,536.06	\$ 259,457.51	\$ 15,997.39	\$ 19,193.07	\$ 294,647.97

TOTAL PAYROLL

\$ 294,647.97



UNITED CITY OF YORKVILLE

BILL LIST SUMMARY

Tuesday, January 26, 2021

ACCOUNTS PAYABLE

DATE

Manual City Check Register <i>(Pages 1 - 6)</i>	01/11/2021	\$	297,100.00
Clerk's Check #131180- Kendall County Recorder <i>(Page 7)</i>	01/13/2021		4.00
Clerk's Check #131181- Kendall County Recorder <i>(Page 8)</i>	01/14/2021		335.00
Manual City Check Register <i>(Pages 9 - 11)</i>	01/19/2021		102,900.00
City Check Register <i>(Pages 12 - 33)</i>	01/26/2021		471,391.67
SUB-TOTAL:			\$871,730.67

PAYROLL

Bi - Weekly <i>(Page 34)</i>	01/08/2021	\$	342,143.72
Bi - Weekly <i>(Page 35)</i>	01/22/2021	\$	294,647.97
SUB-TOTAL:		\$	636,791.69

TOTAL DISBURSEMENTS:	\$	1,508,522.36
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Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input checked="" type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Consent Agenda #3

Tracking Number

ADM 2021-02

Agenda Item Summary Memo

Title: Treasurer's Report for November and December 2020

Meeting and Date: City Council – January 26, 2021

Synopsis: _____

Council Action Previously Taken:

Date of Action: ADM 01-20-21 Action Taken: Moved forward to CC consent agenda.

Item Number: ADM 2021-02

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Rob Fredrickson Finance
Name Department

Agenda Item Notes:



UNITED CITY OF YORKVILLE

TREASURER'S REPORT - for the month ending November 30, 2020

	Cash Basis									
	Beginning Fund Balance	November Revenues	YTD Revenues	Revenue Budget	% of Budget	November Expenses	YTD Expenses	Expense Budget	% of Budget	Projected Ending Fund Balance
General Fund										
01 - General	\$ 7,512,060	\$ 1,013,077	\$ 12,094,721	\$ 16,933,486	71%	\$ 1,168,350	\$ 8,862,462	\$ 17,249,132	51%	\$ 10,744,319
Special Revenue Funds										
15 - Motor Fuel Tax	695,707	139,680	923,935	813,861	114%	6,149	693,254	1,117,462	62%	926,387
79 - Parks and Recreation	411,485	122,306	988,603	2,247,300	44%	141,592	1,084,945	2,616,762	41%	315,142
72 - Land Cash	247,841	-	13,397	33,858	40%	3,650	218,623	240,287	91%	42,615
87 - Countryside TIF	(1,141,784)	40,419	151,422	153,965	98%	158,882	215,319	222,486	97%	(1,205,681)
88 - Downtown TIF	(1,237,549)	126	70,677	76,000	93%	3,603	237,503	306,052	78%	(1,404,375)
89 - Downtown TIF II	(73,799)	0	47,342	25,000	0%	189	21,678	44,500	49%	(48,134)
11 - Fox Hill SSA	13,492	36	16,034	16,034	100%	423	16,896	37,326	45%	12,630
12 - Sunflower SSA	(16,200)	87	20,363	20,363	100%	400	7,357	20,326	36%	(3,194)
Debt Service Fund										
42 - Debt Service	-	26,669	193,025	323,225	60%	-	14,350	323,225	4%	178,675
Capital Project Funds										
25 - Vehicle & Equipment	511,692	25,026	297,778	553,323	54%	56,969	227,961	756,294	30%	581,509
23 - City-Wide Capital	588,155	30,715	952,249	1,381,670	69%	298,768	724,286	3,669,147	20%	816,118
Enterprise Funds										
* 51 - Water	3,268,245	82,292	2,988,325	4,652,087	64%	515,227	1,793,082	5,828,132	31%	4,463,488
* 52 - Sewer	1,222,388	30,340	1,017,283	1,817,867	56%	74,629	723,234	2,286,552	32%	1,516,437
Library Funds										
82 - Library Operations	578,607	21,889	1,609,924	1,647,343	98%	55,617	511,438	1,664,378	31%	1,677,093
84 - Library Capital	123,583	3,065	65,590	50,500	130%	7,515	18,892	75,500	25%	170,281
Total Funds	\$ 12,703,923	\$ 1,535,728	\$ 21,450,667	\$ 30,745,882	70%	\$ 2,491,962	\$ 15,371,280	\$ 36,457,561	42%	\$ 18,783,310

* Fund Balance Equivalency

As Treasurer of the United City of Yorkville, I hereby attest, to the best of my knowledge, that the information contained in this Treasurer's Report is accurate as of the date detailed herein. Further information is available in the Finance Department.

Rob Fredrickson, Finance Director/Treasurer



UNITED CITY OF YORKVILLE

TREASURER'S REPORT - for the month ending December 31, 2020

Cash Basis

	Beginning Fund Balance	December Revenues	YTD Revenues	Revenue Budget	% of Budget	December Expenses	YTD Expenses	Expense Budget	% of Budget	Projected Ending Fund Balance
General Fund										
01 - General	\$ 7,512,060	\$ 1,368,787	\$ 13,463,509	\$ 16,933,486	80%	\$ 1,336,444	\$ 10,198,907	\$ 17,249,132	59%	\$ 10,776,662
Special Revenue Funds										
15 - Motor Fuel Tax	695,707	60,830	984,765	813,861	121%	38,080	731,334	1,117,462	65%	949,138
79 - Parks and Recreation	411,485	123,315	1,111,917	2,247,300	49%	134,498	1,219,443	2,616,762	47%	303,959
72 - Land Cash	247,841	1,598	14,995	33,858	44%	767	219,390	240,287	91%	43,446
87 - Countryside TIF	(1,141,784)	-	151,422	153,965	98%	1,071	216,390	222,486	97%	(1,206,753)
88 - Downtown TIF	(1,237,549)	-	70,677	76,000	93%	30,846	268,349	306,052	88%	(1,435,221)
89 - Downtown TIF II	(73,799)	-	47,342	25,000	0%	275	21,953	44,500	49%	(48,409)
11 - Fox Hill SSA	13,492	-	16,034	16,034	100%	1,302	18,198	37,326	49%	11,328
12 - Sunflower SSA	(16,200)	-	20,363	20,363	100%	1,825	9,182	20,326	45%	(5,019)
Debt Service Fund										
42 - Debt Service	-	27,069	220,094	323,225	68%	308,875	323,225	323,225	100%	(103,131)
Capital Project Funds										
25 - Vehicle & Equipment	511,692	44,596	342,374	553,323	62%	213,369	441,330	756,294	58%	412,736
23 - City-Wide Capital	588,155	268,403	1,220,652	1,381,670	88%	1,979,983	2,704,269	3,669,147	74%	(895,463)
Enterprise Funds										
* 51 - Water	3,268,245	711,838	3,700,163	4,652,087	80%	1,842,543	3,635,626	5,828,132	62%	3,332,782
* 52 - Sewer	1,222,388	282,840	1,300,123	1,817,867	72%	1,105,322	1,828,556	2,286,552	80%	693,955
Library Funds										
82 - Library Operations	578,607	1,726	1,611,649	1,647,343	98%	829,385	1,340,823	1,664,378	81%	849,434
84 - Library Capital	123,583	9,514	75,104	50,500	149%	12,554	31,446	75,500	42%	167,240
Total Funds	\$ 12,703,923	\$ 2,900,515	\$ 24,351,182	\$ 30,745,882	79%	\$ 7,837,140	\$ 23,208,420	\$ 36,457,561	64%	\$ 13,846,685

* Fund Balance Equivalency

As Treasurer of the United City of Yorkville, I hereby attest, to the best of my knowledge, that the information contained in this Treasurer's Report is accurate as of the date detailed herein. Further information is available in the Finance Department.

Rob Fredrickson, Finance Director/Treasurer



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Mayor's Report #1

Tracking Number

CC 2021-05

Agenda Item Summary Memo

Title: Beecher Center Premises Use Agreement

Meeting and Date: City Council – January 26, 2021

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Approval

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:



Memorandum

To: City Council
From: Bart Olson, City Administrator
CC:
Date: January 21, 2021
Subject: Beecher Center premises use agreement

Summary

Approval of an extension to the Beecher Center premises use agreement.

Background

Senior Services Associates has provided services at the Beecher Center in various capacities for more than a decade, and has had a premises use agreement for the facility since 2005. The agreement allows Senior Services priority use of the building in exchange for rent and management services within the building. They have requested a five-year extension with similar terms as the last agreement. There are no significant changes in the content of the agreement, which is attached in clean and track changes form.

Recommendation

Staff recommends approval of the Beecher Center premises use agreement with Senior Services.

Resolution No. 2021-_____

**A RESOLUTION OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
APPROVING A PREMISES USE AGREEMENT FOR THE SENIOR SERVICES ASSOCIATES
USE OF A PORTION OF THE BEECHER COMMUNITY BUILDING**

WHEREAS, the United City of Yorkville, Kendall County, Illinois (the "City") is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of this State; and,

WHEREAS, Senior Services Associates ("SSA") has provided services at the Beecher Community Building in various capacities for more than a decade; and,

WHEREAS, SSA has had priority use of the Beecher Community Building under a prior use agreement since 2005 and 2016; and,

WHEREAS, SSA desires to continue to provide services at the Beecher Community Building; and,

WHEREAS, the Mayor and City Council of the City (the "Corporate Authorities"), recognizing the unique and valuable position that SSA holds in the community and desiring that these programs, services, and activities continue have determined that it is in the best interests of the City and its residents to enter into an agreement with SSA for use of certain space in the Beecher Community Building.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1. Each of the recitals above is incorporated by reference in this Section 1.

Section 2. That the Premises Use Agreement for Senior Services Use of a Portion of the Beecher Community Building, attached hereto and made a part hereof, is hereby approved and the Mayor and City Clerk are hereby authorized to execute and deliver said Agreement on behalf of the United City of Yorkville.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this
____ day of _____, A.D. 2021.

CITY CLERK

KEN KOCH _____

DAN TRANSIER _____

JACKIE MILSCHEWSKI _____

ARDEN JOE PLOCHER _____

CHRIS FUNKHOUSER _____

JOEL FRIEDERS _____

SEAVER TARULIS _____

JASON PETERSON _____

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois
this ____ day of _____, A.D. 2021.

MAYOR

Attest:

CITY CLERK

PREMISES USE AGREEMENT
SENIOR SERVICES ASSOCIATES USE
OF
A PORTION OF THE BEECHER COMMUNITY BUILDING
UNITED CITY OF YORKVILLE, ILLINOIS

WHEREAS, Senior Services Associates (hereinafter referred to as "SSA") is an organization dedicated to providing programs, services and activities to senior citizens of the UNITED CITY OF YORKVILLE (hereinafter referred to as "City") and surrounding areas, and

WHEREAS, SSA is uniquely qualified to provide such services to this very important segment of the City's population, and

WHEREAS, SSA has demonstrated a long standing dedication to this segment of the population by providing such services for 32 years, and

WHEREAS, SSA, after 10 years at this location, would like to continue providing services at the Beecher Center, and

WHEREAS, the City, recognizing the unique and valuable position that SSA holds in the community, and desiring that these programs, services and activities be continued for the benefit of the community, has considered entering into a Use Agreement With SSA for use of certain space in the Beecher Community Building under the specific terms and conditions found in this agreement, and

WHEREAS, the City has determined that the Beecher Community Building is a logical and suitable site for SSA to conduct its programs pursuant to the further agreements set forth herein, and

WHEREAS, SSA agrees that the available space at the Beecher Community Building is suitable and appropriate for its needs and agrees to the further agreements concerning the building set forth herein.

IT IS AGREED, upon the mutual considerations self evident within this agreement, that the City shall hereby make the Beecher Community Building available to SSA for its programs and services under the terms and conditions as contained herein, to wit:

1. PREMISES: SSA shall have primary priority use of the Beecher Community Building subject only to the additional users and uses set forth below including honoring the "Memorandum of Agreement" (and any and all renewals of the Memorandum of Agreement upon similar terms and conditions) for Community Nutrition Network (CNN). Copies of both agreements are attached hereto and incorporated herein. SSA agrees that it shall act as manager/coordinator of the interior of the building (excluding the parking area and grounds) scheduling and administering the building for the following users, (and other users if mutually agreeable between the City and SSA):

- a. Community Organizations Users, including but not limited to Boy Scouts, Cub Scouts, Lions Club, Junior Women's Club, Retired Teachers Association, and others individuals or organizations that may seek the use of the Beecher Community Building for its programs and/or meetings. Any and all typical and customary fees paid by the Community Organizations for use of the building shall be paid to the City. SSA may charge a fee for supplies and routine cleaning required by the Community Organization Users.
- b. Community Nutrition Network ("CNN") for its uses in providing nutrition programs.

2. MAINTENANCE RESPONSIBILITIES:

- a. SSA shall be solely responsible for interior cleaning and janitorial services as well as quarterly floor cleaning, at its sole cost. City will assist in providing these services to SSA, if requested, and SSA will then reimburse City for the City's actual costs. SSA may also seek assistance and reimbursement from CNN in regard to the areas occupied by those services. SSA may also seek assistance and reimbursement from Community Organizations Users if their use creates unique and excessive cleaning needs.
- b. City shall be solely responsible for all structural and mechanical repairs and maintenance including for illustration HVAC, plumbing, electricity, and roof. City shall be solely responsible for all exterior maintenance and repair of the building, grounds and parking lot.

3. COSTS:

- a. Each party shall be responsible for the costs of its respective Maintenance Responsibilities under Section 2, above, including but not limited to wages/salary, material and supplies and contractual services as applicable.
- b. SSA shall additionally be financial responsible for the following:
 - i. Natural Gas, phones and computers, quarterly floor care, carpet (including removal at termination of the use), signs.
 - ii. Monthly payment to the City in an amount of \$500 which is to provide for capital fund HVAC and other major maintenance and repairs,

- 4. ROOM ALLOCATION/STORAGE: General allocation of the Building for ongoing use shall begin as set forth below, subject to agreement between SSA and/or CNN. SSA understands that the Beecher Community Building has very limited storage space which must also be shared. Subject to any subsequent agreement that SSA may make with CNN, the initial allocation of rooms and storage shall be as follows:

Office Space:

SSA: Dailey Room- office (desks, phone line etc,)

CNN: Austin Room West Office - office (desk, phone line, etc,)

Storage Space:

SSA: Dailey Room cabinets, large storage room (south wall, and west wall)

CNN: Austin Room east storage cabinets (all 4 sections)

Community Organizations: Currently the Lions Club and Boy Scout Troop 40 have storage on the north wall

SSA shall not make any structural improvements (including storage cabinets) unless agreed upon by the City prior to beginning such improvements. All improvements should be done with the common interest and use of the building, or area in mind. Said improvements will become a part of the building, owned by the City, and shall be surrendered without compensation upon the termination of the lease regardless of the reason for termination.

5. **TERM AND TERMINATION OF THIS AGREEMENT:** This agreement shall have a term of 5 years commencing on November 1, 2020 and concluding on October 31, 2025. Notwithstanding the term of this agreement, this agreement may be terminated by the City with twelve (12) months prior written notice, or by SSA immediately upon notice.
6. **ACKNOWLEDGEMENT OF CITY PARK USES:** SSA acknowledges and understands that the grounds and parking areas are used by the City and its Parks and Recreation Department for various programs and events as well as by the general public. SSA agrees that it accepts this condition and will not interfere with the City and Parks and Recreation Departments use of the grounds and parking, and furthermore acknowledges and agrees that parking congestion may occur from time to time when the park area is being used for programs and events including but not limited to youth sports, football games, and festivals.
7. **INSURANCE:** SSA shall maintain general liability insurance under its name, and name the City as an additional insured on said policy of insurance; the terms and limits of the policy must be agreeable and agreed upon by the City Director of Finance.
8. **HOLD HARMLESS AND INDEMNIFICATION:** SSA shall indemnify and hold the City harmless for any and all claims and causes of action that arise during the course of facility use by SSA, its employees, employees, agents, or departments, thereof.
9. **SIGNS:** SSA shall be allowed to place a sign, or signs, upon the Beecher Community Building or in front of the Beecher Community Building. Said signs shall be in number, location, size and character solely upon the agreement of the City Administrator, and all signs shall conform to the City's sign ordinance.
10. **COMPLIANCE WITH ALL LAWS AND REGULATIONS:** SSA shall conduct their activities and uses of the premises, and maintain the premises at all times in keeping with all applicable laws and regulations including but not limited to the Health Regulation regarding the preparation of food and use of the kitchen area. SSA, in its capacity of

building manager shall have oversight authority to insist that CNN comply with the same rules and regulations.

11. NOTICES: All notices shall be given by hand delivery to the other party at the Beecher Community Building (for SSA) and to City Hall (for the City).

This agreement made on November 13, 2020.

SENIOR SERVICES ASSOCIATES

By: _____

Its: _____

Attest:

By: _____

Its: _____

United City of Yorkville

John Purcell, Mayor

Attest:

Lisa Pickering, City Clerk

PREMISES USE AGREEMENT
SENIOR SERVICES ASSOCIATES USE
OF
A PORTION OF THE BEECHER COMMUNITY BUILDING
UNITED CITY OF YORKVILLE, ILLINOIS

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WHEREAS, SSA is uniquely qualified to provide such services to this very important segment of the City's population, and

WHEREAS, SSA has demonstrated a long standing dedication to this segment of the population by providing such services for ~~3227~~ years, and

WHEREAS, SSA, after ~~105~~ years at this location, would like to continue providing services at the Beecher Center, and

WHEREAS, the City, recognizing the unique and valuable position that SSA holds in the community, and desiring that these programs, services and activities be continued for the benefit of the community, has considered entering into a Use Agreement With SSA for use of certain space in the Beecher Community Building under the specific terms and conditions found in this agreement, and

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CNN: Austin Room east storage cabinets (all 4 sections)

Community Organizations: Currently the Lions Club and Boy Scout Troop 40 have storage on the north wall

SSA shall not make any structural improvements (including storage cabinets) unless agreed upon by the City prior to beginning such improvements. All improvements should be done with the common interest and use of the building, or area in mind. Said improvements will become a part of the building, owned by the City, and shall be surrendered without compensation upon the termination of the lease regardless of the reason for termination.

5. TERM AND TERMINATION OF THIS AGREEMENT: This agreement shall have a term of 5 years commencing on ~~November 1, 2020~~²⁰¹⁵ and concluding on October 31, ~~2025~~²⁰²⁰. Notwithstanding the term of this agreement, this agreement may be terminated by the City with twelve (12) months prior written notice, or by SSA immediately upon notice.
6. ACKNOWLEDGEMENT OF CITY PARK USES: SSA acknowledges and understands that the grounds and parking areas are used by the City and its Parks and Recreation Department for various programs and events as well as by the general public. SSA agrees that it accepts this condition and will not interfere with the City and Parks and Recreation Departments use of the grounds and parking, and furthermore acknowledges and agrees that parking congestion may occur from time to time when the park area is being used for programs and events including but not limited to youth sports, football games, and festivals.
7. INSURANCE: SSA shall maintain general liability insurance under its name, and name the City as an additional insured on said policy of insurance; the ~~terms~~^{terms} and limits of the policy must be agreeable and agreed upon by the City Director of Finance.
8. HOLD HARMLESS AND INDEMNIFICATION: SSA shall indemnify and hold the City harmless for any and all claims and causes of action that arise during the course of facility use by SSA, its employees, agents, or departments, thereof.
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10. COMPLIANCE WITH ALL LAWS AND REGULATIONS: SSA shall conduct their activities and uses of the premises, and maintain the premises at all times in keeping with all applicable laws and regulations including but not limited to the Health Regulation

regarding the preparation of food and use of the kitchen area. SSA, in its capacity of building manager shall have oversight authority to insist that CNN comply with the same rules and regulations.

11. NOTICES: All notices shall be given by hand delivery to the other party at the Beecher Community Building (for SSA) and to City Hall (for the City).

This agreement made on ~~October 31, 2010~~August 23, 2016November 13, 2020.

SENIOR SERVICES ASSOCIATES

By: _____

Its: _____

Attest:

By: _____

Its: _____

United City of Yorkville

~~Gary J. Golinski, Mayor~~John Purcell, Mayor

Attest:

~~Beth Warren~~Lisa Pickering, City Clerk



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Mayor's Report #2

Tracking Number

CC 2021-06

Agenda Item Summary Memo

Title: Federal Use of Force Certification for Yorkville Police Department

Meeting and Date: City Council – January 26, 2021

Synopsis: _____

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: _____ James Jensen _____ Chief of Police
Name Department

Agenda Item Notes:



Illinois Association of Chiefs of Police

Illinois' Voice of Professional Law Enforcement

Board of Officers
2020-2021

President
Chief James R. Black
Crystal Lake Police Dept.

1st Vice President
Chief Mitchell R. Davis III
Hazel Crest Police Dept.

2nd Vice President
Chief Lou Jogmen
Highland Park Police Dept.

3rd Vice President
Chief Laura King
*McHenry County
Conservation District PD*

Immediate Past President
Chief Steven Stelter
Indian Head Park PD

VP at Large, Region 1
Chief Dan Ryan
Leland Grove Police Dept.

VP at Large, Region 2
Chief Dean Stiegemeier
Maple Park Police Dept.

VP at Large, Region 3
Chief William Kushner
Des Plaines Police Dept.

Parliamentarian
Chief Russell B. Laine
Algonquin Police Dept. (Ret.)

Executive Director
Ed Wojcicki

January 8, 2021

Chief James Jensen
Yorkville Police Department
804 Game Farm Rd
Yorkville, IL 60560

RE: Federal Use of Force Certification

Dear Chief Jensen:

On behalf of the Illinois Association of Chiefs of Police (IACAP), which manages the Illinois Law Enforcement Accreditation Program (ILEAP), this letter certifies that the Yorkville Police Department meets the federal use of force eligibility requirements, set forth by the U.S. Department of Justice, for discretionary federal grants.

Pursuant to Section 2 of the Presidential Executive Order on Safe Policing for Safe Communities, dated June 16, 2020, Executive Order No. 13929 (the "Executive Order on Safe Policing"), the U.S. Department of Justice's discretionary grant funding is only available to state, local, and university or college law enforcement agencies that have obtained (or are in the process of seeking) credentials certifying that they meet certain standards on use of force. The Executive Order on Safe Policing empowers the U.S. Attorney General to designate independent credentialing bodies, including Illinois Association of Chiefs of Police, to certify that a law enforcement agency meets the conditions of eligibility for federal grants.

Following our review, we have determined that Yorkville Police Department meets the conditions for certification. Accordingly, the Illinois Association of Chiefs of Police will include your agency going forward within our database of use of force certified law enforcement agencies. This certification is active for three years beginning with the date on this letter. On a regular basis starting on January 31, 2021, we will provide the name of each certified law enforcement agency to the U.S. Department of Justice.

Congratulations on achieving this certification. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Ed Wojcicki". The signature is written in a cursive, flowing style.

Ed Wojcicki
Executive Director



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Mayor's Report #3

Tracking Number

CC 2021-07

Agenda Item Summary Memo

Title: Bristol Ridge Road Resurfacing – Potential STP Funding

Meeting and Date: City Council – January 26, 2021

Synopsis: Consideration of Advancing Phase I/II Design

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: General Direction

Submitted by: Brad Sanderson Engineering
Name Department

Agenda Item Notes:



Memorandum

To: Bart Olson, City Administrator
From: Brad Sanderson, EEI
Eric Dhuse, Director of Public Works
Date: January 7, 2021
Subject: Bristol Ridge Road Resurfacing – Potential STP Funding

Background

In March 2020, the City applied for STP funding through the Kane-Kendall Council of Mayors (KKCOM). The project was not selected to be part of the current 5-year program; however, it was put on the “contingency list”, where it ranked highly compared to other projects on the list.

Being on the “contingency list” means that there is a chance of moving up into the program if other projects are not able to maintain their project schedules. To remain on the list, at a minimum, the City would need to submit quarterly STP Update forms to document project status. To improve the chances of moving up into the program, we would need to show project progress, which would mean advancing the Phase I/II design. This would be an approximate \$70,000 commitment with no guarantee of construction funding.

The next STP Call for Projects through KKCOM will be in early 2022. If this project has not moved into the program by that time, the City would need to reapply for funding. Any progress made on the project will increase the overall project score; and, thus, would increase the chances for future funding.

Discussion – Phase I/II Design – Bristol Ridge Road Resurfacing

If the Council would like to advance the Phase I/II Design, EEI will submit a design engineering agreement for consideration. The project would be processed as a Local Agency Functional Overlay (LAFO) project and will require coordination and approval by IDOT.

The plans and specifications that would be prepared should be valid for five (5) years or so. Updates and adjustments that would be required would be minor in nature.

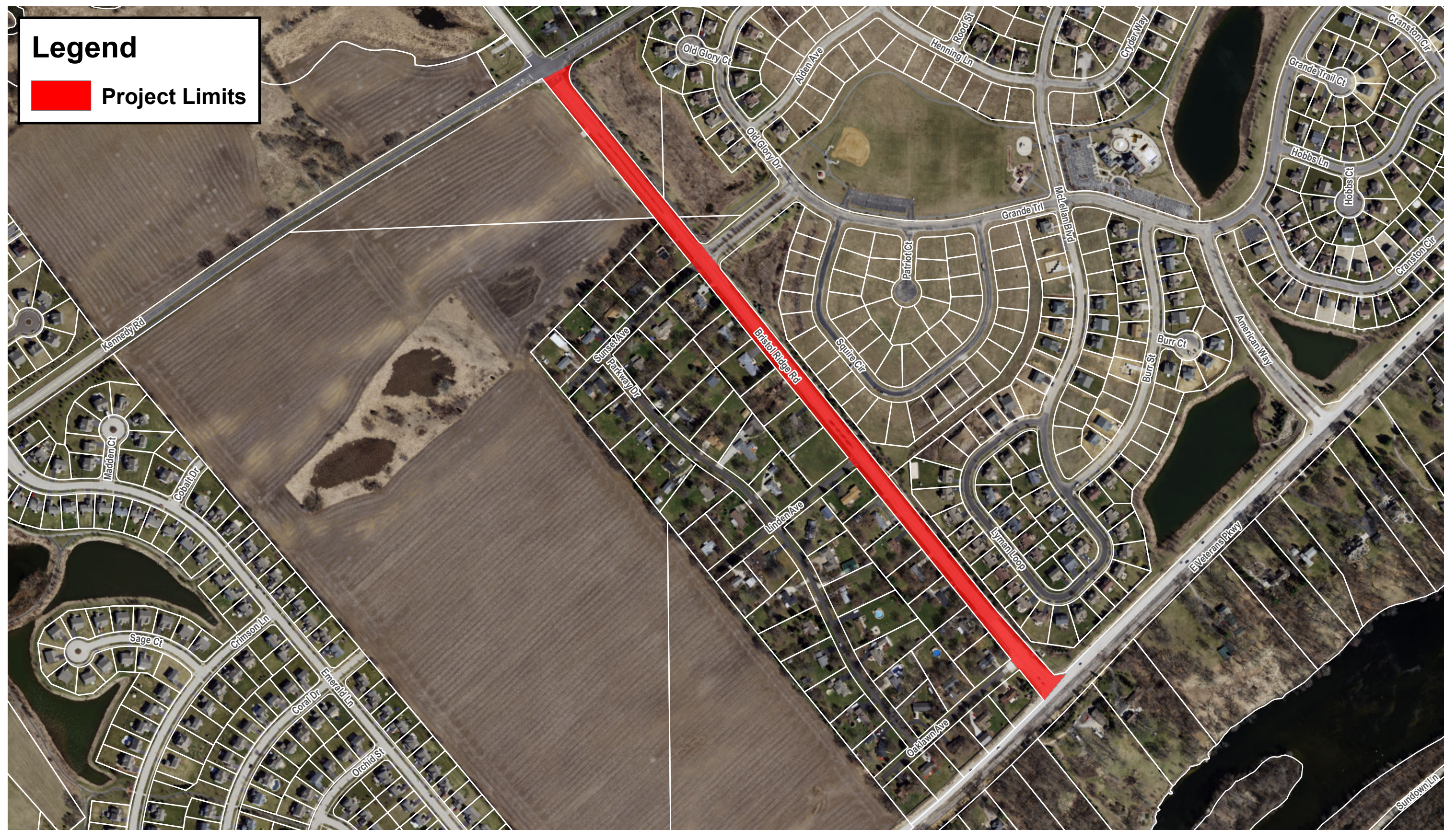
If selected for funding, the project would be 75% funded (Construction only) by KKCOM. We are estimating a total project cost of \$701,200 (\$474,900 STP, \$226,300 Local). The costs include 100% local funding for Phase II engineering and 25% local funding for Phase III construction and engineering.

Action Requested:

General direction from City Council on the proposed advancement of Phase I/II Design for the Bristol Ridge Road Resurfacing project.

Legend

 Project Limits

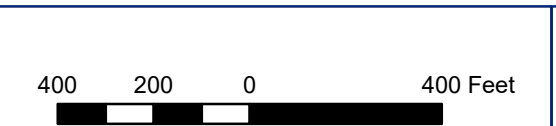


Engineering Enterprises, Inc.
 52 Wheeler Road
 Sugar Grove, Illinois 60554
 (630) 466-6700
www.eeiweb.com



United City of Yorkville
 800 Game Farm Road
 Yorkville, IL 60560
 630-553-4350
www.yorkville.il.us

DATE:		FEBRUARY 2020
PROJECT NO.:		YO2004
BY:		MJT
PATH:		H:\GIS\PUBLIC\YORKVILLE\2011\
FILE:		YO2004_W Fox St
NO.	DATE	REVISIONS



BRISTOL RIDGE ROAD LOCATION MAP





Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Administration Committee #1

Tracking Number

ADM 2021-04

Agenda Item Summary Memo

Title: Disposal of Real Property – Old Bank Building and Kendall Marketplace Property

Meeting and Date: City Council – January 26, 2021

Synopsis: _____

Council Action Previously Taken:

Date of Action: ADM 01-20-21 Action Taken: Moved forward to City Council agenda.

Item Number: ADM 2021-04

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:



Memorandum

To: City Council
From: Bart Olson, City Administrator
CC:
Date: January 14, 2021
Subject: Sale and development of City properties

Summary

Review of processes to seek purchasers and redevelopment of the downtown bank building and vacant 8 acre parcel at Kendall Marketplace.

Background

The concept of selling both of the City's properties has been discussed throughout the acquisition of the 651 Prairie Pointe building. The downtown bank building was bought by the City as the future home of a City Hall or municipal building and anchor in the downtown. The 8 acres at Kendall Marketplace was originally planned to be a police station before litigation and a settlement agreement in 2007 dictated that the site could not be a police station. Since then, the City has explored various uses of the site as either a municipal building (Public Works facility) or private development. With the future location of the City's municipal campus now decided, both properties can be explored as a future site for private development.

Downtown Bank Building

Currently zoned as B-2 Commerce Retail Business District, the property is in the 2019 Downtown Form-Based Code, which establishes land use and building design criteria for parcels located within the Downtown Overlay District. Situated on the southeast corner of IL 47 (Bridge) and Van Emmon Street, the bank building, if redeveloped, would allow for office, commercial, residential and mixed use developments. Building types and standards appropriate for this site, per the Form-Based Code, includes: downtown commercial (primarily corner lots with 1-2 story buildings having large storefront windows); downtown living (1-4 story buildings with office on 1st floor and residential mainly located above); cottage commercial (commercial uses with residential styled architecture such as pitched roofs and porches); and civic buildings (most flexible design of the building types allowing for 1-4 stories with parking in the rear).

The property is also in the downtown TIF district which provides for municipal assistance and a streamlined development process. Staff envisions an open request for information/proposals from developers for redevelopment of the site according to the City's vision for the downtown. This process was used by us for sale and redevelopment of the old jail, and by Oswego for the development of their lumberyard site in downtown Oswego. We have attached the RFP documents for both of those processes, and we envision a similar document being drafted for the downtown bank building after the City Council gives direction to proceed. In general, the process will be more involved than the old jail sale, because the site is a large, key property in the downtown and the development proposal is likely to be much more substantial than the jail's redevelopment and renovation efforts.

Kendall Marketplace

Currently, this 8-acre portion of Kendall Marketplace west of Beecher Road is identified for a “civic use” on the approved PUD Plan and Final Plat. It was the City’s intent to construct a new police station on this parcel; however, as part of the settlement agreement resolving the Kendall Marketplace lawsuit, the City agreed to not construct the station here. Potential land use changes to this parcel to allow for commercial, office or residential uses, can be accomplished through major or minor amendments to the PUD Plan approved by the City.

Economic Development Director Lynn Dubajic has received various inquiries on the property over the past few years, mainly for development into a residential area (single family, duplexes, and/or townhomes). None of these inquiries has went beyond general interest, but we suspect that if the City made some overtures to known residential developers that a few may have interest. Because the City is the landowner, we have more control over the look, layout, and intensity of the development, than we would in a simple development agreement or rezoning decision. While we could use the same process as the downtown bank building, we may be successful with a more direct approach by either asking Ms. Dubajic to solicit offers and development plans from residential developers or appointing a local realtor to drum up interest.

Recommendation

Staff seeks direction to proceed with the sale of both properties, and asks for feedback on development of both properties for purposes of drafting the appropriate RFP documents.

(1 of 1)

[Clear](#)

02-20-351-006

PIN	02-20-351-006
Alt PIN	
Brief Legal	LOT 22 KENDALL MARKETPLACE CITY OF YORKVILLE
Municipality	CITY OF YORKVILLE
Property Class	0090
Tax Code	BR005
Township	Bristol Township
Site Address	721 BLACKBERRY SHORE LN YORKVILLE, IL 60560
Owner Name	UNITED CITY OF YORKVILLE
Owner Address	800 GAME FARM RD YORKVILLE, IL 60560
Gross Acres	8.29
Homesite Acres	0.00
Farm Acres	0.00
Lot	IRREG
Dimensions	
Calculated Acreage	8.1546
Farm Land	\$0
Farm Building	\$0
Non Farm Land	\$0
Non Farm Building	\$0
Total Assessed	\$0
Tax Billed	\$0
Tax Map Pages	View tax maps for this area.

[Online Tax Inquiry](#)

[Zoom to](#)

...



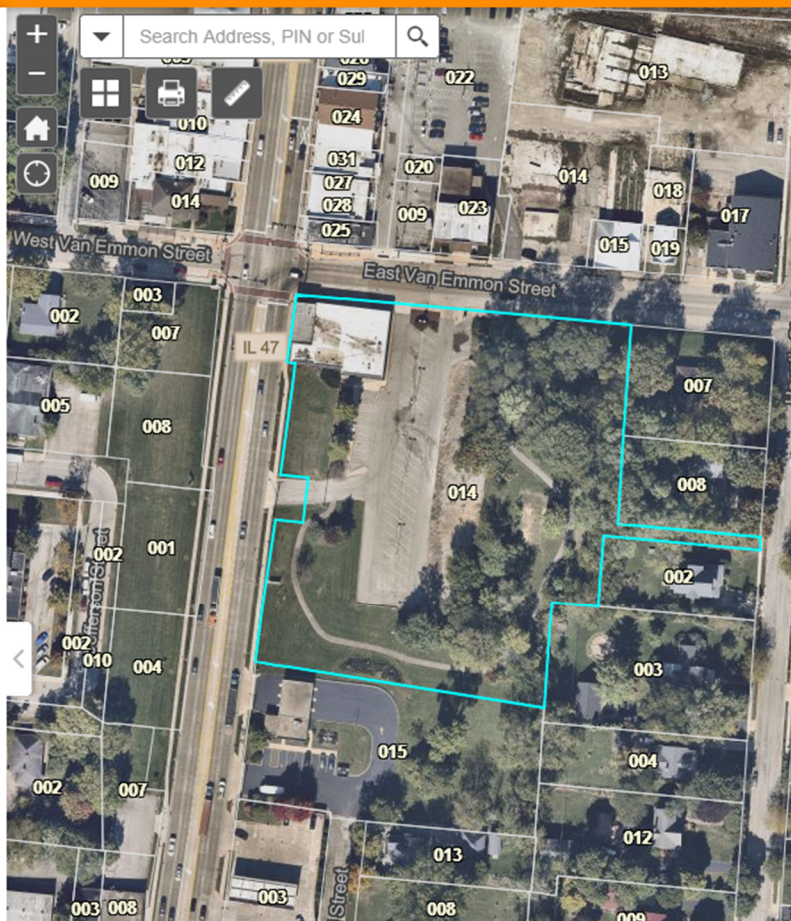
(1 of 1)

[Clear](#)

02-33-157-014

PIN	02-33-157-014
Alt PIN	
Brief Legal	LOT 2 OLD SECOND NATIONAL BANK BRIDGE ST SUB, CITY OF YORKVILLE
Municipality	CITY OF YORKVILLE
Property Class	0090
Tax Code	KE022
Township	Kendall Township
Site Address	102 E VAN EMMON ST YORKVILLE, IL 60560
Owner Name	UNITED CITY OF YORKVILLE
Owner Address	800 GAME FARM RD YORKVILLE, IL 60560
Gross Acres	3.43
Homesite Acres	0.00
Farm Acres	0.00
Lot	
Dimensions	
Calculated Acreage	3.5013
Farm Land	\$0
Farm Building	\$0
Non Farm Land	\$0
Non Farm Building	\$0
Total Assessed	\$0
Tax Billed	\$0
Tax Map Pages	View tax maps for this area.

[Online Tax Inquiry](#)



PUBLIC NOTICE – REQUEST FOR PROPOSALS

THE UNITED CITY OF YORKVILLE, Kendall County, Illinois, is considering the sale/development of 111 West Madison Street, Yorkville (the “*Property*”), legally described as:

Lots 1, 2, 3, and 4, all in Block 28, except any part taken for People of State of Illinois, of the Original Village of Yorkville, in Kendall County, Illinois.

The Property is zoned as B-1 Local Business District which is intended primarily for commercial and professional office uses. The district is designed to provide convenient shopping and services for surrounding residential neighborhoods and encourages mixed use developments, such as dwelling units located above the first floor of commercial and/or office spaces. Currently, the property is vacant.

