

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, APRIL 12, 2022

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

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.

ROLL CALL

City Clerk Behland called the roll.

| | | |
|----------|------------|---------|
| Ward I | Koch | Present |
| | Transier | Present |
| Ward II | Plocher | Present |
| | Soling | Present |
| Ward III | Funkhouser | Present |
| | Marek | Absent |
| Ward IV | Tarulis | Present |
| | Peterson | Present |

Staff in attendance at City Hall: City Clerk Behland, City Administrator Olson, Chief of Police Jensen, Attorney Orr, Public Works Director Dhuse, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, Assistant City Administrator Willrett, Attorney Gardiner, 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/83815654678?pwd=MXVrOFIIMHlKWVVR1pYaG55NnN3dz09>. The Zoom meeting ID was 838 1565 4678.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

**Yorkville Christian High School
Wrestling Team Class 1A IHSA State Championship**

Mayor Purcell presented a certificate of recognition to the Yorkville Christian High School Wrestling Team for their Class 1A IHSA State Championship.

**Yorkville Christian High School
Basketball Team Class 1A IHSA State Championship**

Mayor Purcell presented a certificate of recognition to the Yorkville Christian High School Basketball Team for their Class 1A IHSA State Championship.

PUBLIC HEARINGS

1. Ordinance Approving the Second Amendment to the Annexation and Planned Unit Development Agreement for a Portion of the Windmill Farms Development (BW Properties Holdings, LLC/Bricolage Wellness PLLC)

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

CITIZEN COMMENTS ON AGENDA ITEMS

Michael Svanovick, a resident that lives on River Road, addressed the Council with concerns about Bright Farms. Mr. Svanovick is worried for people on wells in the area Bright Farms is proposing their well.

CONSENT AGENDA

1. Minutes of the Regular City Council – March 8, 2022
2. Bill Payments for Approval
 - \$ 1,227,481.71 (vendors)
 - \$ 134,486.59 (wire payments)
 - \$ 667,885.46 (payroll period ending 3/18/2022 & 04/01/2022)
 - \$ 2,029,853.76 (total)

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

Motion approved by a roll call vote. Ayes-7 Nays-0
Koch-aye, Plocher-aye, Funkhouser-aye, Tarulis-aye,
Transier-aye, Soling-aye, Peterson-aye

REPORTS

MAYOR'S REPORT

Springfield

Mayor Purcell shared that Administrator Olson, City Attorney Orr, some of the alderman, and himself attended the drive down to Springfield and met with Governor Pritzker. Mayor Purcell mentioned they discussed the water commission.

Parks and Recreation Events

Mayor Purcell asked Parks and Recreation Director Evans how the Easter Egg-Stravaganza went on Saturday, April 2nd. Director Evans said they had 425 participants in the Yorkville High School gym. Mayor Purcell thanked the staff and school district. Mayor Purcell also reminded everyone that Margaritas En Mayo would take place on Thursday, May 26th, in Downtown Yorkville and at Riverfront Park from 5:30 – 9:30 pm.

**Bright Farms
(CC 2022-05)**

Administrator Olson reported on the Bright Farms draft development agreement and went through his memo that is within the packet. The final item within the agreement is regarding the building permit fees, which the City's current estimate is more than \$350,000. City staff is currently reviewing other towns' permit fees, Bright Farms request for a fee reduction, and how much time we think it will take staff to plan, review, and inspect these buildings. Mr. Olson said they would later provide a more detailed update and recommendation to the City Council. Alderman Funkhouser requested not to take a significant cut on the building permit fees. Alderman Plocher requested to go with the bonding regarding Corniels Road. Alderman Transier agreed with the bonding and wants to hear more about the water impact of surrounding wells. Alderman Peterson agreed and would like to know more about the inspection fees. Alderman Soling would like to hear more about the recapturing of the water.

City Engineer Sanderson said they reviewed Bright Farms' information and conducted an independent analysis of the data. Mr. Sanderson said the Bright Farms project would not affect the City's wells in the area. There are three miles between the Bright Farms well and the closest City well. EEI anticipates three to four wells near the Bright Farms well that could possibly be affected, and they plan to go door to door to speak to the residents.

Sean O'Neil with Bright Farms shared the well analysis and water update slides. (*see attached*) In the presentation, Mayor Purcell said it showed they would be using 75 million gallons per year at full build-out and wanted to know much of that is coming from rainwater or well water. Mr. O'Neil said the total they expect from rainwater would be roughly a quarter of the 75 million gallons. The other three quarters would be coming from the expected reused and recycled water.

