

**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, MAY 25, 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
	Transier	Present
Ward II	Milschewski	Present
	Plocher	Present
Ward III	Funkhouser	Present
	Marek	Present
Ward IV	Tarulis	Present
	Peterson	Present

Staff in attendance at city hall: City Clerk Pickering, City Administrator Olson, Deputy Chief of Police Mikolasek, Deputy Chief of Police Pfizenmaier, Building Code Official Ratos, Facilities Manager Raasch, and Attorney Orr.

Staff in attendance electronically: Public Works Director Dhuse, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, Assistant City Administrator Willrett, 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/84533077096?pwd=SmhtQnY4dGxxNkpQSnrQ0twbE96UT09>. The Zoom meeting ID was 845 3307 7096.

**QUORUM**

A quorum was established.

**AMENDMENTS TO THE AGENDA**

None.

**PRESENTATIONS**

**Swearing-in of New Patrol Officers:  
Anthony Nickels, Cali Caruso, and Mariesa Shapiama**

Mayor Purcell swore in Anthony Nickels, Cali Caruso, and Mariesa Shapiama as Patrol Officers for the Police Department.

**PUBLIC HEARINGS**

Public hearing to report outcomes and provide interested parties an opportunity to express their views on the program activities and performance of the Community Development Block Grant (CDBG) Downstate Small Business Stabilization (DSBS) grants funded through the Illinois Department of Commerce and Economic Opportunity.

The total amount of funds awarded to address the needs of the businesses due to the COVID-19 emergency was \$173,750; and was used to assist the following businesses with working capital needs: BH Martial Arts, Idea Marketing Group, Inc., Fast Burrito, Inc., NDB Enterprises Inc. DBA Sunfield Restaurant, The IdeaPros Inc. DBA Logo Factory, Taekwondo Korea Center, Inc., Treasure Breads Inc., and Ginger and Soul Inc.

Please see attached transcript from the court reporter regarding the public hearing portion of the meeting.

**CITIZEN COMMENTS ON AGENDA ITEMS**

None.

**CONSENT AGENDA**

1. Minutes of the Regular City Council – May 11, 2021
2. Bill Payments for Approval
  - \$ 286,561.58 (vendors – FY 21)
  - \$ 352,770.67 (vendors – FY 22)
  - \$ 314,678.39 (payroll period ending 5/14/21)
  - \$ 954,010.64 (total)
3. **MFT Resolution 2021-25** for Bulk Rock Salt – *authorize the Mayor and City Clerk to execute* (PW 2021-36)
4. 2020 Striping Program – Request for Change in Plans and Final Payment Estimate - *approve the Request for Change in Plans and Engineer’s Final Payment Estimate and authorize the Mayor to execute* (PW 2021-39)

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

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

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**REPORTS**

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**MAYOR’S REPORT**

**Ordinance 2021-13**

**Approving an Economic Incentive Agreement between  
the United City of Yorkville and Grande Reserve  
(Chicago) ASLI VI, L.L.L.P.  
(CC 2021-28)**

Mayor Purcell entertained a motion to approve an Ordinance Approving an Economic Incentive Agreement between the United City of Yorkville and Grande Reserve (Chicago) ASLI VI, L.L.L.P. So moved by Alderman Plocher; seconded by Alderman Peterson.

Director Noble explained this is an economic incentive agreement and the main objective of this agreement is to accelerate the completion of the public improvements of the subdivision including perimeter roadways, underground utilities, and sidewalks. This is due to the extended period of time that the development sat dormant. Staff worked with the developer to determine the priorities for this agreement that will supersede after the current annexation agreement expires in two years. The proposed agreement includes the accelerated completion of the roadway improvements, parks/land cash fees, increased securities for public improvements, early acceptance in Unit 20, building permit fees, agreement term, architectural standards, Neighborhood One HOA dues, and a minor PUD amendment for a density swap to allow the developer to convert some duplex units into single family units and then to transfer that density to another unplatted portion of the development. That unplatted portion would still have City Council approval of the final plat at a future date.

Discussion took place regarding the classification of a density swap as a minor Planned Unit Development (PUD) amendment. By classifying this as a minor PUD amendment, the public does not have the ability to weigh in during a public hearing process. It was mentioned that some Autumn Creek residents are concerned about the density swap which would transfer duplex units to the currently unplatted Unit 16 that borders the Autumn Creek subdivision. Attorney Orr explained that the incentive agreement includes a provision that the Final Plat for Unit 16 of the property, which is the unit that will increase in density if the agreement is approved, will be required to reviewed “ab initio”. This means that review of the final plat will take place from the beginning.