PIN:	#02-32-287-001
SITE:	Approximately .46 acres
STRUCTURE:	Approximately 5,000 square feet (3 stories)
PARKING:	17 off-street public parking spaces located on parcel, plus 3 on-street public parking spaces available to property. Minimum required parking spaces for commercial uses is 3 spaces per 1,000 sq.ft. of floor area.
FUTURE LAND USE:	The 2016 Comprehensive Plan’s future land use designation for the property is Institutional which allows for public or quasi-public ownership and utilization of the property.

Backgroundⁱ

The building was originally constructed by the Pauley Jail Building and Manufacturing Company of St. Louis, MO in 1893, and operated as the Kendall County Jail and Sheriff’s Residence until 1992. The facility is an integral part of the Historic Kendall County Courthouse complex, and was owned and operated as a jail by Kendall County until 1992. The jail was sold to the United City of Yorkville in 2010. The City completed a building maintenance study in 2017, but has not completed any needed repair work, therefore the building is in need of immediate priority repairs and rehabilitation. This building maintenance study, as well as several other condition assessments and supporting documents are available at the following webpage – [Placeholder](#)

The City put the sale of the property out to RFP in 2012 and received one proposal, which was declared as not feasible by the City Council. That proposal was for a \$0 property sale and an investment of \$250,000 toward repairs with no specific user or use of the building declared. The City is seeking detailed responses to this current RFP.

The jail is one of only three surviving structures in Yorkville included in the 1974 “Inventory of Historic Landmarks in Kendall County”, and the building was on Landmarks Illinois’ annual Most Endangered Historic Places in Illinois list in 2003.

Goals and Preferences

The City is now considering sale and reuse proposals for the property, with the heavy preference of the City Council that the building be rehabilitated with a business, office, or retail use, and a secondary preference of a multi or single-family residential use. Preference will be given to proposals that reuse the historic building in a manner that preserves its historic significance and character and that

will generate tax revenue for the city with its proposed reuse. The City will accept proposals from this RFP process that will involve demolition of the building and use of the land in future redevelopment, but these proposals will only be considered in the event that no feasible proposals are received for rehabilitation and adaptive reuse of the building. The parking lot to the north of the building is public parking and should continue to be owned by the City and operated as public parking. The exact location of the future subdivided lot line between the building and the public parking lot is to be determined as part of a negotiation process with a proposer.

Project Assistance

City seeks a self-sustaining commercial and/or residential redevelopment that reuses the historic building, which was determined eligible for listing in the National Register of Historic Places by the Illinois State Historic Preservation Office. Due to this determination of eligibility, certain federal, state and local incentives may be available to a developer/purchaser who can rehabilitate the building in accordance with the Secretary of Interior Standards. National Register listing and use of any of the following three assistance programs are not required, but offer potential economic benefits to a project:

Assistance Program 1 – 20% Federal Historic Tax Creditⁱⁱ

A 20% Federal Historic Tax Credit is available for rehabilitating a historic building to an income-producing use. This dollar-for-dollar Federal income-tax credit, equal to 20% of the qualified construction costs and expenses, may be used by the building owner or syndicated to a tax-credit investor. To qualify for the credit, rehabilitation costs must exceed the building's "adjusted basis"; that is, the purchase price minus the land cost and depreciation. The building must be listed in the National Register of Historic Places before the project is completed. The program is administered by the Illinois State Historic Preservation Office and National Park Service.

Assistance Program 2 – 25% State Historic Tax Creditⁱⁱ

A 25% State Historic Tax Credit is available for rehabilitating a historic building to an income-producing use. This a competitive, dollar-for-dollar state income-tax credit, equal to 25% of the qualified construction costs and expenses, must be coupled with the 20% Federal Historic Tax Credit. Each project that qualifies can apply for 25% of its qualifying rehabilitation expenditures (QREs) up to a total of \$3 million in state income-tax credits. No project can receive more than \$3 million in Illinois Historic Preservation Tax Credits. To qualify for the credit, rehabilitation costs must exceed the building's "adjusted basis"; that is, the purchase price minus the land cost and depreciation. The building must be a certified historic structure listed in the National Register of Historic Places before the project is completed. The program is administered by the Illinois State Historic Preservation Office.

Assistance Program 3 – Property Tax Assessment Freeze for Historic Residencesⁱⁱ

The Property Tax Assessment Freeze for Historic Residences is applicable to owner-occupied single-family homes, condominiums, cooperative units, or a multi-family building up to 6 units. The program can freeze the assessed value of historic owner-occupied, principal residences for a period of 8 years, followed by a four-year period during which the property's assessed value steps up to an amount based upon its current market value. Qualified expenses must equal or exceed 25% of the property's fair cash value, as determined by the local assessor, for the year the

rehabilitation started. To be eligible for the Freeze, buildings in Yorkville must be listed on the National Register, a process that must be completed before the project is completed. The program is administered by the Illinois Historic Preservation Office.

Assistance Program 4 – City Tax Increment Financing (TIF) Agreementⁱⁱⁱ

The property is in the City's newly established Downtown TIF #2, which means the property is eligible for TIF incentives for renovation and development of the property, subject to regulations set forth by state law and approval by the City Council of various TIF agreements. While the City Council has historically resisted use of TIF funds for renovation of this building, this matter could be revisited with the right development plan and confirmation that the property would generate property taxes. Because this TIF is newly created, it does not have an established set of funds for immediate disbursement of TIF incentives and would need to be negotiated.

Information Requested.

The City is seeking proposals from prospective purchasers/developers that include the future plans for reuse of the Property and a time-line to commence and complete its redevelopment. The City may also identify a timeline with the selected developer to negotiate a redevelopment agreement. The City reserves the right to reject any or all proposals, to waive any informalities, and to accept any proposal that the Council deems most favorable to the interests of the City.

Information Requested:

1. Basic Information

- a. Legal name of entity
- b. Name of entity if doing business under other company name
- c. Address
- d. Contact name, email address, phone number, website address
- e. Number of years in business (if applicable)
- f. Number of employees (total, by location, and by role), if applicable
- g. Description of project team, including resumes, and related experience for each member of the team (including architects, engineers, builders, developers and associated businesses)

2. Project Info

- a. Narrative of project vision - how do you envision reusing the historic residence and jail?
- b. Preliminary site plan, which also demonstrates any additional needs to support the reuse plan (i.e. parking, landscaping, possible expansion of development site)
- c. Narrative of feasibility
 - i. Based on your research, what type of development can the market support in this area?
 - ii. Justification of why this site is appropriate for the proposed use?
 - iii. Is your project likely to require any zoning changes or variances?
 - iv. Is the proposed development seeking any city participation with off-site improvements in association with the proposal (i.e. water service, sanitary sewer, fire suppression, street right-of-way improvements)?
- d. Financials

- i. Project budget, including whether the proposal includes any amount for purchase of the building which would go to the City as seller
 - ii. Request for TIF assistance or other possible agencies
 - iii. Demonstration of the financial and operational ability to complete the project.
 - iv. 5 year business pro forma, post project completion
- e. Project construction timeline from the agreed upon start date

RFP Process

The City will not be holding a mandatory building walkthrough nor a mandatory question and answer session. Proposers and/or contractors who wish to tour the building may do so by contacting Steve Raasch, Facilities Manager, or Pete Ratos, Code Official at 630-553-4350.

Proposals will be read aloud at the meeting date listed below. The City Council reserves the right to direct negotiations with an RFP respondent at that meeting, or to have public discussions of selection of a proposal at a future committee or City Council meeting, including having discussions with any or all of the developers submitting proposals. Due diligence done prior to those hypothetical meetings will likely consist of staff meetings and inquiries.

All submissions to this RFP must be made to, United City of Yorkville, 800 Game Farm Road, Yorkville, Illinois 60560, Attn: Bart Olson, City Administrator. Submissions shall be accepted until 4:00 p.m. on March 26, 2019, and opened at a meeting of the City Council of the United City of Yorkville, on March 26, 2019 at 7:00 p.m.

Beth Warren, City Clerk

ⁱ A supplemental jail history narrative, complete with illustrations and current photos of the building can be found on the City's website here – LINK PLACEHOLDER. The City would like to publicly thank members of the Yorkville Historic Preservation Society, including Lisa Wolancevich, Robyn Sutcliff, Valerie Burd, and Johanna Byrum, and Lisa Dichiera of Landmarks Illinois for their assistance in providing the supplemental jail history narrative and for providing assistance on the RFP.

ⁱⁱ More information on these state and federal incentives can be found at <https://www2.illinois.gov/dnrhistoric/Preserve/Pages/Funding.aspx> or by contacting:

Carol J. Dyson, AIA, Tax Incentives Manager
Deputy State Historic Preservation Officer
Illinois State Historic Preservation Office
Illinois Department of Natural Resources
1 Natural Resources Way
Springfield, Illinois 62702
Phone: (217) 524-0276
E-mail: Carol.Dyson@illinois.gov

ⁱⁱⁱ More information on this local (TIF) incentive can be found by contacting

Bart Olson, City Administrator
United City of Yorkville
800 Game Farm Road
Yorkville, IL 60560
630-553-4350
bolson@yorkville.il.us

I. Purpose:

To communicate the Village's vision for the Adams Street development, describe important project factors, and establish a draft set of selection criteria guiding the Village's choice of potential developers for the recently purchased site at 59 S. Adams Street.

Village staff and Board will evaluate how well the proposed developments conform to the following criteria:

- a. The Village's vision for the downtown
- b. An achievable, yet expedited construction schedule
- c. Strength of developer's potential financing
- d. Evidence that the developer is a responsible party and potential development partner
- e. The proposals' conformance to all applicable laws and regulations



II. Site Plan and Vision:

The 2.38 Acre subject property is located at the corner of Washington Street and Harrison Street and was the site of a former lumberyard. It is currently zoned M-1 Limited Manufacturing District and is vacant

pending development. Redevelopment will require rezoning to accommodate appropriate uses for this key downtown location. The site currently has access to Village water, but sanitary sewer will need to be extended to the site to facilitate development.

In the 2015 Comprehensive Plan, the Village outlined a vision for a walkable, engaging, revitalized downtown. Visitors to this downtown would naturally travel from the Main Street area to the River Front and vice versa. In order to achieve this vision, the future 59 S. Adams Street property must have a visually appealing frontage from all sides, first floor retail and restaurants, adequate parking, and high quality residential units. The Village envisions that Jackson Street will be used as a pedestrian focused “spine,” whereby visitors are enticed east towards Main Street, ideally with pleasant landscaping and street furniture to enliven and guide the trip. In the North lot, in addition to potential row houses, the Village seeks the inclusion of a public amenity and possibly surface parking, particularly in the path of the floodway. A pocket park, interactive public art, public seating area, etc. would enliven the area and beckon park visitors to walk up the Waubensee Creek bike path as an alternative access to the downtown area.

Development plans should take into consideration the following site information:

- Bedrock depth varies from approximately .3 to 9 feet.
- Potable water main is located along the north side of Jackson Street and the east side of Harrison Street
- Sanitary sewers are not presently at the site; the nearest connection points are at Tap House or at Main Street
- Items identified in the environmental assessment (attached)

The Village requests that potential developments incorporate the following criteria. Development plans will be assessed according to the inclusion of these elements and the extent to which the proposals embody the Village’s vision for its downtown:

- The 2015 Comprehensive Plan anticipates the development being built with 5 stories
 - The first floor should contain retail and restaurant offerings
 - The second floor and above should include luxury residential apartments or condos and possibly some office space
- Parking shall be provided to meet the needs of the proposed uses with additional parking available for the general public. The required parking will be determined through studies provided by the developer and approved by the Village. The Village anticipates the inclusion of a structured parking garage.
- Jackson Street should be designed and appropriately programmed to function as the pedestrian-friendly spine connecting Main Street to Hudson Crossing Park. Although cars may have access to the street, proposed improvements should be made with a view to maximize pedestrian comfort

and safety. For emphasis, developers should plan for the many families with small children and/or baby strollers that visit the park and who will walk along Jackson Street.

- Structures facing Hudson Crossing Park on Harrison Street (be it a parking deck or commercial frontage) should be aesthetically pleasing and not institutional or utilitarian.
- The development frontage on Harrison should also include an inviting feature, such as a porch with the potential for café seating, that serves the dual purpose of engaging the public and accommodating the elevation change necessary for flood mitigation requirements
- The corner of Washington and Harrison streets should incorporate a visually pleasing gateway feature to welcome motorists and pedestrians to the downtown. The feature should provide a feeling of distance and protection from the busy traffic along Washington.
- The streetscape along Washington should provide enough room and comfort for pedestrians to feel at ease when traversing this key corridor
- The frontage along Adams Street should be pleasant and engaging. Because the rest of the downtown is at a higher elevation, it is important that the Adams Street frontage does not seem unattractive or as a barrier to proceeding towards the park.
- The first floor of the development should maximize commercial space, with particular emphasis on restaurants. The Village would ideally see the following:
 - A mid-price range white tablecloth restaurant (i.e. \$18-25 entrée level)
 - Additional full-service (table service, liquor license, dinner served) restaurant space
 - Outdoor café dining, particularly facing Harrison St.
 - A small fitness destination
 - The Village will use the redevelopment agreement (“RDA”) and zoning controls to ensure the first floor commercial space contains at least 2000 square feet of restaurant use.
- Office space may not occupy prime street frontage, but may be located on the Development’s upper floors (i.e. second floor or above)
- The Village will attempt to acquire the IDOT right of way; Village requests that potential developers include a contingency plan if the IDOT property cannot be acquired or is not acquired in time for foundation work
- Located to the East of the North Lot are four houses under common ownership, collectively referred to as “Site B”. The owner of Site B has indicated interest in selling the properties, particularly in conjunction with a larger development plan for the 59 Adam Street property. If purchased, Site B could be integrated with the North Lot. The Village will give special consideration to proposals which include Site B.
- Design Guidelines - The Village is currently in the process of developing more substantial Downtown Design Guidelines, however at this time proposals will be reviewed based on the following criteria:
 - Architectural techniques should be employed that reduce appearance of building mass such as variation in materials, colors, and façade articulation.

- The first floor of the building should incorporate commercial storefront characteristics such as awnings, display windows (avoiding floor-to-ceiling glass by using bulkheads), and recessed entries.
- Brick and stone are preferred building materials. Stucco and concrete should not be used on the first level but may be used as accent materials (10-25% of the building face) above the first floor.
- The building should be “four-sided” by using consistent materials and detailing on all façades.
- Rooftop mechanical units should be screened from public view by parapet walls or other means.
- Design should accommodate outdoor seating for potential restaurant tenants, even if none are currently identified or intended.

Site Plan and Vision Deliverables:

In order to determine conformance with the Village’s vision described above, potential developers should provide the following:

- Project Narrative
- Conceptual site plan, including streetscape and landscape improvements
- Preliminary building elevations

III. Developer Qualifications:

- Qualifications Statement:
 - Development team description, including proposed technical consultants, and their relevant expertise, and respective roles and responsibilities
 - Organizational structure: what is the proposed corporate formation and ownership structure
 - Workload: The number, size, and locations of 2017 and 2018 pipeline projects
- Developer and project affiliates will be asked to submit to a Dunn and Bradstreet and Lexus Nexus search
- Developer should provide examples of similar successful projects and no fewer than three references from clients or local government entities

IV. Project Construction and Tenanting/Programming Schedule:

It is paramount that the 59 S. Adams Street property be developed in a timely fashion. Significant weight will be assigned to proposals based on their anticipated ground breaking and completion dates.

Preference will be given to potential developers that are willing to consider and/or place potential tenants the Village deems desirable.

Upon staff's selection of a preferred developer, a purchase and sale agreement will be presented to the Village Board for consideration. The preferred developer will be solely responsible for obtaining zoning entitlement and redevelopment agreement ("RDA") approval following the Village's approval procedures. The Village Board's approval of a purchase and sale agreement does not guarantee the Village Board's approval of the developer's proposal or RDA. All developer submittals are at risk.

Schedule Deliverables: In order to determine conformance with the Village's vision described above, potential developers should provide the following:

- Draft construction schedule
- Proposed tenanting mix and potential leads
- A list of assumptions / expectations for the Village regarding scheduling, approvals, deliverables, etc., that are necessary in order to ensure the development's success

V. Project Financial Structure:

The Village will assess the availability and certainty of the potential developer's financing and the risk profile of the overall capital stack.

A. Financing:

- Three years of audited financial statements or federal income tax forms
- Letters of Intent or financing agreements: The Village prefers that developers provide a letter of intent to finance from established lenders indicating that upon designation by the Village, the lender will issue financing for the entirety of the project
- Proposed financial structure (debt, equity, grants) should contemplate the Village's use of a reverter and liquidated damages to incentivize compliance with construction schedule, use regulations, and development controls
- Financing schedule: Information regarding the anticipated time to raise capital/obtain financing
- Proposed construction budget with preliminary sources and uses
- Sources and Uses analysis
- Developer Estimate of Project Performance and Tax Revenues
- Proposed cash flow schedule
- Projected ten year operating pro-forma for the building
- All of the above should conform to the guidelines set out in the attached document entitled "Developer Info Request"

B. Public Incentive Plan: Prospective developments will be evaluated on their request for public incentives, whether based on TIF, land valuation, or other request, on the following criteria:

- Developer should provide a clear financial outline of the request for incentives and a description of the resultant improvements

- The request meets the “but for” test. In other words, the development will not occur in the manner requested by the Village, but for the use of the requested incentives. Financial data should be submitted substantiating this request. Incentives will only be considered when a developer demonstrates a justified, quantifiable need.
 - Developer must complete the “Developer Financing Gap Analysis” included in the attached “Developer Info Request”
 - The Village will evaluate whether the request utilizes incentives to complete public improvements necessary for development, such as the extension of utilities to the site or similar infrastructure upgrades. The request for incentives prioritizes public amenities that would otherwise not be included in the proposal, such as public art, public gathering places, etc.
- C. Triple Bottom Line: The Village has adopted the concept of Triple Bottom Line investing. In essence, a positive return on investment will be defined according to its financial, social, and environmental success. The Village will evaluate proposals according to the following criteria:
- a. Financial Return on Investment:
 - What is the amount of the projected tax increment
 - How many jobs are created
 - b. Social Return on Investment:
 - Public art is included in the development
 - The development includes sufficient public amenities, such as seating, gathering places, street furniture
 - The Jackson Street frontage is aesthetically pleasing and pedestrian friendly
 - The developer contemplates an annual commitment for a fixed period, particularly through construction and lease up, to Oswego’s cultural events, such as a sponsorship to Beats and Eats or the Fox River Academy
 - c. Environmental Return on Investment:
 - Some or all of the development will be built “green” or even LEED certified
 - Developer should submit a plan for mitigating flood water and compensatory storage

VI. Summary of Submission Requirements

- Project narrative
- Conceptual site plan
- Preliminary building elevations
- Developer’s qualifications statement
- Agreement to submit to Dunn and Bradstreet and Lexus Nexus searches



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Website: www.oswegoil.org

- Examples of similar successful projects and three references from clients or local government entities
- Draft construction schedule
- List of requests/assumptions of the Village's responsibilities/timing
- Proposed tenanting mix and potential leads
- Letters of Intent or financing agreements
- Three years of audited financial statements or federal income tax forms
- Financing schedule
- Proposed construction budget with preliminary sources and uses
- Sources and Uses analysis
- Developer Estimate of Project Performance and Tax Revenues
- Proposed cash flow schedule
- Operating pro-forma for the building
- Financial and narrative outline of public incentives
- Evidence that incentives meet the "but for" test // Developer Financing Gap Analysis
- Outline of how the project meets a "triple bottom line" investment analysis

STRATEGY J: REDEVELOP THE “LEGACY BLOCK” (LONG-TERM).

As an alternative to Strategy E, over the long-term, the Legacy Block between Hydraulic, Van Emmon, Heustis and Mill Streets could be considered for redevelopment if market demand for commercial and mixed use development and developer interest materializes at some point in the future for the site. If the block to the west of Mill Street redevelops as suggested in Strategy I above, the Legacy Block could become an attractive redevelopment site as it is one of the most visible blocks in the Downtown and located directly across from Bicentennial Riverfront Park, one of Downtown’s most important attractions. If the block is redeveloped, the grain elevator structure could be retained as a placemaking landmark.

IMPLEMENTATION ACTIONS

Implementation actions may include addressing any existing environmental or brownfield issues, assembling property parcels, preparing a site development plan and the preparation of a request for development proposals if the City is to redevelop the site with a private sector developer partner.



STRATEGY K: CREATE DOWNTOWN CIVIC COMPLEX.

The Yorkville City Hall and Police Station are currently located along Game Farm Road adjacent to a number of other public uses, such as the Public Library, Beecher Community Center, Yorkville High School Academy and Grade School. This complex of public buildings along Game Farm Road comprises Yorkville’s civic campus. During the planning process, community stakeholders have suggested that Yorkville City Hall may be better suited in the Downtown rather than on Game Farm Road, thereby providing a new anchor destination in addition to the Kendall County complex to the west of Illinois Route 47. A Downtown location could be the site at the southeast corner of Van Emmon Road and Illinois Route 47 where an existing building could be reused or redeveloped. Another possibility is to locate the City Hall building within the Kendall County campus across Illinois Route 47.

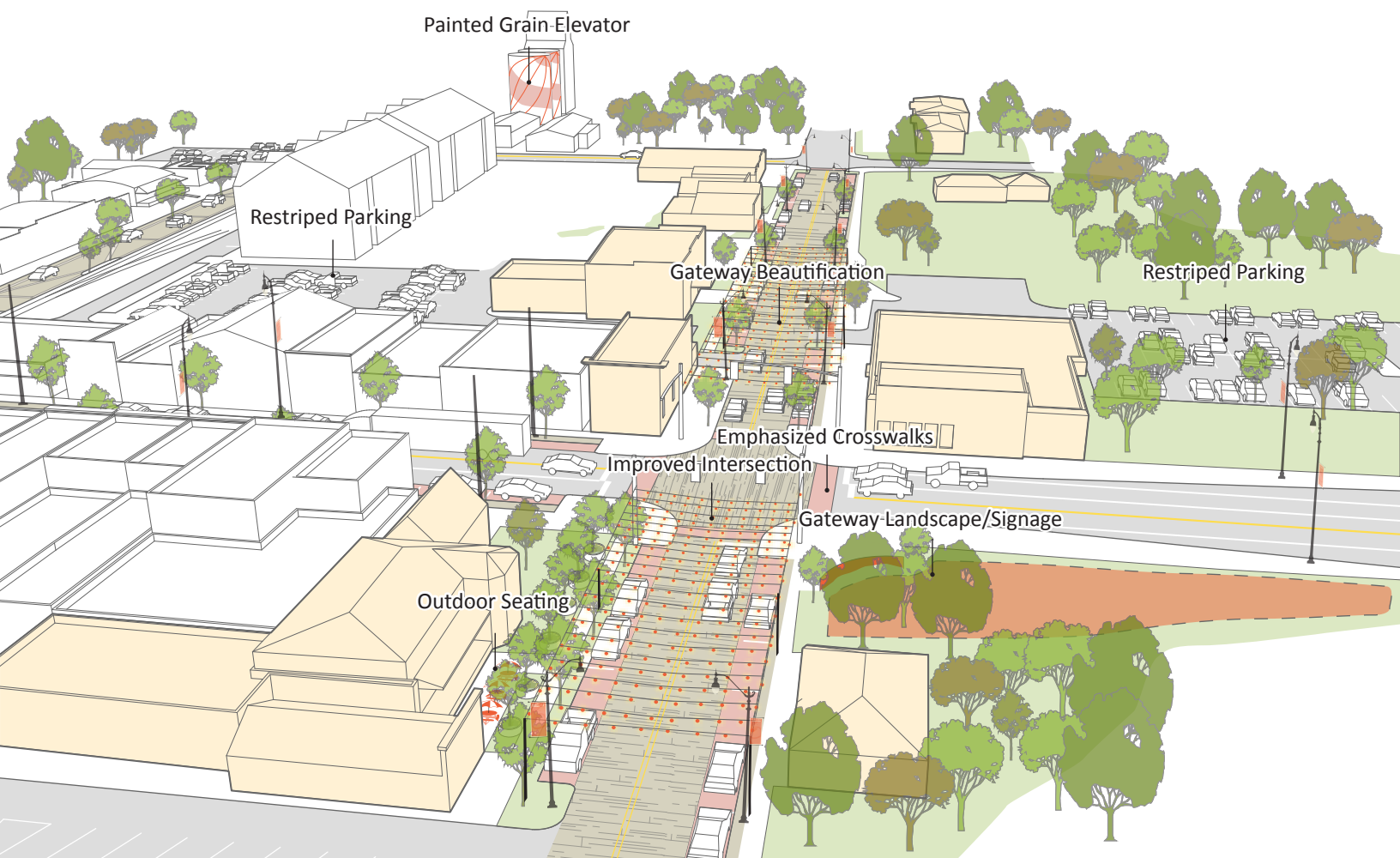
IMPLEMENTATION ACTIONS

Purchase of properties located between Heustis, Fox, Van Emmon and Bridge Streets for a new City Hall building would be necessary along with the preparation of Downtown civic complex master plan. The City of Yorkville could also participate in the development of the Kendall County Government campus master plan if the City Hall were to be located within the Kendall County campus. Branding, landscaping and streetscaping features for a City Hall complex should be consistent with other urban design treatments installed in other portions of the Downtown.

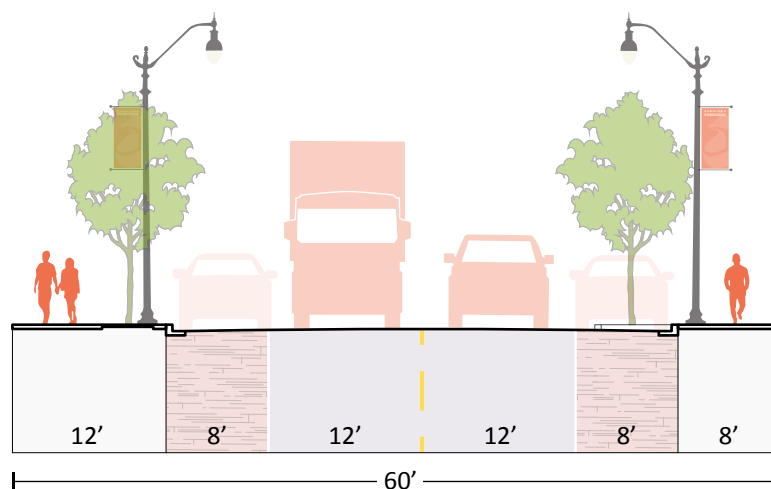


Figure 5.1: Downtown Revitalization Strategies





Van Emmon Street (Long-Term)



C. S3: Van Emmon Street District

The Van Emmon Street District is a lower scale district. Commercial, residential, and mixed use buildings make up this district in variety of building types. A broader spectrum of retail, service, and office uses support the Bridge Street and Hydraulic Street Districts and ground floor residential is permitted. The form of this area is pedestrian-centered, but allows for more vehicular access and off-street parking options.

Van Emmon Street	
Building Placement	
Build-to Zone	0' to 20'
Space Between Buildings	
Attached	0'
Detached	10'
Building Volume	
Maximum Building Height	60'
Maximum Stories	5
Minimum Ground Floor Height	12'
Typical Street Attributes	
Typical ROW Width	60'
Number of Travel Lanes	2
Lane Width	12'
Dedicated Turn Lanes	none
Parking Lanes	1 lane of parallel parking on each side of street; permeable paving 1 lane of parallel parking each side of street (intermittent planting on south side to accommodate parking)
Pavement Width	24' to 40'
Dedicated Bicycle Facilities	none
Pedestrian Realm	
Pedestrian Facilities	8' to 12' wide sidewalk
Street Buffer	1 lane of parallel parking on north side of street; street trees or 1 lane of parallel parking on south side of street

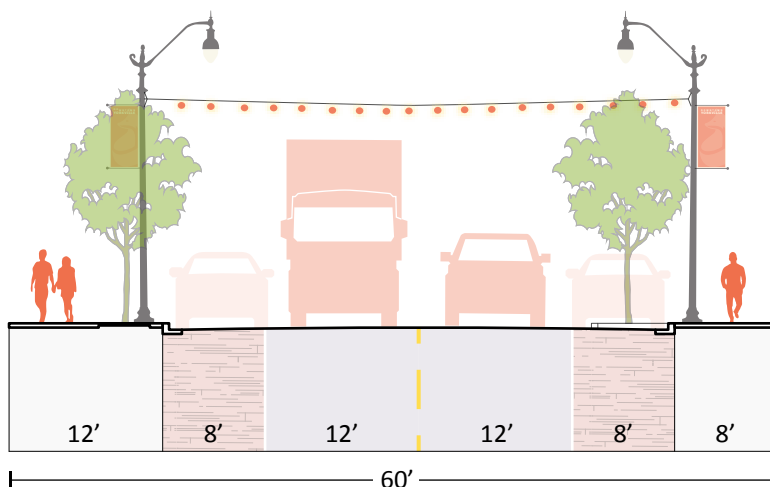


Figure 10-21-2C (1). Van Emmon Street (Long-term).

10-21-3 Uses

	Districts				
	S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street - Residential
Residential & Lodging Uses Category					
Residential Dwelling	●	●	●	●	●
Hotel/Motel	●	●	●	●	●
Bed & Breakfast Inn	●	●	○	○	○
Residential Care Facility				○	○
Senior Housing		●	●	●	○
Civic & Institutional Uses Category					
Civic Offices & Services	●	●	●	●	●
Library/Museum	●	●	●	○	○
Police & Fire	●	●	●		
Post Office (no distribution)	●	●	●		
Religious & Organization Assembly	●	●	●	●	●
School: Public or Private	○	○	○	○	○
School: College	○	○	○	○	○
Retail & Service Uses Category					
Neighborhood Retail (<8,000 sf)	●	●	●	●	○
General Retail	●	●	●		
Neighborhood Service	●	●	●	○	○
General Service	●	●	●		
Recreation/Entertainment	●	●	●	○	
Automotive Services		○	○	○	
Food Services & Drinking Places	●	●	●	●	○
Office & Industrial Uses Category					
Office	●	●	●	●	
Small-Scale Industry	●	●	●	●	
Infrastructure Uses Category					
Communication Antennae & Towers	○	○	○	○	○
Parking Lot	●	●	●	●	●
Parking Structure	●	●	●	●	●
Public Utility & Infrastructure	●	●	●	●	●
Open Space Uses Category					
Open Space	●	●	●	●	●

	Districts				
	S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street - Residential
Accessory Uses					
Alternative Energy Generation	●	●	●	●	●
Amphitheater		○		○	
Car Washes, Detail Shops, and/or Service Stations		○	○	○	
Drive Through Facility		○	○	○	
Home Occupation	●	●	●	●	●
Outdoor Storage of Goods		●	●	●	
Outdoor Restaurant Dining	●	●	●	●	
Parking Lot (Accessory)	●	●	●	○	
Parking Structure (Accessory)	●	●	●		
Roadside Produce Stand/Vending		●		●	
Sidewalk Sales	●	●	●	○	○
Temporary Storage Containers		●	●	●	●
Mobile Food Vendors	●	●	●	●	●
Temporary Structures	●	●	●	●	●

Key

- Permitted
- Permitted in Upper Stories Only
- Permitted with Development Standards
- Requires Special Use Permit

Table 10-21-3B (1). Permitted Uses Table.

10-21-3 Uses

B. Permitted Use Table

See Table 10-21-3B (1) for a list of permitted and special uses.

C. Use Requirements

1. **Residential and Lodging Uses.** A category of uses that include several residence types.
 - (a) Refer to 10-2-3 for the following definitions.
 - i. Residential.
 - ii. Bed & Breakfast Inn.
 - (b) Hotel/Motel. Refer to 10-2-3 for definition. In the districts where a hotel/motel requires development standards (“●”), rooms shall be located in the upper stories. Lobbies and eating facilities shall be located on the ground floor.
 - (c) Residential Care Facility. A facility offering temporary or permanent lodging to the public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities. Includes such uses as independent and assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as dining and meeting rooms. Rooms shall be accessed from the interior of the building. In the districts where this use requires a special use permit (“○”), refer to Section 10-21-1F for procedure and development standards.
 - (d) Senior Housing. In the districts where Senior Housing requires development standards (“●”), the following shall apply:
 - i. Housing shall be designed, constructed and operated in accordance with the Fair Housing Amendments Act.
 - ii. The Property shall comply with all applicable local, state, and federal regulations and copies of any applicable permits shall be provided to the Department prior to the issuance of a Certificate of Occupancy.
 - (e) Use Permits. When a use is listed as permitted with a Use Permit “○,” refer to Section 10-21-1F for procedure and development standards.
2. **Civic & Institutional Uses.** A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.
 - (a) Civic Offices & Services. Any use that involves transactions between the City government and residents, property owners, or others doing business with the City or other activities related to the function of the municipality.
 - (b) Library/Museum. A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.
 - (c) Police & Fire. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. The facilities shall be housed in a permitted building, but shall have the following additional allowances:
 - i. Garage doors are permitted on the front facade.
 - ii. Exempt from maximum driveway widths.
 - (d) Post Office. A publicly accessed facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Large-scale postal sorting and distribution is not permitted.
 - (e) Religious & Organization Assembly. Assembly Uses include Assembly Hall; Church, Temple, or Other Place of Worship; and Clubs.
 - (f) Use Permits. When a use is listed as permitted with a Special Use Permit “○,” refer to Section 10-21-1F for procedure and development standards.
3. **Retail & Service Uses.** A category of uses that include several retail and service types. Refer to Section 10-2-3 for definitions.
 - (a) Neighborhood Retail. A use in this category occupies a space of less than 8,000 square feet. Neighborhood retail includes such uses as those listed in Table 10-21-3C (1).
 - i. When Neighborhood Retail is permitted with development standards “●”, it is limited to 8,000 square feet.
 - (b) General Retail. A use in this category includes all Neighborhood Retail uses occupying a space of greater than 8,000 square feet and such uses as those listed in Table 10-21-3C (1).
 - (c) Service Uses. A category of uses that provide patrons services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.
 - (d) Neighborhood Service. A use in this category occupies a space of less than 8,000 square feet. Neighborhood service includes such uses as those listed in Table 10-21-3C (2).
 - i. When Neighborhood Service is permitted with development standards “●”, it is limited to 6,000 square feet.
 - (e) General Service. A use in this category includes all Neighborhood Service uses occupying a space of greater than 8,000 square feet and such uses as those listed in Table 10-21-3C (2).
 - (f) Recreation/Entertainment. Refer to Table 10-21-3C (3).
 - (g) Automotive Services. Refer to Section 10-2-3 for definition. In the districts where this use requires a special use permit (“○”), the following applies:
 - i. The use shall meet all of the requirements of the Building Type, refer to Section 10-21-4.
 - ii. Service doors shall all be located on the rear or interior side facade of the building.
 - iii. The showroom or retail space shall be located in the front storefront of the building and shall occupy a minimum of twenty percent (20%) of the gross floor area.
 - (h) Food Services & Drinking Places. Food Services & Drinking Places include only the following:
 - i. Full Service Restaurants
 - ii. Carry-out Food Service Stores
 - iii. Quick Service Restaurants
 - iv. Banquet Centers & Caterers
 - v. Drinking Places (Alcoholic Beverages)

- vi. Brewpubs. A microbrewery that brews beer for both on and off-premise consumption, and may include a bar and/or restaurant.
- vii. Wine Establishments. A properly licensed business which sells wine only (not liquor or beer) for both on and off-premise consumption, as well as wine accessories and/or merchandise.

4. **Office & Industrial Uses.** A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Table 10-21-3C (4), List of Typical Uses in Office Category.

- (a) Office. Office uses include those listed in Table 10-21-3C (4), List of Typical Uses in Office Category.
- (b) Small-Scale Industry. A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet. Small-Scale Industry includes such uses as those found in Table 10-21-3C (5). List of Typical Uses in Cottage Industry Category. The following development standards apply:
 - i. This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.
 - ii. The maximum overall gross floor area is limited to 10,000 square feet, unless otherwise noted.
 - iii. The showroom or retail outlet shall be located in the front storefront of the building and shall occupy a minimum of twenty five percent (25%) of the gross floor area.

5. **Infrastructure & Open Space Uses.**

- (a) Communication Antennae & Towers. Refer to Section 10-18. Communication Antennae & Towers located within the right-of-way or on utility poles are permitted.
- (b) Parking Lot. A lot that does not contain a permitted building and is solely used for the parking of vehicles. In the districts where a parking lot requires a special use permit ("○"), the following applies:
 - i. Corner Lots. A corner lot shall not be used as a parking lot.
 - ii. Adjacent Parking Lots. Two (2) parking lots cannot be located directly adjacent to one another.
 - iii. Single Family. Parking lot cannot be associated with a single family use.
 - iv. Distance. Parking lot must be within 1,300 feet of the principal entrance to the associated use unless:
 - (i) At least seventy five percent (75%) of the spaces are dedicated for public use.
 - (ii) An approved joint parking agreement is in place.
 - v. Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrian pathway.
 - vi. Commercial Vehicles. Parking lots for commercial

vehicles are not permitted in Downtown Overlay Districts.

- (c) Parking Structure. A parking structure on a lot that does not contain a permitted Building Type and is solely used for the parking of vehicles. In the districts where a parking lot requires a special use permit ("○"), the following applies:
 - i. Corner Lots. A corner lot shall not be used for a parking structure.
 - ii. Adjacent Parking Lots. Two (2) parking facilities (lots or structures) cannot be located directly adjacent to one another.
 - iii. Primary Street. No facade of the Parking Structure shall be located on a Primary Street. Refer to Figure 10-21-2G (4). For Parking Structures located on a Primary Street, the Main Street Building Type shall be utilized, requiring occupation of the building in the front thirty (30) feet of the facade on any Primary Street.
 - iv. Distance. Parking lot must be within 1,300 feet of the principal entrance to the associated use unless:
 - (i) At least seventy five percent (75%) of the spaces are dedicated for public use.
 - (ii) An approved parking agreement is in place (refer to Section 10-16).
 - v. Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrianway.
 - vi. Commercial Vehicles. Parking structures for commercial vehicles are not permitted in these districts.
- (d) Utility and Infrastructure. A lot that is primarily utilized for the City's infrastructure needs. Utility and infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems.

6. **Open Space Uses.** A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Open space uses may also be utilized to host temporary private or community events, such as a farmer's market or art fair. In the districts where open space is permitted with development standards ("●"), the following apply:

- i. Stormwater Accommodations. Open space that incorporates stormwater management on a site or district scale is encouraged.
 - (i) Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.
 - (ii) Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.
- ii. This use may involve small scale food and beverage service, no more than two hundred (200) square feet in space, located in a kiosk, with no service access.
- iii. Buildings located directly adjacent to an open space use shall treat facades facing this use with street facade requirements.