Ordinance 2022-12

**Amending Title 3, Chapter 3 of the Code of Ordinances
Amending a Liquor License Class (Microwinery/Winery)
(CC 2022-13)**

Mayor Purcell entertained a motion to approve an Ordinance Amending Title 3, Chapter 3 of the Code of Ordinances amending a Liquor License Class (Microwinery/Winery) and authorize the Mayor and City Clerk to execute. So moved by Alderman Transier; seconded by Alderman Peterson.

Alderman Funkhouser made a motion to amend letter “e” of the proposed code change to read e) permit a patron to remove one unsealed, partially consumed bottle of wine for off-premises consumption; seconded by Alderman Plocher.

Motion to amend unanimously approved by a viva voce vote.

Original Motion approved by a roll call vote. Ayes-7 Nays-0
Plocher-aye, Funkhouser-aye, Tarulis-aye, Transier-aye,
Soling-aye, Peterson-aye, Koch-aye

PUBLIC WORKS COMMITTEE REPORT

No report.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

**Aging-in-Community Memorandum of Understanding
(EDC 2022-19)**

Alderman Peterson made a motion to approve the Memorandum of Understanding Between the Metropolitan Mayors Caucus, Planning/Aging, and Yorkville for Aging in a Changing Region and authorize the Mayor and City Clerk to execute; seconded by Alderman Koch.

Motion approved by a roll call vote. Ayes-7 Nays-0
Funkhouser-aye, Tarulis-aye Transier-aye, Soling-aye,
Peterson-aye, Koch-aye, Plocher-aye

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

No report.

PLANNING AND ZONING COMMISSION

No report.

CITY COUNCIL REPORT

No report.

CITY CLERK’S REPORT

No report.

COMMUNITY & LIAISON REPORT

No report.

STAFF REPORT

No report.

MAYOR’S REPORT (cont’d)

**City Buildings Updates
(CC 2021-04)**

City Administrator Olson stated construction has begun at the Prairie Pointe building. Updates will be forwarded as they come in.

**Water Study Update
(CC 2021-38)**

City Administrator Olson shared with the Council that the bill did pass for representation on the DuPage Water Commission Board. The bill is now in front of the Governor for signature.

Ordinance 2022-13

**Approving the 2022-2023 Fiscal Budget for the
United City of Yorkville
(CC 2022-14)**

Mayor Purcell entertained a motion to approve an Ordinance Approving the 2022-2023 Fiscal Budget, incorporating budget adjustments #1 through #15 and authorize the Mayor and City Clerk to execute. So moved by Alderman Transier; seconded by Alderman Peterson.

Motion approved by a roll call vote. Ayes-7 Nays-0
Tarulis-aye, Transier-aye, Soling-aye, Peterson-aye,
Koch-aye, Plocher-aye, Funkhouser-aye

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

Route 47

Alderman Koch asked about Route 47, and if there was any updated regarding how damaged the road is and how bad the patchwork was. City Administrator Olson said they should start restoration next week and finalize quickly after.

EXECUTIVE SESSION

Mayor Purcell entertained a motion to go into executive session for the following:

- For litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
- For the purchase or lease of real property for the use of the public body.
- For the discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes.

So moved by Alderman Plocher; seconded by Alderman Soling.

Motion approved by a roll call vote. Ayes-7 Nays-0
Transier-aye, Soling-aye, Peterson-aye, Koch-aye,
Plocher-aye, Funkhouser-aye, Tarulis-aye,

The City Council entered executive session at 8:57 p.m.

The City Council returned to regular session at 9:40 p.m.

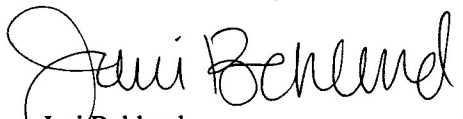
ADJOURNMENT

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

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 9:41 p.m.

Minutes submitted by:


