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, OCTOBER 25, 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 | (electronic attendance) |
|----------|------------|---------|-------------------------|
| | Transier | Present | , |
| Ward II | Plocher | Absent | |
| | Soling | Present | |
| Ward III | Funkhouser | Present | |
| | Marek | Present | |
| 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, 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/85144772882?pwd=aFdVSGdkVWtCTEdNMmM1K3kvN3ZjZz09. The Zoom meeting ID was 851 4477 2882.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

FYE 2022 Audit Presentation

Jamie Wilkey from Lauterbach & Amen, LLP was in attendance and gave an overview of the City's fiscal year 2022 financial statement audit. She mentioned there were a few things she wanted to go over with the Council. Ms. Wilkey shared that Finance Director Fredrickson and his staff did an excellent job preparing the information; nothing was incomplete, and there were no concerns. She shared the City was once again awarded a Certificate of Achievement for Excellence in Financial Reporting, issued by the Government Finance Officers Association. This award represents the highest form of financial reporting excellence that is issued across the industry. They will submit once again for this year.

Finance Director Fredrickson gave a brief overview of the fiscal year 2022 audit (see attached).

PUBLIC HEARINGS

1. Ordinance Approving the Third Amendment to the Annexation and Planned Unit Development Agreement for a Portion of the Windmill Farms Development (Restore Church, Inc.)

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

The Minutes of the Regular Meeting of the City Council - October 25, 2022 - Page 2 of 5

CITIZEN COMMENTS ON AGENDA ITEMS

None.

CONSENT AGENDA

- 1. Minutes of the Regular City Council September 27, 2022
- 2. Minutes of the Regular City Council October 11, 2022
- 3. Bill Payments for Approval
 - \$ 1,835,031.27 (vendors)
 - \$ 354,195.03 (payroll period ending 10/14/2022)
 - \$ 2,189,226.30 (total)
- 4. Water Reports for May September 2022 (PW 2022-66)
- 5. **Ordinance 2022-38** Accepting Certain Easements for a Riverwalk Along the Fox River and Art Exhibit Area *authorize the Mayor and City Clerk to execute* (PW 2022-71 & EDC 2022-57)
- 6. Single Axle Dump Truck Price Increase Third accept the price increase of \$14,145.00 for the single axle dump truck purchased through JX Truck Center for a new total price of \$128,445.00 (PW 2022-72)
- 7. Kendall Marketplace Residential One Year Release authorize the release of the performance security (West Suburban Bank #2001 \$35,265.20) upon receipt of the new performance guarantee in the amount of \$28,680.00 (PW 2022-73)
- 8. 2023 Road to Better Roads Design Engineering Agreement approve the 2023 Road to Better Roads Program Professional Services Agreement Design Engineering and authorize the Mayor and City Clerk to execute (PW 2022-75)
- 9. Sale of Vehicles and Equipment authorize staff to sell a 2004 Ford F350 dump truck with plow and a 2007 Ford F250 pickup with plow through AutoSmart, Inc. of Oswego (PW 2022-76)
- 10. **Resolution 2022-46** Approving a Proposal from Gjovik Ford, Inc. to the United City of Yorkville, Illinois and Kendall County for Vehicle Maintenance *authorize the Mayor and City Clerk to execute* (PW 2022-78)
- 11. Treasurer's Report for September 2022 (ADM 2022-44)
- 12. Annual Treasurer's Report (ADM 2022-48)
- 13. **Ordinance 2022-39** Amending the Yorkville City Code, Title 1, Chapter 7, Section 3: Procurement *authorize the Mayor and City Clerk to execute* (ADM 2022-50)

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

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

REPORTS

MAYOR'S REPORT

Adoption Proclamation

(CC 2022-48)

Alderman Peterson read the Adoption Proclamation to the Council. Mayor Purcell then proclaimed the month of November as Adoption month in the United City of Yorkville (see attached)

Appointment of Deputy Clerk – Monica Cisija (CC 2022-49)

Mayor Purcell entertained a motion to approve the appointment of Monica Cisija as Deputy Clerk. So moved by Alderman Marek; seconded by Alderman Tarulis.

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

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Appointment of FOIA Officer - Monica Cisija

(CC 2022-50)

Mayor Purcell entertained a motion to approve the appointment of Monica Cisija as a Freedom of Information Officer. So moved by Alderman Funkhouser; seconded by Alderman Soling.