7. **Accessory Uses.** A category of uses that are not permitted to serve as the principal use on a zoning lot. These uses are incidental to

10-21-3 Uses

and customary in connection with the principal building or use and located on the same lot with such principal building or use.

(a) **Alternative Energy Generation.** Refer to Section 10-19.

Alternative energy generation includes structures for solar, wind, and geothermal. The following development standards apply:

- i. **Roof or Building Mounted Solar panels** are permitted with the following requirements:
 - (i) Panels mounted at the same angle of the roof or flush on the building facade are permitted on any roof or building face.
 - (ii) Panels projecting off the roof or building at a different angle are limited to the rear and side facing roofs, unless solar access is limited in these locations.
 - (iii) Panels shall not extend more than ten (10) feet at maximum pitch/tilt above the surface of the roof to which they are attached. On pitched roofs, panels shall not extend more than three (3) feet.
- ii. **Roof Mounted Small Wind Energy Systems** are permitted with the following requirements:
 - (i) Maximum rated capacity of five kW is permitted per turbine.
 - (ii) One turbine is permitted for each seven hundred and fifty (750) square feet of roof area.
 - (iii) Maximum height is fifteen (15) feet above the surface of the roof.
- iii. **Geothermal Energy** is permitted in any yard with the following requirements:
 - (i) Any related above ground structure shall be located in a side or rear yard with a maximum height of ten (10) feet, subject to all requirements of the Building Type.

(b) **Amphitheater.** Refer to Section 10-2-3 for definition. In the districts where an amphitheater is permitted with a special use permit "O," the following apply:

- i. **Location.** The amphitheater shall be located within an Open Space District (refer to Section 10-10).
- ii. The hours of operation shall be posted and limited to the hours of 8:00 a.m. to 11:00 p.m.

(c) **Car Washes, Detail Shops and/or Service Stations.** Refer to Section 10-2-3 for definitions. In the districts where car washes, detail shops and/or service stations are permitted with a special use permit "O," the following apply:

- i. **Location.** Use must be located inside a parking garage and not visible from the exterior of the parking garage.

(d) **Drive-through Facility.** In the districts where drive-through structures are permitted with development standards ("O"), the following applies. Refer to Figure 10-21-3C (1) for one illustration of the following requirements.

- i. **Structure/Canopy.** Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any Primary Street.

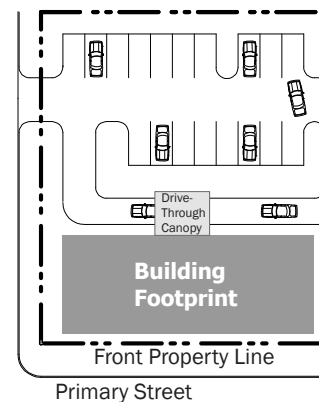


Figure 10-21-3C (1). Recommended drive-through Facility layout.

- ii. **Stacking Lanes.** Stacking lanes shall be located perpendicular to the Primary Street or behind the building.
 - iii. The canopy and structure shall be constructed of the same materials utilized on the building.
- (e) **Home Occupation.** An occupational use that is clearly subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.
- (f) **Outdoor Storage of Goods.**
- i. **Commercial Uses.** This use includes outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the districts where Outdoor Storage of Goods is permitted with development standards ("O"), the following apply:
 - (i) Loose materials shall not be stacked higher than six (6) feet.
 - (ii) Loose materials shall at a minimum be stored in a three sided shelter and shall be covered.
 - (iii) Materials shall be set back a minimum of ten (10) feet from any property line.
 - (iv) Materials shall not be located on required parking spaces or associated drive aisles.
 - (v) All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the Side or Rear Buffer.
 - ii. **Residential Uses.** This use includes temporary storage of personal or household goods in personal on demand storage (PODS) containers. In the districts where outdoor storage of goods is permitted with development standards ("O"), the following development standards apply:
 - (i) One (1) storage container can be located on a lot at a time.
 - (ii) On site storage of a container is permitted for up to two (2) months per year.
 - (iii) Containers shall not be located in the Front Yard, but permitted on a driveway.
- (g) **Outdoor Restaurant Dining.** Commercial outdoor dining, serviced by an adjacent service use, and permitted in any

- yard. When in a side yard along the front Lot Line, the Patio Frontage buffer is required.
- (h) **Parking Lot.** An uncovered paved surface used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking lot locations are regulated by Building Type. Refer to Section 10-21-4.
 - (i) **Parking Structure.** A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking Structures within the buildings are regulated per Building Type. Refer to Section 10-21-4.
 - (j) **Roadside Produce Stand or Vending.** Refer to Section 10-21-1 for definition.
 - (k) **Sidewalk Sales.** A temporary outdoor sale of merchandise by retail businesses, typically occurring on the sidewalk within the public right-of-way for a limited period of time. In the districts where a Sidewalk Sale is permitted with development standards “C,” the following apply:
 - i. A minimum of four (4) feet of the sidewalk must remain available for passing pedestrians.
 - ii. Sidewalk Sales are permitted for up to three (3) days no more than six (6) times per calendar year.
 - iii. Merchandise must be stored inside the building during non-business hours.
 - iv. Merchandise sold shall either be regularly carried within the store, or have been regularly carried within the store in the past year.
 - (l) **Temporary Storage Containers.** Outdoor storage of personal or retail stock materials on a temporary basis within a portable storage container. When a Temporary Outdoor Storage use is permitted with development standards “C,” the following apply.
 - i. One (1) storage container may be located on a lot at a time.
 - ii. On site storage of a container is permitted for up to two (2) weeks; up to four (4) weeks is permitted with approval of the Director.
 - iii. The container shall be located in the rear yard, screened by the building from any primary or secondary street.
 - (m) **Mobile Food Vendors.** A motorized or towed wheeled vehicle that is designed and equipped to sell food. Shall include both “hot trucks” upon which food is cooked and prepared for vending, and “cold trucks” from which only ready to eat or packaged foods are handled. Refer to Section 10-3-14.

10-21-3 Uses

Neighborhood Retail

(less than 8,000 square feet)

Antique Shop
Art & Education Supplies
Art Gallery
Bakery, Retail
Bicycle Sales & Repair
Book, Magazine, & Newspaper Store
Camera & Photo Supply Store
Candy Store
China & Glassware Shop
Clothing & Clothing Accessories
Coffee Shop
Computer Software Sales
Delicatessen
Electronic Sales & Service
Fabric & Craft Store
Florist
Garden Center/Plant Nursery
Gift, Novelty, & Souvenir Shop
Hardware Store
Hobby Shop
Jewelry Sales & Repair
Luggage & Leather Goods
Microbreweries, Microwineries
Music Store & Instruction
Musical Instrument Repair & Sales
Office Supply
Optical Goods
Paint & Wallpaper
Party Supply Shop
Pet & Pet Supply
Specialty Food Market (Butcher, Fish Market, Produce, etc.), with no alcohol sales
Sporting Goods Sales & Rental
Stationary & Paper Store
Toy Shop
Video/Game Sales
Wine Establishment (no liquor/beer)

General Retail

All Neighborhood Retail (over 8,000 square feet)
Appliance Sales & Service
Department Store
Drug Store/Pharmacy
Furniture & Home Furnishings
General Merchandise Stores
Grocery Store
Medical Supply Store
Used Merchandise Stores (not including books, clothing & antiques)

Recreation/Entertainment

Billiard Parlor
Boat Sales & Rental
Boat Storage
Indoor Playground
Indoor Shooting Gallery/ Gun Range
Marina
Outdoor Music Venue
Railroad Passenger Station
Skating Rink
Stadium
Swimming Pool

Table 10-21-3C (3). List of Typical Uses in Recreation/Entertainment Category

Office

Architecture/Engineering/Design	PR & Advertising
Broadcasting & Telecommunications Studio	Professional Services
Building Contractor (office only)	Property Development
Business Consulting	Real Estate
Charitable Institutions	Research & Development
Clinic	Research Agency
Computer Programming & Support	Surveying
Detective Services	Tax Services
Educational Services (tutor & testing)	
Employment Agency	
Financial & Insurance	
Government Offices	
Legal Services	
Management Services	
Medical & Dental with Laboratory	
Motion Picture & Sound Recording Studio	

Table 10-21-3C (4). List of Typical Uses in Office Category.

Table 10-21-3C (1). List of Typical Uses in Retail Category.

Neighborhood Service

(less than 8,000 square feet)

Amusement Arcade
Barber Shop & Beauty Salon
Catering/Carry-Out & Delivery
Communication Service
Childcare Centers
Dance/Fitness Studio
Dry Cleaning & Laundry
Emergency Care Clinic
Framing
Health & Fitness Center
Home Furniture & Equipment Repair
Locksmith
Mailing Services
Massage Establishments
Nail Salon & Specialty Body
Pet Grooming
Photocopying & Printing
Photography Studio & Supplies
Physical Therapy/Physical Rehabilitation
Repair of Small Goods & Electronics
Restaurant/Bar
Services (Spa)
Shoe Repair
Tailor & Seamstress
Theater
Travel Agency, Ticketing & Tour Operator
Veterinarian (no outdoor training, boarding or kennels)

General Service

All Neighborhood Services (over 8,000 square feet)
Bowling Alley

Small-Scale Industry

Apparel & Finished Fabric Products	Products
Bakery & Confections	Research Laboratory
Beverages, including Beer, Wine, Coffee	Shoes & Boots
Botanical Products	Signs & Advertising
Brooms & Brushes	Smithing
Canning & Preserving Food	Taxidermy
Dairy Products	Toys & Athletic Goods
Electrical Fixtures	Upholstery
Engraving	Woodworking
Fabricated Metal Products	
Film Making	
Furniture & Fixtures	
Glass	
Jewelry, Watches, Clocks, & Silverware	
Leather Products	
Microbreweries, Microwineries	
Musical Instruments & Parts	
Pottery, Ceramics, & Related	

Table 10-21-3C (5). List of Typical Uses in Small-Scale Industry Category.

10-21-4 Building Types

4.0 Building Types

A. Introduction to Building Type Standards

The buildings detailed in this section outline the Building Types permitted for new construction and renovated structures within the Districts defined in Section 10-21-2.

1. **General.** All Building Types shall meet the following requirements to achieve the intents defined for the districts.
 - (a) Zoning Districts. Each Building Type shall be constructed only within its designated districts. Refer to Table 10-21-4A (1) Permitted Building Types by Districts.
 - (b) Uses. Each Building Type can house a variety of uses depending on the district in which it is located. Refer to 15.3 for uses permitted per district. Some Building Types have additional limitations on permitted uses.
 - (c) No Other Building Types. All buildings constructed shall meet the standards of one of the Building Types within the zoning district of the lot.
 - (d) Permanent Structures. All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.
 - (e) Accessory Structures.
 - i. Attached accessory structures are considered part of the

principal structure.

- ii. Detached accessory structures are allowed per each Building Type and shall comply with all setbacks except the following:
 - (i) Detached accessory structures are not permitted in the front yard.
 - (ii) Detached accessory structures shall be located behind the principal structure in the rear yard.
 - (iii) Detached accessory structures shall not exceed the height or size (area) of the principal structure.
2. **Page Layout.** Document pages are laid out to provide the maximum amount of information for each building type on one spread of two pages. Refer to Figure 10-21-4A (1) for a typical Building Type layout page.
 - (a) Tables. Refer to Section 10-21-4B for further information on each Table.
 - (b) Graphics typically represent one example of a building that could be developed utilizing the standards for that building type. Graphics are provided to illustrate general intent. In all cases, tables and text supercede graphic representations.

Building Types by Districts						
		Districts				
		S1: Bridge Street	S2: Hydraulic Street	S3: Van Emmon Street	S4: 'B' Street	S5: 'B' Street - Residential
Building Types	Downtown Commercial	●	●	●	●	
	Downtown Living		●	●	●	
	Cottage Commercial	●	●	●	●	
	Civic Building	●	●	●	●	●
	Attached Building			●	●	○
	Yard Building				○	●

● Permitted ○ Requires Permit / Review

Table 10-21-4A (1). Permitted Building Types by District

10-21-4 Building Types

C. Downtown Commercial Building

- Description & Intent.** The Downtown Commercial Building is a building located at the front and corner property lines allowing easy access to passing pedestrians. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, no off-street parking is required.

Storefronts with large amounts of transparency and regularly spaced entrances off the street are utilized on the ground floor front facade. Ground floor uses are limited to those with high levels of pedestrian activity, such as retail, service, and office uses, with additional commercial, office, and/or residential uses in the upper stories.
- Regulations.** Regulations for the Downtown Commercial Building Type are defined in the adjacent table.

Notes:

¹ Each building shall meet all requirements of the Building Type.

² A max. six (6) foot gap is allowed if it serves as a walkable passage.

³ If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁴ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

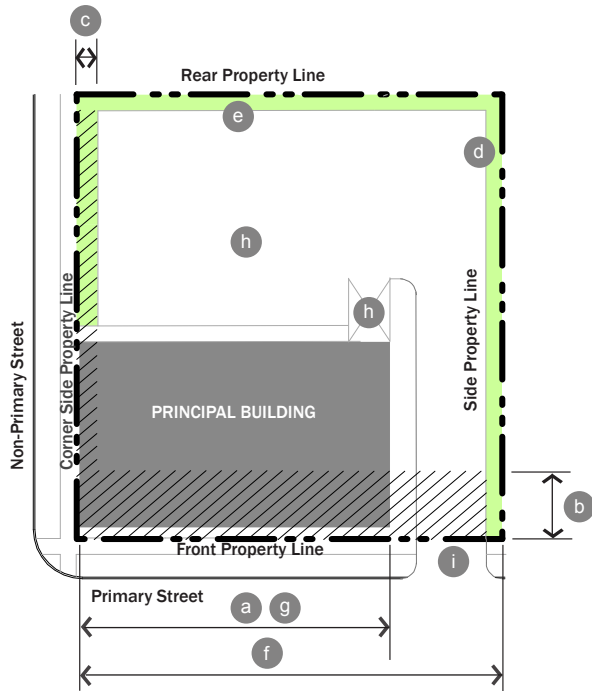
⁵ Lots wider than one hundred (100) feet are permitted one double-loaded aisle of parking (maximum width of seventy (70) feet), located perpendicular to the front lot line and shall meet a Front Lot Line Coverage of sixty percent (60%).

⁶ Eighteen (18) feet or more in height counts as two (2) stories towards maximum building height.

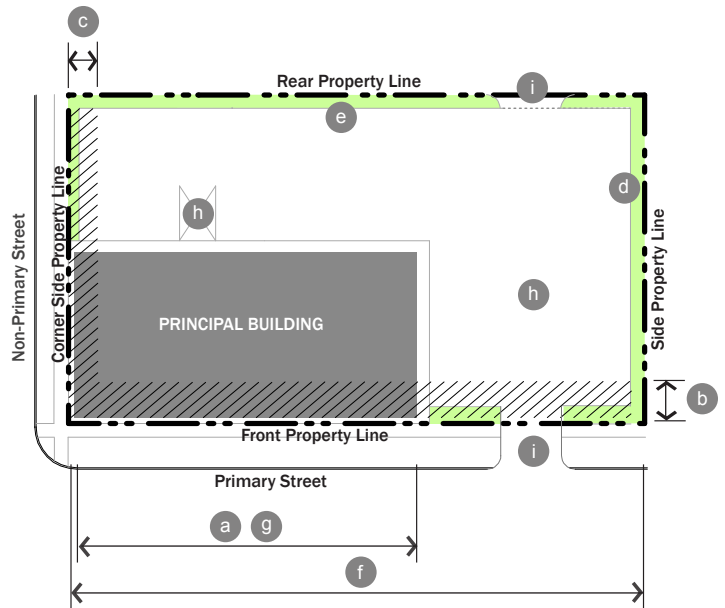
⁷ Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.

		Permitted Districts			
		S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figures 10-21-4C (1) and 10-21-4C(2)					
Multiple Principal Buildings		Permitted ¹			
a	Minimum Front Lot Line Coverage	100% ²	75%	90% ²	65%
Occupation of Corner		Required ⁷			
b	Front Build-to Zone	0' to 5'			0' to 10'
c	Corner Build-to Zone	0' to 5'	0' to 10'		
d	Minimum Side Yard Setback	0'; 5' if adjacent to other Building Type		5'	
e	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential ³			
f	Minimum Lot Width	none	16'		
g	Maximum Building Width	none	none		
Maximum Impervious Coverage		95% ⁴		80% ⁴	
Additional Semi-Pervious Coverage		5%		20%	
h	Parking & Loading Location	Rear yard; existing developed sites require no add'l parking and/or loading facilities	Rear Yard & Side Yard ⁵		
Entry for Parking within Building		Rear & Side Facades			All Sides
i	Vehicular Access	none	Alley; if no alley exists, 1 driveway per every 80' of frontage is permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.		
(b) Height Refer to Figure 10-21-4C (3)					
j	Minimum Overall Height	2 stories	1 story		
k	Maximum Overall Height	6 stories (with min. 3' setback at 3 stories)	4 stories		
l	Ground Story: Minimum Height	14'	12'	14'	12'
	Maximum Height	24' ⁶	24' ⁶	24' ⁶	24' ⁶
m	Upper Stories: Minimum Height	9'			
	Maximum Height	14'			
(c) Uses Refer to Figure 10-21-4C (3)					
n	Ground Story	Per Section 10-21-3 Uses; residential permitted provided that it is located at least 20' from the front primary facade			
o	Upper Story	Per Section 10-21-3 Uses			
p	Parking within Building	Permitted fully in any basement and in rear of all floors			
q	Occupied Space	20' deep on all full height floors from the front facade			
(d) Street Facade Requirements Refer to Figure 15.4C (4)					
r	Minimum Ground Story Transparency Measured between 2' and 8' above grade	50%			30%
s	Minimum Upper Story Transparency Street-Facing Stories	20%		15%	
t	Front Facade Entrance Type	Storefront, Elevated Storefront (permitted only on parcels in flood hazard areas per Section 18 of the City's Code of Ordinances)			
u	Principal Entrance Location	Front or Corner Facades			
Number of Street Entrances		Minimum 1 for every 30' or less of facade	Minimum 1 for every 50' or less of facade		Minimum 1 for every 80' or less of facade
Ground Story Vertical Divisions		One per every 20-40' of facade width			
Horizontal Facade Divisions		Within 3' of top of ground story and the bottom of any fifth floor		Within 3' of top of ground story	
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		Every 40' of facade width		Every 50' of facade width	
(e) Roof Type Requirements Refer to Figure 10-21-4C (4)					
v	Permitted Roof Types	Parapet, Pitched, Flat			
Tower		Permitted			

10-21-4 Building Types



Typical Site Plan.
Figure 10-21-4C (1): Building Siting.



Site Plan with side parking (S 2 and S4 only).
Figure 10-21-4C (2): Building Siting.

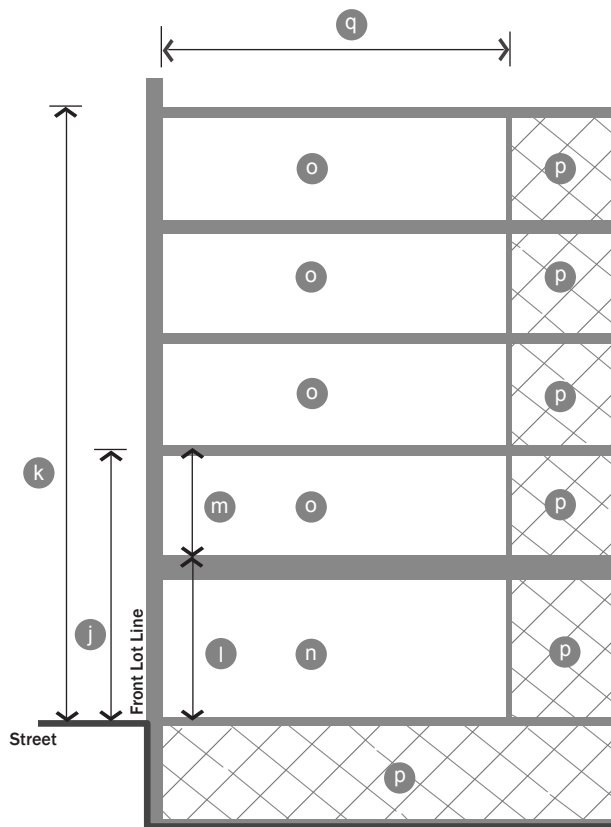


Figure 10-21-4C (3): Height & Use Requirements.

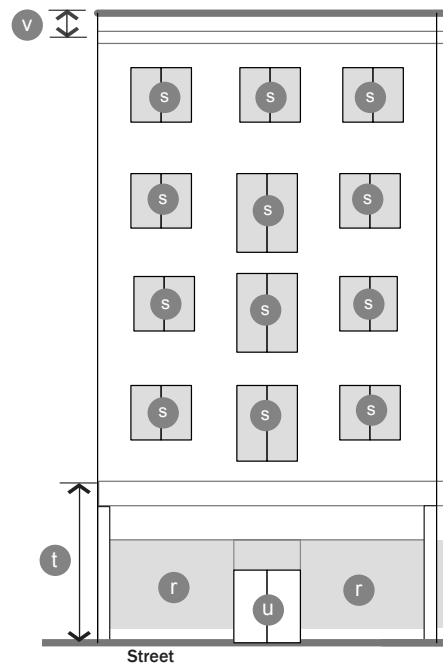


Figure 10-21-4C (4): Street Facade Requirements.

10-21-4 Building Types

D. Downtown Living Building

- Description & Intent.** The Downtown Living Building Type is limited in terms of uses by the district within which it is located, generally housing office and/or residential uses. Similar to the Downtown Commercial Building, the Downtown Living building is intended to be built close to the front and corner property lines, but generally allows for more landscape space between the building and the street. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or the side yard at the front lot line.
- Regulations.** Regulations for the Downtown Living Building Type are defined in the adjacent table.

Notes:

¹ Each building shall meet all requirements of the Building Type.

² If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

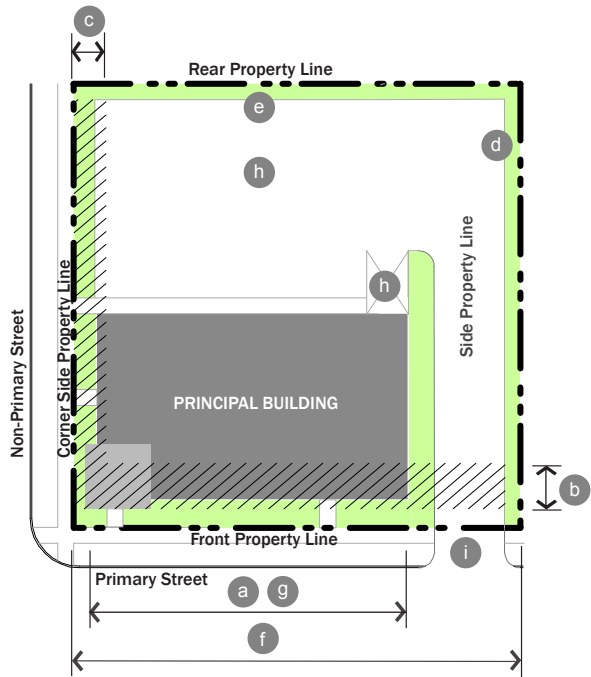
³ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁴ Lots wider than one hundred (100) feet are permitted one double-loaded aisle of parking (maximum width of seventy (70) feet), located perpendicular to the front lot line and shall meet a Front Lot Line Coverage of sixty percent (60%).

⁵ Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.

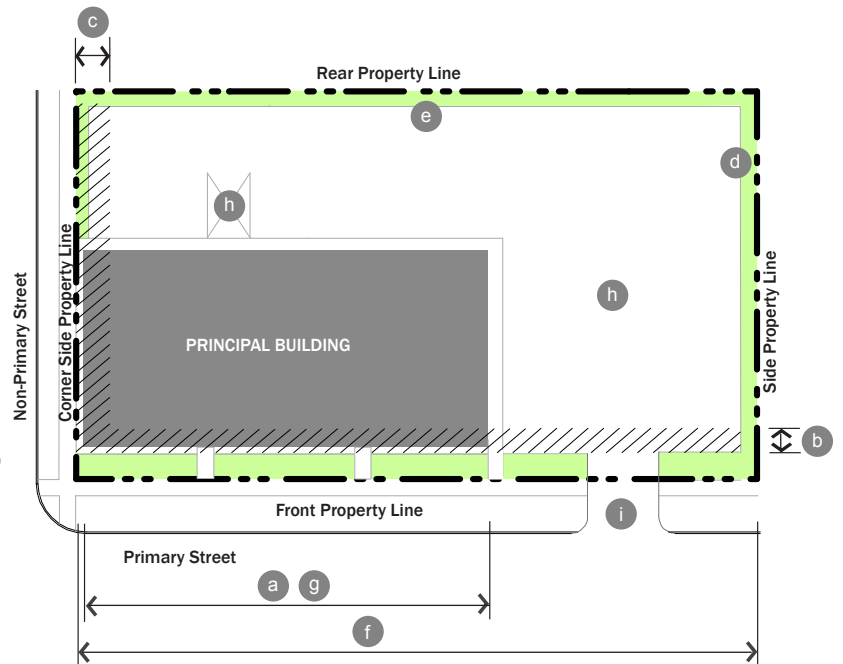
		Permitted Districts		
		S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figures 10-21-4D (1) and 10-21-4D (2)				
Multiple Principal Buildings		Permitted ¹		
a	Minimum Front Lot Line Coverage	75%		50%
Occupation of Corner		Required ⁵		
b	Front Build-to Zone	5' to 15'		5' to 20'
c	Corner Build-to Zone	0' to 10'		5' to 20'
d	Minimum Side Yard Setback	5'		10'
e	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential ²		
f	Minimum Lot Width	16'		
g	Maximum Building Width	none		
Maximum Impervious Coverage		65% ³	75% ³	65% ³
Additional Semi-Pervious Coverage		20%	20%	20%
h	Parking & Loading Location	Rear yard ⁴ , Side Yard		
Entry for Parking within Building		Rear & Side Facades		
i	Vehicular Access	Alley; if no alley exists, 1 driveway per every 80' of frontage is permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.		
(b) Height Refer to Figure 10-21-4D (3)				
j	Minimum Overall Height	1 story		
k	Maximum Overall Height	4 stories		
l	All Stories: Minimum Height	9'		
	Maximum Height	14'		
(c) Uses Refer to Figure 10-21-4D (3).				
m	All Stories	Per Section 10-21-3 Uses; residential dwelling allowed provided that it is located at least 20' from the front primary facade		
n	Parking within Building	Permitted fully in any basement and in rear of all floors		
o	Occupied Space	20' deep on all full height floors from the front facade		
(d) Street Facade Requirements Refer to Figure 10-21-4D (4).				
p	Minimum Transparency Per each Story	20%		
q	Front Facade Entrance Type	Stoop, Porch		
r	Principal Entrance Location	Front facade or corner facade		
Number of Street Entrances		Minimum 1 for every 100' or less of facade		
Ground Story Vertical Divisions		Every 60' of facade width		
Horizontal Facade Divisions		Within 3' of the top of the ground story and any visible basement		
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		Every 50' of facade width		
(e) Roof Type Requirements Refer to Figure 10-21-4D (4)				
s	Permitted Roof Types	Parapet, pitched, flat		
t	Tower	Permitted		

10-21-4 Building Types



Typical Site Plan.

Figure 10-21-4D (1): Building Siting.



Site Plan with side parking (S 3 and S 4 only).

Figure 10-21-4D (2): Building Siting.

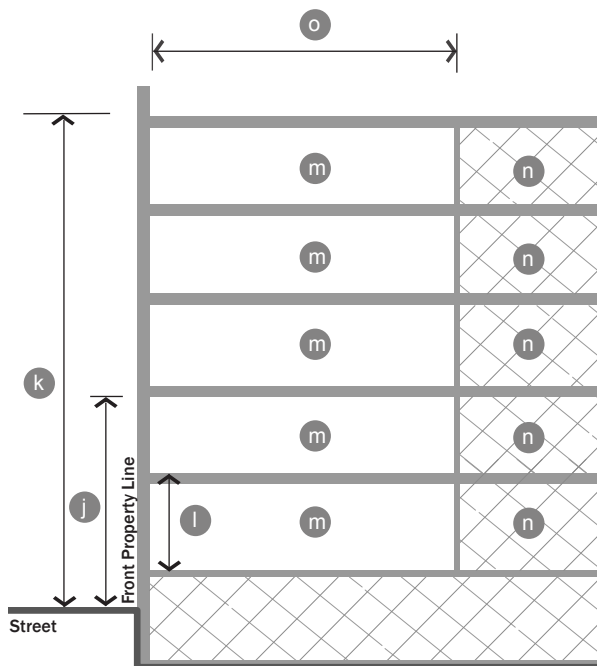


Figure 10-21-4D (3): Height & Use Requirements.

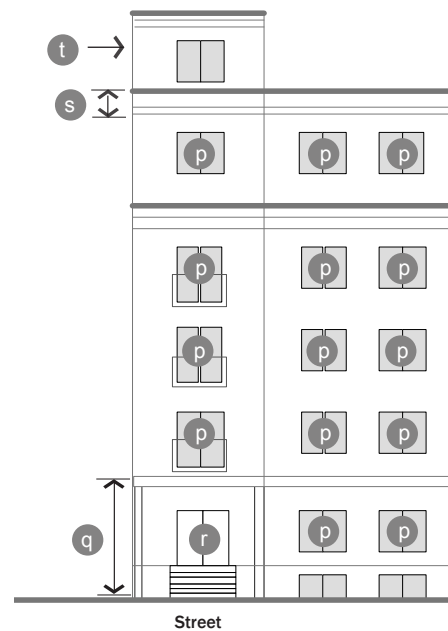


Figure 10-21-4D (4): Street Facade Requirements.

10-21-4 Building Types

E. Cottage Commercial Building

- Description & Intent.** The Cottage Commercial Building combines characteristics of the Downtown Commercial Building Type with physical characteristics of a residential cottage, such as a pitched roof and a front stoop or porch.

This lower-scale building has a pedestrian-friendly storefront, stoop, or porch entrance type with moderate transparency and a primary entrance that faces the street. Constructed with Setbacks similar to a residential cottage, this building typically has more landscape area than the Downtown Commercial Building Types. Parking is permitted in the rear of the lot or a side aisle (with conditions).

The Cottage Commercial Building may contain a mix of uses, including retail, service, and office uses on the ground floor, with residential uses on upper floors.

- Regulations.** Regulations for the Cottage Commercial building type are defined in the adjacent table.

Notes:

¹ Each building shall meet all requirements of the Building Type.

² If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

³ Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

⁴ Lots wider than eighty (80) feet are permitted one single-loaded aisle of parking (maximum width of forty (40) feet), located perpendicular to the front lot line, and shall meet a Front Lot Line Coverage of fifty percent (50%).

⁵ Attached garages are considered part of the principal building and shall meet all setbacks. Detached garages shall meet all setbacks unless an alley is present. When an alley is present, detached garages shall have a minimum rear setback of five (5) feet.

⁶ Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.

		Permitted Districts			
		S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street
(a) Building Siting Refer to Figure 10-21-4E (1)					
Multiple Principal Buildings		Refer to District Street Details			
a	Minimum Front Lot Line Coverage	60%	50%		40%
Occupation of Corner		Required ⁶			
b	Front Build-to Zone	5' to 10'	5' to 20'		
c	Corner Build-to Zone	5' to 10'	5' to 25'		5' to 15'
d	Minimum Side Yard Setback	10'	15'		
e	Minimum Rear Yard Setback	25' ²			
f	Minimum Lot Width	25'			
g	Maximum Building Width	50'			
Maximum Impervious Coverage		70% ³		60% ³	
Additional Semi-Pervious Coverage		15%		15%	
h	Parking & Loading Location	Rear yard; attached garages access off rear facade only. ^{4,5}			
Entry for Parking within Building		Not Permitted on Primary Street			
i	Vehicular Access	Alley; if no alley exists, 1 driveway permitted off non-Primary street; if no side street, 1 driveway permitted off Primary Street; shared access is encouraged.			
(b) Height Refer to Figure 10-21-4E (2)					
j	Minimum Overall Height	none			
k	Maximum Overall Height	3.5 stories			
l	Minimum Ground Story Height	10'			
(c) Uses Refer to Figure 10-21-4E (2)					
m	Ground Story	Per Section 10-21-3 Uses			
n	Upper Stories	Per Section 10-21-3 Uses			
o	Parking within Building	Not Permitted on Primary Street			
p	Occupied Space	20' deep on all full height floors from the front facade			
(d) Street Facade Requirements Refer to Figure 10-21-4E (3)					
q	Minimum Ground Story Transparency Measured between 2' and 8' above grade	40%	30%		
r	Minimum Transparency Upper Stories	15%			
Blank Wall Limitations		Required per floor			
s	Front Facade Entrance Type	Porch (Storefront, Elevated Storefront permitted only on parcels in flood hazard areas per Section 18 of the City's Code of Ordinances; Stoop permitted with design review			
t	Principal Entrance Location	Front or corner side facade			
Number of Street Entrances		Minimum 1 per Building			
Ground Story Vertical Divisions		Not required			
Horizontal Facade Divisions		Within 3' of the top of any visible basement			
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		Between adjacent buildings			
(e) Roof Type Requirements Refer to Figure 10-21-4E (3)					
u	Permitted Roof Types	Pitched			
Tower		Permitted			

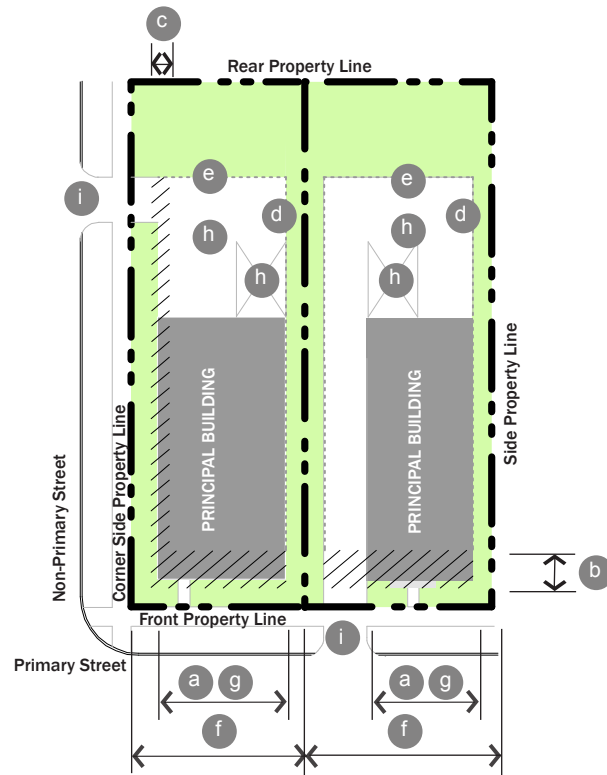


Figure 10-21-4E (1). Building Siting.

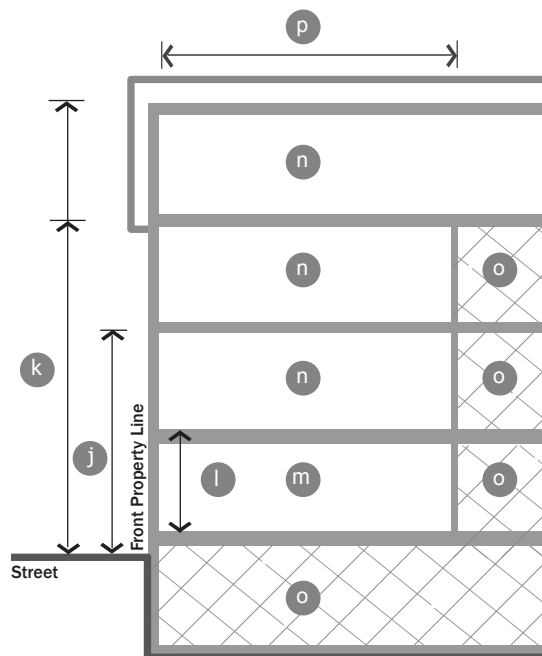


Figure 10-21-4E (2) Height & Use Requirements.

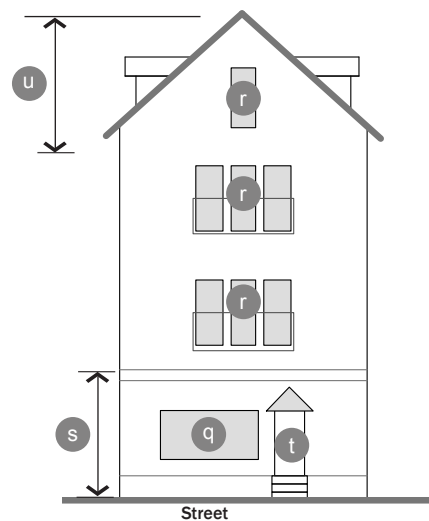


Figure 10-21-4E (3). Street Facade Requirements.

10-21-4 Building Types

F. Civic Building

1. Description & Intent. The Civic Building Type is a more flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive within the community fabric created by the other Building Types. Parking is limited to the rear in most cases. The maximum heights of this Building Type depend on the district within which it is located.
2. Regulations. Regulations for the Civic Building Type are defined in the adjacent table.

Notes:

¹ If located adjacent to flood hazard area, refer to requirements of the Yorkville Stormwater Ordinance No. 2012-56. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

² Maximum Impervious Coverage shall be applied only to all non-flood hazard areas. Refer to FEMA National Flood Hazard Layer FIRMette maps for all flood hazard areas.

³ Lots wider than one hundred (100) feet are permitted one double-loaded aisle of parking (maximum width of seventy (70) feet), located perpendicular to the front lot line.

⁴ Eighteen (18) feet or more in height counts as two (2) stories towards maximum building height.

⁵ Corner Clearance: No building, structures or landscaping which obstructs vision on any corner lot between a height of two (2) feet and ten (10) feet above the finished grade of either street within a twenty-five (25) foot triangle formed by the intervening street lines are permitted.