Dean Edmeier, representing the developer, was present via Zoom. Mayor Purcell asked Mr. Edmeier what the developer’s plans are for Unit 16. As to the duplexes in the unplatted area, Mr. Edmeier stated that in the economic incentive agreement, the developer is agreeing that they are going to start from scratch with Unit 16. He said that there will be no duplexes built in Unit 16 without some form of public hearing process because they are agreeing to start from the beginning. The developer views this density swap as placeholder mechanism that allows them to get the single-family houses in Unit 9 now as opposed to duplexes, while still allowing them to keep the total subdivision density at 2640 units. When they are ready to develop Unit 16, the final plat submittal will follow the full process, including a public hearing, final plat, engineering, etc.

It was asked if the developer had a timeframe for the development of Unit 16. Mr. Edmeier responded that the developer does not currently have a set timeframe for development of this unit. He said that if the minor PUD amendment is approved and they build single-family homes where the duplexes are currently platted, it will give the developer a two to three-year inventory for single-family homes already in the works. The units on the far west end of the subdivision will be developed further down the line as the original preliminary plans have expired and there is no engineering, no basic design, no final plat yet for these units. Mr. Edmeier said that Units 18, 25, 21, 10 and 11 on the east side of the subdivision all have design engineering already.

It was asked if approval of this agreement would set a precedent for other developments in the future. Attorney Orr said that it would not as this is a real agreement with a quid pro quo and most likely you can't match this agreement in other developments. If any other developments wanted something like this, an agreement would be brought to the council for a vote. Director Noble explained the reason why this is happening is because of the way the original annexation and PUD agreement was approved eighteen years ago. The original agreement was approved with a concept plan and not a final plat which means that you are final platting as you go along and that is why the built-in mechanism for flexibility at the staff level was put in place. The reason that the minor PUD amendment approval by staff seems so significant in this development is because this is one of the largest developments the city has. It has over 1000 acres and over 2600 units. Even at 1% of the threshold you are triggering a high number of lots to be changed or adjusted. Director Noble said that in the future, and what staff has seen with most developments such as Raintree, the entire subdivision will all be platted at the time of approval, so that any change would have to come back and come through the final plat amendment process. The council won't see this type of request going forward because they aren't approving concept plans for development anymore.

Motion approved by a roll call vote. Ayes-6 Nays-0 Present-2  
Milschewski-aye, Funkhouser-present, Tarulis-aye, Transier-aye,  
Plocher-aye, Marek-aye, Peterson-present, Koch-aye

**Proclamation for National Safe Boating Week**  
(CC 2021-29)

Mayor Purcell proclaimed May 22-28, 2021 as National Safe Boating Week in the United City of Yorkville (*see attached*).

**Required Reporting to Municipality by Yorkville Police Pension Board**  
(CC 2021-30)

Finance Director Fredrickson highlighted a couple of items from the report which can be found in the meeting packet. The funding level of the police pension fund was at approximately 49% at the end of fiscal year ending 2020 which required the city to contribute 1.334 million dollars. He said that looking forward to the fiscal year ending 2021, the equity side of the pension fund yielded ~44%. The entire police pension fund yielded ~27% for fiscal year ending 2021 on a money weighted rate of return basis which is almost four times greater than the assumed rate of return of 7%.

**City Administrator Employment Agreement**  
(CC 2021-31)

Mayor Purcell entertained a motion to approve a City Administrator Employment Agreement. So moved by Alderman Marek; seconded by Alderman Koch.

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

**PUBLIC WORKS COMMITTEE REPORT**

**Elizabeth Street Water Main Easement Agreement**  
(PW 2021-37)

Alderman Marek made a motion to approve the Elizabeth Street Water Main Easement Agreement and authorize the Mayor and City Clerk to execute; seconded by Alderman Peterson.

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

**Resolution 2021-26**

**Authorizing Acceptance of a Bid from Frank Marshall  
Electric Midwest, LLC, Aurora, Illinois for the  
Beaver Street Pump Station Improvements  
in the amount not to exceed \$272,244.00.**  
(PW 2021-38)

Alderman Marek made a motion to approve a Resolution Authorizing Acceptance of a Bid from Frank Marshall Electric Midwest, LLC, Aurora, Illinois for the Beaver Street Pump Station Improvements in the amount not to exceed \$272,244.00; seconded by Alderman Funkhouser.