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

Disposal of Park and Recreation Vehicles

(CC 2022-51)

Mayor Purcell entertained a motion to approve the selling of Parks and Recreation's Ford F-350 Landscape Pick-Up Truck and a 2007 Ford F-350 Dump Truck. So moved by Alderman Transier; seconded by Alderman Peterson.

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

Mission Zero Hundred Hours – Saluting with Smoke Proclamation

(CC 2022-52)

Mayor Purcell proclaimed the weekend of November 4, 2022, as Saluting with Smoke Weekend in the United City of Yorkville. (see attached)

PUBLIC WORKS COMMITTEE REPORT

Corneils Road Interceptor Sewer - Bid Award

(PW 2022-69)

Alderman Marek made a motion to accept the bid and award contract to Fischer Excavating, Inc. in an amount not to exceed \$3,140,637.45, subject to the conveyance of the easements required to construct the sewer line; seconded by Alderman Tarulis.

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

Corneils Road Interceptor Sewer – Construction Engineering Agreement (PW 2022-70)

Alderman Marek made a motion to approve the Corneils Road Interceptor Sewer Professional Services Agreement – Construction Engineering and authorize the Mayor and City Clerk to execute; seconded by Alderman Peterson.

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

2022 Sanitary Sewer Lining - Bid Award

(PW 2022-74)

Alderman Marek made a motion to accept bid and award contract to Hoerr Construction, Inc. in an amount not to exceed \$85,480.00; seconded by Alderman Soling.

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

ECONOMIC DEVELOPMENT COMMITTEE REPORT

No report.

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

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PARK BOARD

Halloween Update

Parks and Recreation Director Evans shared with the Council that the Halloween Egg Hunt & Bizz Boo had a great turnout this past weekend, and he wanted to thank everyone for participating. Mr. Evans stated that Trick or Treat hours for the City of Yorkville are 4:00 p.m. to 7:00 p.m.

Flags of Valor

Parks and Recreation Director Evans reported the 2022 Yorkville Flags of Valor has started, and people who would like to donate a flag for this year can do so now. Flags will be displayed at Town Square beginning Tuesday, November 1st, through Monday, November 14th.

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 Building Updates

Resolution 2022-47

Approving Change Orders Relating to 651 Prairie Pointe Drive, Yorkville, Illinois (Seventh Set of Change Orders)

(CC 2021-04)

Mayor Purcell entertained a motion to approve a Resolution Approving Change Orders Relating to 651 Prairie Pointe Drive, Yorkville, Illinois (Seventh Set of Change Orders) and authorize the Mayor and City Clerk to execute. So moved by Alderman Tarulis; seconded by Alderman Funkhouser.

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

Water Study Update

(CC 2021-38)

City Administrator Olson reported to the Council that the IDNR pre-hearing was last Friday, October 21st, for a Lake Michigan allocation permit. The next pre-hearing will not be until April. Mr. Olson said IDNR wants the City to be under 10% water loss earlier than expected. This means they will need a list of concrete projects the City will do to lower the water loss rate.

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

Barb, a Plano resident, shared a quote by a Supreme Court Justice from 1884 about Christianity. She also said she is against drag shows in a children's atmosphere.

Jenny, a Yorkville resident, thanked the Council. She stated the drag show in Yorkville was in an establishment for people 21 years and older. She shared she would not bring her children to that establishment as it was for people 21 and older. Jenny said everyone has choices, and if you disagree with it, you have a choice not to go.

Molly Krempski, a Yorkville resident, shared social media research with the Council on the performers from the Pinz drag show from August 2022. Molly states this is a sexually provocative style of entertainment, and there needs to be a conversation about the impact that allowing adult entertainers to perform in standard business zones will have on the future of Yorkville.

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Mike Krempski, a Yorkville resident, stated they were here because of an ordinance violation and wanted to discuss a viable strategy moving forward. He shared their personal beliefs don't change the ordinances currently in place, and they will continue to express their religious views freely.

Keith, a Plano resident, stated everyone has a right to do what they want and live the lives they want to live. But when you start putting things like this in front of children, there is an issue. There are ordinances in Yorkville that should prevent this that are not being enforced. Keith said if you are not enforcing this, you are tyrants and need to be removed.

EXECUTIVE SESSION

None.

ADJOURNMENT

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

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

Meeting adjourned at 8:22 p.m.