		Permitted Districts				
		S 1: Bridge Street	S 2: Hydraulic Street	S 3: Van Emmon Street	S 4: 'B' Street	S 5: 'B' Street Residential
(a) Building Siting Refer to Figure 10-21-4F (1)						
Multiple Principal Buildings		Refer to District Street Details				
Minimum Front Lot Line Coverage		Refer to District Street Details				
Occupation of Corner		Required ⁵				
a	Front Build-to Zone	0' to 10'	0' to 15'			
b	Corner Build-to Zone					
c	Minimum Side Yard Setback	5'		10'		
d	Minimum Rear Yard Setback	5'; 25' if located adjacent to residential ¹				
e	Minimum Lot Width Maximum Building Width	16' none	30' none			
Maximum Impervious Coverage		70% ²		70% ²		50% ²
Additional Semi-Pervious Coverage		20%		10%		20%
f	Parking & Loading Location	Rear yard ³				
Entry for Parking within Building		Rear & Side Facades				
g	Vehicular Access	Alley	Alley; if no alley exists, 1 driveway is permitted per street frontage			
(b) Height Refer to Figure 10-21-4F (2)						
h	Minimum Overall Height	1 story				
i	Maximum Overall Height	6 stories (with min. 3' setback at 3 stories)	4 stories			3 stories
j	Ground Story: Minimum Height Maximum Height	14' 24' ⁴	12' 24' ⁴	14' 24' ⁴	12' 24' ⁴	12' 18' ⁴
k	Upper Stories: Minimum Height Maximum Height	9' 14'				9' 12'
(c) Uses Refer to Figure 10-21-4F(2)						
l	All Stories	Limited to uses in the Civic category and Entertainment Uses by Special Use. Refer to 15.3 Uses.				
m	Parking within Building	Permitted fully in any basement and in rear of all floors				
n	Occupied Space	30' deep on all full height floors from the front facade				
(d) Street Facade Requirements Refer to Figure 10-21-4F (3)						
o	Minimum Transparency Per each Story	12%				
Blank Wall Limitations		None				
p	Front Facade Entrance Type	None required				
q	Principal Entrance Location	Front or corner Facade				
Number of Street Entrances		1 per each 150' of front facade				
Ground Story Vertical Divisions		none required				
Horizontal Facade Divisions		none required				
Facade Variety Required Refer to 10-21-4B(4)(h) for requirements.		none required				
(e) Roof Type Requirements Refer to Figure 10-21-4F (3)						
r	Permitted Roof Types	Parapet, Pitched, Flat, Other Roofs with approval per 10-21-4J				
s	Tower	Permitted				

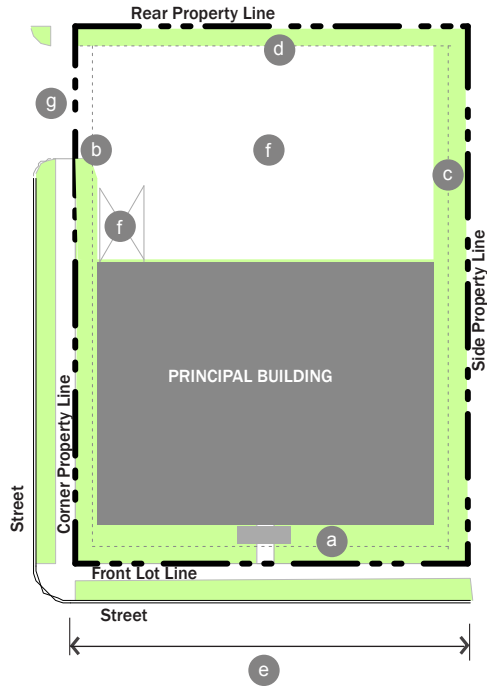


Figure 10-21-4F (1). Building Siting.

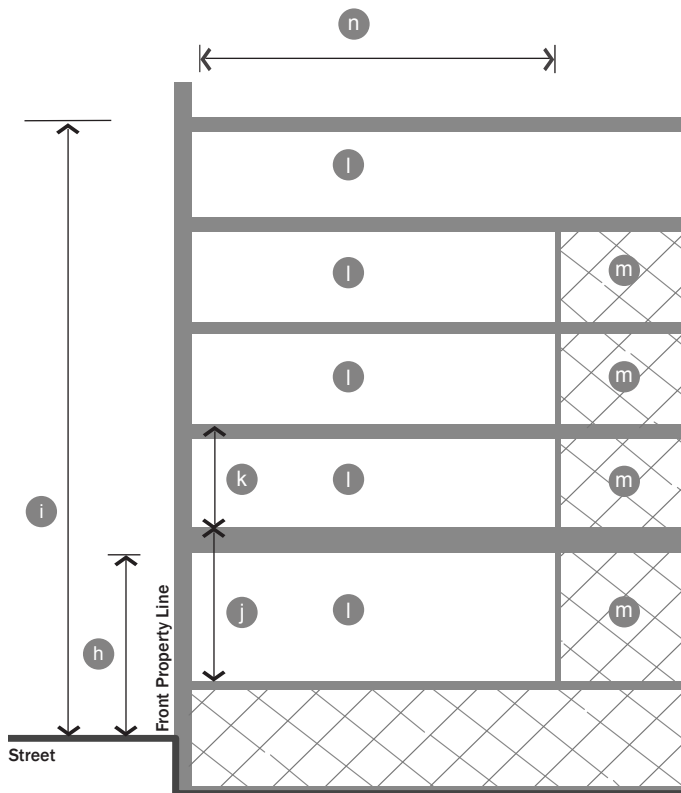


Figure 10-21-4F (2). Height & Use Requirements.

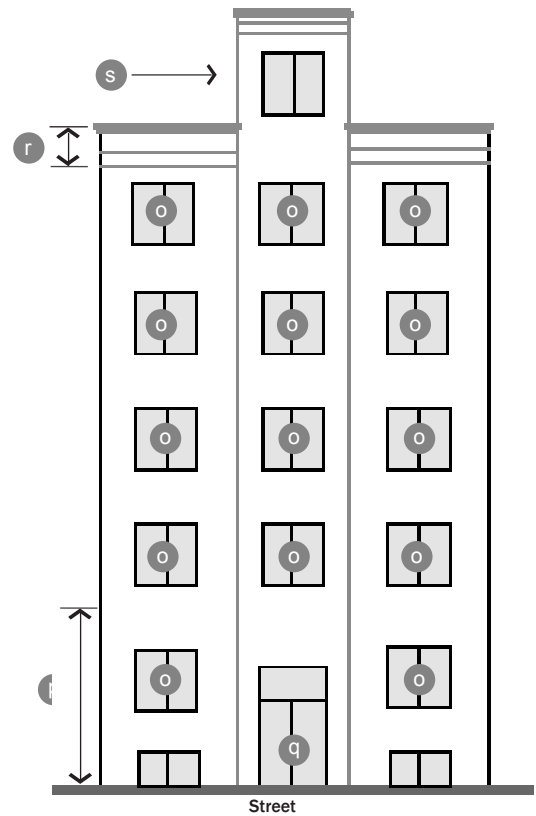


Figure 10-21-4F (3). Street Facade Requirements.



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input checked="" type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Planning and Zoning Commission #1

Tracking Number

PZC 2020-13 and EDC 2021-06

Agenda Item Summary Memo

Title: PZC 2020-13 9261 Kennedy Road Variance (1.5 mile review)

Meeting and Date: City Council – January 26, 2021

Synopsis: Mile and one-half review of a variance request in Kendall County for a driveway location

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Vote

Submitted by: Jason Engberg, AICP Community Development
Name Department

Agenda Item Notes:

See attached memorandum.



Memorandum

To: City Council
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: January 19, 2021
Subject: **PZC 2020-13 –County Case 20-30 9261 Kennedy Road (Variance)
1.5 Mile Review**

SUMMARY:

Staff has reviewed a request from Kendall County Planning and Zoning Department along with the subsequent documents attached. This property is located within one and a half miles of the planning boundary for Yorkville, allowing the City the opportunity to review and provide comments to Kendall County. The petitioners, Kris and Hillary Wieschhaus, are requesting a variance to allow installation of a driveway at zero feet (0') from the eastern property line instead of the required five-foot (5') setback. The approximately 6.4-acre property is located at 9261 Kennedy Road which is about a half mile east of Route 47 on the north side of Kennedy Road. The property is adjacent to the rear of 9227 Kennedy Road which fronts the right-of-way.

Staff has reviewed the request for variance authorization and **does not** have an objection to the petitioner's request. This request was reviewed by the Economic Development Committee at the January 5, 2021 meeting where there were no additional given comments. This item was delivered to the City on November 19, 2020.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

This item was discussed at the January 13, 2021 Planning and Zoning Commission meeting and the commissioners had no objections to the rezone request. The following motion was made:

In consideration of the proposed mile and half review of Kendall County Case 20-30 for a variance located at 9261 Kennedy Road the Planning and Zoning Commission recommends the City Council to not to object to the request.

Action:

Olson-aye; Millen-aye; Williams-aye; Marcum-aye; Vinyard-aye; Horaz-aye. 6 ayes, 0 nays

Attachments

1. Planning and Zoning Memorandum
2. Application with Attachments

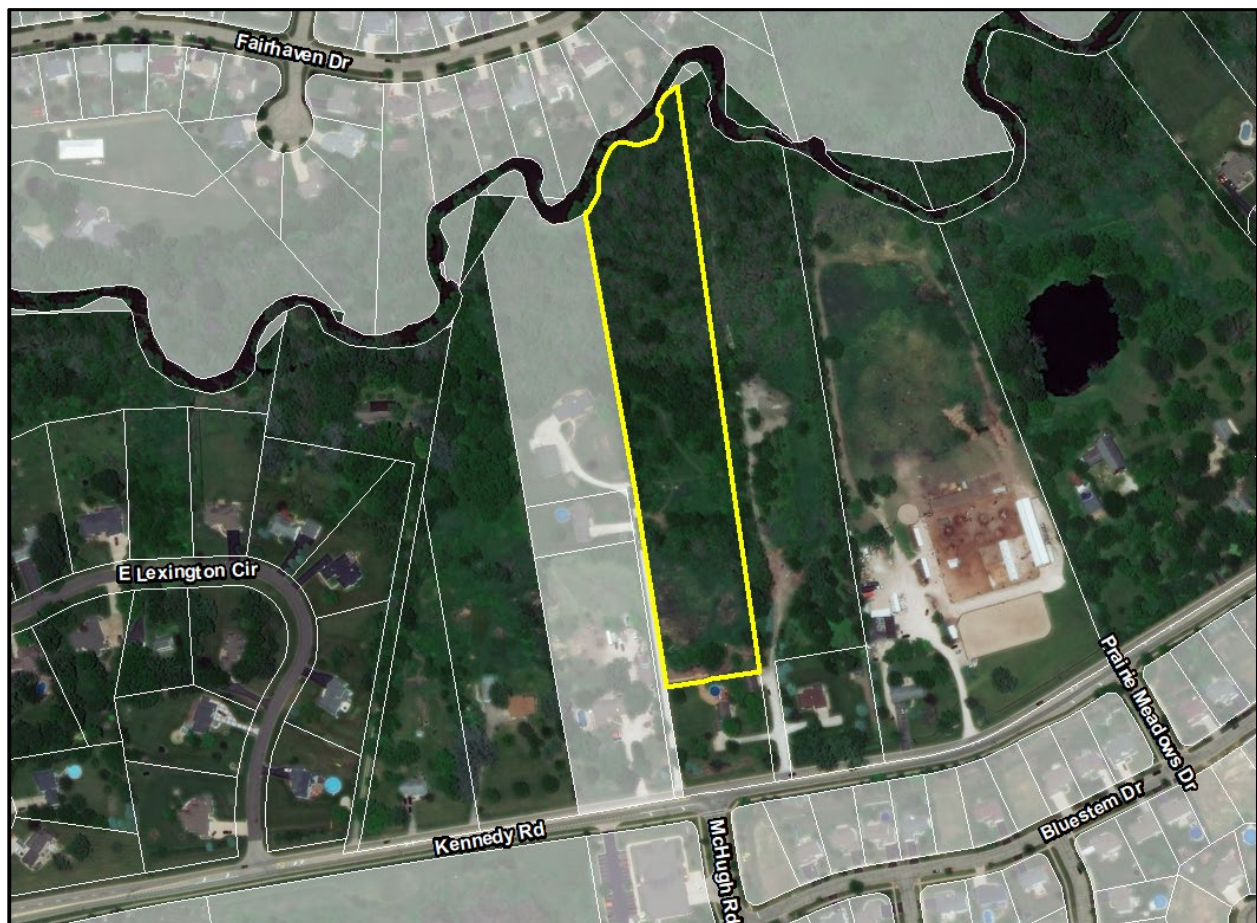


Memorandum

To: Planning and Zoning Commission
From: Jason Engberg, Senior Planner
CC: Bart Olson, City Administrator
Krysti J. Barksdale-Noble, Community Development Director
Date: January 6, 2021
Subject: **PZC 2020-13 –County Case 20-30 9261 Kennedy Road (Variance)
1.5 Mile Review**

SUMMARY:

Staff has reviewed a request from Kendall County Planning and Zoning Department along with the subsequent documents attached. This property is located within one and a half miles of the planning boundary for Yorkville, allowing the City the opportunity to review and provide comments to Kendall County. The petitioners, Kris and Hillary Wieschhaus, are requesting a variance to allow installation of a driveway at zero feet (0') from the eastern property line instead of the required five-foot (5') setback. The approximately 6.4-acre property is located at 9261 Kennedy Road which is about a half mile east of Route 47 on the north side of Kennedy Road. The property is adjacent to the rear of 9227 Kennedy Road which fronts the right-of-way.



PROPOSED PROJECT:

According to the site plan, as shown in the illustration to the right, the petitioner plans to install an eighteen foot (18') wide driveway along the eastern boundary of the property. An access point and private drive already exist along Kennedy Road and this driveway would provide better access to the property.

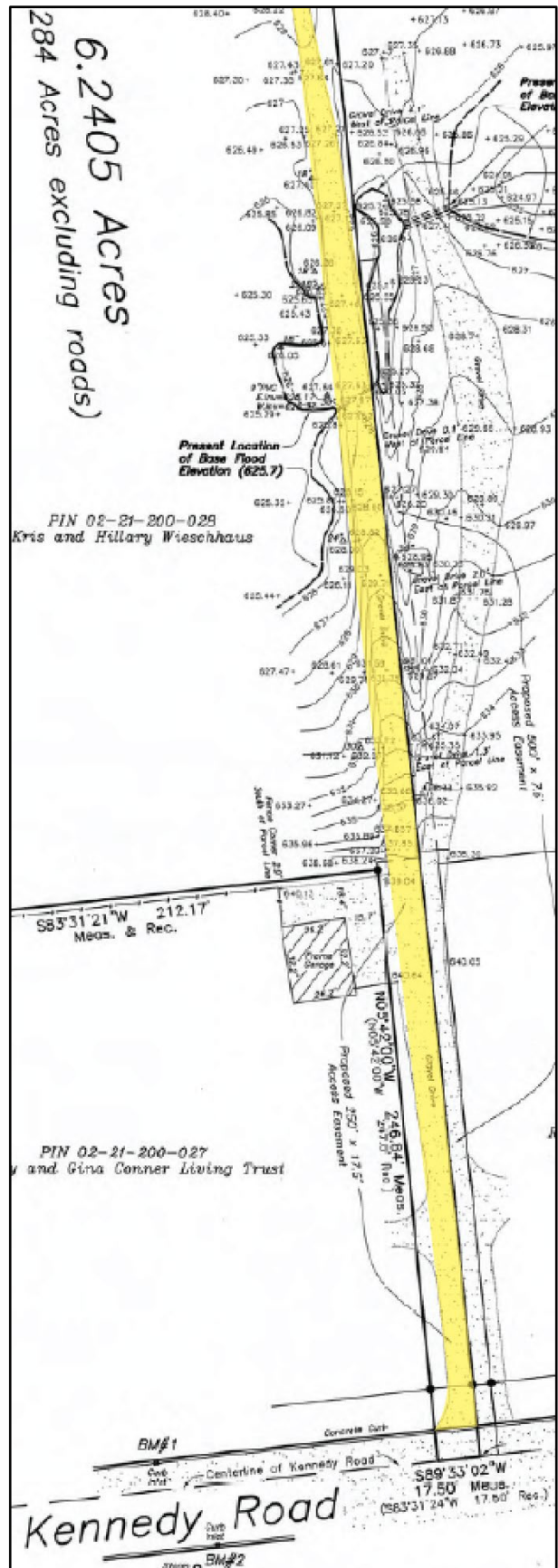
The petitioner is requesting relief from the Kendall County Zoning Ordinance to allow installation of a driveway at zero feet (0') from the eastern property line instead of the required five-foot (5') setback. The petitioner is making this request to avoid the 100-year floodplain on the property (see petition attached). The only location outside of the floodplain is along the eastern boundary of the parcel.

In the future, the owner plans on constructing a single-family detached home on the property. This house would be located north of the floodplain and near the end of the proposed driveway.

YORKVILLE COMPREHENSIVE PLAN:

Yorkville's 2016 Comprehensive Plan designation for this property is Estate/Conservation Residential. This future land use is intended to provide flexibility for residential design in areas of Yorkville that can accommodate low-density detached single-family housing but also include sensitive environmental and scenic features that should be retained and enhanced. The most typical form of development within this land use will be detached single family homes on large lots.

The proposed variance for a driveway will not affect the future land use designated in the Comprehensive Plan. As stated in the petitioner's application, they plan on constructing a single-family home on this parcel in the future which aligns with Yorkville's future land use plan.



Additionally, the property is not likely to be annexed into the City any time soon and if the property were annexed into the City, it would most likely be part of a larger redevelopment project which would have this driveway removed.

Staff Recommendation & Comments

Staff has reviewed the request for variance authorization and **does not** have an objection to the petitioner's request. This request was reviewed by the Economic Development Committee at the January 5, 2021 meeting where there were no additional given comments. Staff is seeking input from the Planning and Zoning Commission for this request. This item was delivered to the City on November 19, 2020.

Attachments

1. Application with Attachments



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

Petition 20-30**Kris and Hillary Wieschhaus
Driveway Setback Variance****INTRODUCTION**

Kris and Hillary Wieschhaus installed a driveway without a permit at 9261 Kennedy Road in Bristol Township.

A large portion of the property is within the one hundred (100) year floodplain (Zone AE).

The driveway was constructed within the required setback to avoid the floodplain.

The application materials are included as Attachment 1. The plat of survey is included as Attachment 2. The aerial of the property with showing the driveway floodplain is included as Attachment 3.

SITE INFORMATION

PETITIONER Kris and Hillary Wieschhaus

ADDRESSES 9261 Kennedy Road, Yorkville

LOCATION Approximately 0.4 Miles East of Route 47 on the North Side of Kennedy Road

TOWNSHIP Bristol

PARCEL #S 02-21-200-028

LOT SIZE 6.4 +/- Acres

EXITING LAND USE Vacant

ZONING R-1

LRMP	Current Land Use	Vacant
	Future Land Use	Suburban Residential (1.00 DU/Acre Max)
	Roads	Kennedy Road is a Minor Collector Road Maintained by Bristol Township
	Trails	Yorkville has Trail Planned Along Kennedy Road
	Floodplain/ Wetlands	Blackberry Creek is Located North of the Property and a Large Portion of the Property is in the 100 Year Flood Plain (Zone AE); Base Flood Elevation is 625.7

REQUESTED ACTION Variance to allow installation of a driveway at zero feet (0') from the eastern property line instead of the required five feet (5') setback.

APPLICABLE REGULATIONS §11:02.F.7.b – Side Yard Setback for Driveways

§13:04 – Variation Procedures and Requirements

SURROUNDING LAND USE				
Location	Adjacent Land Use	Adjacent Zoning	LRMP	Zoning within ½ Mile
North	Single Family Residential	R-2 (Yorkville)	Suburban Neighborhoods (Yorkville)	R-2 and M-2 (Yorkville)
South	Single Family Residential	R-3 (County)	Suburban Residential (1.00 DU/Acre Max)	R-3 (County) R-2 (South)
East	Single Family Residential and Vacant	R-1 (County)	Suburban Residential	A-1 and R-3 (County)
West	Farmstead	R-1 (Yorkville)	Estate Residential (Yorkville)	A-1 and R-3 (County) R-1 and B-3 (Yorkville)

GENERAL INFORMATION

The Petitioners wish to construct a house on the property in the future.

As noted on the plat of survey (Attachment 2), the base flood elevation is 625.7. The driveway elevations are above the base flood elevation.

As noted on the aerial (Attachment 3), the driveway is not located in the one hundred (100) year floodplain, but is located in the five hundred (500) year flood plain.

The proposed driveway will be approximately eighteen feet (18') in width.

The property has been zoned R-1 since 1988.

BRISTOL TOWNSHIP

Bristol Township was emailed this proposal on November 19, 2020.

UNITED CITY OF YORKVILLE

The United City of Yorkville was emailed this proposal on November 19, 2020.

BRISTOL-KENDALL FIRE PROTECTION DISTRICT

The Bristol-Kendall Fire Protection District was emailed this proposal on November 19, 2020.

FINDINGS OF FACT

§ 13:04.A.3 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **Because of the large amount of one-hundred-year floodplain on the property, the**

Petitioners are limited to where a driveway can be installed. The proposed location allows the Petitioners to install the driveway without impacting the floodplain.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. This is true. The Petitioners wish to obtain the variance because of the location of the floodplain on the property and no other condition.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners did not create the floodplain on the property and have limited options for constructing a driveway at other locations on the property without impacting the floodplain.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Adding the proposed driveway will not impair any of the above items.

RECOMMENDATION

Staff recommends approval of the requested variance subject to the following conditions:

1. The setback on the east side of the subject property may be reduced to zero feet (0') for the installation of the driveway only. This variation shall not apply to any of the other required setbacks contained in the Kendall County Zoning Ordinance.
2. The driveway shall be installed at substantially the location shown on the plat of survey shown on Attachment 2.
3. Installation of the driveway shall follow all applicable Federal, State, and Local laws.
4. This variance shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns.

ATTACHMENTS

1. Application (Including Petitioner's Findings of Fact)
2. Plat of Survey
3. Aerial



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME _____ FILE #: _____

NAME OF APPLICANT Kris & Hillary Wieschhaus		
CURRENT LANDOWNER/NAME(s) Kris & Hillary Wieschhaus		
SITE INFORMATION ACRES 6	SITE ADDRESS OR LOCATION 9261 Kennedy Rd	ASSESSOR'S ID NUMBER (PIN) 02-21-200-028
EXISTING LAND USE Vacant (future home site)	CURRENT ZONING Residential	LAND CLASSIFICATION ON LRMP Suburban Residential
REQUESTED ACTION (Check All That Apply):		
<input type="checkbox"/> SPECIAL USE <input type="checkbox"/> MAP AMENDMENT (Rezone to _____) <input type="checkbox"/> VARIANCE <input type="checkbox"/> ADMINISTRATIVE VARIANCE <input type="checkbox"/> A-1 CONDITIONAL USE for: _____ <input type="checkbox"/> SITE PLAN REVIEW <input type="checkbox"/> TEXT AMENDMENT <input type="checkbox"/> RPD (<input type="checkbox"/> Concept; <input type="checkbox"/> Preliminary; <input type="checkbox"/> Final) <input type="checkbox"/> ADMINISTRATIVE APPEAL <input type="checkbox"/> PRELIMINARY PLAT <input type="checkbox"/> FINAL PLAT <input type="checkbox"/> OTHER PLAT (Vacation, Dedication, etc.) <input type="checkbox"/> AMENDMENT TO A SPECIAL USE (<input type="checkbox"/> Major; <input type="checkbox"/> Minor)		
¹PRIMARY CONTACT Kris Wieschhaus	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
²ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
I UNDERSTAND THAT BY SIGNING THIS FORM, THAT THE PROPERTY IN QUESTION MAY BE VISITED BY COUNTY STAFF & BOARD/ COMMISSION MEMBERS THROUGHOUT THE PETITION PROCESS AND THAT THE PRIMARY CONTACT LISTED ABOVE WILL BE SUBJECT TO ALL CORRESPONDANCE ISSUED BY THE COUNTY.		
I CERTIFY THAT THE INFORMATION AND EXHIBITS SUBMITTED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I AM TO FILE THIS APPLICATION AND ACT ON BEHALF OF THE ABOVE SIGNATURES.		
SIGNATURE OF APPLICANT		DATE

FEE PAID:\$ _____
CHECK #: _____

¹Primary Contact will receive all correspondence from County

²Engineering Contact will receive all correspondence from the County's Engineering Consultants

Attachment 1, Page 2
Please fill out the following findings of fact to the best of your capabilities. § 13.04 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall take into consideration the extent to which the following conditions have been established by the evidence:

Overview:

This variance is to allow the placement of a driveway directly along the east side of 9261 Kennedy Road (02-21-200-028). The driveway to the property was placed on the property line and lacks the 5 foot setback required by code.

The adjoining neighbor has agreed that the placement of the driveway is fine and has no issues with the current configuration.

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.

Due to the topographical condition of the property it is impracticable to place the driveway anywhere else to low-lying areas of the property.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.

It has not

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.

It will not.

Note: This property is not part of a neighborhood.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.

The variation will have no impact on light or supply of air to the adjacent property.

Form No. 1402.06
ALTA Owner's Policy



Policy Page 1
Policy Number: [REDACTED]

OWNER'S POLICY OF TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a Nebraska corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protection
 if a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental

police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

First American Title Insurance Company

[REDACTED]
Dennis J. Gilmore, President

[REDACTED]
Greg L. Smith, Secretary

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS**1. DEFINITION OF TERMS**

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) The term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity;
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title
 - (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured,
 - (2) if the grantee wholly owns the named Insured,
 - (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or
 - (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.

- (ii) With regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.

- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in

Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.

- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) In securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance.
To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay. Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) To pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
 - (ii) To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs,

attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
 - (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
 - (i) the Amount of Insurance shall be increased by 10%, and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.

- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of Insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.

- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located. Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.
- (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at 1650 W. Big Beaver Road, P.O. Box 1289, Troy, MI 48099.

POLICY OF TITLE INSURANCE



**First American Title Insurance Company
ALTA Owner's Policy
Schedule A**

File No. [REDACTED]

Amount of Insurance
[REDACTED]

Date of Policy

June 5, 2020
or the date of recording of the
Vesting Deed, whichever is later

Name of Insured:

Kristopher T Wieschhaus and Hillary M Wieschhaus

1. The estate or interest in the land described herein and which is covered by this policy is:

Fee Simple

2. Title to the estate or interest in the land is vested in:

Kristopher T Wieschhaus and Hillary M Wieschhaus, husband and wife as joint tenants

3. The land referred to in this policy is described as follows:

THAT PART OF THE EAST HALF OF SECTION 21, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 22, TOWNSHIP AND RANGE AFORESAID; THENCE WEST 23.05 CHAINS; THENCE NORTH 35°30' WEST 11.02 CHAINS TO THE CENTER LINE OF THE ORIGINAL BRISTOL AND OSWEGO ROAD; THENCE NORTH 34°59' WEST 2054.6 FEET; THENCE SOUTH 52°08' WEST 825.4 FEET; THENCE NORTH 38°06' WEST 2500.6 FEET TO THE NORTHERLY LINE OF THE KENNEDY FARM; THENCE NORTH 33°44' WEST ALONG SAID NORTHERLY LINE 254.4 FEET; THENCE SOUTH 84°37' WEST ALONG SAID NORTHERLY LINE 513.2 FEET; THENCE NORTH 80°53' WEST ALONG SAID NORTHERLY LINE 286.6 FEET; THENCE NORTH 45°39' WEST ALONG SAID NORTHERLY LINE 45.7 FEET; THENCE SOUTH 5°42' EAST 1401.55 FEET TO THE CENTERLINE OF KENNEDY ROAD; THENCE SOUTH 83°31'24" WEST ALONG SAID CENTERLINE 217.22 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 83°31'24" WEST ALONG SAID CENTERLINE 17.50 FEET THENCE NORTH 05°42'00" WEST 247.0 FEET; THENCE SOUTH 83°31'21" WEST 212.17 FEET TO THE LINE OF A FENCE; THENCE NORTH 05°56'56" WEST ALONG SAID FENCE LINE 1084.31 FEET TO SAID NORTHERLY LINE; THENCE SOUTH 85°45'05" East ALONG SAID NORTHERLY LINE 44.75 FEET; THENCE NORTH 39°21'00" EAST ALONG SAID NORTHERLY LINE 269.09 FEET TO A DRAWN NORTH 05°42'00" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 05°42'00" EAST 1509.73 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART LYING NORTHERLY OF THE CENTERLINE OF BLACKBERRY CREEK IN BRISTOL TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Issuing Agent:

Herbert & Eckburg, LLC



**First American Title Insurance Company
ALTA Owner's Policy
Schedule B**

File No. [REDACTED]

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

A. STANDARD EXCEPTIONS:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Easements, or claims of easements, not shown by the public records.
- (3) Encroachments, encumbrance, violation, variation or adverse circumstance affecting title that would be disclosed by an accurate survey pursuant to the "minimum Standards of Practice," 68 Ill. Admin Code, Sec. 1270.56(b)(6)(P) for residential property or the ALTA/NSPS land title survey standards for commercial/industrial property.
- (4) Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) Taxes, or special assessments, if any, not shown as existing liens by the public records.
- (6) Loss or damage by reason of there being recorded in the public records, any deeds, mortgages, lis pendens, liens or other title encumbrances subsequent to the Commitment date and prior to the effective date of the final Policy.

B. SPECIAL EXCEPTIONS:

1. There are various ongoing closures and inaccessibility of certain records in counties and municipalities across the country due to the COVID-19 Emergency. If unable to record documents in the Public Records due to closure or inaccessibility, execution of a Declaration of Understanding and Indemnity and Hold Harmless Agreement Due to the COVID-19 Emergency is required by the parties (other than the Lender) to the contemplated transaction.
2. General taxes and assessments for the year 2nd of 2019, 2020 and subsequent years which are not yet due and payable.

Tax identification no.: 02-21-200-028

3. Rights of the Public, the State of Illinois and the Municipality in and to that part of the land, if any, taken or used for road purposes.
4. Rights of way for drainage tiles, ditches, feeders and laterals, if any.
5. Rights of the interested parties to the free and unobstructed flow of the waters of the stream which may flow on or through the land.
6. Rights of parties in possession in and to the land falling between the fence(s) location(s) and the property line(s) due to the failure of the fence(s) to follow the property line(s) as disclosed by survey presented at the closing.

NOTE: If any document referenced herein contains a covenant, condition or restriction violative of 42 USC 3604(c), such covenant, condition or restriction to the extent of such violation is hereby deleted.

End of Schedule B

Issuing Agent:


Herbert & Eckburg, LLC



ENDORSEMENT

ISSUED BY

First American Title Insurance Company

Attached to Policy No. 

THE STANDARD EXCEPTIONS 1, 4 THROUGH 6 ARE HEREBY DELETED.

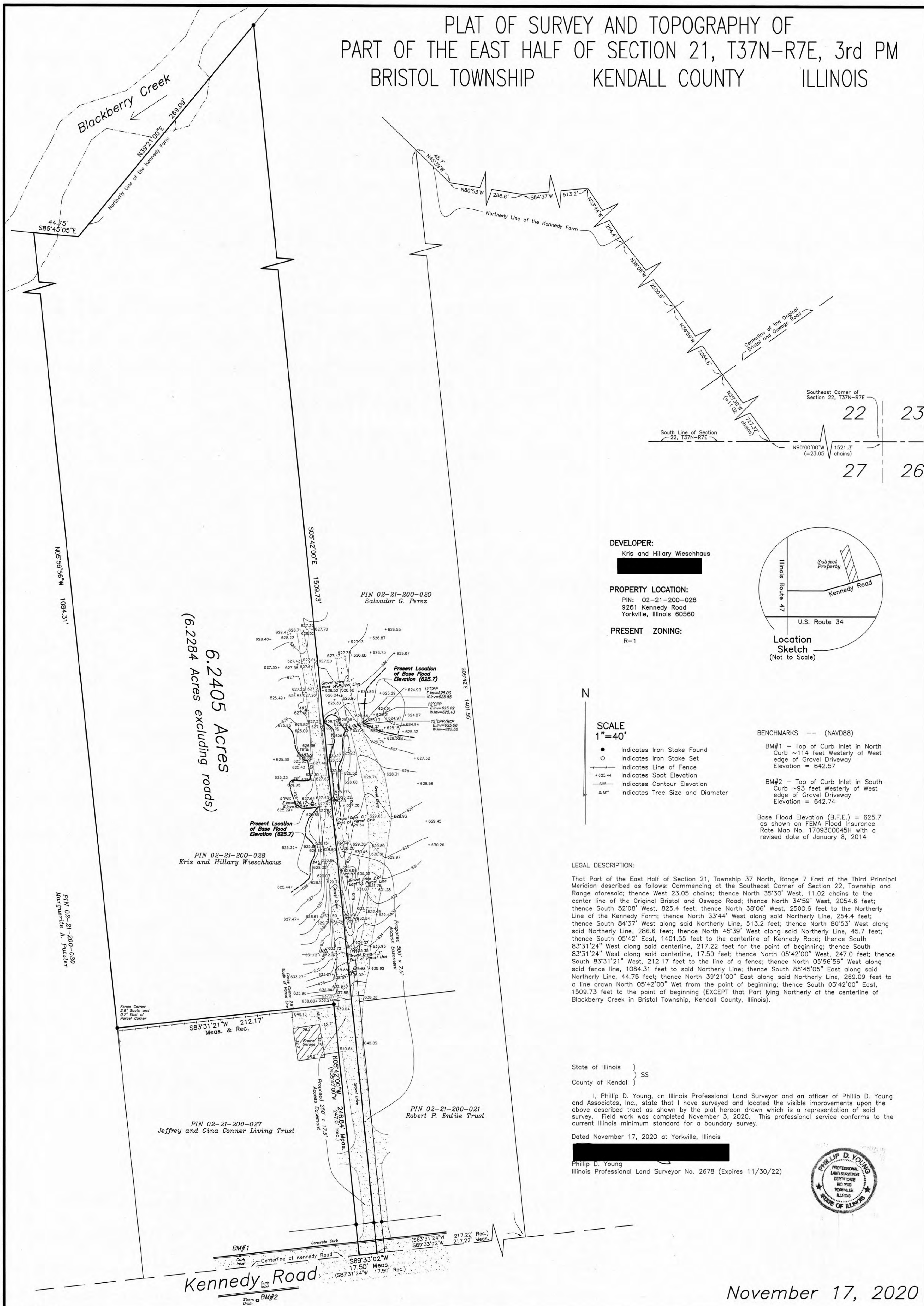
This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

First American Title Insurance Company

Dated:



Christian Poulsen



November 17, 2020

JOB NO.	20287
JOB NAME	WIESCHHAUS
DWG FILE	20287
REVISION DATE	



Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

1107B South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553-1580

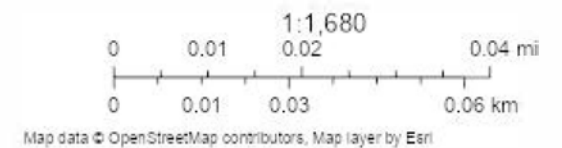


November 18, 2020

 Kendall County Address Points
 Parcels
 parcel

USA Flood Hazard Areas
 1% Annual Chance Flood Hazard
 0.2% Annual Chance Flood Hazard

Incorporated Areas
 Yorkville



PUBLIC NOTICE
KENDALL COUNTY
****ZONING BOARD OF APPEALS****

Notice is hereby given that Zoning Board of Appeals will hold a public hearing on 12/14/2020 at 7:00 PM

The location of the meeting is at the East Wing Conference Room of the Kendall County Historic Courthouse at 109 W. Ridge Street, Yorkville, IL 60560.

The purpose of this hearing is to consider testimony and make a determination regarding Petition # 20-30.
(Application #)

Kris & Hillary Wieschhaus is/are seeking a variance from Section 11:02.F.7.b
(Name(s) of Applicant) (Section #)

of the Kendall County Zoning Ordinance to: *"Permit placement of driveway 0' from the east property line instead of the required 5' side-yard setback".*

The property is located at 9261 Kennedy Road, is identified by Parcel Identification Number 02-21-200-028 and is legally described in Exhibit "A" attached.

The petitioner is acting for himself or in the capacity of agent, alter ego, or representative of a principal.
(is/is not)

The petitioner is not a corporation.
(is/is not)

The petitioner is not a business or entity doing business under an assumed name.
(is/is not)

The petitioner is not a Partnership, Joint Venture, Syndicate or Unincorporated Voluntary Association.
(is/is not)

This petition and related documents may be reviewed at the Planning, Building and Zoning Department, Room 203, 111 West Fox Street, Yorkville, IL 60560 or the Kendall County Website: <http://www.co.kendall.il.us/planning-building-zoning/petitions>. Questions can be directed to the same department at phone number (630) 553-4139.

All interested persons may attend and be heard. Written testimony should be directed to the Department but shall only be entered as part of the record at the discretion of the Kendall County Zoning Board of Appeals.

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time. Please attend the hearing/meeting by computer or call 1-309-248-0701 and entering conference ID 756 909 888#

Kris & Hillary Wieschhaus

Name(s) of Applicant

Exhibit A

LEGAL DESCRIPTION OF TRACT:

That Part of the East Half of Section 21, Township 37 North, Range 7 East of the Third Principal Meridian described as follows: Commencing at the Southeast Corner of Section 22, Township and Range aforesaid; thence West 23.05 chains; thence North 35°30' West, 11.02 chains to the center line of the Original Bristol and Oswego Road; thence North 34°59' West, 2054.6 feet; thence South 52°08' West, 825.4 feet; thence North 38°06' West, 2500.6 feet to the Northerly Line of the Kennedy Farm; thence North 33°44' West along said Northerly Line, 254.4 feet; thence South 84°37' West along said Northerly Line, 513.2 feet; thence North 80°53' West along said Northerly Line, 286.6 feet; thence North 45°39' West along said Northerly Line, 45.7 feet; thence South 05°42' East, 1401.55 feet to the centerline of Kennedy Road; thence South 83°31'24" West along said centerline, 217.22 feet for the point of beginning; thence South 83°31'24" West along said centerline, 17.50 feet; thence North 05°42'00" West, 247.0 feet; thence South 83°31'21" West, 212.17 feet to the line of a fence; thence North 05°56'56" West along said fence line, 1084.31 feet to said Northerly Line; thence South 85°45'05" East along said Northerly Line, 44.75 feet; thence North 39°21'00" East along said Northerly Line, 269.09 feet to a line drawn North 05°42'00" West from the point of beginning; thence South 05°42'00" East, 1509.73 feet to the point of beginning (EXCEPT that Part lying Northerly of the centerline of Blackberry Creek in Bristol Township, Kendall County, Illinois)

Kendall County Zoning Board of Appeals 12-14-2020 Remote Meeting Attendance



In accordance with the Governor's Executive Order 2020-07, Kendall County Board Chairman Scott Gryder is encouraging social distancing by allowing remote attendance to the Kendall County Zoning Board of Appeals Meeting/Hearing scheduled for Monday, December 14, 2020, at 7:00 p.m. Instructions for joining the meeting are listed below.