Jori Behland,
City Clerk, City of Yorkville, Illinois

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6 UNITED CITY OF YORKVILLE
7 KENDALL COUNTY, ILLINOIS
8

9 CITY COUNCIL MEETING

10 PUBLIC HEARING
11
12
13

14 800 Game Farm Road
15 Yorkville, Illinois
16
17

18 Tuesday, April 12, 2022

19 7:00 p.m.
20
21
22
23
24

1 PRESENT (in person and via Zoom):

2 Mr. John Purcell, Mayor;

3 Mr. Ken Koch, Alderman;

4 Mr. Dan Transier, Alderman;

5 Mr. Arden Joe Plocher, Mayor Pro-Tem;

6 Mr. Craig Soling, Alderman;

7 Mr. Chris Funkhouser, Alderman;

8 Mr. Seaver Tarulis, Alderman;

9 Mr. Jason Peterson, Alderman.

10 ALSO PRESENT (in person and via Zoom):

11 Mr. Bart Olson, City Administrator;

12 Ms. Jori Behland, City Clerk;

13 Ms. Erin Willrett, Assistant City

14 Administrator;

15 Ms. Kathleen Field-Orr, City Attorney;

16 Mr. Brad Sanderson, City Engineer;

17 Mr. Eric Dhuse, Public Works Director;

18 Ms. Krysti Barksdale-Noble, Community

19 Development Director;

20 Mr. Rob Fredrickson, Finance Director;

21 Mr. Tim Evans, Parks and Recreation

22 Director;

23 Chief James Jensen, Yorkville Police

24 Department.

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

5 MAYOR PURCELL: I will open now the
6 public hearing for the ordinance to approve the
7 Second Amendment to the Annexation and Planned
8 Unit Development Agreement for a portion of the
9 Windmill Farms Development, BW Properties
10 Holdings, LLC, Bricolage -- I don't know if I
11 pronounced that right -- Wellness, PLLC.

12 Krysti, is this something you want
13 to talk about at all?

14 MS. NOBLE: Sure, I can do it now.

15 MAYOR PURCELL: I know this is
16 technically the public hearing, but tell us what
17 it's about.

18 MS. NOBLE: Windmill Farms is a
19 subdivision that the City approved in 2006. It
20 had a land plan attached to it for several
21 parcels.

22 The development never occurred and
23 the developer at the time had not secured all the
24 parcels, so there was never a final plat attached

1 to the PUD plan, and all they had was the
2 Annexation Agreement.

3 This particular property is one of
4 several properties that has changed hands since
5 that time, and they are looking to establish a
6 professional office setting within the existing
7 single-family home that's there. The underlying
8 zoning is B-3.

9 This property would go through the
10 public hearing process to rezone it, and that's
11 at tomorrow's Planning and Zoning Commission.
12 Tonight's request is just for them to be removed
13 from the land plan that's attached to it.

14 MAYOR PURCELL: Excellent. So now that
15 I have opened the public hearing, thank you for
16 the comments, are there any members of the public
17 here in person that would like to comment at this
18 public hearing?

19 (No response.)

20 MAYOR PURCELL: Are there any members in
21 Zoomland who would like to comment on the public
22 hearing?

23 (No response.)

24 MAYOR PURCELL: This public hearing is

1 now closed. Thank you very much.

2 (Which were all the
3 proceedings had in the
4 public hearing portion
5 of the meeting.)

6 ---o0o---

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 6, inclusive, is a
8 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 13th day of April, A.D., 2022.

19 *Christine M Vitosh*

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

City Council - Public Hearing - April 12, 2022

| 0 | B | Dhuse [1] - 2:17 direction [1] - 6:15 Director [4] - 2:17, 2:19, 2:20, 2:22 | J | P |
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City Council - Public Hearing - April 12, 2022

| | |
|--|--|
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BRIGHT  FARMS®