Minutes submitted by:

Jori Behland,

City Clerk, City of Yorkville, Illinois

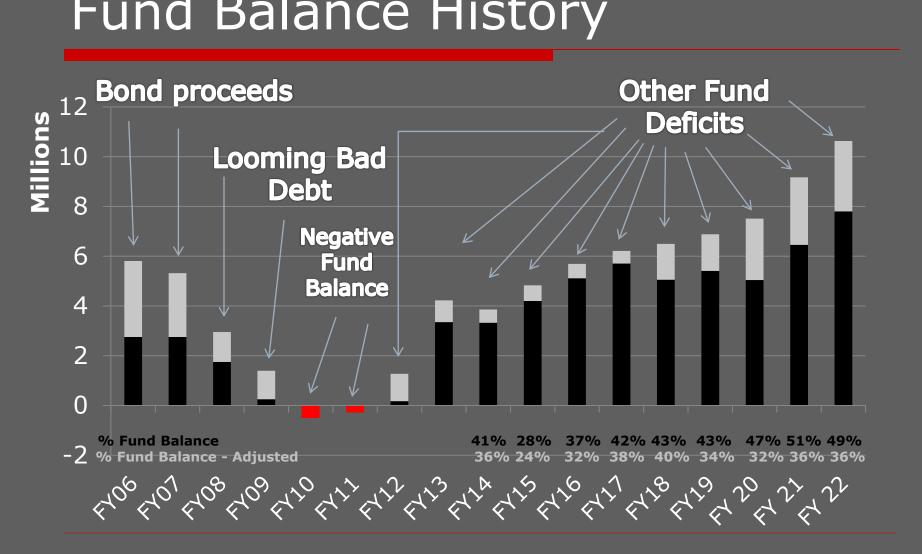
United City of Yorkville

Audit Overview – Fiscal Year 2022 City Council October 25, 2022

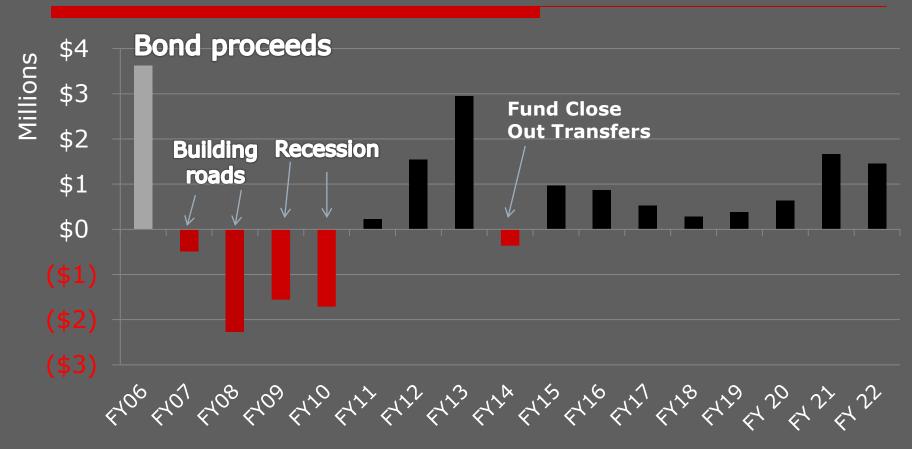
Another award

11th time
Certificate of Achievement for
Excellence in Financial Reporting Award
by the Government Finance Officers Association
of the US and Canada in FY 21

General Fund Fund Balance History



General Fund Budget Surplus(Deficit)



Revenue performance

Page 112 of paper copy (page 119 of pdf copy)

| Revenue Line-Item | Budgeted Amount | Actual Amount |
|----------------------------|-----------------|---------------|
| Property Tax | \$3,426,246 | \$3,415,461 |
| Sales Tax (local) | \$3,582,508 | \$4,450,012 |
| Sales Tax (non-home rule) | \$2,649,473 | \$3,483,930 |
| Utility Tax | \$993,340 | \$1,209,606 |
| Income Tax | \$2,336,774 | \$3,175,556 |
| Use Tax | \$937,660 | \$798,764 |
| Hotel Tax | \$80,000 | \$138,415 |
| Video Gaming Tax | \$140,000 | \$252,890 |
| Excise (i.e., Telecom) Tax | \$209,000 | \$199,888 |
| Cable TV Franchise Tax | \$300,000 | \$298,048 |