For your safety and others, please attend the hearing/meeting by phone or computer, if possible. The East Wing Conference Room located at the Kendall County Historic Courthouse at 110 W. Madison Street (also addressed as 109 W. Ridge Street), in Yorkville, will have limited seating available. Masks are required when social distancing is not possible. If you plan to attend in person, please follow all social distancing requirements.

If anyone from the public would like to make a comment during the hearing/meeting there will be an allotted time on the agenda for public comment, and all of the county board rules of order still apply. We will also accept public comment by emailing: masselmeier@co.kendall.il.us. Members of the public may contact Kendall County PBZ Department prior to the meeting for assistance making public comment at 630-553-4139; email correspondence is preferred.

Microsoft Teams Meeting

[Click here to join the meeting](#)

Or call in (audio only)

+1 309-248-0701 United States, Rock Island (Toll)

Phone Conference ID: 756 909 888#

[Find a local number](#) | [Reset PIN](#)

Kendall County

[Learn More](#) | [Meeting options](#) | [Legal](#)

Kendall County Zoning Board of Appeals Information:

<https://www.co.kendall.il.us/transparency/agendas-packets-and-meetings-schedules/planning-building-and-zoning/zba-zoning-board-of-appeals>

For information about how to join a Microsoft Teams meeting, please see the following link.

<https://support.office.com/en-us/article/join-a-meeting-in-teams-1613bb53-f3fa-431e-85a9-d6a91e3468c9>



Reviewed By:	
Legal	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input checked="" type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Planning and Zoning Commission #2

Tracking Number

PZC 2020-14 and EDC 2021-07

Agenda Item Summary Memo

Title: Nonconforming Signs – Text Amendment

Meeting and Date: City Council – January 26, 2021

Synopsis: Proposed text amendment regarding legally nonconforming monument signs.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: Majority

Council Action Requested: Vote

Submitted by: Krysti Barksdale-Noble, AICP Community Development
Name Department

Agenda Item Notes:

See attached memo.



Memorandum

To: City Council
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Jason Engberg, Senior Planner
Date: January 19, 2021
Subject: **PZC 2020-14 Nonconforming Signs (Text Amendment)**
Proposal to exempt certain nonconforming signs from elimination if replacing a static message board with an electronic message board

Summary

A proposed text amendment to Sections 10-20-4: Definitions and 10-20-11: Nonconforming Signs of the City's Zoning Ordinance to allow for certain existing nonconforming freestanding monument signs to be modified without the requirement to bring the sign fully into compliance with the current code regulations. Specifically, allowing a one-for-one replacement of an existing static message board sign (i.e., manual changeable copy) with a new electronic message board of the same size for those non-residential land uses seeking to upgrade to current technology. Staff originally published the request to limit the text amendment to only affect signs located along major thoroughfares such as IL-47, US-34, IL-71 and Eldamain Road but now are recommending this amendment will pertain to all existing non-conforming monument signs.

Additionally, the text amendment proposes to define the word "maintenance" in the Zoning Ordinance to provide further clarity for staff and the public about activities permitted in the upkeep of existing nonconforming signs. For your reference, staff has included a draft ordinance, packet materials provided to the Planning & Zoning Commission and an updated data summary regarding historical sign permit data.

Planning & Zoning Commission Action:

The Planning and Zoning Commission reviewed the text amendment at a public hearing held on January 13, 2021 and made the following action on the motion below:

In consideration of testimony presented during a Public Hearing on January 13, 2021 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for text amendment to Sections 10-20-4: Definitions and 10-20-11: Nonconforming Signs of the City's Zoning Ordinance to allow for certain existing nonconforming freestanding monument signs to be modified without the requirement to bring the sign fully into compliance with the current code regulations, as recommended in a staff memo dated January 4, 2021.

Attachments

1. Draft Ordinance
2. Staff memorandum to the PZC dated 1-4-2021
3. Updated 5-Year Permit Report of Sign Permit Data
4. 5-Year Permit Report of Sign Permit Data
5. Title 10: Zoning, Chapter 20: Signs
6. Public Hearing Notice
7. 2020 Zoning Map
8. 2020 Development Map

**AN ORDINANCE OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
AMENDING THE YORKVILLE ZONING ORDINANCE REGARDING SIGN MAINTENANCE
AND REGULATIONS FOR NONCONFORMING SIGNS**

WHEREAS, the United City of Yorkville (the “City”) is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, pursuant to Section 10-4-10 of the Yorkville Zoning Ordinance, the City may initiate amendments thereto; and,

WHEREAS, the City requested an amendment to the Yorkville Zoning Ordinance to redefine the maintenance requirements for signs and permitted changes to legal non-conforming signs; and,

WHEREAS, the Planning and Zoning Commission held a public hearing on January 13, 2021, to consider the request and made a recommendation to the City Council to approve the following text amendments.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the United City of Yorkville, Kendall County, Illinois, as follows:

Section 1: The above recitals are incorporated herein and made a part of this Ordinance.

Section 2: That Title 10, Chapter 20, Section 10-20-4 of the United City of Yorkville Zoning Ordinance of the Yorkville City Code is hereby amended by inserting the following definition:

“MAINTENANCE: Care associated with the general upkeep of a sign which includes minor repair of rusted or damaged components, including nailing, cleaning and replacement of nuts and bolts, repainting, replacing of malfunctioning parts, and re-facing of existing signs when the re-facing does not result in any structural alterations, additional signs or additional sign appendages. Lighting fixtures may be repaired or replaced with fixtures of a similar size, including, but not limited to, repairs or replacements that increase energy efficiency. Routine maintenance of a nonconforming sign shall not include any addition of or increase in illumination, structural alterations, enlargements or expansions unless the alteration, enlargement or expansion will result in the elimination of the nonconforming aspects of the signs.”

Section 3: That Title 10, Chapter 20, Section 10-20-11 is hereby amended by adding the following:

“G. The replacement of an existing non-conforming freestanding static message board signs with an electronic message board sign is permitted if such replacement does not increase the overall existing sign size.”

Section 4. This Ordinance shall be in full force and effect after its passage, publication, and approval as provided by law.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this _____ day of _____, 2021.

City Clerk

KEN KOCH	_____	DAN TRANSIER	_____
JACKIE MILSCHEWSKI	_____	ARDEN JOE PLOCHER	_____
CHRIS FUNKHOUSER	_____	JOEL FRIEDERS	_____
SEAVAR TARULIS	_____	JASON PETERSON	_____

Approved by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this _____ day of _____, 2021.

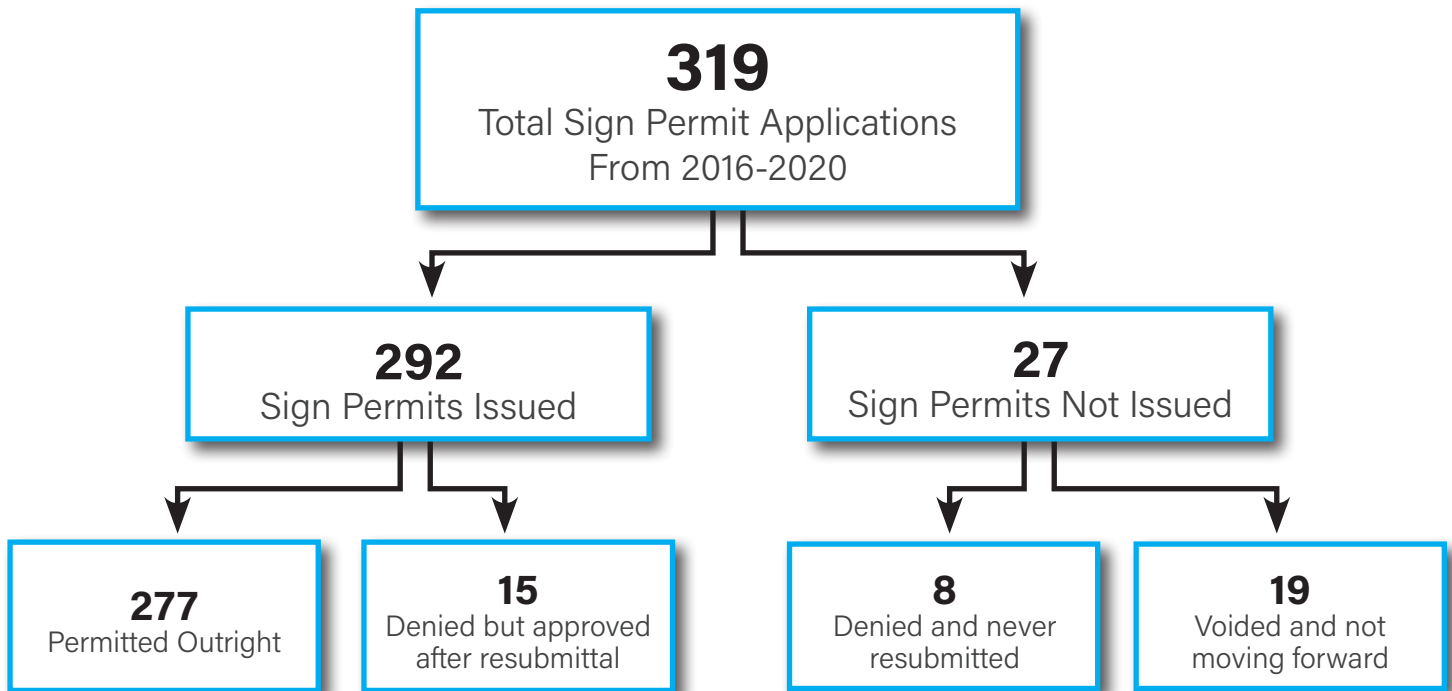
Mayor

Attest:

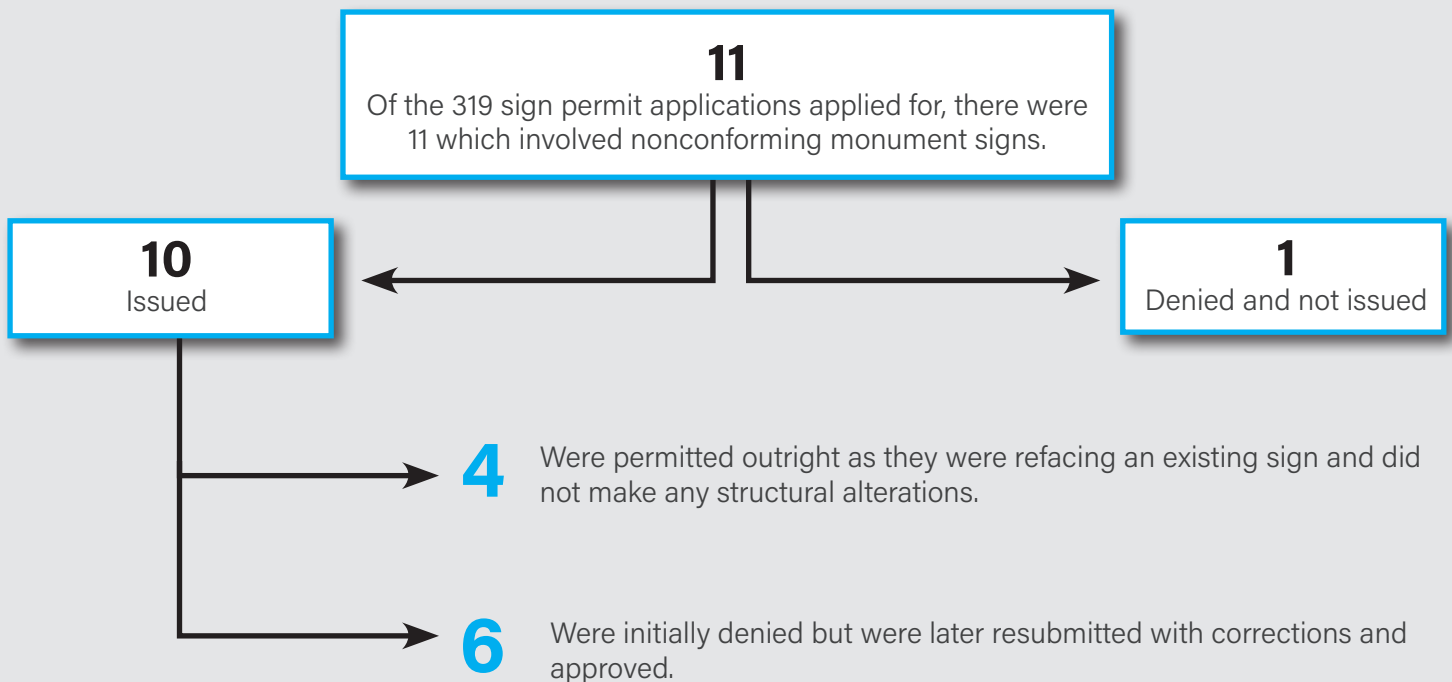
City Clerk

SIGN PERMIT SUMMARY

2016-2020



LEGALLY NONCONFORMING SIGNS



8 PERMITS DENIED AND NEVER RESUBMITTED

Permit Num.	Business	Address	Explanation
20170288	Southbank BBQ	129 E HYDRAULIC ST	Wanted to put a roof sign on top of the building. They did not move forward but they eventually refaced their pole sign.
20180399	Yorkville Bowl	1205 N BRIDGE ST	Sign was in right-of-way. It was requested to be moved but there was no response from applicant.
20180475	Aldi's	1610 N BRIDGE ST	Banner too large. Did not proceed.
20180495	Cancun Café	1559 SYCAMORE RD	Awning Sign was too large and denied. Petitioner did not move forward.
20180924	Shell Station*	1421 N BRIDGE ST	Enlarged existing sign which is nonconforming. No response
20190558	Fox Liquor	102 W FOX ST	Wanted to put sign in public right-of-way
20190401	Johnny's Towing	111 S BRIDGE ST	Too large of a banner. Did not put up.
20190367	CB Richard Ellis	651 PRAIRIE POINTE DR	Too large of a banner. Did not put up.

* This is the single nonconforming sign which was denied and did not proceed.

19 PERMITS VOIDED AND NOT PROCESSED

Permit Num.	Business	Address	Explanation
20160052	The Vault Gym	102 E VAN EMMON ST	Business notified us they no longer needed the sign after approval.
20160064	Premier Medical Physical Therapy	129 COMMERCIAL DR	This application was approved but never picked up.
20160162	Mr. Tobacco	1935 S BRIDGE ST	Planner asked for more information from the submittal, no response.
20160861	Dover Development	NWC RTE 34 & CANNONBALL TR	This application was approved and never picked up.
20170914	Manpower	110 E COUNTRYSIDE PKWY	Applicant withdrew permit and was never reviewed.
20170065	Yorkville Christian High School	1213 S BRIDGE ST	They chose not to put up the wind feather signs.
20170661	Parkview Christian	202 E COUNTRYSIDE PKWY	They submitted a banner to be a permanent sign but this is not allowed per code. They withdrew this application and later submitted a conforming one which was approved.
20170161	Pulte	2691 MCLELLAN BLVD	Sign was exempt from getting a permit so it was voided and withdrawn.
20170417	Cozy Corner	58-98 E SCHOOLHOUSE RD	Real estate sign was withdrawn .
20170227	AID	708 S BRIDGE ST	Requested additional materials and they never provided the information or moved forward.
20180068	Ryan Homes	TUSCANY TR & PRESTON DR	Applicant did not move forward
20180322	Pizza Riot	101 W VAN EMMON ST	Pizza Riot did not move forward with the business and therefore did not need the sign permit.
20190459	Yorkville Produce	1213 S BRIDGE ST	Tried to open a produce market but did not move forward with the business.
20190038	Tracy's	2635 N BRIDGE ST	Tracy's applied for a banner but chose to go with a different temp sign and withdrew their application.
20192140	Restore Church	8710 RT 71	Approved and this has not been picked up yet, possibly due to IDOT construction.
20190283	Ryan Homes	TUSCANY TR	Sign was exempt from getting a permit so it was voided and withdrawn.
20200042	Mandrake Wine Bar	101 W VAN EMMON ST	Approved but never picked up.
20200181	Wendy's	1855 MARKETVIEW DR	They have not picked the permit up.
20200164	Butcher Block 360	227 HEUSTIS ST	Business did not open and the sign permit was withdrawn (COVID).

6 LEGALLY NONCONFORMING RESUBMITTALS

Permit Num.	Business	Address	Explanation
20170092	CarStar	228 W RT 34	CarStar moved their pole sign because of the 34 expansion. As part of the permit issuance, this began a 5 year amortization process to alter the sign into conformity or seek a variance.
20170093	Yorkville Medical Center	507 W KENDALL DR	Yorkville Medical Center moved their sign because of the 34 expansion. As part of the permit issuance, this began a 5 year amortization process to alter the sign into conformity or seek a variance.
20170733	Lyon Car Wash	607 CENTER PKWY	Lyon Car Wash moved their pole sign because of the 34 expansion. As part of the permit issuance, this began a 5 year amortization process to alter the sign into conformity or seek a variance.
20170294	Cannonbal Run Plaza	634 W VETERANS PKWY	Plaza moved their pole sign because of the 34 expansion. As part of the permit issuance, this began a 5 year amortization process to alter the sign into conformity or seek a variance.
20201717	Hillside Rehab	1308 GAME FARM RD	Hillside Rehab had to move their sign because of the 34 expansion. They applied for a variance a received one.
20201601	KFC/Taco Bell	221 W VETERANS PKWY	KFC/Taco Bell wanted to change their pole sign but was denied do to structural changes of the cabinet and changeable copy sign. They resubmitted a conforming monument sign.

SUMMARY

8 Denied Permits That Did Not Proceed

- 4 signs were too large
- 2 signs in right-of-way denials
- 1 roof sign denial
- 1 increased the size of a legally nonconforming sign

19 Permits Voided and Not Proceeding

- 5 businesses did not proceed
- 5 approved and never picked up or paid for
- 5 withdrew their request
- 2 staff asked for more information on sign and no response
- 2 exempt from sign ordinance and did not require a permit

6 Legally Nonconforming Resubmittals

- 4 moved due to IDOT Expansion and went into 5 year amortization process
- 1 moved due to IDOT Expansion and received variance
- 1 converted their pole sing into a conforming monument sign



Memorandum

To: Planning and Zoning Commission
From: Krysti J. Barksdale-Noble, Community Development Director
CC: Jason Engberg, Senior Planner
Date: January 4, 2021
Subject: **PZC 2020-14 Nonconforming Signs (Text Amendment)**
Proposal to exempt certain nonconforming signs from elimination if replacing a static message board with an electronic message board

Summary

A proposed text amendment to Sections 10-20-4: Definitions and 10-20-11: Nonconforming Signs of the City's Zoning Ordinance to allow for certain existing nonconforming freestanding monument signs to be modified without the requirement to bring the sign fully into compliance with the current code regulations. Specifically, allowing a one-for-one replacement of an existing static message board sign (i.e., manual changeable copy) with a new electronic message board of the same size for those non-residential land uses seeking to upgrade to current technology. Staff originally published the request to limit the text amendment to only affect signs located along major thoroughfares such as IL-47, US-34, IL-71 and Eldamain Road but now are recommending this amendment will pertain to all existing non-conforming monument signs.

Additionally, the text amendment proposes to define the word "maintenance" in the Zoning Ordinance to provide further clarity for staff and the public about activities permitted in the upkeep of existing nonconforming signs.

Background

Over the past decade, the City Council approved two (2) comprehensive revisions to the Sign Ordinance, the first in 2008 and the most recent in 2014. In both of these comprehensive revisions, the City Council has tightened its regulations on signs with specific requirements related to type, material, number and size. Many signs, particularly those located along major roadways, were constructed in the 1990s and 2000s and are generally "legally nonconforming" to the current standards. Meaning they were legally erected and met the sign ordinance at the time of their installation but are not congruent with the current regulations.

It was contemplated that all nonconforming signs would transition to comply with the current code within 5 years after the adoption of the general nonconforming uses and structures chapter of the zoning ordinance (Section 10-15-4). However, compliance of this transition period was not strictly enforced after the adoption of specific criteria for nonconforming signs in Section 10-20-11. However, compliance is sought when business owners seek building permit approval for any alteration or modification, outside of routine maintenance, to a nonconforming sign.

Typically, business owners or their sign companies are aware of the City's ordinances and apply for the permits in compliance with the regulations (dozens of sign permits are issued each year without conflict). While there are occasions when sign permits for nonconforming sign alterations are denied, the sign company or business owner usually retools their design and resubmits to the City without incident.

Recently, a local businessowner wanted to replace their existing static message board sign with an electronic message board sign of roughly the same size but was denied due to the existing sign's nonconformities with the current ordinance's regulations related to the sign type, overall size and

height. The businessowner stated it would be a financial hardship to bring the sign into full compliance. Based upon this, it was direction from the Mayor at a recent City Council meeting for staff to revisit this section of the sign ordinance to allow for certain modifications/upgrades to existing nonconforming signs without the added expense of bringing the entire sign into conformance with the current ordinance.

Proposed Text Amendment

Considering the recent economic stress on businesses during the pandemic, recent roadway improvements to widen and reconstruct major thoroughfares in Yorkville to accommodate increased vehicular travel, and industry changes to sign technology, staff proposes the following text amendments to the Sections 10-20-4: Definitions and 10-20-11: Nonconforming Signs of the City's Zoning Ordinance to define the term "maintenance" as it relates to nonconforming signs and provide for an exemption to certain nonconforming signs to allow the installation of electronic message boards:

Section 10-20-4: Definitions

Amend and **insert** the following definition:

MAINTENANCE: care associated with the general upkeep of a sign which includes minor repair of rusted or damaged components, including nailing, cleaning and replacement of nuts and bolts, repainting, replacing of malfunctioning parts, and re-facing of existing signs when the re-facing does not result in any structural alterations, additional signs or additional sign appendages. Lighting fixtures may be repaired or replaced with fixtures of a similar size, including but not limited to repairs or replacements that increase energy efficiency. Routine maintenance of a nonconforming sign shall not include any addition of or increase in illumination, structural alterations, enlargements or expansions unless the alteration, enlargement or expansion will result in the elimination of the nonconforming aspects of the signs.

Section 10-20-11: Nonconforming Signs

Amend and **insert** the following:

G. The replacement of an existing non-conforming freestanding static message board signs with an electronic message board sign is permitted if such replacement does not increase the overall existing sign size.

Analysis of Existing Nonconforming Signs

Staff conducted a very cursory review of existing signage along the City's major thoroughfares (IL-126, IL-71, IL-47, US-34 and Eldamain Road), and commercial/industrially zoned areas not along major roadways. The following charts provide an overview of the number of signs per roadway, number of signs that are covered by an annexation, planned unit development (PUD) or other agreement, and the number/percent signs which are potentially legally nonconforming.

Major Thoroughfare	Number of Signs	Annexation/PUD/Other Agreement	Potentially Legally Nonconforming
IL-47 (Bridge)	79	20	38
US 34 (Veterans)	39	15	13
Eldamain	0	0	0
IL-71 (Stagecoach)	5	1	3
IL-126 (Schoolhouse)	5	0	2
TOTAL	128	36	56

Non-Major Thoroughfare	Number of Signs	Annexation/PUD/Other Agreement	Potentially Legally Nonconforming
Van Emmon St.	1	0	1
Hydraulic St.	1	0	1
Boombah Blvd./Commercial Drive (Yorkville Business Center)	3	2	1
Deer/Badger/Wolf/Beaver (Fox Industrial Park)	15	0	10
McHugh Rd.	4	3	1
Cannonball Trail	4	3	1
Galena Rd.	1	0	0
Kendall Drive/Center Pkwy/Countryside	13	5	9
John St.	3	3	1
TOTAL	45	16	25

Based upon the preliminary data above regarding the existing ground-mounted signage along the five (5) major thoroughfares in Yorkville, 36 (28%) of the 128 signs are permitted through an annexation, planned unit development or another approving ordinance (i.e. variance). Of those existing signs, there are 56 (44%) potentially legally nonconforming. Most of the legally non-conforming signs are located along IL-47 (Bridge). When further amendments to the Sign Ordinance are proposed, considerable attention should be given to the number and location of these signs.

In regard to the preliminary data related to existing ground-mounted signage along the non-major thoroughfares in Yorkville, 16 (35%) of the 45 signs are allowed as part of an annexation, planned unit development or another approving ordinance (i.e. variance). Of those existing signs, there are 25 (55%) potentially legally nonconforming. The majority of the legally nonconforming signs are within the Fox Industrial Park and along Kendall Drive/Center Parkway/Countryside Parkways roadways, which are in the oldest areas in the City and developed long before the more recent revisions to the Sign Ordinances in 2009 and 2014.

Historical Sign Permit Data:

For context, attached is a summary report of the City's sign permit data over the past 5 years. It shows the total number of sign permits applied for and issued; a breakdown of denials; a breakdown of legally nonconforming applications; and a brief description of certain pertinent information related to some permits.

In terms of overall trends, of the 322 sign permit applications submitted in the last 5 years, only 11 applications were related to existing legally non-conforming signs (3.4%). Additionally, only one (1) of those eleven (11) sign applications related to a sign replacing a static message board with a digital display.

Staff Comments/Recommendation:

Staff believes the proposed text amendment allowing for certain existing nonconforming freestanding monument signs to be modified so that static message boards can be replaced with a same-sized electronic message boards without bringing the entire sign fully into compliance would be

beneficial to city businesses. While the original proposed text amendment focused on those businesses located along major thoroughfares, which have been heavily impacted by recent roadway widenings where existing stationary signs may be deemed less effective and inefficient when updating consumer messaging, there is some merit in expanding it to non-residential uses throughout the city.

While historical data indicates these types of requests account for less than 1% of all permits applied for over the past 5 years, the proposed text amendment may result in a slight uptick in permit requests as businesses may take this opportunity to invest in upgrading the technology of their sign. Based upon this, staff feels the text amendment is warranted and appropriate.

Proposed Motion for Amendment:

In consideration of testimony presented during a Public Hearing on January 13, 2021 and discussions conducted at that meeting, the Planning and Zoning Commission recommends approval to the City Council a request for text amendment to Sections 10-20-4: Definitions and 10-20-11: Nonconforming Signs of the City's Zoning Ordinance to allow for certain existing nonconforming freestanding monument signs to be modified without the requirement to bring the sign fully into compliance with the current code regulations, as recommended in a staff memo dated January 4, 2021, and further subject to {insert any additional conditions of the Planning and Zoning Commission}...

Attachments

1. 5-Year Permit Report of Sign Permit Data
2. Title 10: Zoning, Chapter 20: Signs
3. Public Hearing Notice
4. 2020 Zoning Map
5. 2020 Development Map

5 Year Permit Report | 2016-2020

Permits	
Total Permits Applied For	322
Total Permits Issued	290
Percent of Permits Issued	90.1%
Denials	
Total Denied Permits	20
Percent of total permits	6.2%
Denied permits that resubmitted and conformed	13
Percent of denied permits	65.0%
Percent of total permits	4.0%
Denied permits that did not resubmit or move forward	7
Percent of denied permits	35.0%
Percent of total permits	2.2%
Legally Nonconforming	
Total permits applied for which involved a legally nonconforming sign	11 *
Percent of total permits	3.4%
Permitted - changes were non-structural (reface)	4
Percent of legally nonconforming permits	36.4%
Percent of total permits	3.4%
Denied permits that resubmitted and conformed	6 **
Percent of legally nonconforming permits	54.5%
Percent of total permits	1.9%
Denied permits that did not resubmit or move forward	1 ***
Percent of legally nonconforming permits	9.1%
Percent of total permits	0.3%

* Includes the south side Shell station with the reface of the electronic changeable copy sign. This was the only legally nonconforming modification which involved a changeable copy sign.

** 5 of these were due to the widening of Route 34. They have pole signs which needed to be moved. A condition of the permit to relocate the signs was to have them replaced with conforming signs or get a variance within 5 years. 1 other applicant wanted to modify the pole and cabinet (Taco Bell/KFC). They resubmitted a conforming monument sign.

*** Shell at 34 and 47 wanted to enlarge their monument sign to add sign area that said "Car Wash". It was denied and the petitioner did not move forward with the change.

CHAPTER 20

SIGNS

SECTION:

10-20-1: Principles

10-20-2: Purpose

10-20-3: Scope

10-20-4: Definitions

10-20-5: Signs Exempt From This Chapter

10-20-6: General Provisions

10-20-7: Prohibited Signs

10-20-8: Permitted Signs; Agricultural And Residential Zoning Districts

10-20-9: Permitted Signs; Business Zoning Districts

10-20-10: Permitted Signs; Manufacturing Zoning Districts

10-20-11: Nonconforming Signs

10-20-12: Permitting Procedures

10-20-13: Sign Variations

10-20-1: PRINCIPLES:

The provisions of this chapter recognize that:

A. There is a significant relationship between the manner in which signs are displayed and public safety and the value, quality of life and economic stability of adjoining property and overall city.

B. The reasonable display of signs is necessary as a public service and necessary to the conduct of competitive commerce and industry.

C. Signs are a constant and very visible element of the public environment and as such should meet the same high standards of quality set for other forms of development in the city. (Ord. 2014-73, 11-25-2014)

10-20-2: PURPOSE:

The regulation of signs by this chapter is intended to promote and protect the public health, safety and welfare by:

A. Enhancing the economic condition of the city by promoting reasonable, orderly and effective use and display of signs.

B. Enhancing the physical appearance of the city.

C. Protecting the general public from damage and injury which might be caused by the faulty and uncontrolled and inappropriate construction and use of signs within the city.

D. Protecting the public use of streets and rights of way by reducing advertising distractions that may increase traffic accidents and congestion.

E. Preserving the value of private property by assuring the compatibility in design and scale of signs with adjacent properties and uses.

Accordingly, it is deemed necessary and in the public interest to regulate signs. To this end, this chapter:

A. Establishes minimum standards for the display of signs in direct relationship to the functional use of property and to the intensity of development as permitted within the zoning districts which are provided in this chapter.

B. Regulates the size, location, height, installation and other pertinent features of new signs.

C. Requires the removal of derelict signs and the amortization of nonconforming signs.

D. Provides for the effective administration and enforcement of these regulations. (Ord. 2014-73, 11-25-2014)

10-20-3: SCOPE:

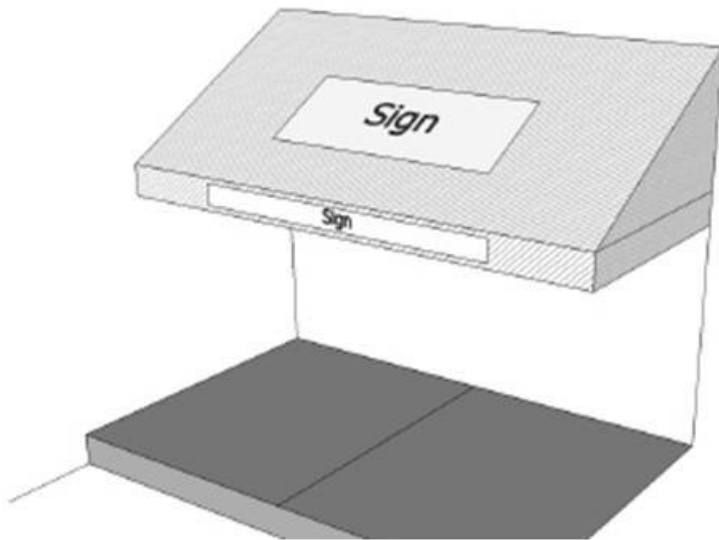
The regulations of this chapter shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation and removal of all signs within the city and any sign not expressly permitted by these regulations shall be prohibited.

The regulations of this chapter relate to the location of signs, by function and type, within zoning districts and shall be in addition to provisions of the city of Yorkville building code and the city of Yorkville electrical code. (Ord. 2014-73, 11-25-2014)

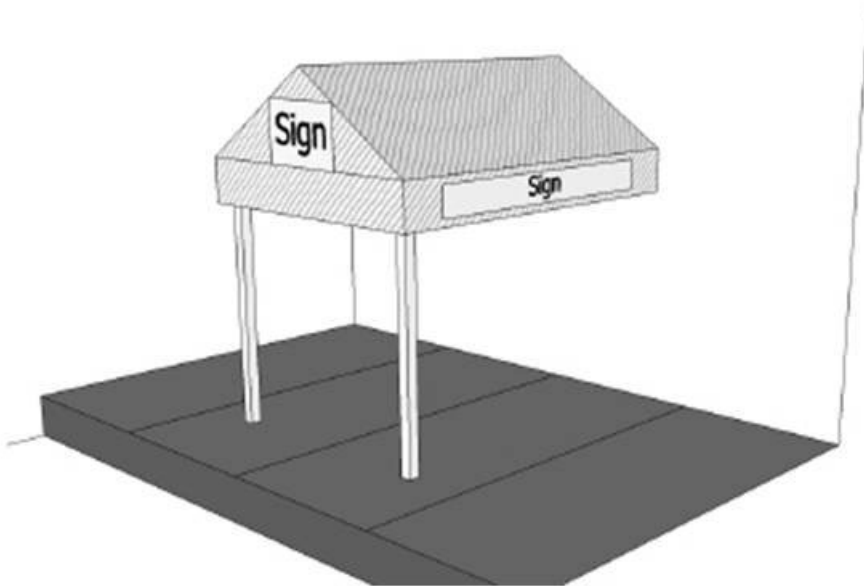
10-20-4: DEFINITIONS:

ANIMATED, FLASHING OR MOVING SIGN: Any sign that uses lights that flash or alternate or which include action or motion or the appearance of action or motion either physically or electronically.

AWNING, CANOPY OR MARQUEE SIGN: A sign that is mounted or painted on, or attached to, an awning, canopy or marquee that is otherwise permitted by this chapter. The construction materials and the manner of construction of all awnings, canopies and marquees shall be in accordance with the Yorkville building code.



Awning



Canopy

Canopy

BANNER: Any sign made of vinyl, fabric, or similar material that is displayed on a pole or building. National, state or municipal flags, and official flags of any institution or business shall not be considered banners.

BILLBOARD: A structure for the permanent display of off premises advertisement which directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the lot on which the sign is located. For the purposes of this chapter, this definition does not include off premises sponsorship banners.

BUSINESS SIGN: A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered, on the premises where the sign is located or to which it is affixed. A business sign shall be a wall, canopy, awning, marquee, or window sign.

COLD AIR INFLATABLE DEVICE: An inflatable device, without a frame, used as a portable sign for promotions, sales or special events. A cold air balloon shall be ground mounted.

CONSTRUCTION SIGN: A sign erected on a lot on which construction is taking place, indicating the names of the architects, engineers, landscape architects, contractors, and similar artisans, and the owners, financial supporters, sponsors and similar persons or firms having a role or interest with respect to the structure or project. Said sign shall be erected only so long as construction is occurring on the lot. A construction sign shall be a wall or freestanding sign.

ELECTRONIC MESSAGE DISPLAY PANEL: A separate portion of a lawful sign capable of displaying fixed or changing text, characters, figures or images using light emitting diodes (LEDs), liquid crystal display (LCD), fiber optics, light bulbs or other illumination devices that can be electronically changed by remote or automatic means. The following terms for electronic message display panels shall be defined as follows:

Animation: The illusion of movement to drawings, models or inanimate objects by putting separate pictures together to form the illusion of continuous motion.

Character: A letter, number, punctuation mark or decimal point.

Dissolve: Where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.

Fade: Where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Nits: A luminance unit equal to one foot-candle per square meter measured perpendicular to the rays from the source.

Scrolling: Where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.

Static: Graphics having no motion or movement of any type.

Text: Graphics consisting of letters, words, numbers, punctuation or decimal points only that do not include any animation or video.

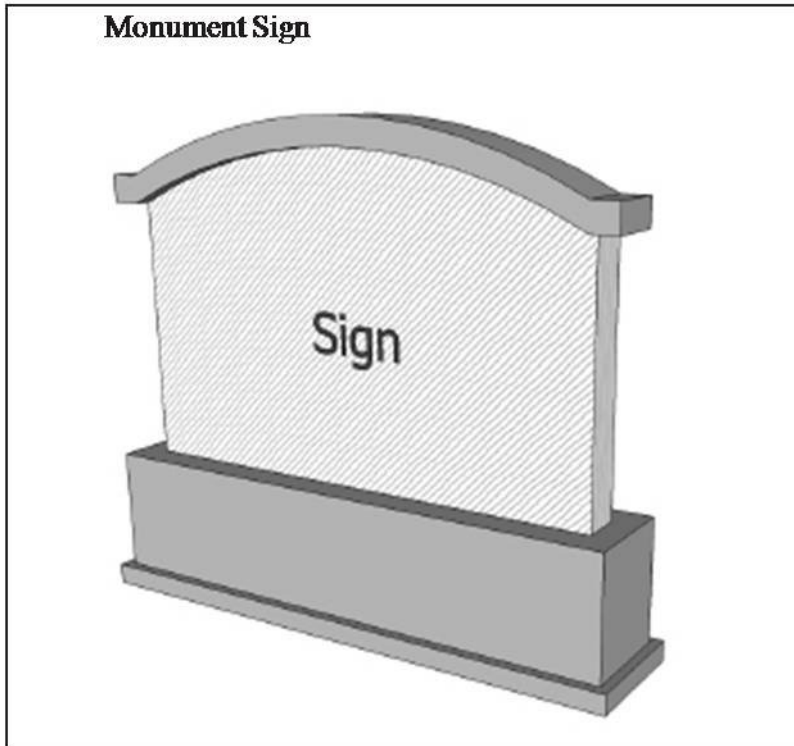
Travel: Where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.

Video: Moving images that are a sequence of images of continuous motion and breaking it up into discrete frames for subsequent display.

FREESTANDING SIGN: Any sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure.