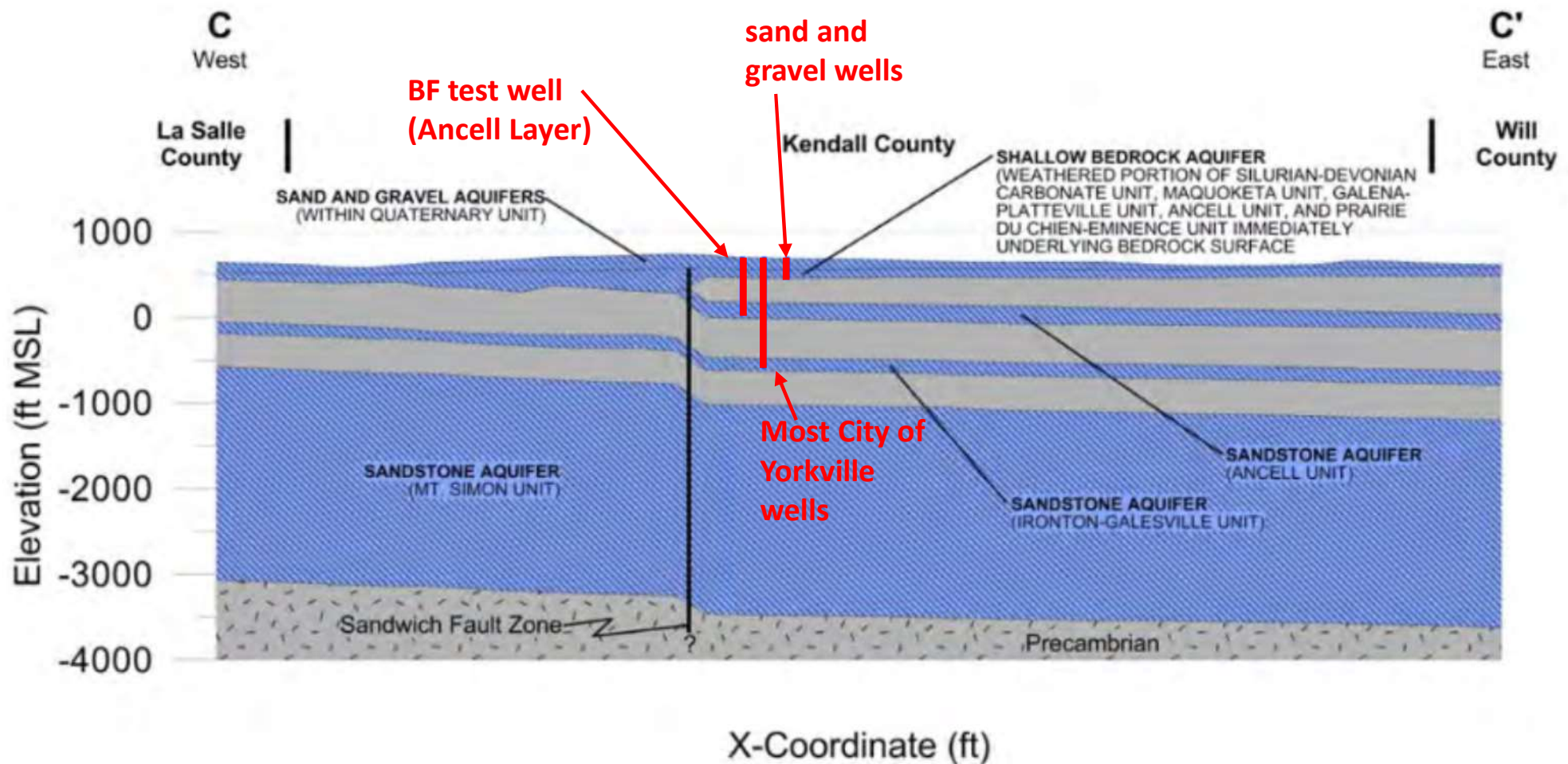
GROWN *for* LOCALS!®

Well Analysis and Water Update: Yorkville IL

4/12/2022

Confidential and Proprietary

BrightFarms initial well draws from a sandstone layer that very few other area wells utilize.



BrightFarms has worked with City's engineers to ensure no net impact on City or area farms.

Existing sandstone well

- BrightFarms to notify 4 area wells that might be affected.
- Will cover costs of lowering pumps if necessary.

Additional Well

- BrightFarms likely to seek an additional well in the sand and gravel. Water is abundant, less energy to pump.
- The same process will be followed, ensuring minimal impact.

Conservative estimates of BrightFarms water balance – goal is water neutrality.

| | |
|-------------------------------|------------|
| EXISTING CONDITION (GAL/YEAR) | 72,000,000 |
|-------------------------------|------------|

Hybrid corn
uses 600,000
gal/year/acre.

| | 1 module (phase 1) | 4 modules (full build-out) |
|-------------------------------------|-----------------------|-------------------------------|
| Plant Uptake | 84,000 | 336,000 |
| Process/Washdown | 23,000 | 92,000 |
| Cooling Tower Make-up | 2,500 | 10,000 |
| Domestic Water | 5,800 | 23,200 |
| Total Usage | 115,300 | 461,200 |
| Wastewater recycling | 23,000 | 92,000 |
| Rainwater capture (est) | 25,500 | 102,000 |
| Condensate Recovery (transpiration) | 15,000 | 60,000 |
| Condensate Recovery (boilers) | TBD | TBD |
| Total Recycled | 63,500 | 254,000 |
| NET GALLONS/DAY | 51,800 | 207,200 |

Does not reflect water
returned to the ground
via stormwater detention
(10 acres) and unutilized
land (20 acres).
Rainwater capture covers
2.5 acres.

| | |
|------------------------------|------------|
| BRIGHTFARMS TOTAL (GAL/YEAR) | 75,628,000 |
|------------------------------|------------|

Assumes corn gets
all water from
overburden as
opposed to water
that would
otherwise run off

Net Balance 3,628,000