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

**Countryside Lift Station SCADA Upgrades**  
(PW 2021-40)

Alderman Marek made a motion to approve Countryside Lift Station SCADA Upgrades and authorize the Mayor and City Clerk to execute; seconded by Alderman Peterson.

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

**2021 Road to Better Roads Program – Additional Work**  
(PW 2021-42)

Alderman Marek made a motion to approve the 2021 Road to Better Roads Program – Additional Work and authorize the Mayor and City Clerk to execute; seconded by Alderman Tarulis.

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

**ECONOMIC DEVELOPMENT COMMITTEE REPORT**

No report.

**PUBLIC SAFETY COMMITTEE REPORT**

No report.

**ADMINISTRATION COMMITTEE REPORT**

No report.

**PARK BOARD**

**Upcoming Events**

Director Evans reported that the Margaritas en Mayo event will take place on May 27<sup>th</sup> in downtown Yorkville from 5:00 p.m. to 9:00 p.m. On Monday, May 31<sup>st</sup> a Memorial Day ceremony will be held in Town Square Park at 11:30 a.m. Cruise night will be held on Wednesday, June 2<sup>nd</sup> in the downtown Yorkville. The joint city/school district golf outing will be held on June 10<sup>th</sup>.

**PLANNING AND ZONING COMMISSION**

No report.

**CITY COUNCIL REPORT**

No report.

**CITY CLERK'S REPORT**

No report.

**COMMUNITY & LIAISON REPORT**

**Golf Outing**

Alderman Marek reported that the Yorkville Educational Foundation and the Parks and Recreation Department would be holding a golf outing on June 10, 2021. There are currently 80 golfers registered and they are hoping to have at least 100 golfers registered for the event. He encouraged anyone that likes to golf to sign up.

**STAFF REPORT**

No report.

**MAYOR'S REPORT (cont'd)**

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

Administrator Olson reported that the design contract for the Prairie Pointe building is the next agenda item. He said in the future, this recurring agenda item would be re-titled to City Building Updates. He said that staff has come to terms with Kluber for the PW space needs analysis. He hopes they will be ready to start on the site tour next week.

**Resolution 2021-27**

**Approving an Agreement with Cordogan Clark & Associates, Inc.  
(Design Contract for Prairie Pointe Renovations)  
(CC 2021-32)**

Administrator Olson reported that the agreed upon compensation fee will be 6.85% of the final construction cost estimate. He noted that the generator is not included within the base level of the contract. The contract length is twelve months and renovations are expected to last ten months. If the project goes longer than twelve months, a supplemental contract would be needed. Additionally, the base level of the contract includes monthly inspections during the construction process. Staff thinks inspections may be needed more often than once a month. Staff negotiated a flat fee of \$800 for the architects to come out if they need to come out more than once a month. The architects mentioned that on a standard contract, if the project is complex or if something goes wrong, they estimate that it could result in \$20,000 - \$40,000 in extra site visit fees depending on how many times it's needed. Administrator Olson also noted that Facilities Manager Raasch will be the employee who will be signing off on the plans with a team of city staff behind him.

It was asked if the final building layout had been selected between Option A and Option C. Administrator Olson said that the direction he had previously received from the council was for Option C which is the non-expansion option. He said the way the compensation is based, it is his understanding that we can pivot at any point if the council changes their mind and decides they would like to do the building expansion. Administrator Olson said that the default is Option C.

Mayor Purcell entertained a motion to approve a Resolution Approving an Agreement with Cordogan Clark & Associates, Inc. (Design Contract for Prairie Pointe Renovations). So moved by Alderman Plocher; seconded by Alderman Koch.

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

**ADDITIONAL BUSINESS**

None.

**CITIZEN COMMENTS**

None.

**EXECUTIVE SESSION**

None.

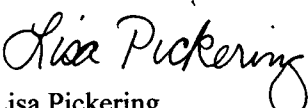
**ADJOURNMENT**

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

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 8:21 p.m.

Minutes submitted by:

  
Lisa Pickering,  
City Clerk, City of Yorkville, Illinois

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UNITED CITY OF YORKVILLE  
KENDALL COUNTY, ILLINOIS

CITY COUNCIL MEETING  
PUBLIC HEARING

800 Game Farm Road  
Yorkville, Illinois

Tuesday, May 25, 2021  
7:00 p.m.