GRAND OPENING TEMPORARY SIGN: A temporary sign used for the purpose of advertising a grand opening of a new business. A grand opening temporary sign may be a wall, marquee, canopy, awning, or freestanding sign. Promotions, anniversary sales, special sales, or going out of business sales do not apply.

GROUND MOUNTED/MONUMENT SIGN: A sign that is supported on a base that is equal in width and depth to the frame of the sign itself. A ground mounted/monument sign must be constructed of materials to match the principal structure.



IDENTIFICATION SIGN: A sign giving the name and address of a residential building, business, development, industry, or other building or establishment. Such signs may be wholly or partly devoted to a readily recognized symbol. An identification sign shall be a freestanding, wall, canopy, awning, or marquee sign.

MENU BOARD SIGN: A sign at a remote location on a lot giving product and price information about products sold on the lot to motorists in a waiting vehicle.

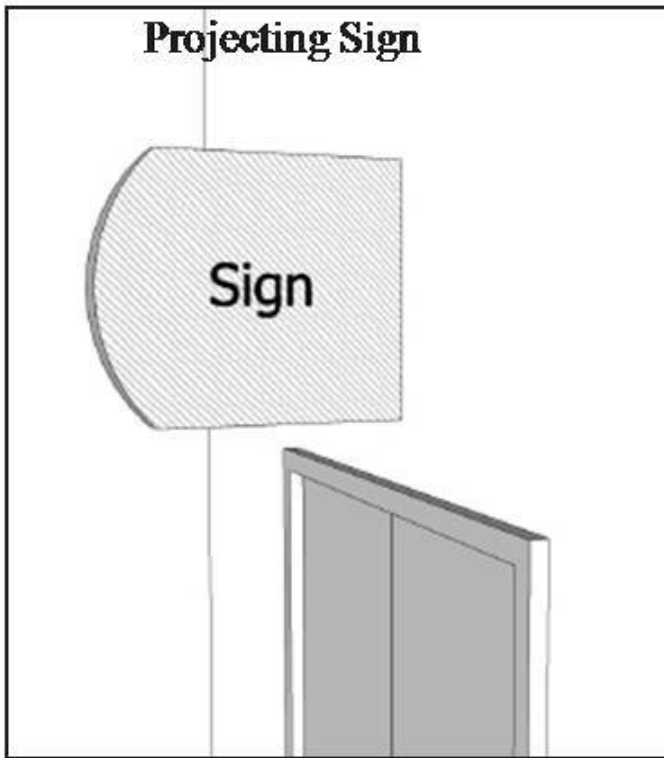
MESSAGE BOARD SIGN: A sign designed so that characters, letters or illustrations can be changed manually without altering the face or surface of the sign.

OFF PREMISES SPONSORSHIP BANNER: Temporary signs which display advertisement for sponsors of an event or facility, such as an athletic event or field, on the location where the sign is located.

POLE SIGN: A freestanding sign supported by a column or columns whose total width is less than fifty percent (50%) of the sign face depth.

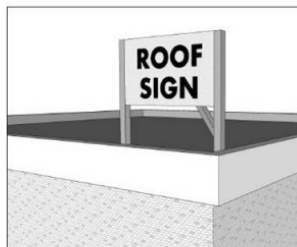
PORTABLE SIGN: A movable sign, excluding trailer signs, that is not attached to a structure or affixed to the ground or surface upon which it is located.

PROJECTING SIGN: A sign which in whole or in part is dependent upon the building for support and projects more than twelve inches (12") from such building, except for awning, canopy and marquee signs.



REAL ESTATE SIGN: A sign indicating the sale, rental, lease, or development of the lot, a portion of the lot, or a building on the lot on which the sign is located. A real estate sign shall be a wall or freestanding sign.

ROOF SIGN: A sign that is wholly dependent upon a building for support or mounted on the roof, which projects more than six inches (6") above the highest point of a building or roof to which it is attached.



SANDWICH SIGN OR A-FRAME SIGN: A temporary, portable sign constructed of two (2) boards hinged together toward the top to permit the sign to stand when the bottom edges of the boards are spread; each side of which is no more than twelve (12) square feet.

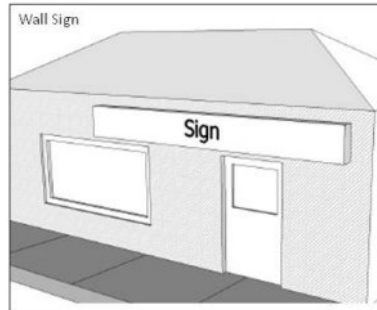
SNIFE SIGNS: A temporary or permanent nongovernmental sign in a public right of way which is tacked, nailed, posted, pasted, glazed or otherwise affixed to a pole, stake, fence, traffic sign, traffic control device, utility pole, tree or the ground.

TEMPORARY SIGNS: Any sign, banner, pennant, streamer, or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard, or other lightweight material.

TRAILER SIGN: A sign mounted on a chassis with or without wheels.

VEHICLE SIGN: Any vehicle primarily situated to serve as a sign rather than as transportation. An automobile, van, or truck displaying the name and/or other information regarding the related establishment used for normal business operation or for employee transportation is not a vehicle sign.

WALL SIGN: A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and which does not project more than twelve inches (12") from such building or structure.



WIND FEATHER (Also Known As WIND FLAG, TEARDROP BANNER AND BLADE): Fabric or plastic attention getting devices supported by a single pole and having a tall, narrow orientation whose rotation is determined by the wind direction.

WINDOW SIGN: A sign which is applied or attached to or located within three feet (3') of the interior of a window, which sign may be seen through the window from the exterior of the structure. (Ord. 2014-73, 11-25-2014)

10-20-5: SIGNS EXEMPT FROM THIS CHAPTER:

Nothing in this chapter shall be construed as exempting the following signs from the building code or those portions of this code applicable to signs. The following signs are otherwise exempt from regulations of this chapter:

A. Flags, symbols or crests of nations, states, cities or political, fraternal, religious or civic organizations. One logo flag of a business shall be permitted on a lot provided that it is flown with the American flag and shall not be larger than the American flag.

B. Decorations customarily and commonly associated with a national, local or religious holiday, celebration or anniversary provided that such decorations shall not be displayed for more than sixty (60) consecutive days.

C. Signs four (4) square feet or less in area and mounted five feet (5') in height or less on private property regulating on premises traffic and parking.

D. Bulletin boards, message boards, and similar devices no greater than thirty two (32) square feet in area, five feet (5') high and not in the vision triangle, used solely to give information about and accessory to a public, charitable, educational or religious institution located on the lot.

E. Legal notices, identification, informational, directional, traffic or other sign erected or required by governmental authority.

F. Memorial signs or tablets eight (8) square feet or less in area, containing the names of a building and the date of construction, when cut into any masonry surface so as to be part of the building or when constructed of bronze or some other noncombustible material and permanently attached to a building.

G. Nonilluminated window signs painted on or covering no more than fifty percent (50%) of the window area, excluding glass doors.

H. Real estate signs six (6) square feet or less in area, provided that no more than one such sign shall be permitted in each yard abutting a street. Real estate signs shall be freestanding signs and set back a minimum of five feet (5') from any lot line and shall be five feet (5') or less in height and shall not be illuminated.

I. Menu boards accessory to a restaurant drive-up window facility, provided such signs are thirty six (36) square feet or less in area.

J. Signs used to identify the type of model home when used in conjunction with a developing residential subdivision. Each type of model home is allowed one sign not to exceed eight (8) square feet in area and five feet (5') in height. Such sign shall be located on the lot where the model home is located and shall be removed upon occupancy of the home for normal residential use.

K. "No Trespassing", "Beware Of Dog" and other similar warning signs four (4) square feet or less in area.

L. Name and address plates which give only the name and address of the resident(s) of the building less than three (3) square feet on single- and two-family dwellings and five (5) square feet for multi-family dwellings.

M. Garage sale, farm produce sale signs provided there is only one sign per lot and it is present only during the duration of the sale and is less than four (4) square feet in area.

N. Building interior signage.

O. Political signs. Signs sixteen (16) square feet or less in area and announcing candidates for political office or political issues.

P. Construction signs under eight (8) square feet.

Q. Illuminated window signs covering no more than sixty percent (60%) of the window area excluding glass doors.

R. Permanent, nonflashing signs on vending machines, gas pumps, ice and propane storage units. (Ord. 2014-73, 11-25-2014)

10-20-6: GENERAL PROVISIONS:

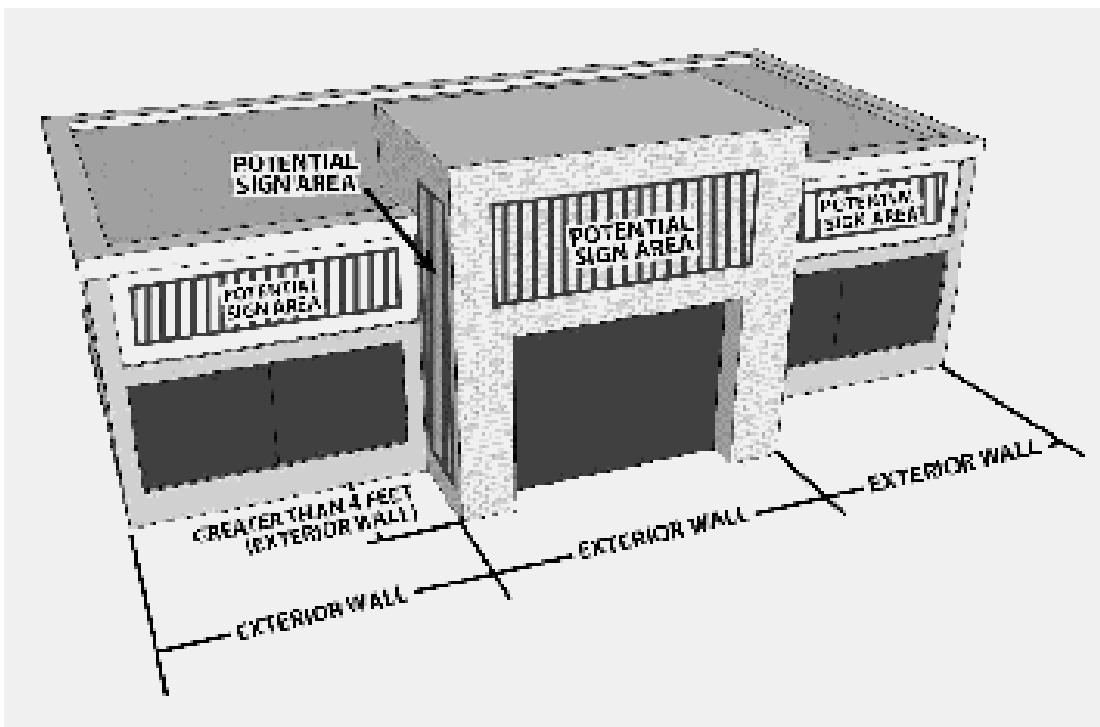
A. Sign Area: The area of the sign face which is also the sign area of a wall sign or other sign with only one face shall be computed by means of the smallest square, rectangle, circle, triangle or combination thereof that will encompass the extreme limits of the writing representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. It does not include any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. A double faced sign shall count as a single sign.

Building mounted wall sign area calculations are based on each wall of an exterior building facing a lot line and a public right-of-way. An exterior building wall which faces a lot line may contain more than a single wall for sign area calculation purposes. If portions of the exterior building wall face the same lot line and are separated by four feet (4') or more in depth from that lot line, then they are considered two (2) separate walls for sign area calculation purposes. If separated by less than four feet (4') they shall be considered a single exterior building wall for sign area calculation purposes. If two (2) exterior walls create an angle greater than one hundred thirty five degrees (135°) on the horizontal plane then it shall be considered a single exterior wall. Any two (2) exterior walls which create an angle of less than one hundred thirty five degrees (135°) on the horizontal plane shall be considered two (2) separate walls.

Additionally, for any multi-tenant building, if the area where a building mounted sign is being placed is located between two (2) pillars, posts, or other architectural features, the area between the features will be considered the exterior wall for sign area calculations.

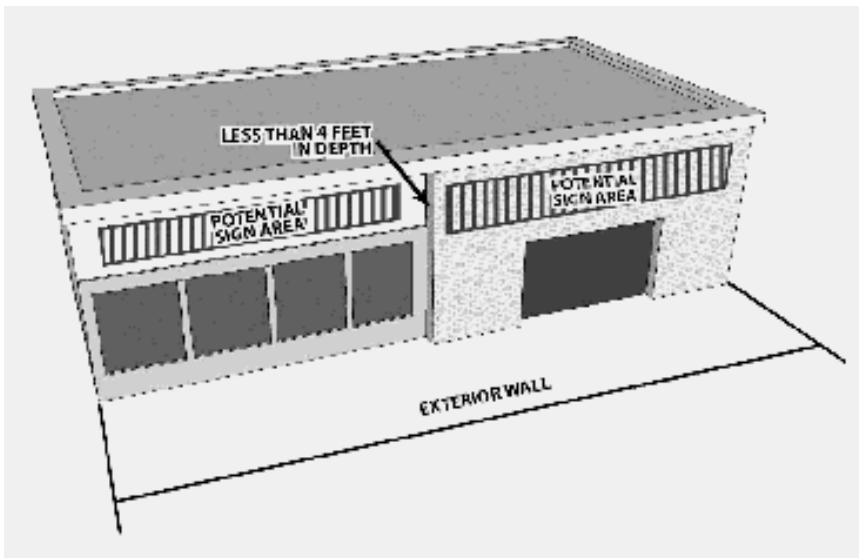
EXAMPLE 1: SINGLE USE BUILDING

(DEPTH GREATER THAN 4 FEET)

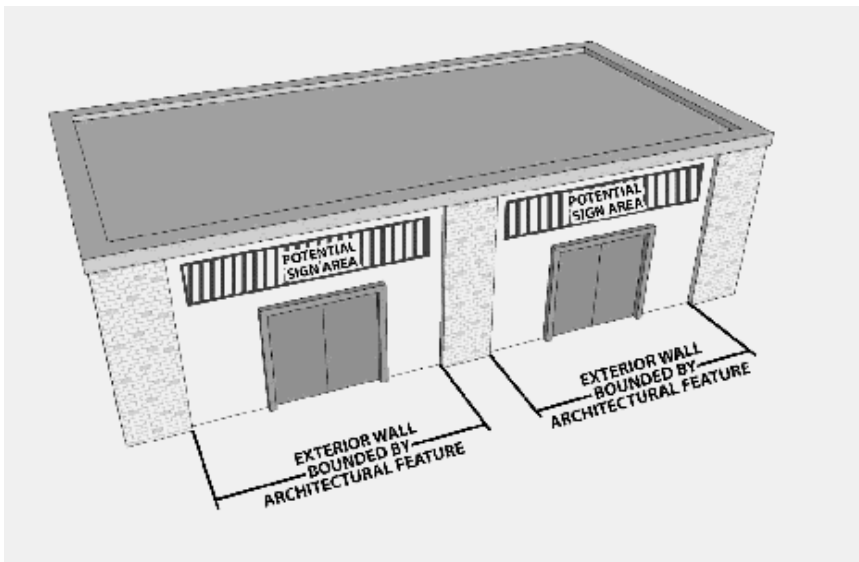


EXAMPLE 2: SINGLE USE BUILDING

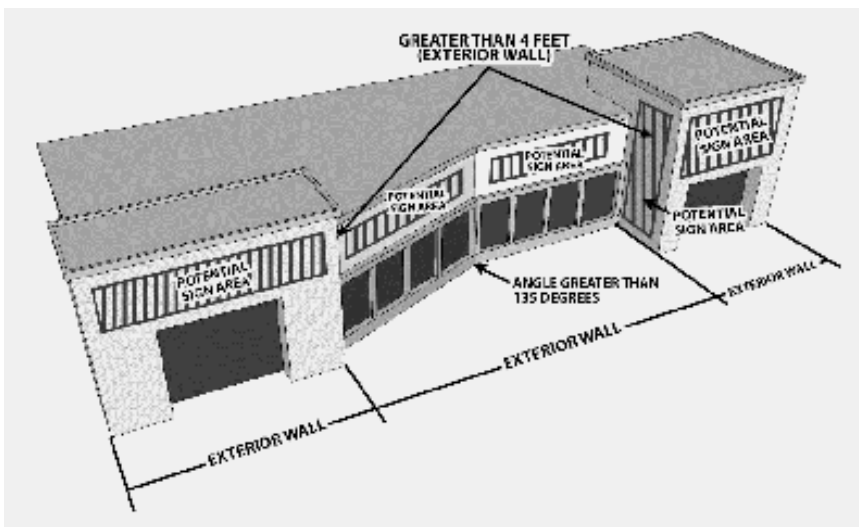
(DEPTH LESS THAN 4 FEET)



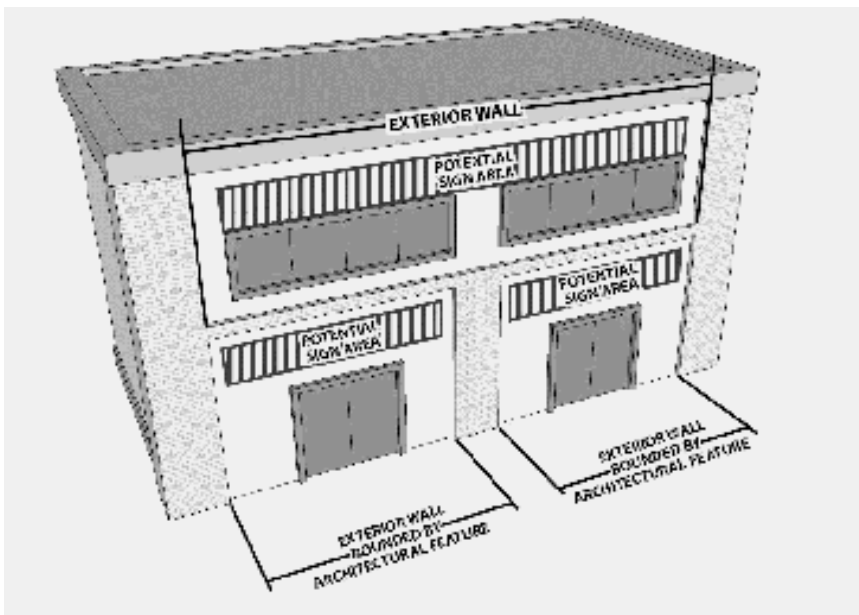
EXAMPLE 3: MULTI-TENANT BUILDING
(BETWEEN ARCHITECTURAL FEATURES)



EXAMPLE 4: MULTI-TENANT BUILDING



EXAMPLE 5: MULTI-STORY, MULTI-TENANT BUILDING



(Ord. 2018-57, 10-23-2018)

B. Sign Height: The height of a sign shall be computed as the distance from the grade of the centerline of the adjacent street to the top of the highest attached component of the sign.

C. Yard Requirements: Except as otherwise provided, signs shall be located at least five feet (5') from any driveway and lot line. Furthermore, no sign shall be erected or located in a public right-of-way except as established by the authorized public entity responsible for the right-of-way. No sign having a height more than thirty inches (30") shall be located within that part of the yard or open area of a corner lot included within a triangular area of twenty five feet (25') from the point of intersection of two (2) street right-of-way lines forming such a corner lot.

D. Illumination Of Signs: The illumination of all signs shall be diffused or indirect and shall be so arranged that there will be no direct or reflecting rays into the public way or any lot on the perimeter of the premises on which the sign is located. Exposed light bulbs, neon tubing, flashing, blinking, traveling and similar illumination, including illuminated canopies are not permitted.

Illuminated signs permitted in or adjacent to residential areas shall not be illuminated between the hours of eleven o'clock (11:00) P.M. and five o'clock (5:00) A.M. unless the use to which the sign pertains is open.

E. Sign Maintenance: The owner of a sign and the owner of the premises on which the sign is located shall be jointly and severally liable to maintain such sign or signs subject to the following standards:

1. Signs shall be maintained in a neat and orderly condition and good working order, including illumination sources, at all times.
2. Signs shall be properly painted unless galvanized or otherwise treated to prevent rust or deterioration.
3. Signs shall conform to maintenance provisions of the building and electrical codes as adopted by the city of Yorkville.

F. Abandoned Signs: Except as otherwise provided in this chapter, any temporary sign installed for a period of thirty (30) days or more, or any sign which pertains to a time, event, or purpose which no longer applies, shall be removed. Permanent signs applicable to a business because of change in ownership or management of such business shall be deemed abandoned if the property remains vacant for a period of six (6) months or more. An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the premises.

G. Removal Of Signs: Any sign found to be improperly maintained, abandoned or otherwise in violation of this chapter which is not removed or repaired within thirty (30) days of written notice of the code official may be removed by the code official. Any expense incidental to such removal or repair shall be charged to the owner of the property upon which the sign is located and shall constitute a lien upon the property. (Ord. 2014-73, 11-25-2014)

10-20-7: PROHIBITED SIGNS:

The following signs shall not be permitted:

- A. Moving, animated and flashing signs, except electronic message boards.
- B. Roof signs.
- C. Vehicle signs.
- D. Signs which constitute a hazard to public health or safety.
- E. Signs which obstruct ingress or egress from any fire escape, door, window, or other exit or entrance.
- F. Signs which, by reason of size, location, content, color, or manner of illumination, obstruct the vision of motorists or interfere with the visibility or effectiveness of any traffic sign or control device on public streets.
- G. Signs which make use of words such as "stop", "look", "one-way", "danger", "yield" or any similar word, phrase, symbol or light so as to interfere with or confuse pedestrian or vehicular traffic.
- H. Billboards.
- I. Trailer signs, except directional or informational signs exempted by subsection 10-20-5E of this chapter.
- J. Searchlights, except searchlights for grand openings and special civic events.
- K. Snipe signs.

L. Signs displaying obscene or indecent matter.

M. Moving, rotating or animated signs except traditional barber poles not exceeding two feet (2') in height and projecting not more than twelve inches (12") from the building utilized only to identify a haircutting establishment.

N. Pole signs. (Ord. 2014-73, 11-25-2014)

10-20-8: PERMITTED SIGNS; AGRICULTURAL AND RESIDENTIAL ZONING DISTRICTS:

A. Permanent Signs:

1. Freestanding Identification Or Business Signs: All nonresidential uses in the agricultural and residential zoning districts may have one freestanding business or identification sign. Nonresidential uses in the agricultural and residential zoning districts on a corner lot with entrances on both streets may have one freestanding sign on each street frontage. Said sign shall be thirty two (32) square feet or less in area, five feet (5') or less in height and set back at least ten feet (10') from the street or entrance drive.

Freestanding signs must be constructed with the base and supporting columns, if present, of the same brick, stone or masonry material that the exterior walls of the principal building are made of. The sign panel containing the type and the type must match the color and type used on any wall mounted signage.

No more than fifty percent (50%) of the freestanding sign area may be composed of a message board sign.

2. Building Mounted Identification Or Business Signs: All nonresidential uses in the agricultural or residential zoning districts shall be permitted to have identification or business signage for each exterior wall of that part of the building facing a public right of way. No more than fifty percent (50%) of the building mounted sign area may be composed of a message board sign. Building mounted signage cannot extend more than seventy five percent (75%) of the building facade of the building to which it is attached.

3. Subdivision And Residential Complex Identification Signs: Two (2) permanent subdivision or residential complex identification signs, one on each side of the street, at primary entrances to a residential subdivision or complex containing no commercial advertising is permitted. Such signs shall be thirty two (32) square feet or less in area and eight feet (8') or less in height and constructed out of premium building materials such as brick or stone. For the purposes of this provision this sign may be installed in two (2) components, one on each side of the street.

B. Temporary Signs:

1. Real Estate Signs: On nonsingle-family residential lots, one real estate sign per street frontage no greater than thirty two (32) square feet in area or five feet (5') in height.

2. Residential Marketing Signs: Residential marketing signs at major entrances to residential subdivisions not to exceed one hundred (100) square feet and twelve feet (12') in height.

3. Off Site Marketing Signs: Residential off site marketing signs to call attention to and give directions to residential developments in Yorkville shall be allowed at no more than four (4) off site locations, and shall be no greater than one hundred (100) square feet in area and twelve feet (12') in height. Signs for a given development may be located in any zoning district provided that there is at least one-fourth ($\frac{1}{4}$) mile separation from the other off site marketing signs of that development and that no off site marketing sign be closer to a residence than one hundred feet (100'). Off site marketing signs for different developments must be at least two hundred fifty feet (250') from any other off site marketing sign.

4. Grand Opening Signs: One grand opening sign not to exceed thirty two (32) square feet in area and eight feet (8') in height.

5. Construction Signs: One construction sign per nonsingle-family lot not to exceed thirty two (32) square feet in area and five feet (5') in height.

6. Off Premises Sponsorship Banner: Banners shall be on city property. Individual banners shall be mounted on an outfield fence, backstop or scoreboard. Banners mounted on an outfield fence shall be a dimension of three feet by six feet (3' x 6') in size and shall face the playing field. Banners mounted on a scoreboard or backstop shall be a maximum area of thirty two (32) square feet. (Ord. 2014-73, 11-25-2014)

10-20-9: PERMITTED SIGNS; BUSINESS ZONING DISTRICTS:

A. Permanent Signs:

1. Freestanding Business Signs: On lots less than three (3) acres with one street frontage, one freestanding business sign thirty two (32) square feet or less feet in area and twelve feet (12') or less in height shall be allowed. If the lot has more than one street frontage, one freestanding business sign thirty two (32) square feet or less in area and twelve feet (12') or less in height per street frontage with an entrance/exit shall be allowed.

On lots three (3) acres or larger with one street frontage, one freestanding business sign sixty four (64) square feet or less in area and twelve feet (12') or less in height shall be allowed. If the lot has more than one street frontage, one freestanding business sign sixty four (64) square feet or less in area and twelve feet (12') or less in height per street frontage with an entrance/exit shall be allowed.

On lots three (3) acres or larger that have a street frontage(s) in excess of eight hundred feet (800') with two (2) entrances/exits at least six hundred feet (600') apart may have two (2) freestanding business signs sixty four (64) square feet or less in area and twelve feet (12') or less in height on each street frontage.

Freestanding signs must be constructed with the base and supporting columns, if present, constructed of the same brick, stone or masonry material that the exterior walls of the principal building are made of. The sign panel color and type must match the color and type used on any wall mounted signage.

No more than fifty percent (50%) of the freestanding sign area may be composed of a message board sign. (Ord. 2014-73, 11-25-2014)

2. Building Mounted Business/Identification Signs:

a. Single Use Building:

(1) A business having a public entrance in an exterior building wall or having an exterior wall facing a public right-of-way shall be permitted to have building mounted identification signage or building mounted business signage for each exterior wall of that part of the building in which it is located, provided said wall contains a public entrance or faces a public right-of-way. The maximum area of such sign shall not exceed two (2) square feet for each one linear foot of the exterior wall of the building. No wall sign shall extend more than seventy five percent (75%) of the width of the exterior wall to which it is attached and shall be no closer than one foot (1') from the vertical or horizontal edge of any wall to which it is affixed. The business cannot transfer sign area between its adjoining exterior walls.

(2) In addition to the signs permitted in subsection A2a(1) of this section, a business on an exterior wall not having a public entrance or facing a public right-of-way may have a building mounted business/identification sign on such a wall not exceeding in size one square foot in area for each one linear foot of the width of that exterior wall and shall not extend more than fifty percent (50%) of the length of that exterior wall and shall be no closer than one foot (1') from the vertical or horizontal edge

of any wall to which it is affixed. Such a sign shall not be illuminated either internally or externally if that sign faces residential land uses.

b. Multi-Tenant Buildings:

(1) Each tenant having a public entrance in an exterior building wall or having an exterior wall facing a public right-of-way shall be permitted to have building mounted business or building mounted identification signage for each such exterior wall that is adjacent or a part of its owned or leased premises. The maximum area of such a sign shall not exceed two (2) square feet in area for each one linear foot of the tenant's exterior wall. No wall sign shall extend more than seventy five percent (75%) of the width of that part of the tenant's exterior wall and shall be no closer than one foot (1') from the vertical or horizontal edge of any wall to which it is affixed.

(2) In addition to the signs permitted in subsection A2b(1) of this section, a tenant on an exterior wall not having a public entrance or facing a public right-of-way may have a building mounted business/identification sign, on that portion of a wall that is adjacent or a part of its owned or leased premises. The size of such a sign shall not exceed one square foot in area for each one linear foot of the width of the tenant's exterior wall and shall not extend more than fifty percent (50%) of the length of the tenant's exterior wall and shall be no closer than one foot (1') from the vertical or horizontal edge of any wall to which it is affixed. Such a sign shall not be illuminated either internally or externally if that sign faces residential land uses. (Ord. 2018-57, 10-23-2018)

3. Electronic Message Display Panel:

a. There shall only be one permitted sign per lot that may contain an electronic message display panel.

b. A permanent freestanding business sign may be composed of an electronic message display panel.

c. The electronic message display panel shall not make the sign otherwise not in compliance with all the requirements of this title and this Code.

d. Except for an electronic message display panel in a permitted sign for a movie theater, all other electronic message display panels shall not display video but may display static text and animation that dissolves, fades, scrolls or travels. Between each display shall be the delay indicated in table 10.20.01 of this section.

e. The brightness of the electronic message display panels shall not be more than five thousand (5,000) nits in the daytime and one thousand seven hundred fifty (1,750) nits in the nighttime.

f. Prior to issuing a permit for a sign that contains an electronic message display panel, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified in this section and the intensity level is protected from end user manipulation by password protected software or other method deemed appropriate by the City.

g. Malfunctioning electronic message display panels shall automatically turn off or be turned off within twenty four (24) hours of the malfunction.

h. A sign with an electronic message display panel shall be constructed with the other components of the sign in a natural material in the same brick, stone or masonry construction of the principal building's exterior walls.

i. Table 10.20.01 of this section shows the maximum size of the electronic message display panel.

TABLE 10.20.01

SIZE OF ELECTRONIC MESSAGE SIGNS

(COMMERCIAL)

Type Of Commercial Building And Location	Maximum Area Of Electronic Message Display Panel	Minimum Time Between Video, Animation Or Static Text
Single commercial tenant building on parcel adjacent to major arterial (Illinois Routes 47, 126, and 71, and U.S. Route 34)	32 sq. ft.	5 seconds
Multiple commercial tenant building on parcel adjacent to major arterial	32 sq. ft.	5 seconds
Single commercial tenant building on parcel not adjacent to major arterial	32 sq. ft.	8 seconds
Multiple commercial tenant building on parcel not adjacent to major arterial	24 sq. ft.	8 seconds
Commercial planned unit development Maximum sign height - 10 feet	75 sq. ft.	5 seconds

B. Temporary Signs:

1. Searchlights.
2. Cold air inflatable devices.
3. Grand opening signs. One grand opening sign not to exceed thirty two (32) square feet in area and eight feet (8') in height.
4. Commercial real estate signs. On commercial lots, one real estate sign per street frontage no greater than thirty two (32) square feet in area and five feet (5') in height.
5. Construction signs. One construction sign per lot not to exceed thirty two (32) square feet in area and five feet (5') in height.
6. Wind feathers. No limit on the quantity per lot. Time period not to exceed thirty (30) days.
7. Banners. One special business event sign per business not to exceed thirty two (32) square feet in area.
8. Portable signs. One portable sign per business not to exceed sixteen (16) square feet in area.
9. Off premises sponsorship banner. Banners shall be on City property. Individual banners shall be mounted on an outfield fence, backstop, or scoreboard. Banners mounted on an outfield fence shall be a dimension of three feet by six feet (3' x 6') in size and shall face the playing field. Banners mounted on a scoreboard or backstop shall be a maximum area of thirty two (32) square feet. (Ord. 2014-73, 11-25-2014)

10-20-10: PERMITTED SIGNS; MANUFACTURING ZONING DISTRICTS:

A. Permanent Signs:

1. Freestanding Business Sign: On lots less than three (3) acres or on lots that face a residentially zoned or used lot with one street frontage, one freestanding business sign shall be allowed. Said sign shall be thirty two (32) square feet or less in area and twelve feet (12') or less in

height. If the lot has more than one street frontage, one freestanding business sign thirty two (32) square feet or less in area and twelve feet (12') or less in height per street frontage with an entrance/exit shall be allowed.

On lots three (3) acres or larger with one street frontage, one freestanding business sign shall be allowed. Said sign shall be a maximum of sixty four (64) square feet or less in area and twelve feet (12') or less in height shall be allowed. If the lot has more than one street frontage, one freestanding business sign sixty four (64) square feet or less in area and twelve feet (12') or less in height per street frontage with an entrance/exit shall be allowed.

On lots three (3) acres or larger that have a street frontage(s) in excess of eight hundred feet (800') with two (2) entrances/exits at least six hundred feet (600') apart may have two (2) freestanding business signs sixty four (64) square feet or less in area and twelve feet (12') or less in height on each street frontage.

Freestanding signs must be constructed with the base and supporting columns, if present, of the same brick, stone or masonry material that the exterior walls of the principal building are made of. The sign panel containing the type and the type must match the color and type used on any wall mounted signage.

No more than fifty percent (50%) of the freestanding sign area may be composed of a message board sign. (Ord. 2014-73, 11-25-2014)

2. Building Mounted Business/Identification Signs:

a. Single Use Building:

(1) A business having a public entrance in an exterior building wall or having an exterior wall facing a public right-of-way shall be permitted to have building mounted identification signage or building mounted business signage for each exterior wall of that part of the building in which it is located, provided said wall contains a public entrance or faces a public right-of-way. The maximum area of such sign shall not exceed two (2) square feet for each one linear foot of the exterior wall of the building. No wall sign shall extend more than seventy five percent (75%) of the width of the exterior wall to which it is attached and shall be no closer than one foot (1') from the vertical or horizontal edge of any wall to which it is affixed. The business cannot transfer sign area between its adjoining exterior walls.

(2) In addition to the signs permitted in subsection A2a(1) of this section, a business on an exterior wall not having a public entrance or facing a public right-of-way may have a building mounted business/identification sign on such a wall not exceeding in size one square foot in area for each one linear foot of the width of that exterior wall and shall not extend more than fifty percent (50%) of the length of that exterior wall and shall be no closer than one foot (1') from the vertical or horizontal edge of any wall to which it is affixed. Such a sign shall not be illuminated either internally or externally if that sign faces residential land uses.

b. Multi-Tenant Buildings:

(1) Each tenant having a public entrance in an exterior building wall or having an exterior wall facing a public right-of-way shall be permitted to have building mounted business or building mounted identification signage for each such exterior wall that is adjacent or a part of its owned or leased premises. The maximum area of such a sign shall not exceed two (2) square feet in area for each one linear foot of the tenant's exterior wall. No wall sign shall extend more than seventy five percent (75%) of the width of that part of the tenant's exterior wall and shall be no closer than one foot (1') from the vertical or horizontal edge of any wall to which it is affixed.

(2) In addition to the signs permitted in subsection A2b(1) of this section, a tenant on an exterior wall not having a public entrance or facing a public right-of-way may have a building mounted business/identification sign, on that portion of a wall that is adjacent or a part of its owned or leased

premises. The size of such a sign shall not exceed one square foot in area for each one linear foot of the width of the tenant's exterior wall and shall not extend more than fifty percent (50%) of the length of the tenant's exterior wall and shall be no closer than one foot (1') from the vertical or horizontal edge of any wall to which it is affixed. Such a sign shall not be illuminated either internally or externally if that sign faces residential land uses. (Ord. 2018-57, 10-23-2018)

3. Electronic Message Display Panel:

- a. There shall only be one permitted sign per lot that may contain an electronic message display panel.
- b. A permanent freestanding business sign may be composed of an electronic message display panel.
- c. The electronic message display panel shall not make the sign otherwise not in compliance with all the requirements of this title and this Code.
- d. Except for an electronic message display panel in a permitted sign for a movie theater, all other electronic message display panels shall not display video but may display static text and animation that dissolves, fades, scrolls or travels. Between each display shall be the delay indicated in table 10.20.02 of this section.
- e. The brightness of the electronic message display panels shall not be more than five thousand (5,000) nits in the daytime and one thousand seven hundred fifty (1,750) nits in the nighttime.
- f. Prior to issuing a permit for a sign that contains an electronic message display panel, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory preset not to exceed the levels specified in this section and the intensity level is protected from end user manipulation by password protected software or other method deemed appropriate by the city.
- g. Malfunctioning electronic message display panels shall automatically turn off or be turned off within twenty four (24) hours of the malfunction.
- h. A sign with an electronic message display panel shall be constructed with the other components of the sign in a natural material in the same brick, stone or masonry construction of the principal building's exterior walls.
- i. Table 10.20.02 of this section shows the maximum size of the electronic message display panel.

TABLE 10.20.02

SIZE OF ELECTRONIC MESSAGE SIGNS

(MANUFACTURING)

Size Of Parcels	Maximum Area Of Electronic Message Display Panel	Minimum Time Between Video, Animation Or Static Text
Manufacturing parcel of 3 acres or less	32 sq. ft.	8 seconds
Manufacturing parcel of more than 3 acres	36 sq. ft.	8 seconds

B. Temporary Signs:

1. Real Estate Signs: On industrial lots, one real estate sign per street frontage no greater than thirty two (32) square feet in area or five feet (5') in height.
2. Construction Signs: One construction sign per industrial lot not to exceed thirty two (32) square feet in area and ten feet (10') in height.
3. Banners/Special Business Event Sign: One banner/special business event sign per business not to exceed thirty two (32) square feet in area and ten feet (10') in height.
4. Portable Sign: One portable sign per business not to exceed sixteen (16) square feet in area.
5. Wind Feathers: No limit on the quantity per lot. Time period not to exceed thirty (30) days.
6. Off Premises Sponsorship Banner: Banners shall be on city property. Individual banners shall be mounted on an outfield fence, backstop or scoreboard. Banners mounted on an outfield fence shall be a dimension of three feet by six feet (3' x 6') in size and shall face the playing field. Banners mounted on a scoreboard shall be a maximum area of thirty two (32) square feet. (Ord. 2014-73, 11-25-2014)

10-20-11: NONCONFORMING SIGNS:

A. Any sign for which a permit has been lawfully granted prior to the effective date of this or any subsequent amendment to this chapter and which does not comply with the provisions of such amendment may nonetheless be completed in accordance with the approved plans, provided construction of the sign is started within ninety (90) days after the passage of the chapter amendment and is completed within sixty (60) days after beginning construction.