Controlling costs

Pages 114 of paper copy (page 121 of pdf copy) - General Fund Page 122 (129 pdf) - Library / Pages 125-126 (132-133 pdf) - Parks & Rec Page 153 (160 pdf) for Sewer / Page 154 (161 pdf) for Water

| Department | Budgeted Expenses | Actual Expenses |
|---------------------------|-------------------|-----------------|
| Administration | \$996,443 | \$822,343 |
| Finance | \$557,390 | \$536,226 |
| Police | \$6,158,904 | \$6,018,903 |
| Community Development | \$990,515 | \$1,154,892 |
| PW - Streets & Sanitation | \$2,649,285 | \$2,572,571 |
| Admin Services | \$3,739,308 | \$3,782,458 |
| Library Operations | \$943,018 | \$834,944 |
| Parks | \$1,402,523 | \$1,300,338 |
| Recreation | \$1,398,535 | \$1,080,704 |
| Sewer Operations | \$2,352,904 | \$2,127,378 |
| Water Operations | \$6,081,733 | \$5,316,323 |

General Fund Performance

| | Budgeted | Actual | Variance |
|------------------|--------------|--------------|-----------|
| Revenues | 18,065,270 | 23,117,947 | 5,052,677 |
| Expenditures | (15,091,845) | (14,887,393) | (204,452) |
| Net Transfers | (2,973,425) | (6,775,808) | 3,802,383 |
| Surplus(Deficit) | -0- | 1,454,746 | 1,454,746 |

Items of Note

- Fund balance categories and amounts
 - Paper pages 77-78 (pdf pages 84-85)

- Pensions and OPEB(notes & add'l info)
 - Paper page 82-106 (pdf pages 89-113)

Illinois Municipal Retirement Fund (IMRF) –pages 98/101-102(pdf 105/108-109)

- Total Pension Liability
 - Increased by \$0.95M
 - From \$15.9M to \$16.8M
- Net Position
 - Increased by \$2.5M
 - From \$16.2M to \$18.7M

Percent Funded

- Dec 2017: 99.46%
- Dec 2018: 84.59%
- Dec 2019: 92.82%
- Dec 2020: 101.96%
- Dec 2021: 111.05%

| Fiscal Year | Actuarial Determined Contribution | Actual Contribution | Excess (Deficit) | Covered Payroll | Contribution as % of Covered Payroll |
|-------------|--------------------------------------|------------------------|------------------|-----------------|--|
| 2016 | \$311,346 | \$311,346 | - | \$2,853,781 | 10.91% |
| 2017 | 308,134 | 308,134 | - | 2,898,722 | 10.63% |
| 2018 | 344,487 | 344,487 | - | 3,217,682 | 10.71% |
| 2019 | 350,666 | 350,666 | - | 3,506,685 | 10.00% |
| 2020 | 365,540 | 365,540 | - | 3,665,848 | 9.97% |
| 2021 | 440,315 | 440,315 | - | 4,060,573 | 10.84% |
| 2022 | 428,230 | 428,230 | - | 4,128,183 | 10.37% |

Police Pension Fund pages 99/103-104 (pdf 106/110-111)

- Total Pension Liability
 - Increased by \$2.0M
 - From \$25.0M to \$27.0M
- Net Position
 - Decreased by \$93,002
 - From \$14.6M to \$14.5M

Percent Funded

- Apr 2018: 45.55%
- Apr 2019: 47.07%
- Apr 2020: 46.17%
- Apr 2021: 58.24%
- Apr 2022: 53.56%

| Fiscal Year | Actuarial Determined Contribution | Actual Contribution | Excess (Deficit) | Covered Payroll | Contribution as % of Covered Payroll |
|-------------|---|------------------------|------------------|-----------------|--|
| 2015 | \$571,437 | \$624,168 | \$52,731 | \$2,220,146 | 28.11% |
| 2016 | 722,940 | 722,940 | - | 2,294,948 | 31.50% |
| 2017 | 825,413 | 825,413 | - | 2,320,642 | 35.57% |
| 2018 | 966,211 | 966,211 | - | 2,543,266 | 37.99% |
| 2019 | 963,361 | 963,361 | - | 2,449,210 | 39.33% |
| 2020 | 1,111,484 | 1,111,484 | - | 2,631,165 | 42.24% |
| 2021 | 1,226,371 | 1,230,604 | 4,233 | 2,744,017 | 44.85% |
| 2022 | 1,334,771 | 1,334,771 | - | 2,694,486 | 49.54% |