1 PRESENT:

2 Mr. John Purcell, Mayor;

3 Mr. Ken Koch, Alderman;

4 Mr. Dan Transier, Alderman;

5 Ms. Jackie Milschewski, Alderman;

6 Mr. Arden Joe Plocher, Alderman;

7 Mr. Chris Funkhouser, Alderman;

8 Mr. Matt Marek, Alderman;

9 Mr. Seaver Tarulis, Alderman;

10 Mr. Jason Peterson, Alderman.

11  
12 ALSO PRESENT:

13 Mr. Bart Olson, City Administrator;

14 Ms. Lisa Pickering, City Clerk;

15 Mr. Eric Dhuse, Public Works Director;

16 Ms. Krysti Barksdale-Noble, Community  
17 Development Director;

18 Mr. Rob Fredrickson, Finance Director;

19 Mr. Tim Evans, Parks and Recreation  
20 Director;

21 Ms. Erin Willrett, Assistant City  
22 Administrator;

23 Mr. Pete Ratosh, Building Code Official;

24 Mr. Steve Raasch, Facilities Manager;

Deputy Chief Ray Mikolasek, Yorkville  
Police Department;  
Ms. Kathleen Field-Orr, City Attorney;  
Mr. Brad Sanderson, City Engineer.

- - - - -



1 (WHEREUPON, the following  
2 proceedings were had in  
3 public hearing portion  
4 of the meeting:)

5 MAYOR PURCELL: Okay. We will move on  
6 to a very, very exciting part of the meeting. We  
7 have a public hearing. I'd like to open the  
8 public hearing to report outcomes and provide  
9 interested parties an opportunity to express  
10 their views on the program activities and  
11 performance of the Community Development Block  
12 Grant Downstate Small Business Stabilization  
13 Grant funds through the Illinois Department of  
14 Commerce and Economic Opportunity.

15 The total amount of funds awarded to  
16 address the needs of the businesses due to the  
17 COVID-19 emergency was \$173,750 and was used to  
18 assist the following businesses with working  
19 capital needs: BH Martial Arts; Idea Marketing  
20 Group, Inc.; Fast Burrito, Inc.; NDB Enterprises,  
21 Inc., doing business as Sunfield Restaurant; the  
22 IdeaPros, Inc., d/b/a Logo Factory; Taekwondo  
23 Korea Center, Inc.; Treasure Breads, Inc.; and  
24 Ginger and Soul, Inc.

1                   And I'm going to turn this over to  
2                   either Bart or Erin, I'm not sure which one.  
3                   Bart raised his hand first. Sorry, Erin. I  
4                   didn't see you yawning today. Sorry, I busted  
5                   you last time.

6                   MR. OLSON: It's okay. This is a public  
7                   hearing required by the State regarding the  
8                   close-out of the Yorkville Downstate Small  
9                   Business Stabilization Grant applicants.

10                  The purpose of this hearing is to  
11                  report outcomes and provide interested parties an  
12                  opportunity to express their views on the program  
13                  activities and performance of the Community  
14                  Development Block Grant (CDBG) Downstate Small  
15                  Business Stabilization (DSBS) grants funded  
16                  through the Illinois Department of Commerce and  
17                  Economic Opportunity. This program is funded by  
18                  Title 1 of the Federal Housing and Community  
19                  Development Act of 1974, as amended.

20                  I am going to summarize each  
21                  business's information as follows: The name of  
22                  each business; the amount of funds the business  
23                  received through the program, and what the funds  
24                  were used for.

1                   At the end of my narrative on each  
2                   eight businesses, the public hearing will be  
3                   opened and residents may provide comment on any  
4                   of the eight businesses. The Mayor will control  
5                   the order of public comment at that time.

6                   Grant Number 13-13-244243, BH  
7                   Martial Arts, received \$25,000 for working  
8                   capital, including expenses such as rent and  
9                   payroll. The funding has helped them retain  
10                  their employees and continue operations.

11                  Grant Number 13-244248, Idea  
12                  Marketing Group, Incorporated, received \$17,750  
13                  for working capital, including employee payroll  
14                  and operations. The funding has helped them  
15                  retain their employees and continue operations.

16                  Grant Number 13-244350, Fast  
17                  Burrito, Incorporated, received \$25,000 for  
18                  working capital, which covered the costs of our  
19                  payroll and other expenses such as rent and  
20                  utilities. The funding helped them continue  
21                  operations.

22                  Grant Number 13-244352, NDB  
23                  Enterprises, Incorporated, doing business as  
24                  Sunfield Restaurant, received \$25,000 for working

1 capital, including utilities, equipment and  
2 supplies and building maintenance, and to pay the  
3 salaries of our employees. Funding was used to  
4 continue operations into the future.