B. Whenever a nonconforming sign has been discontinued for a period of six (6) months, or whenever there is evidence of a clear intent on the part of the owner to abandon a nonconforming sign, such sign shall not, after being discontinued or abandoned, be reestablished and the sign hereafter shall be in conformity with the regulations of this chapter.

C. Normal maintenance of a nonconforming sign is permitted, including necessary nonstructural repairs or incidental alterations which do not extend or intensify the nonconforming features of the sign.

D. No structural alteration, enlargement or extension shall be made in a nonconforming sign except when the alteration will actually result in eliminating the nonconformance.

E. If a nonconforming sign is damaged or destroyed by any means to the extent of fifty percent (50%) or more of the replacement value at the time, the sign can be rebuilt or used thereafter only for a conforming use and in compliance with the provisions of this chapter. In the event the damage or destruction is less than fifty percent (50%) of its replacement value based upon prevailing costs, the sign may then be restored to its original condition and the use may be continued which existed at the time of such partial destruction until the nonconforming sign is otherwise abated by the provisions of this chapter. In either event, a permit for restoration or repair must be applied for within a period of thirty (30) days from the date of damage or destruction, and be completed within sixty (60) days after beginning restoration or repair.

F. Existing temporary signs shall expire at the termination date specified on the permit, but in no case later than six (6) months from the passage date hereof. New temporary signs shall be allowed only in conformance with the provisions contained in this chapter. Such signage must be removed by the close of business of the day the temporary sign permit expires. (Ord. 2014-73, 11-25-2014)

10-20-12: PERMITTING PROCEDURES:

Permits for permanent and temporary signs:

A. Permit Required: No sign shall be erected, enlarged, expanded, altered or relocated unless the person proposing to erect, alter or move such sign shall obtain a permit from the code official. Such permit shall be issued only when the sign complies with all of the applicable provisions of this chapter.

The fee for granting such a permit for signs shall be established by the city council. The schedule of fees for signs shall be posted in the city offices and may be amended only by the city council. A deposit of fifty dollars (\$50.00) shall be required at the time of permit application for any temporary banner sign, which deposit shall be returned to the applicant upon removal of the temporary banner sign, unless the applicant is in violation of the provisions of this chapter.

Routine sign maintenance, changing of parts designed for change, or changing the content of a sign in any manner which does not change the functional classification of the sign shall not, standing alone, be considered an alteration of the sign requiring the issuance of a permit, unless such change of parts or content relates to or is occasioned by a change in the ownership or nature of the activity to which the sign relates or which is conducted on the premises on which the sign is located.

B. Application For Permit: Any person desiring a permit for a permanent or temporary sign shall file a permit application which shall contain or have attached the following information:

1. A copy of plans and specifications showing the method of construction, illumination, if any, and support of such sign. Calculations showing the sign is designed for dead load and wind pressure in any direction in the amount required by other applicable laws and ordinances of the city may be required.

2. A plat of survey showing the location of the sign(s) on the lot and a drawing indicating the location of the sign(s) on any building or structure on the lot.

3. A sketch, drawn to scale, showing sign faces, exposed surface areas and the proposed message and design, accurately represented as to size, area, proportion and color.

4. The written consent of the owner(s) or agent of the building, structure, or land on which the sign is erected.

5. The name, address and phone number of the applicant.

6. The name of the person, firm, corporation or association erecting, altering or moving the sign.

C. Temporary Sign Permit Frequency And Duration Per Business:

TABLE 10.20.03

TEMPORARY SIGN PERMIT FREQUENCY AND DURATION

Type Of Sign	Maximum Duration	Maximum Frequency
Banners	30 days	5 times per year
Cold air inflatable device	72 hours	Once per year
Commercial real estate	6 months	Renewable
Construction	During active building permit issuance	
Grand opening	45 days	Once per business
Industrial real estate	6 months	Renewable
Off premises sponsorship banner	8 months: March through October	
Residential marketing	6 months	Renewable
Sandwich board or A-frame	6 months	Renewable

Searchlights	72 hours	Once per year
Wind feather (per property)	30 days (\$25.00 fee)	Renewable (\$5.00 fee)

(Ord. 2014-73, 11-25-2014)

10-20-13: SIGN VARIATIONS:

In addition to the procedures and standards listed in section 10-4-7 of this title regarding variations from the requirements, the zoning board of appeals shall also consider the following factors in hearing testimony and making decisions regarding sign variance requests:

- A. If the sign was erected legally with a sign permit.
- B. If there are any unique physical characteristics of the property.
- C. If there are limited available locations for signage on the property.
- D. The cost to the applicant of complying with the requirements of this chapter.
- E. If the sign is on or faces a street with a forty (40) mile per hour or higher speed limit.
- F. If the sign is on a street with twenty thousand (20,000) or higher vehicle trips per day.
- G. If the sign would be blocked by existing or required landscaping.
- H. If it is a wall sign facing a public right of way without a public entrance.

(Ord. 2014-73, 11-25-2014)

PUBLIC NOTICE OF A HEARING BEFORE
THE UNITED CITY OF YORKVILLE
PLANNING AND ZONING COMMISSION
PZC 2020-14

NOTICE IS HEREWITH GIVEN THAT the United City of Yorkville, Kendall County, Illinois, petitioner, is proposing a text amendment for consideration of updates to “Chapter 20: Signs” of the United City of Yorkville Zoning Ordinance. The amendment to the text is related to non-conforming signs which proposes to define the term “maintenance” of said signage. Additionally, the text amendment will provide an exemption for the replacement of existing non-conforming freestanding monument static message board signs with electronic message board signs along a major thoroughfare, if such replacement does not increase the overall existing sign size.

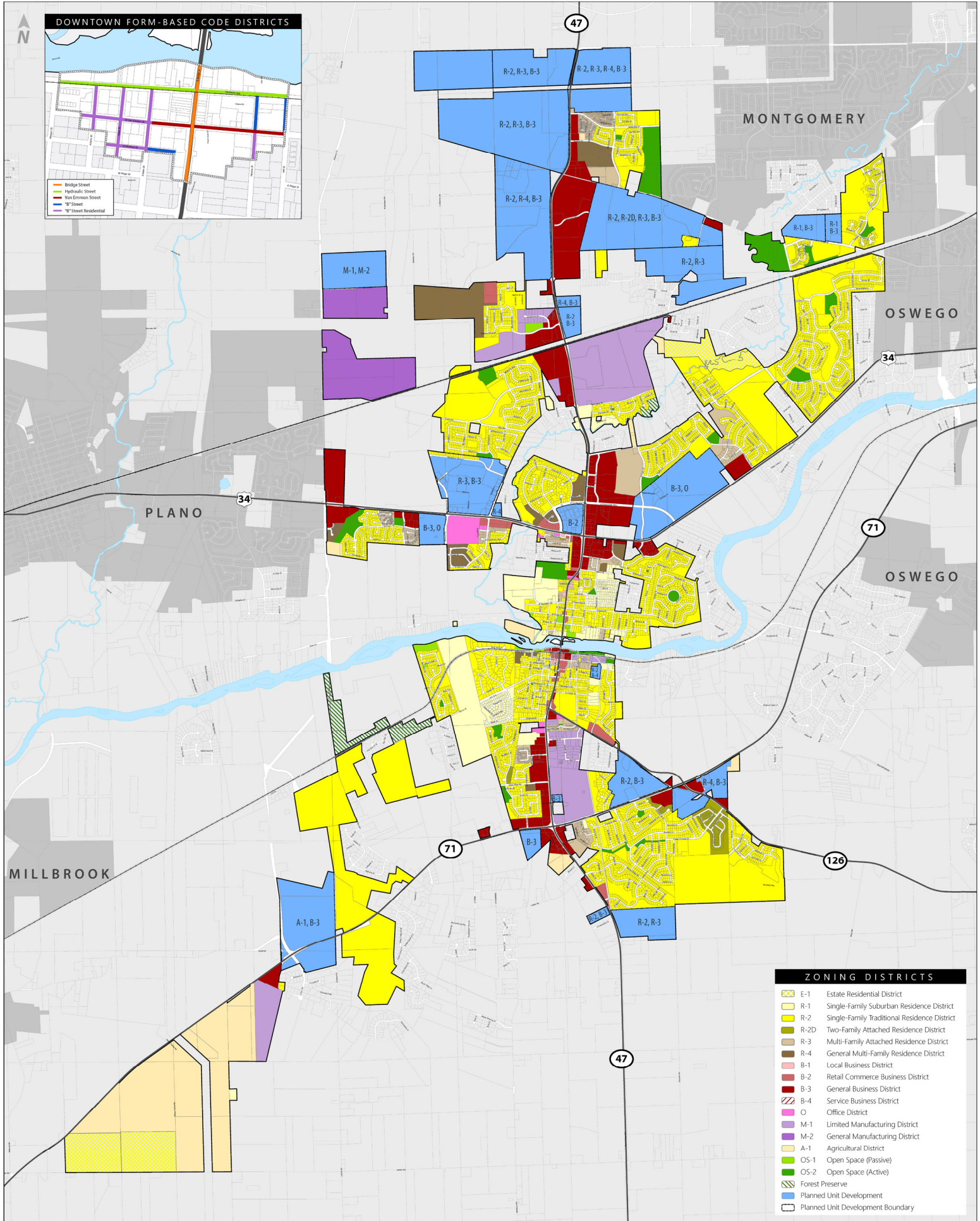
NOTICE IS HEREWITH GIVEN THAT the Planning and Zoning Commission for the United City of Yorkville will conduct a public hearing on Wednesday, January 13, 2021 at 7 p.m. at the Yorkville City Hall, located at 800 Game Farm Road, Yorkville, Illinois 60560.

The public hearing may be continued from time to time to dates certain without further notice being published.

All interested parties are invited to attend the public hearing and will be given an opportunity to be heard. Any written comments should be addressed to the United City of Yorkville Community Development Department, City Hall, 800 Game Farm Road, Yorkville, Illinois, and will be accepted up to the date of the public hearing.

By order of the Corporate Authorities of the United City of Yorkville, Kendall County, Illinois.

LISA PICKERING
City Clerk



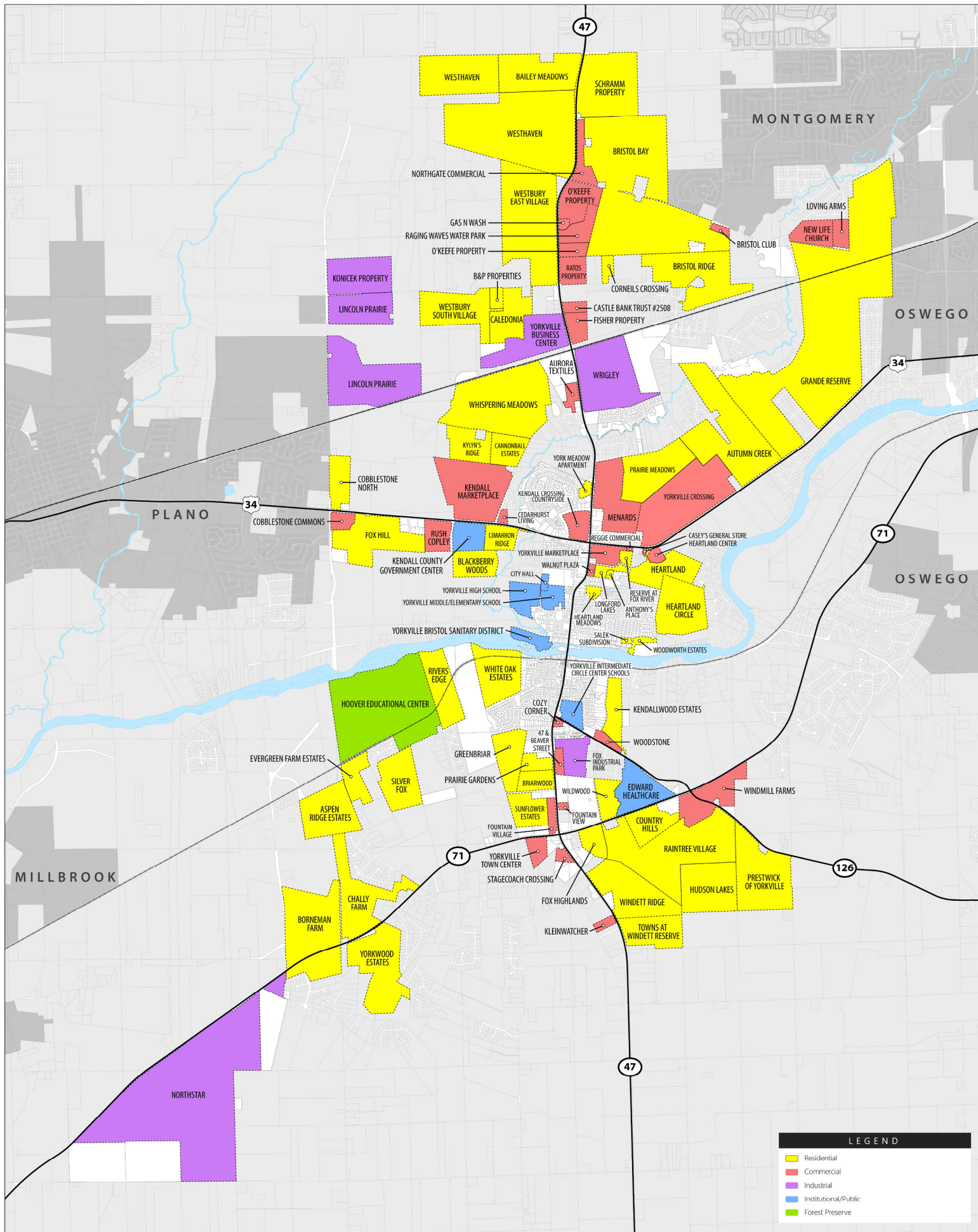
2020 ZONING MAP
UNITED CITY OF YORKVILLE, ILLINOIS

ADDRESS: 800 Game Farm Road, Yorkville Illinois

DATA: All permit data and geographic data are property of the United City of Yorkville

LOCATION: (I-)/Yearly Maps/Zoning Map/2020 Zoning Map

DATE: March 20, 2020



2020 DEVELOPMENT MAP UNITED CITY OF YORKVILLE, ILLINOIS

ADDRESS: 800 Game Farm Road, Yorkville Illinois

DATE: March 25, 2020

DATA: All permit data and geographic data are property of the United City of Yorkville

LOCATION: (1:)/Yearly Maps/Development Map/2020 Development Map



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Mayor's Report #4

Tracking Number

CC 2021-03

Agenda Item Summary Memo

Title: FY 21 Budget Update

Meeting and Date: City Council – January 26, 2021

Synopsis: _____

Council Action Previously Taken:

Date of Action: N/A Action Taken: _____

Item Number: _____

Type of Vote Required: N/A

Council Action Requested: Discussion

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:



Memorandum

To: City Council
From: Bart Olson, City Administrator
Rob Fredrickson, Finance Director
Date: January 21, 2021
Subject: FY 21 Budget Updates – Pandemic and Recession

Summary

A review of potential budget updates for the FY 21 budget, due to the COVID-19 pandemic and likely national recession.

Background

The City Council last discussed the FY 21 budget memo at the January 12th City Council meeting. For ease of use, we have kept the structure and content of that memo and will add commenting paragraphs below each bulletpoint with any updates.

Important concepts (new text only where update is noted)

1. What will be the size and length of the economic downturn? What will be the timing and shape of the recovery?
 - a. April 23, 2020 Update – Here's some article headlines and a chart on the economic situation:
 - i. "US Weekly jobless claims hit 4.4 million, bringing 5-week total to more than 26 million" – CNBC
 - ii. "Stocks fight for gains as small business relief overshadows job losses" – Fox Business
 - b. May 7, 2020 Update – Wednesday's unemployment filing report from the federal government showed another ~3.2m in unemployment claims and around 33 million claims during the pandemic. The April jobs report is expected to be released the morning of Friday, May 8th, and is expected to show the worst job losses in any one month in American history and an unemployment rate of ~15%. As a comparison, the worst unemployment rate during the Great Recession was around 10%, when 7.5 million jobs were lost over the course of a year and a half, and the worst unemployment rate estimate during the Great Depression was 25%.
 - c. June 10, 2020 Update – Originally the BLS reported that after declining by 20.7 million in April, non-farm payrolls increased by 2.5 million in May, causing unemployment to fall from 14.7% to 13.3%. Initially this report was viewed positively, as most economists had forecasted the national unemployment rate to rise to 19% by the end of May. However, the BLS later disclosed that the jobs report contained a misclassification error, that not only affected May, but April and March as well. Revised projections put April unemployment at 19.7%,

falling to around 16% in May. Moreover, the Federal Reserve continues to anticipate a slow economic recovery, predicting unemployment to be at 9.3% at the end of 2020, followed by a further decline to 6.5% by the end of 2021 (unemployment was 3.5% at the end of 2019).

- d. July 23, 2020 Update – After adding 2.7 million jobs in May, employers added a record 4.8 million jobs in June, as the national unemployment rate dipped to 11.1%. Closer to home, the state unemployment rate continues to track above the national rate at 14.6%; down from its peak of 17.2% in April.
 - e. August 20, 2020 Update – The unemployment rate continued to decline in July, finishing at 10.2%, as employers added 1.8 million jobs to their payrolls. Supplemental weekly unemployment benefits in the amount of \$600, funded by the Federal government’s CARES program, expired at the end of July; as Congress continues to debate the possibility of a second stimulus program.
 - f. September 17, 2020 Update – Unemployment fell from 10.2% in July to 8.4% in August, which is the first time its been under 10% since March. Approximately \$1.4 million jobs were added in August, with widespread job gains reported in the retail, business services, leisure & hospitality, education and health service industries. Hiring was also bolstered by the federal government, with the Census Bureau adding 238,000 temporary workers. Nonetheless, many economists remain cautious when looking at the months ahead, stating that the U.S. economy may not return to pre-pandemic levels until late 2022.
 - g. November 19, 2020 Update – Over the last couple months the national unemployment rate has continued to fall, finishing at 7.9% in September and declining further to 6.9% at the end of October. Nonetheless, this is still double the February (i.e pre-pandemic) rate of 3.5%; as many economist continue to warn that the economy needs widespread distribution of a vaccine before unemployment levels return to historical norms.
2. Income tax filings have been delayed by the state from April to July. Late penalties are being waived, giving people less incentive to file on time. This will delay the observation of the economic downturn on state income tax payments, causing less accurate LGDF estimates.
- a. April 23, 2020 Update – LGDF estimates have not been created by the IML or IGFOA, but the Governor’s Office of Management and Budget (GOMB) has released their own estimates for impacts to state income taxes. While these revenue estimates are not exactly correlated to the City’s share of state income taxes, they are a good baseline. As of early April, the GOMB is anticipating a 6.9% decline in individual income taxes for their entire FY 20 budget estimates, which ends June 30, 2020, and another 8.8% decline in individual income taxes for the entire FY 21 budget estimate, which ends June 30, 2021. For those same time periods, they anticipate corporate income taxes to decrease 12% and 17% off their budget estimates. Our early staff estimate is that this could impact the City’s FY 20 budget by \$130,000 and the FY 21 budget by \$120,000.
 - b. May 7, 2020 Update – IML released its LGDF estimates this week, anticipating a 15% decline over FY 20 actuals. Based on the GOMB estimate of around a 7% decrease from my April 23rd update above, this is a further loss of around

\$160,000 in the general fund. A spreadsheet of City budget comparisons to the IML estimate is attached to this memo.

- c. May 21, 2020 Update – May’s allotment of income tax came in at \$191,781 – 50% less than the last May’s allotment of \$381,988. However, this is a bit skewed, as last May’s allotment was unusually high due to the timing of receipts by the State. Historically May income tax proceeds have been around \$260,000; which would put the current years decrease at ~26%, which is slightly better than management’s expectations for May of a 29% reduction. Assuming a similar decrease in proceeds for the June allotment, income taxes would finish FY 20 around \$1.836M (6.6% decrease from FY 19 amounts); which is ~\$70,000 less than management’s assumption of \$1.905M based upon IML projections.
- d. June 10, 2020 Update – June’s allotment of income tax came in at \$118,791, which is essentially even with last June’s allotment of \$119,293. Income tax receipts will finish FY 20 at approximately \$1.87M, which is a 5% decrease in comparison to last year; but \$34,000 better than what was projected last month. The City had been estimating a per capita income tax revenue of \$85, based on GOMB estimates and early IML income tax narratives for FY 21, but these most recent figures have caused IML to issue a FY 21 per capita estimate of \$97. If \$97 per capita comes to fruition in FY 21, that would match the FY 20 actual figures (i.e. revenues are flat). Finally, it appears that the income tax payment extensions have had minimal impact on income tax revenues.
- e. July 23, 2020 Update – July’s income tax proceeds totaled \$188,635, which is about 6% higher than the prior year’s allotment of \$178,400. Thus far income tax proceeds have continued to defy earlier GOMB estimates, which were anticipating a ~7% decline for FY 21. As mentioned last month, the IML currently has income tax pegged at \$97 per capita. Assuming this prediction holds, the City’s income tax would total around \$1.85M for FY 21, which would be similar to FY 20 totals, but approximately \$50,000 under FY 21 budget amounts.
- f. August 20, 2020 Update – August income tax proceeds, which totaled \$257,905, more than double in comparison to the amount received in the prior year (\$127,883 - August 2019); ostensibly due to the extension of the State tax filing deadline to July 15th. This year-over-year increase of ~\$130,000 helps offset the sharp decrease experienced in May, when income tax proceeds declined by ~\$190,000. The IML estimate remains at \$97 per capita for FY 21 – which would equate to an annualized amount of \$1.85M for the City. Assuming the IML estimate comes to fruition, FY 21 income taxes would be ~\$50,000 below the budgeted amount of \$1.897M; but \$100,000 better than our current projection for FY 21 of \$1.75M (this worse case figure assumes that the referendum this November authorizing a graduated State income tax rate fails and results in a further cuts to the LGDF, which would result in a year-over-year decrease of 6.5%).
- g. September 17, 2020 Update – September’s allotment of income tax came in at \$146,132, which is 29% higher than last September’s amount of \$113,183. Once again, this increase, at least in part, is presumably tied to the State’s decision to defer the income tax deadline to July 15th. While income tax has started off FY

21 very strong, IML estimates are showing an expected long-term decline in this revenue stream.

- h. October 22, 2020 Update - October income tax proceeds totaled \$211,612, which was a 4.8% increase over the amount received in the prior year (\$201,938 – October 2019). The IML estimate, currently at \$98 per capita for FY 21 (which would equate to an annualized amount of \$1.86M for the City – which is roughly \$40,000 under the budget amount of \$1.9M), is expected to be revised downward later this month. In addition, the fate of the graduated State income tax referendum will be determined by voters in less than two weeks, which may result in further cuts to the LGDF should it fail.
 - i. November 5, 2020 update – As mentioned at the October 27th City Council meeting, the IML revised its income tax estimates for FY 21 to \$105 per capita, which is unexpectedly far greater than their prior estimates of \$98 per capita (and where the City currently estimates). Since the meeting, the progressive income tax referendum has failed, with the Governor vowing to look at large cuts in state government services and revenue sharing (including, presumably, LGDF) before pivoting to a likely across the board flat-income tax increase. It is not known how exactly the state will address its budget shortfall, especially given the unlikelihood of an immediate federal package to address revenue shortfalls for state and local governments. During last year’s budget address, the Governor did propose that if the income tax referendum fails, municipalities would see a 5 percentage point decrease in LGDF revenues. However, that decrease would have to be agreed upon by the legislature, and its proposal came before the pandemic.
 - j. November 19, 2020 update – November’s allotment of income tax came in at \$142,988, which is 8.5% higher than last November’s amount of \$131,796. Thus far in FY 21, income tax proceeds have remained resilient despite the pandemic; whether or not this continues remains to be seen, as unemployment is expected to rise as the State implements various mitigating efforts to combat the spread of COVID-19. In addition, there is a strong likelihood that the State will make further cuts to the LGDF, due to the failure of the progressive income tax referendum earlier this month.
 - k. January 7, 2021 update – December’s allotment of income tax came in at \$126,592, which is slightly higher than last December’s amount of \$124,542 (+1.7%). Over the last 12-months, income tax is up about 2%; although uncertainty remains regarding future cuts to the LGDF as the State begins its FY 22 budget process.
 - l. **January 21, 2021 Update** – Income tax proceeds for January were quite robust, coming in at \$201,687 – which is a 16% increase over last January’s amount of \$174,077. As mentioned previously, income tax is up 2.6% over the last 12-months, although uncertainty remains regarding future cuts to the LGDF.
3. Sales tax submittals to the state by bars and restaurants is being deferred in timing and amount. Certain bars and restaurants may now pay only a portion of their obligation of state sales tax for February, March, and April consumer sales through August 2020.
- a. May 7, 2020 Update – The March state sales tax report was released on May 7, 2020. This March report covers February consumer sales, which were generally

pre-pandemic, but this is the first period where bars and restaurants could defer their payment of sales taxes to the state. The February consumer sales were much higher than the City expected, even in a normal budget. The February 2020 consumer sales tax amounts were 9% higher than the February 2019 consumer sales tax amounts. We have not been able to verify this theory with business-level sales tax data, but it appears almost no businesses chose to defer their sales tax payments to the state.

- b. June 10, 2020 Update - The April state sales tax report was released on June 4, 2020. This April report covered March consumer sales, which was the first month impacted by the pandemic, as the Governor's shelter in place order went into effect on March 20th. Despite the temporary closure of all businesses deemed "non-essential" and the suspension of dining room service for restaurants, sales tax proceeds came in slightly higher than last year (\$255,881 for June 2020 vs. \$254,112 in June 2019). Sales tax is expected to finish at ~\$3.22M for FY 20, which is better than the approved budget and better than our own internal estimates. It appears that the option to defer payments has not impacted our sales tax figures.
- c. July 9, 2020 Update - The May state sales tax report was released on July 9, 2020. This May report covered April consumer sales, which was the first full month impacted by the pandemic, as the Governor's shelter in place order, which initially went into effect on March 20th, was extended through April 30th. Despite the continued closure of all businesses deemed "non-essential" and the suspension of dining room service for restaurants, sales tax proceeds came in only marginally lower (0.77%) than last year (\$257,366 for July 2020 vs. \$259,358 in July 2019). Based on sales tax trends over the last two months, management has revised its FY 21 sales tax projections to around \$3 million, which is about a 7% decline from the FY 20 actual amount of ~\$3.22M (unaudited). As stated last month, it appears that the option to defer payments has not had any material impact on our sales tax figures. Despite the resilience of municipal sales taxes, Non-Home Rule (NHR) taxes have not fared nearly as well. After declining year-over-year by 6% last month, July's allotment for NHR sales taxes came in at 87% of last year's amount. Ostensibly the reason for this decline is that most consumers are purchasing items that are exempt from NHR sales taxes (i.e. food, drug, medical appliances, etc.). Current FY 21 projections put NHR Sales at ~\$2.08M, which is decline of approximately 14% in comparison to the FY 20 amount of \$2.41M (unaudited).
- d. August 6, 2020 Update – The June state sales tax report was released on August 6th. This June report covered May consumer sales, which was the second full month impacted by the pandemic, as the Governor's orders were extended through the end of May and the state spent all of the month in phase 2 of the Restore Illinois plan. Despite the continued closure of all businesses deemed non-essential and the suspension of indoor dining service, sales tax proceeds came in flat (0.12% growth) compared to last year. As mentioned in the July 9th update above, we have revised our FY 21 regular sales tax estimate to \$3 million, and this June state sales tax report amount is slightly better than our model would expect (i.e. evidence supporting that FY 21 regular sales tax could be higher than

\$3 million). However, non-home rule sales taxes are down 20% year over year, which indicates non-essential purchases are being delayed by consumers. Further, this phenomenon is being observed in municipalities across the region. We will be monitoring these figures going forward for further changes to the FY 21 non-home rule sales tax figures.

- e. September 17, 2020 Update - The July state sales tax report was released on September 3rd. This July report covered June consumer sales, which was first full month in which the entire State entered Phase 3 of the Restore Illinois Plan, which allowed bars and restaurants to resume operations for outdoor seating. Sales tax proceeds came in at \$315,479, which is a 11% increase over the September 2019 allotment and the single highest monthly allotment in the City's history. Initially, staff believed that this increase was due to online retailers collecting local sales taxes earlier than the July 1st deadline, which would have shown up as an increase in sales taxes and a corresponding decrease in local use taxes. Happily, this initially theory has proven to be inaccurate, as September local use tax proceeds increased by 40% (more on this later on in the memo). A more likely explanation for our relatively good performance on sales taxes and our very good performance on use taxes is that more residents in the region are spending money at Yorkville stores (the majority of our sales taxes), Yorkville residents are spending more money online than ever before (a minority of our sales taxes) and Illinois residents are spending more money online than ever before (majority of use taxes). NHR Sales taxes also performed well, coming in at \$216,778, which is only a ~1% decline from the previous year; compared to a 13% year-over-year decline last month.
- f. October 8, 2020 Update - The August state sales tax report was released on October 6th. This August report covered July consumer sales, which was first full month that certain on-line retailers were required to collect both state and locally imposed Retailer's Occupation Tax (ROT, aka sales taxes); for those retailers who either met a threshold of 200 transactions annually or receive \$100,000 in annual gross receipts. October municipal sales tax proceeds came in at \$299,313, which is a 5% increase over the prior year's allotment. With the new sales tax sourcing rules now in effect, we should start to see local use tax proceeds begin to decline starting this month. However, this reduction should be more than offset by increases in municipal sales tax. As for non-home rule (NHR) sales tax, staff would like to correct the amount of NHR sales tax reported last month (section e above). September NHR sales came in at \$245,462, which was a 11% increase over the prior year's amount of \$221,795. Similar to last month's increase in municipal sales tax, the increase in NHR sales was ostensibly due to more residents in the region spending money at Yorkville stores. For October, NHR sales tax proceeds totaled \$292,232 (gross), which is a 5% increase over last October's amount of \$218,207. Looking ahead into next year, sales tax sourcing laws will change again effective January 1st, as on-line retailers will be further required to collect non-home rule sale tax, which should result in a substantial increase (albeit undetermined) in NHR sales tax proceeds starting in April 2021.
- g. November 5, 2020 Update – At time of creation of this memo, the November sales tax report has not been released from the state. Since the October 27th City

Council meeting, staff was able to complete the manual data entry of sales tax performance pre- and post-pandemic from a variety of Illinois municipalities. As seen within the spreadsheet, Yorkville sales taxes were doing relatively well pre-pandemic, and has weathered the post-pandemic months. Pre-pandemic, Yorkville was seeing average growth year-over-year in the 3% to 8% range, and post pandemic is seeing anywhere from a 5% loss to 3% growth. This is compared to a pre-pandemic average growth range of 3.5% to 4% and a post-pandemic impact of a 10% to 15% loss.

- h. November 19, 2020 Update - The September state sales tax report was released on November 5th. November municipal sales tax proceeds came in at \$298,588, which is an 8% increase over the prior year's allotment. This September report covered August consumer sales, which is ostensibly the second full month that certain on-line retailers were required to collect both state and locally imposed Retailer's Occupation Tax (ROT, aka sales taxes); however, based on the proceeds received from local use taxes, it appears that this transition has yet to occur. Once the new sales tax sourcing rules go into effect, we should start to see local use tax proceeds begin to decline; however, this reduction should be more than offset by increases in municipal sales tax. Keeping in line with the last several months, NHR sales tax continued to mirror the increase in municipal sales tax, coming in 8% higher than the previous November. NHR sales tax proceeds totaled \$231,739 (gross) in the current month, compared to last November's amount of \$214,424.
 - i. January 7, 2021 Update - The October state sales tax report was released on December 9th. December municipal sales tax proceeds came in at \$312,925, which is an 16% increase over the prior year's allotment, and only ~\$2,600 less than the City's all-time monthly high of \$315,479 received last September (see section 4e. above). Based on December local use tax figures (which increased 29% from last December), the bulk of the sales tax increase would seem to be attributable to the resiliency on the local economy; as the State's reclassification of taxes generated from on-line transactions, from local use to municipal sales, appears to still be in process. Gross NHR sales for December came in at \$232,535, which is 12.3% higher than the previous year.
4. One report that miles driven in the Chicagoland region after the stay-at-home order was issued is 67% less miles than normal. Since MFT is based on a per gallon flat rate, the relationship between miles driven and gas taxes received by the City should be linear, i.e. 67% less.
 - a. May 21, 2020 Update - MFT proceeds came in better than expected at \$33,790, a decrease of approximately 20% from the prior year. MFT finished FY 20 at \$466,091 (\$24.50 per capita), which is ~3.5% less than FY 19 amounts; but is in-line with IML's per capita projection of \$24.30 (\$462,235). MFT Transportation Renewal Fund (TRF) proceeds, which are funded by the recent increase in State motor fuel taxes, came in at \$235,852 (\$12.40 per capita) for FY 20. TRF proceeds finished higher than IML projected amounts (\$11.45 per capita) by over \$18,000.

- b. June 4, 2020 Update – In late May the City received its first of six Rebuild Illinois allotments, which is a new program administered by IDOT and funded by State bond proceeds. This first distribution totaled \$208,937, with another distribution expected later on this fiscal year. Subsequent distributions are expected in FY 22 and FY 23, for a grand total of \$1,253,625. Due to the uncertainty surrounding the distribution of payments during the FY 21 budget process, a nominal amount of \$5,000 in revenue was included in the budget for the Rebuild Illinois program. Assuming the anticipated payment streams come to fruition, it will help to offset any potential MFT revenue declines; thus, allowing the City to maintain relatively stable funding for RTBR and other MFT related capital programs.
- c. July 23, 2020 Update – MFT proceeds declined by ~25% in comparison to July of 2019, as presumably fewer people are traveling, for both work and leisure, due to the ongoing pandemic. July MFT was worse than expected, as the current IML target for FY 21 is \$20 per capita (~\$380,000 annualized), which is an 18% decrease from FY 20 totals. MFT TRF proceeds (which are tracked as a percentage of regular MFT amounts) came in at \$19,700 in July, which is equal to 75% of the regular MFT proceeds received.
- d. August 20, 2020 Update – Once again MFT proceeds declined by 25% in comparison to last August (\$43,968), coming in at \$32,706. After a slight year-over-year increase of 2% in April, MFT proceeds have declined by an average of ~25% over the last four months; presumably as large segments of the workforce continue to work remotely. MFT TRF proceeds totaled \$23,536 in August, which is equal to 72% of the regular MFT allotment for the month.
- e. September 17, 2020 Update – MFT proceeds rebounded sharply in September, coming in at \$38,892, which is 11% higher than last September's allotment of \$34,911; as ostensibly more people resume their daily travel routines. This is the first time MFT has posted a year-over-year gain since April, which represented February (pre-pandemic) motor fuel sales. MFT TRF proceeds totaled \$26,736 in September, which is equal to 69% of the regular MFT allotment for the month.
- f. October 22, 2020 Update – After increasing by over 11% last month, motor fuel tax proceeds fell by ~12% in October, coming in at \$35,398 (v. \$40,152 in Oct 2019). MFT TRF proceeds totaled \$25,562 in October, which is equal to 72% of the regular MFT allotment for the month.
- g. November 19, 2020 Update – After declining by 12% in October, MFT proceeds improved in November, down only ~5% to come in at \$35,495 (v. \$37,357 in November 2019). Over the last six months year-over-year MFT proceeds have declined by an average of approximately 15%, as more and more people continue to work remotely because of the pandemic. TRF proceeds came in right on average at \$24,655 – which is ~70% of MFT proceeds.
- h. January 7, 2021 Update – In comparison to last December, MFT proceeds declined by about 17%, coming in at \$35,374 (v. \$42,716 in December 2019). However, MFT revenues do appear to be stabilizing, as proceeds have been consistently tracking right around \$35,000 over the last three months. The IML's most recent estimates (Nov 2020) have MFT finishing at \$20.50 per capita for FY 21– which would yield tax proceeds of ~\$390,000 – which is approximately \$80,000 under the City's budgeted amount of \$472,697. However, a majority of

this estimated budget shortfall would be offset by MFT High Growth proceeds, which have exceeded budgeted amounts by ~\$70,000 (\$11,000 budgeted v. \$79,463 actual). On a percentage of MFT basis, TRF proceeds came in right on average at \$25,395 – which is ~70% of MFT proceeds.

5. The City's utility bills (water, sewer, sanitary district, garbage, and road infrastructure fee) were due on April 6th for usage that occurred in December and January. The City staff was monitoring payment counts and amounts received and can report that neither figure was outside of normal expectations. The "late" bills are due April 20th, and staff will monitor whether those figures are outside expectations. The next full utility bill cycle will cause bills to be due June 5th.
 - a. April 23, 2020 Update – The April 20th late bill payment deadline was within normal expectations.
 - b. June 10, 2020 Update – The June 5th due date for the April utility bills was within normal expectations. Direct deposit amounts for City utility bills have remained steady at around \$250,000 per billing cycle.
 - c. August 6, 2020 Update – The August 5th due date for the June utility bills was within normal expectations. We do not have more late payments than normal, but we have a small group of accounts with higher balances than normal since shutoffs have not been conducted. We are working with these households proactively.
 - d. October 8, 2020 Update – Staff is preparing to conduct water shut offs, starting on October 21st, for accounts with an outstanding balance of \$500 or more. Staff continues to proactively work with these delinquent accounts, which total ~65, in order to avoid an interruption in service.
6. A number of the City's capital funds are dependent upon impact fees. Fortunately, the City has been extremely conservative in new housing start estimates and does not depend on these revenues for ongoing operational expenditures. The Mayor and staff have been polling local and national home builders and all remain optimistic for the construction season.
 - a. August 6, 2020 Update – New housing starts in 2020 stand at 118 as of today, which is a 17% increase over the 2019 year-to-date figure of 101. This year-over-year increase is driven primarily by the construction of new townhomes in the Raintree Village subdivision, as single-family housing is only up 92 in 2020 compared to 91 in 2019. However, the City currently has an additional 59 new housing starts applied for that will be issued in the next few weeks, which will drive that year-over-year increase much higher.
 - b. October 8, 2020 Update – New housing starts in 2020 stand at 224 as of today, which is an 88% increase over the 2019 year-to-date figure of 119; with the bulk of activity taking place in the Grande Reserve (64), Kendall Marketplace (35), Prestwick Ashley Point (19) and Raintree Village (84) subdivisions.
 - c. January 7, 2021 Update – New housing starts for calendar year 2020 finished at 317, which is an 78% increase over last year's total of 178; with the bulk of

activity taking place in the Grande Reserve (83), Kendall Marketplace (54), Prestwick Ashley Point (35) and Raintree Village (110) subdivisions.