Items of note

- □ Long term debt summary on paper pages 68-76 (pdf pages 75-83)
 - Debt service schedules on paper pages 159-171 (pdf pages 166-178)

Developer commitment narratives start on paper page 79 (pdf page 86)

Other items of note Statistical Section

□ Pages 172 -210 (pdf pages 179-217)

- Historical Trends covering:
 - City financial trends
 - Revenue & debt capacity
 - Demographic & economic information
 - Operating information

Other items of note Statistical Section

- Paper pages 204-205 (pdf pages 211-212) employee counts
 - 87 full-time employees in 2022
 - 96 full-time employees in 2008
 - 86 full-time employees in 2010
- Paper pages 206-210 (pdf pages 213-217) miscellaneous service data
 - Traffic violations
 - Permits issued
 - Streets resurfaced, in miles
 - Street inventory
 - New housing starts per year

Management Letter Recommendations

- Funds with deficit equity (prior year)
 - Countryside & Downtown TIF's
 - Over time development in the TIF Districts should yield sufficient surpluses to eliminate negative equity position.
- Implementation of GASB 87 (new)
 - □ Accounting for Leases effective 4/30/2023

Upcoming

- 2022 Tax Levy discussion
 - Tax levy estimate approval
 - October 11th City Council meeting
 - Public Hearing
 - November 8th City Council meeting
 - Discussion and potential vote
 - November 22nd or December 13th

Upcoming

- ☐ FY 24 Budget rollout
 - Nov 22-Jan 23 staff planning discussions
 - Feb 23 budget finalized
 - Feb 23 City Council presentation
 - March 23 public hearing
 - Discussion and potential vote
 - March 28, 2023 City Council or
 - □ April 11, 2023 City Council or
 - April 25, 2023 City Council

| 1 | City Council - Public Hearing - October 25, 2022— | |
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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, October 25, 2022 | |
| 19 | 7:00 p.m. | |
| 20 | | |
| 21 | | |
| 22 | | |
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24

UNITED CITY OF YORKVILLE

Proclamation

WHEREAS, we have a responsibility as individuals, neighbors, community members and citizens of the United City of Yorkville to recognize that all children need love, support, security and a place to call home; and

WHEREAS, for children who are born into families unable to meet their ongoing needs, adoption offers healthy and safe family environments, which help produce confident and successful adults; and

WHEREAS, families who choose the life-changing path of adoption make a meaningful and lasting difference in the lives of some of the most vulnerable young people in our society; and

WHEREAS, adoptive parents and families require and deserve community and public agency respect and support; and

WHEREAS, during National Adoption Month, we celebrate all those who have invited a child in need into their hearts and into their homes, and express our profound appreciation for all who help make adoptions possible.

WHEREAS, volunteers in the United City of Yorkville help to ensure that children in foster care or other out-of-home placements are adopted into safe, loving homes when their own families can't meet their needs, and

NOW, THEREFORE, I, John Purcell, do hereby proclaim November 2022 as National Adoption Month in the United City of Yorkville and I urge all citizens to support adoption organizations and engage in activities that strengthen families and communities to provide the optimal environment for children to learn, grow and thrive so that all children have the benefit of happy, healthy and safe homes.

Dated this 25th day of October, 2022, A.D.

John Purcell, Mayor

UNITED CITY OF YORKVILLE

Proclamation

WHEREAS, Mission Zero Hundred Hours is a non profit focused on Veteran suicide prevention and awareness through competitive culinary arts; and

WHEREAS, MZHH believes competition BBQ can provide a familiar, structured, and mission-centric environment to Veterans that helps struggling vets channel their energies toward healthy goals; and

WHEREAS, Veterans have the opportunity to cook with teams as part of their effort and mission to raise awareness and end Veteran Suicide; by embedding Veterans with BBQ Cook Teams for an immersive BBQ Mission; and

WHEREAS, Friday, November 4, 2022, and Saturday, November 5, 2022, marks Mission Zero Hundred Hours Saluting with Smoke Festival and Fundraiser event at Raging Waves Waterpark (4000 N. Bridge Street, Yorkville).

NOW, THEREFORE, I, John Purcell, Mayor of the United City of Yorkville, do hereby proclaim the weekend of November 4, 2022, as the "Saluting with Smoke Weekend" in the United City of Yorkville and encourage all residents to support Mission Zero Hundred Hours by participating in the Saluting with Smoke Festival and Fundraiser.

Dated this 25th day of October, 2022, A.D.

John Purcell, Mayor