5 Grant Number 13-244354, the  
6 IdeaPros, Incorporated, doing business as Logo  
7 Factory, received \$25,000 for working capital,  
8 including payroll, technology enhancements for  
9 online business, advertising, rent and utilities.  
10 The funding allowed them to pay vendors and their  
11 employees until their customers began their  
12 events once again.

13 Grant Number 13-244353, Taekwondo  
14 Korea Center, Incorporated, received \$25,000 for  
15 payroll, rent and utilities. Funding has allowed  
16 them to continue paying rent and utilities and to  
17 maintain payroll.

18 Grant Number 13-244355, Treasure  
19 Breads, Incorporated, has received \$16,500 for  
20 working capital, including payroll, rent and  
21 utilities. Funding was used to retain current  
22 employees and continue operations.

23 Last and certainly not least,  
24 Grant Number 13-244351, Ginger and Soul,

1 Incorporated, received \$14,500 for working  
2 capital, including payroll, supply purchases,  
3 rent and utilities. Funding has allowed them to  
4 continue operations.

5 A Notice of Public Hearing was  
6 published in the Beacon Newspaper on May 14,  
7 2021, regarding this hearing.

8 All project information is available  
9 for viewing on our website here:  
10 [https://www.yorkville.il.us/756/downstate-small-](https://www.yorkville.il.us/756/downstate-small-business-stabilization-P)  
11 [business-stabilization-P.](https://www.yorkville.il.us/756/downstate-small-business-stabilization-P)

12 MAYOR PURCELL: Excellent. Erin, is  
13 there anything you want to add or need to add?

14 (No response.)

15 MAYOR PURCELL: Okay. That's fantastic.  
16 Are there any comments from anyone in the  
17 chambers regarding the public hearing?

18 (No response.)

19 MAYOR PURCELL: Are there any comments  
20 from anyone out in the public in zoomland?

21 (No response.)

22 MAYOR PURCELL: I now close the public  
23 hearing. Thank you.

24 (Which were all the

proceedings had in the  
public hearing portion  
of the meeting.)

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1 STATE OF ILLINOIS )  
2 ) SS.  
3 COUNTY OF LASALLE )

4 I, Christine M. Vitosh, a Certified Shorthand  
5 Reporter, do hereby certify that I transcribed  
6 the proceedings had at the public hearing and that  
7 the foregoing, Pages 1 through 10, inclusive, is  
8 a true, correct and complete computer-generated  
9 transcript of the proceedings had at the time and  
10 place aforesaid.

11 I further certify that my certificate annexed  
12 hereto applies to the original transcript and  
13 copies thereof, signed and certified under my  
14 hand only. I assume no responsibility for the  
15 accuracy of any reproduced copies not made under  
16 my control or direction.

17 As certification thereof, I have hereunto set  
18 my hand this 25th day of May, A.D., 2021.

19 

20 Christine M. Vitosh, CSR  
21 Illinois CSR No. 084-002883  
22  
23  
24

## City Council - Public Hearing - May 25, 2021

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UNITED CITY OF YORKVILLE

*Proclamation for National Safe Boating Week*

For nearly 100 million Americans, boating continues to be a popular recreational activity. From coast to coast, and everywhere in between, people are taking to the water and enjoying time together boating, sailing, paddling, and fishing.

Safe boating begins with preparation. The Coast Guard estimates that human error accounts for most boating accidents and that life jackets could prevent nearly 86 percent of boating fatalities.

National Safe Boating Week is observed to bring attention to important life-saving tips for recreational boaters so that they can have a safer, more fun experience out on the water throughout the year.

**WHEREAS**, on average, 600 people die each year in boating-related accidents in the U.S.; 79 percent of these are fatalities caused by drowning; and

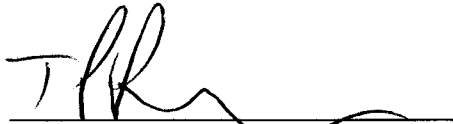
**WHEREAS**, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

**WHEREAS**, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

**NOW, Therefore**, I, John Purcell, Mayor of the United City of Yorkville, do hereby support the goals of the Safe Boating Campaign and proclaim May 22-28, 2021 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

In Witness Whereof, I urge all those who boat to practice safe boating habits and wear a life jacket at all times while boating.

Dated this 25<sup>th</sup> day of May, 2021, A.D.

  
John Purcell, Mayor