7. The State of Illinois is one of the least financially prepared states for a major recession or depression. The State has already begun sweeping different funds and delaying payments to non-health and non-medical organizations. Members of both political parties in Illinois in the past have discussed slashing state revenue sharing with municipalities. While no specific proposal is on the table at this time, one could easily imagine a scenario where municipal-related state funds are swept, and state revenue sharing is significantly reduced.
 - a. April 23, 2020 Update – The state has moved funds around within their own budget but has not yet signaled any impact to revenue streams shared with municipalities.
8. The City's cash position and cash flow, even in extreme circumstances and with no affirmative action by the City is ok through 2020. The City's cash position and cash flow, in extreme circumstances and with no affirmative action by the City will enter crisis territory in mid-2021 before being untenable by the end of 2021. The City's valley of cashflow will occur in December 2020 and December 2021, when most of the City's bond payments are made.

Important Dates (new text only where update is noted)

9. When the curve is flattened
10. When different sectors of the economy are able to restart
 - a. May 7, 2020 Update – The Governor's stay at home order has been extended through the end of May, and his reopening plan illustrates months before a return to economic normalcy. There has been widespread push back from the business community on this plan, and it remains to be seen whether it will change as a result of data or pressure from the public.
 - b. June 10, 2020 Update – Beginning on June 1st the State entered phase three of the Governor's reopening plan. "Non-essential businesses" have been allowed to reopen (with certain safety restrictions) and restaurants have been allowed to expand their services beyond delivery, pick-up and drive-thru, to include open outdoor seating. Our region is currently on track to move to Phase 4 of the plan on June 26th, which will allow all outdoor recreation, indoor dining with capacity limits, and other expanded measures.
 - c. July 23, 2020 Update – On July 15th the Governor announced a new mitigation plan that modifies the existing "Restore Illinois" plan aimed at preventing another COVID-19 surge in Illinois. Initially the State was divided into four regions, that would each progress through five stages of reopening, each with fewer restrictions as COVID-19 cases subsided. Under the Governor's revised plan the State has been divided into 11 smaller regions, which will enable the state to act in a more decisive, targeted way in addressing COVID-19 hotspots without reacting more

broadly than circumstances require by imposing blanket restrictions across large geographic areas or moving entire regions back to an earlier phase. Kendall County has now been moved out of the Chicagoland region, and is in a region with the counties to our south and west – all the way to the Iowa border.

- d. August 6, 2020 – Kendall County’s positive test rate has been on the rise in the past few days and sat at 6.8% on July 31, with the Governor specifically calling out our region and multiple counties within our health region. The Governor’s planned action for regions and counties that are seeing poor testing data (i.e. days of above 8% positive tests) includes closure of indoor dining, non-essential businesses, and other similar actions.
11. Early May 2020 – when the sales tax monthly report for February consumer sales will be released, and when the sales tax reporting deferral will be seen.
 - a. May 7, 2020 Update – As noted above, there is no evidence of impact from sales tax reporting deferrals on the sales tax amounts received.
 - b. June 10, 2020 Update - The impact from sales tax reporting deferrals on the actual amount of sales taxes received remains negligible. Since the sales tax deferral went into effect last month, less than 1% of the average monthly totals have been deferred.
 12. Mid May 2020 – when the MFT monthly report for March consumer sales will be released.
 - a. May 21, 2020 Update – As noted in section 4(a) above, MFT proceeds came in better than expected at \$33,790, a decrease of approximately 20% from the prior year.
 13. Early June 2020 – when the sales tax monthly report for March consumer sales will be released from the state, and the first with potentially lower sales and reporting deferrals.
 - a. June 10, 2020 Update – As noted in section 3(b) above, sales tax will end FY 20 right around \$3.22M, which is \$70,000 higher than initially budgeted and a 5% increase in comparison with the previous fiscal year. June’s allotment for Non-Home Rule (NHR) sales taxes came in at 94% of last year’s amount. FY 20 totals for NHR Sales will be ~2.41M, which is 2% higher than FY 19 amounts.
 14. Early July 2020 – when the sales tax monthly report for April consumer sales will be released from the state.
 - a. July 9, 2020 Update – As noted in section 3(c) above, sales tax proceeds, representing April consumer sales, only marginally declined from the previous July. July’s allotment for Non-Home Rule (NHR) sales taxes came in at 87% of last year’s amount, which seems to be indicative of consumer buying habits during the pandemic.
 15. July 1, 2020 – when the first, partial online sales tax methodology change goes into effect statewide, resulting in modest (relative) sales tax revenue increases for municipalities.

16. July 2020 – when income taxes are due to the state.
 - a. July 9, 2020 Update – The full impact of the extended income tax deadline will not be known until September/October, due to the three-month lag between taxes being remitted and received from the state.
 - b. As noted above in Section 2(f), August income tax proceeds increased two-fold over the prior year, presumable due to the timing of payments related to the extension of the State income tax filing deadline.
 - c. As noted above, September income tax proceeds posted a year-over-year gain of 29%, once again presumable due to the timing of payments related to the extension of the State income tax filing deadline.
17. August 2020 – no action has been taken by Kendall County to implement this date yet, but the current discussion for property tax payment dates would push the first payment out to August 2020.
 - a. Despite the County not assessing a penalty until after August 15th (for those individuals approved for a COVID-19 waiver), City corporate property tax proceeds remain in line with 2019 amounts, totaling \$1.74 M through July.
18. September 2020 – when the first sales tax monthly report will be released that could possibly the first sales tax monthly report with no deferrals.
 - a. Despite our initial concern, the deferral of sales tax had no material impact on the City's sales tax proceeds, as total deferrals were less than \$10,000 in the aggregate.
19. November 2020 – state referendum on progressive income tax
 - a. November 5, 2020 update - As mentioned above within the high-level narrative of income taxes, the referendum failed. The Governor has vowed to look at large cuts in state government services and revenue sharing (including, presumably, LGDF) before pivoting to a likely across the board flat-income tax increase. It is not known how exactly the state will address its budget shortfall, especially given the unlikelihood of an immediate federal package to address revenue shortfalls for state and local governments. During last year's budget address, the Governor did propose that if the income tax referendum fails, municipalities would see a 5% point decrease in LGDF revenues. However, that decrease would have to be agreed upon by the legislature, and its proposal came before the pandemic.
20. December 2020 – large bond payments are due, representing a valley of cashflow.
 - a. November 5th update - With the FYE 20 CAFR completed and the City's financial position having improved again, staff has no concern about the December 2020 payments and cashflow, even with the purchase of the 651 Prairie Pointe building.
21. January 1, 2021 – when the second, full online sales tax methodology change goes into effect statewide, resulting in potentially significant (relative) sales tax revenue increases for municipalities.

22. February 2021 – when abatement ordinances on alternate revenue bonds are due to the County.
23. December 2021 – large bond payments are due, representing a valley for cashflow.

Revenues – Summary (all old text, no updates)

The primary concerns of the ongoing situation are explained in greater detail below; but for the most part, can be summarized as follows:

- the State cutting or delaying various tax remittances
- the County delaying property tax distributions and the impact of a potential recession on the local real estate market
- delays and non-payments of various utility billing charges
- limited investment opportunities in a low interest rate environment
- the impact on the building and development community should a prolonged recession occur
- the duration of social distancing, as many revenue streams are dependent upon people freely engaging in various activities in a public setting

Revenues - Highest concern (new text only where update is noted)

24. Municipal and NHR Sales Tax – account for approximately one-third of all General Fund revenues and can be highly volatile. Restaurants and bars generate ~14% of all municipal sales tax receipts. Could see potential losses from proposed FY 21 amounts of over \$750,000, based on current anecdotal sales information and the stay-at-home order being issued through the end of April.

- a. April 23, 2020 Update – While the stay at home order has not been extended past April 30th, recent comments by the Governor and Mayor of Chicago, as well as modeling for the COVID-19 case count, seems to indicate that widespread impacts to public gatherings will occur for several weeks, if not months. The staff has updated the FY 21 sales tax estimates, and now expects to see a decrease of more than \$1,000,000 in regular and non-home rule sales taxes.
- b. May 7, 2020 Update – The stay at home order has been extended through May, and the Governor’s reopening plan makes it seem that widespread retail and restaurant impacts will occur through the Summer. As noted above, the February consumer sales tax / March state receipts report was released on May 7, 2020 and the 2020 figures were 9% higher than the 2019 figures for the same month. At least in the run up to the pandemic, no sales tax downturn was observed.
- c. June 10, 2020 Update – The stay at home order has been lifted as of June 1st, as the State enters phase 3 of the reopening plan. As noted above, the March consumer sales tax / April state receipts report, which is the first month impacted by the Governor’s Shelter in Place order was released on June 4, 2020 and the 2020 figures were nominally higher than the 2019 figures for the same month. Thus far, sales tax has remained resilient, as staff speculates that the decrease in sales tax proceeds from “non-essential businesses” and restaurants has been offset by the increased demand brought on by the pandemic for food and other consumer goods.
- d. July 9, 2020 Update – On Friday, June 26th the State entered phase 4 of the reopening plan, which now allows “non-essential” business to open and restaurants to resume indoor dining, albeit with restrictions. As noted above, the April consumer sales tax / May state receipts report, which is the first full month

impacted by the Governor's Shelter in Place order, showed that the 2020 figures were nominally lower than the 2019 figures for the same month. Thus far, sales tax has remained resilient, as staff speculates that the decrease in sales tax proceeds from "non-essential businesses" and restaurants has been offset by the increased demand brought on by the pandemic for food and other consumer goods. Conversely, NHR sales are beginning to lag, presumably because the items consumers are buying are exempt.

- e. August 6, 2020 Update – As mentioned in the July 9th update and further above in this memo, the non-home rule sales tax for the June state report is down 20% year-over-year, giving further evidence to the observation of consumers spending more on essential goods than non-essential goods.
- f. September 17, 2020 Update – As mentioned above, sales taxes have remained resilient thus far in FY 21, either matching or exceeding prior year amounts.
- g. October 8, 2020 Update - As mentioned above, sales taxes have remained fairly resilient throughout the pandemic thus far, with an average increase of around 4% over the last six months. After increasing by 11% last month, NHR sales increased by 5% in October, which is a positive indicator that area residents are beginning to make more general merchandise purchases, in addition to food and other household goods.
- h. November 5, 2020 Update – At time of creation of this memo, the November sales tax report has not been released from the state. Since the October 27th City Council meeting, staff was able to complete the manual data entry of sales tax performance pre- and post-pandemic from a variety of Illinois municipalities. As seen within the spreadsheet, Yorkville sales taxes were doing relatively well pre-pandemic, and has weathered the post-pandemic months. Pre-pandemic, Yorkville was seeing average growth year-over-year in the 3% to 8% range, and post pandemic is seeing anywhere from a 5% loss to 3% growth. This is compared to a pre-pandemic average growth range of 3.5% to 4% and a post-pandemic impact of a 10% to 15% loss.
- i. November 19, 2020 Update – As referenced above, November municipal sales tax proceeds came in at \$298,588, which is up 8% over the prior year. So far, municipal sales tax has remained quite resilient throughout the pandemic, averaging year-over-year increases of about 4% over the last six months. As it has for the previous two months, NHR sales tax continued to mirror the increase in municipal sales tax, also coming in at 8% higher than the previous November. Since the September (June consumer sales) allotment, gross NHR sales have been averaging year-over-year increase of ~8%.
- j. January 7, 2021 Update – As mentioned above, December municipal sales tax proceeds came in at \$312,925, which is up 16% over the prior year and the second highest allotment in the City's history. In aggregate, municipal sales tax is up by about 7% in comparison to calendar year 2019. NHR sales tax continues to trend with municipal sales tax increases, coming in at 12% higher than the previous December.

Revenues - High concern (new text only where noted)

25. Income Tax – could possibly decline by \$200,000 or more due to sharp increases in unemployment levels and lower corporate profits should a recession occur. The State is also likely to either cut or delay payments, due to their own budgetary issues.
- a. May 7, 2020 Update – As mentioned earlier in the memo, the IML released their revenue estimates, expecting a 15% decrease in income tax revenues from FY 20 actuals. This is a loss of \$300k between FY 20 and FY 21. As of April 28th, the City was assuming a loss of only ~\$140k between FY 20 and FY 21, which means the income tax picture has become ~\$160k worse than we expected.
 - b. June 10, 2020 Update – As mentioned above, June's allotment of income tax came in at \$118,791, which is essentially even with last June's allotment of \$119,293. Income tax receipts will finish FY 20 at approximately \$1.87M, which is a 5% decrease in comparison to last year. IML has revised its FY 21 per capita estimate to \$97. If \$97 per capita comes to fruition, it would match the FY 20 actual figures (i.e. revenues are flat).
 - c. July 23, 2020 Update – As mentioned previously July's income tax proceeds totaled \$188,635, which is about 6% higher than the prior year's allotment of \$178,400. The IML currently has income tax pegged at \$97 per capita, which would put the City's total income tax around \$1.85M for FY 21.
 - d. August 20, 2020 Update – As referenced above, August's income tax proceeds totaled \$257,905, which is more than twice the amount of the prior year's allotment of \$127,883.
 - e. September 17, 2020 Update – As mentioned above, September's income tax proceeds were \$146,132, which is a 29% increase over last September's amount of \$113,183.
 - f. October 22, 2020 Update - As referenced above, October's income tax proceeds were \$211,612, which was a 4.8% increase over the prior year's amount of \$201,938.
 - g. November 5, 2020 update – As mentioned at the October 27th City Council meeting, the IML revised its income tax estimates for FY 21 to \$105 per capita, which is unexpectedly far greater than their prior estimates of \$98 per capita (and where the City currently estimates). Since the meeting, the progressive income tax referendum has failed, with the Governor vowing to look at large cuts in state government services and revenue sharing (including, presumably, LGDF) before pivoting to a likely across the board flat-income tax increase. It is not known how exactly the state will address its budget shortfall, especially given the unlikelihood of an immediate federal package to address revenue shortfalls for state and local governments. During last year's budget address, the Governor did propose that if the income tax referendum fails, municipalities would see a 5% point decrease in LGDF revenues. However, that decrease would have to be agreed upon by the legislature, and its proposal came before the pandemic.
 - h. November 19, 2020 update – As referenced above, November's allotment of income tax came in at \$142,988, which is up ~9% from last November. Thus

far in FY 21, income tax proceeds have remained resilient despite the pandemic, although much uncertainty remains moving forward regarding rising unemployment and potential future cuts to the LGDF.

- i. January 7, 2021 Update – As noted above, December’s allotment of income tax came in at \$126,592, which is marginally up from last December’s amount of \$124,542 (+1.7%). Over the last 12-months, income tax is up about 2%; although uncertainty remains regarding future cuts to the LGDF by the State.
- j. **January 21, 2021 Update** – As mentioned above, January’s income tax proceeds were up 16%, coming in at \$201,687, although uncertainty remains regarding future cuts to the LGDF.

26. Local Use Tax – decline could be marginal, due to the prevalence of on-line sales.

However, the State is also likely to either cut or delay payments.

- a. May 7, 2020 Update – As mentioned earlier in the memo, the IML released their revenue estimates, which expect no change between FY 20 and FY 21. As of April 28th, the City was assuming a loss of ~\$87k in use taxes, which means the use tax picture has become \$87k better than we expected.
- b. May 21, 2020 Update – May’s allotment of local use tax came in 3% higher than last year’s allotment of \$45,940. Assuming June’s allotment remains flat with last year’s amount, local use tax would finish FY 20 at approximately \$658,000. This observance aligns with the IML’s estimate that use taxes are likely to not decrease in FY 21, based on the large transfer of retail sales to online purchases.
- c. June 10, 2020 Update – June’s allotment of local use tax came in 15% higher than the previous year, ostensibly due to the pandemic and corresponding shelter in place order from the Governor. Local use tax is expected to finish FY 20 at \$665,000, which is a 15% increase over FY 19 amounts.
- d. July 23, 2020 Update – Local use tax continues to remain robust, ostensibly due to the continued popularity of on-line shopping, especially during the pandemic. Local use proceeds are up 29% from July of last year, coming in at \$63,676 (the July 2019 amount was \$49,432). The IML currently predicts FY 21 local use at \$35.50 per capita, which would yield an annualized amount of ~\$675,000. Assuming this comes to fruition, FY 21 local use would increase by 1.5% over the prior year (FY 20).
- e. August 20, 2020 Update – Local use tax continues to remain strong, with August proceeds coming in at \$70,816, which is a 43% increase over the prior year (\$49,646 – August 2019).
- f. September 17, 2020 Update – As mentioned in the sales tax section above, local use tax continues to remain robust, posting another 40+% increase in September (\$71,494 v. \$50,740 in September 2019). Despite significant recent growth in this revenue stream, local use tax should begin to level off and decline starting next month, as October (July consumer sales) will be the first month in which on-line retailers will be required to collect local sales taxes, instead of use taxes.
- g. October 22, 2020 Update - October represents the first month (July consumer sales) in which on-line retailers were required to collect sales taxes, instead of use taxes. Nonetheless, local use revenues posted strong year-over-year gains, coming in at \$72,294, which is a 39.3% increase over last October’s amount of

\$51,886. Despite this sharp increase in the current month, it is expected that this revenue stream will begin to level off and decline, as proceeds in future months will be classified as sales instead of local use taxes (thus negating one and other from a budgetary standpoint).

- h. November 19, 2020 Update – November local use tax proceeds came in at \$68,841, which is an increase of 39% compared to the \$49,709 received in November of 2019. This is the fourth month in a row that use tax proceeds have exceeded prior year amounts by ~40%. As mentioned above, eventually this revenue stream should begin to level off once the State begins to reclassify proceeds from internet sales as municipal sales tax instead of local use tax.
 - i. January 7, 2021 Update – December local use tax proceeds came in at \$71,821, which is an increase of 29% compared to the \$55,674 received in December of 2019. As mentioned above, eventually this revenue stream should begin to level off once the State begins to reclassify proceeds from internet sales as municipal sales tax instead of local use tax.
 - j. **January 21, 2021 Update** – January local use tax proceeds came in a \$75,253, which is a 23% over the prior year. Based on the declining percentage increases over the last several months, it appears that the State has begun the process of reclassifying internet sales as municipal sales tax instead of local use tax. As mentioned previously, staff expects local use tax proceeds to eventually level off and decline as a result of the reclassification.
27. Motor Fuel Tax – may decline by over \$100,000 from decreased demand, as a result of high unemployment and more people working remotely. The State also likely to either cut or delay payments.
- a. May 7, 2020 Update – As mentioned earlier in the memo, the IML released their MFT and TRF estimates, expecting a loss of 15% in MFT and lowering their per capita projections for TRF slightly. In the FY 21 budget approval, the City assumed moderate growth in the MFT and had not updated those estimates as a result of the pandemic. As a result, the IML estimates for MFT and TRF are \$125,000 worse than we expected.
 - b. June 10, 2020 Update – As mentioned above, the IML has revised its FY 21 MFT and TRF projections this week. Per capita MFT was reduced by almost 20%, from \$24.85 to \$20; whereas TRF projections were reduced by 11%, from \$16.87 to \$15. This puts the City’s share at \$380,000 (MFT) and \$285,000 (TRF), respectively – which combined is \$128,000 less than FY 21 budgeted amounts. Fortunately, this projected loss is more than offset by proceeds from the REBUILD Illinois program, mentioned above
 - c. July 23, 2020 Update – As mentioned earlier in the memo, MFT proceeds declined by ~25% and was worse than expected, as the current IML target for FY 21 is \$20 per capita (~\$380,000 annualized), which is an 18% decrease from FY 20 totals. MFT TRF proceeds came in at \$19,700 in July, which is equal to 75% of the regular MFT proceeds received.
 - d. August 20, 2020 Update – As referenced above, once again MFT proceeds declined by 25% in comparison to the prior year, which is consist with its

- performance over the last four months. MFT TRF proceeds totaled \$23,536 in August, which is equal to 72% of the regular MFT allotment for the month.
- e. September 17, 2020 Update – As mentioned above, MFT proceeds rebounded in September, posting a year-over year gain of 11%. MFT TRF proceeds totaled \$26,736 in September, which is equal to 69% of the regular MFT allotment for the month.
 - f. October 22, 2020 Update - As referenced above, after an increase last month, MFT proceeds once again declined by ~12% in comparison to the prior year (\$35,398 in Oct 20 v. \$40,152 in Oct 19). MFT TRF proceeds totaled \$25,562 in October, which is equal to 72% of the regular MFT allotment for the month.
 - g. November 19, 2020 Update - As referred to above, MFT proceeds declined by 5% in November, coming in at \$35,495. TRF proceeds totaled \$24,655, which is equal to ~70% of regular MFT proceeds.
 - h. January 7, 2021 Update – As mentioned above, December MFT proceeds declined by about 17%, coming in at \$35,374 (v. \$42,716 in December 2019). However, MFT revenues due appear to be leveling off, as proceeds have been consistently tracking right around \$35,000. TRF proceeds came in as expected at ~\$25,000 – which is ~70% of MFT proceeds.
28. Water Sales, Infrastructure Fees and Late Penalties – water sales may decline due to shrinking usage or wet weather. May adversely impact cash flow due to customers paying late or not at all. Late penalties may also vary, depending on whether or not fees are waived.
 29. Sewer Maintenance Fees and Infrastructure Fees – similar to water infrastructure fees, may adversely impact cash flow due to customers paying late or not at all.
 30. Child Development and Athletics & Fitness – may result in substantial refunds and season cancellations depending on how long the shelter in place order lasts and the willingness of residents to reengage in public activities.
 - a. June 10, 2020 Update – Staff expects there to be a significant decrease in revenue and profit margin due to the Restore Illinois Plan restrictions on in-person programming and the willingness of residents to reengage in public activities. For example, about two-thirds of the spring youth sports league participants have requested refunds. We expect that this trend will continue throughout the year or until we reach Phase 5 of the Restore Illinois Plan. Nevertheless, as the State updates in-person programming guidelines we potentially could see an increase in in-person programming opportunities, revenue and profit margins.
 31. Library Property Taxes – account for ~95% of all Library revenues. Any substantial delays in payments or remittance may result in serious operational and cash flow issues for the Library.
 32. TIF Property Taxes – any substantial delays in payments or remittance would add continued pressure to the General Fund, which directly offsets the negative cash position

of the three TIF Funds. In future fiscal years, a potential decline in property values would further inhibit the TIF districts ability to eliminate its negative equity position.

Revenues - Medium concern (new text only where update is noted)

33. Corporate Property Taxes – may be delayed by the County. This, coupled with delayed remittance of state taxes, would put a strain on operational cash flow. In future fiscal years, this revenue stream may continue to decline, as more and more funds are diverted away to cover the City’s contribution to the Police Pension Fund.
- a. April 23, 2020 Update – Property taxes are not being delayed by the County, but late fees are being waived for a couple months.
 - b. June 10, 2020 Update – The first allotment of property tax was received in early June. It was a week later than normal, but the amounts were in-line with expectations, thus far.
 - c. August 20, 2020 Update – As mentioned above, corporate property tax proceeds remain consist with prior year amount through July, despite the County not assessing a penalty until after August 15th (for those individuals approved for a COVID-19 waiver).
 - d. October 8, 2020 Update – To date the City has received five out of seven allotments of property tax from the 2019 levy for a total of ~\$3.2M, which is 96% of the total amount levied of \$3.34M; which falls exactly in-line with last year’s collection rate.
34. Building Permits, Connection & Development Fees – the impact on permit revenue from the pandemic and recession that is anticipated to follow, remains to be seen. Staff will continue to provide updates regarding these revenue streams as information becomes available.
- a. June 10, 2020 Update – Total permits issued thus far in FY 21 total 217, which is significantly higher than last May’s amount of 128. Single family and commercial permits total 20 thus far in FY 21, in comparison to 31 permits issued last May.
 - b. January 7, 2021 Update – As referenced above, new housing starts for calendar year 2020 are up 78%, finishing calendar year 2020 at 317; with the bulk of activity taking place in the Grande Reserve, Kendall Marketplace, Prestwick Ashley Point and Raintree Village subdivisions.
35. Amusement, Video Gaming & Hotel Taxes – the impact on these revenue streams are wholly dependent on the longevity of the COVID-19 pandemic and the shelter in place order from the Governor. Hotel tax receipts will have limited impact on the City budget, as 90% of all proceeds received are remitted to the AACVB.
36. Investment Earnings – are expected decline sharply City-wide in the upcoming fiscal year, due to potentially declining revenues and an extremely low interest rate environment.
- a. June 10, 2020 Update – Limited opportunities for investment earnings seem likely for the City for at least the next two fiscal years, as the Fed recently announced

that it will continue to track interest rates near zero through at least 2022, in an effort to support the national economic recovery.

- b. August 20, 2020 Update - As expected, interest rates have declined precipitously over the last several months. As an example, Illinois Funds, which is typically one of the higher yielding investment vehicles for the City, was yielding an annualized rate of 2.2% in August of 2019. Currently, its offering an annualized rate of 0.15%, a decline of over 90%.
 - c. September 17, 2020 Update – The Fed announced yesterday that it would maintain the federal funds rate at a range between 0 and 0.25%, until inflation begins to average at least 2% for an extended period of time, which may take until the end of 2023. Should this assumption hold, the City will experience a prolonged period of limited investment earnings until that latter half of FY 24.
37. MFT High Growth Earnings – similar situation to the other state taxes mentioned above, these proceeds could be swept or delayed by the State.
- a. November 19, 2020 Update - On November 12th, the City received its FY 21 high-growth allotment of \$79,463, which should help to offset some of the losses in MFT proceeds due to the pandemic. This is over \$68,000 higher than the budgeted amount of \$11,000.

Revenues - Low or no concern (all old text, no updates)

38. These revenue streams are comprised of pass-through items (such as business district or admission taxes), various reimbursements from developers and other sources, and all other revenues not previously identified – with minimal, individual impact on the overall budget.

Expenditures under consideration (all old text, no updates)

The Mayor and staff have preliminarily discussed a first cut list of approximately \$1.3m in the general fund or related funds and \$200,000 in the water fund to offset a potential loss of \$1.3m in general fund revenues. We have reprinted the full list of the “easy/medium/difficult” categories from the April 14th City Council memo, with items recommended to be cut noted. All of the cuts marked below will be continuously reviewed by the Mayor and staff and may be amended or rescinded in the future.

Expenditures - Easy to implement (new text only where update is noted)

39. Delay the proposed new PW employee - \$100,000 annually through FY 25
- a. April 23, 2020 Update – Cut until things stabilize.
40. Delay the FY 22 Police Commander - \$150,000 annually beginning in FY 22 and annually through FY 25
- a. April 23, 2020 Update – Cut until things stabilize.

41. Implement a hiring freeze/review process whenever a vacancy occurs. The City has one anticipated retirement in the police department at the end of FY 20, and the Chief and the Mayor have proposed leaving that position vacant going forward - \$85,000 annually through FY 25 for police retirement vacancy; TBD for all other employees
- a. April 23, 2020 Update – Implement a hiring freeze on a case-by-case basis. Do not rehire position to be vacated through one police officer retirement. Do not hire seasonal part-time help in the Parks and Public Works Departments.
 - b. August 6, 2020 – The City is in the process of hiring a Police Records Clerk, due to staffing needs within the department.
42. Cutback or reduce new budget proposals
- a. New sidewalk program – gross annual spend proposed at \$125,000
 - i. April 23, 2020 Update – Reduce the annual spend for this project, but watch for a turnaround and opportunity to reinstate the full budget amount.
 - b. Pavement striping – gross annual spend proposed at \$62,000
 - i. April 23, 2020 Update – Reduce the annual spend for this project but watch for a turnaround and opportunity to reinstate the full budget amount.
 - ii. August 6, 2020 Update – The City moved forward with a \$25,000 striping bid in July 2020.
 - c. Public Works building RFQ - \$30,000
 - i. April 23, 2020 Update – Cut until things stabilize.
 - d. Police building RFQ - \$30,000
 - i. April 23, 2020 Update – Cut until things stabilize.
 - ii. November 19, 2020 Update – Staff is proposing a space needs study for the new PD/City Hall at 651 Prairie Pointe at the November 24th City Council meeting, which would negate this original budget reduction.
 - e. E-ticketing software - \$26,500
 - i. April 23, 2020 Update – Cut this project, but watch for a turnaround and opportunity to reinstate at a later date.
 - f. Office chairs - \$10,000
 - i. April 23, 2020 Update – Cut until things stabilize.
 - g. Buy one less police vehicle per year - \$65,000 potential savings per vehicle
 - i. April 23, 2020 Update – Reduce the annual spend for this project but watch for a turnaround and opportunity to reinstate the full budget amount.
 - ii. July 23, 2020 Update – There are two police SUVs budgeted in FY 21 and both were authorized by City Council in March 2020. Staff is in the process of ordering the first SUV, and the second SUV will be held off as mentioned above.
 - iii. August 6, 2020 – The first police SUV has been ordered. The second SUV is held off as discussed.

- h. Bulk water dispenser - \$20,000
 - i. April 23, 2020 Update – Not cut for the time being, as cost is housed within the water fund.
- i. Enterprise Resource Program (ERP) - gross budget spend in FY 21 and FY 22 proposed at \$475,000
 - i. April 23, 2020 Update – Cut this project but continue to do due diligence on reducing scope and cost of a future ERP project and watch for a turnaround and opportunity to reinstate at a later date.
- j. Cable consortium participation – net annual spend in FY 21 proposed at \$65,000
 - i. April 23, 2020 Update – Cut participation in the consortium from a financial basis but do due diligence on remaining in the consortium at a reduced contribution amount and/or broadcasting public meetings with in house resources.
 - ii. August 6, 2020 Update – Waubensee Community College has exited the consortium as of July 31, and the consortium expenditures should be minimal for the next several weeks while the Consortium discusses its service delivery model. FY 21 expenditures should be \$0, but for future City Council action.

Expenditures - Medium difficulty to implement (all old text, no updates)

43. Compensation and benefits

- a. The City implemented a one-week furlough during the last recession. A one-week furlough based on current staff counts and compensation would yield more than \$100,000 in savings. This assumes that all employees, including union employees (subject to negotiation), would take a one-week furlough.
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient.
- b. The City froze salaries for a year or two during the last recession, depending on the group of employees. A 0% raise for current non-union employees would yield more than \$100,000 in savings annually and compounded compared to the FY 21 budget proposal.
 - i. April 23, 2020 Update – Recommendation to immediately implement.
 - ii. August 6, 2020 Update – The Police Officers union contract is on the City Council agenda for approval with a 2% COLA for August 2020 implementation. Non-union salaries are being readdressed depending on successful completion of the Public Works union contract and the Sergeants union contract.
 - iii. October 8, 2020 Update – The MOU approving a one-year extension to the Public Works contract was approved with a 2% COLA at the September 22nd City Council meeting. The Sergeants contract is expected to be presented to Council for consideration at the October 13th meeting.

- iv. November 5, 2020 Update – The Sergeants contract has been approved, with the same COLA levels as the Public Works contract and the Officers contract.
 - c. The elected official compensation ordinance just approved by City Council doesn't take effect until FY 24, but the annual value is \$30,000 over prior compensation levels.
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
44. Cutback, reduce, defer
- a. Police pension contributions, currently at 100% funding target but legally required only at 90% funding target - \$195,000 difference in FY 21
 - i. April 23, 2020 Update – Savings can't be realized until FY 22, which is when the property tax levy to be passed by the City Council in December 2020 will be on the property tax bills. We recommend exploring this option with the police pension fund over the coming months.
 - b. Greenbriar Road RTBR supplemental project - \$200,000 in FY 21
 - i. April 23, 2020 Update – Cut this project, but watch for a turnaround and opportunity to reinstate at a later date.
 - c. 2021 RTBR program - \$1,700,000 in FY 22
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
 - d. Staff training, organization wide - \$100,000 annual
 - i. April 23, 2020 Update – Reduce the annual spend for this project but watch for a turnaround and opportunity to reinstate the full budget amount.
 - e. Staff membership in professional organizations – TBD
 - i. April 23, 2020 Update – Reduce the annual spend for this project but watch for a turnaround and opportunity to reinstate the full budget amount.
 - f. Ask for all consultants, vendors, and partners to reduce contract value - TBD
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient. However, without being asked, Attorney Orr has reduced her hourly rate by 7.5%.
 - g. Mosquito control - \$6,000 annual
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
 - h. Library liability insurance - \$25,000 annual
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient

- i. Tuition reimbursement for currently enrolled employees - \$15,000 annual in five year budget proposal
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- j. Minute taking change - \$4,000 annual
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- k. Snow plow blades - \$14,000 in FY 21
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- l. Playground replacements - \$200,000 in FY 21
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- m. Parks equipment and mowers - \$70,000 in FY 21
 - i. April 23, 2020 Update – Cut until things to stabilize.
 - ii. July 23, 2020 Update – A new wing mower is proposed to be purchased for \$53,000.
 - iii. August 6, 2020 Update – The new wing mower was authorized by City Council at the July 28th meeting.
- n. Sanitary sewer crawler camera - \$65,000 in FY 21
 - i. April 23, 2020 Update – Cut until things stabilize.
- o. Hot water unit for vactor truck - \$15,000 in FY 21
 - i. April 23, 2020 Update – Cut until things stabilize.
- p. Public Works mowers - \$31,000 in FY 21
 - i. April 23, 2020 Update – Cut until things stabilize.
 - ii. July 23, 2020 Update – A medium-sized mower is being purchased for \$11,000.
 - iii. August 6, 2020 Update – The medium sized mower has been ordered.
- q. Elizabeth St watermain replacement - \$600,000 in FY 21
 - i. April 23, 2020 Update – Cut until things stabilize. This project is entirely housed within the water fund, but we are recommending it be deferred indefinitely to protect cash-flow.
- r. Water Fund capital including vehicles, Appletree Ct watermain, Well #7 electrical work, SCADA upgrades, water tower painting, Orange and Olsen watermain engineering work, and pressuring sensing valve program - \$100,000 in FY 21

- i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient. Costs are entirely housed within the water fund.

Expenditures - High difficulty to implement or high impact to organization and services (all old text, no updates)

45. Compensation and benefits

- a. Reduce health insurance benefits – TBD
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- b. Change health insurance carrier – would have been \$100,000 difference in FY 21 if implemented, value in FY 22 is TBD
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- c. Move to self-insurance – Value TBD, but risk to City would increase
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- d. Furloughs of 20% (turning a 40 hour work week into a 32 hour work week) for all employees, including union employees (bargained) - \$1,500,000 annual and compounded
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- e. Progressive salary cuts of 5% for employees paid less than \$60,000 annually, 10% for employees between \$60,000 and \$100,000 annually, and 15% for employees above \$100,000 - \$900,000 annually and compounded
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- f. Salary freeze for all union employees (must be negotiated) - \$100,000 annually and compounded
 - i. April 23, 2020 Update – Recommendations to negotiate with unions.
 - ii. August 6, 2020 Update – The Police Officers union contract is on the City Council agenda for approval, with a 2% COLA effective August 2020.
 - iii. November 5th Update – The Sergeants contract and the Public Works contract both have a 2% COLA effective August 2020.

46. Waves of staff layoffs – The City’s peak full-time employment count prior to the last recession was 96 actual employees, with 105 budgeted. During the recession and afterwards, the City reduced employment counts through a variety of methods and had a low-count of 71 full-time employees. The City’s current employment count as of April is

77. Layoffs would have varying service impacts and cost savings, and specific layoffs would only be discussed in executive session.

- a. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient

47. Sell assets

- a. The Van Emmon Activity Center was worth \$1.2m prior to the pandemic.
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient.
- b. The 8 acres at Kendall Marketplace was worth \$400,000 prior to the pandemic.
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient

48. Categorical last resorts

- a. Refinance, restructure, and/or renegotiate all bond payments to delay and reduce imminent bond payment amounts.
 - i. April 23, 2020 Update – No immediate proposal to implement, but due diligence will be conducted by staff for December 2020 bond payments.
- b. Renegotiate all developer obligations and payments to reduce imminent payment amounts.
 - i. April 23, 2020 Update – No immediate proposal to implement, but due diligence will be conducted by staff on a case-by-case basis.
- c. Restructure developer fees and deposits to reduce City’s financial burden. This would have the impact of increasing costs to developers and builders.
 - i. April 23, 2020 Update - April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient
- d. Revenue enhancements. There are many options for raising tax and fee amounts, and creating new taxes but these would only help the organization and would burden the public.
 - i. April 23, 2020 Update - No immediate proposal to implement. Readdress proposal later if first cut list is insufficient

New Proposals, as of April 23, 2020 (all old text, no updates)

49. Part-time hires – As noted above in the hiring freeze section, the Director Dhuse and Director Evans have both separately made the recommendation not to hire any seasonal part-time help in their departments. \$100,000 FY 21 value.

50. Outsourced inspections – Director Noble and Code Official Ratos have been managing inspection workload to minimize outsourcing. \$60,000 FY 21 value.

51. Baseline Road Bridge – There has been no specific proposal to spend these funds, as they had been budgeted simply as a protection against a sudden closure of the bridge. \$25,000 FY 21 value.

New Proposals, as of May 7, 2020 (all old text, no updates)

52. UDO – At the direction of the Mayor, the City staff negotiated a one-year pause of the UDO with both consultants. The consultants agree that the rates and cost within the agreement will continue forward for the extra year and that the study could be resumed at any time within the year. \$80,000 FY 21 value.

Recommendation

This is an informational item. Staff requests feedback on the content within.



Reviewed By:	
Legal	<input type="checkbox"/>
Finance	<input type="checkbox"/>
Engineer	<input type="checkbox"/>
City Administrator	<input checked="" type="checkbox"/>
Community Development	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>
Police	<input type="checkbox"/>
Public Works	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>

Agenda Item Number

Mayor's Report #5

Tracking Number

CC 2021-04

Agenda Item Summary Memo

Title: Prairie Pointe Building Update

Meeting and Date: City Council – January 26, 2021

Synopsis: A verbal update will be given at the meeting.

Council Action Previously Taken:

Date of Action: _____ Action Taken: _____

Item Number: _____

Type of Vote Required: _____

Council Action Requested: _____

Submitted by: Bart Olson Administration
Name Department

Agenda Item Notes:
