

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL**  
**OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,**  
**HELD IN THE CITY COUNCIL CHAMBERS,**  
**651 PRAIRIE POINTE DRIVE ON**  
**TUESDAY, JANUARY 09, 2024**

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

**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	Present
Ward IV	Tarulis	Present
	Corneils	Present

Staff in attendance at City Hall: City Administrator Olson, City Clerk Behland, Chief of Police Jensen, Attorney Lamb, Public Works Director Dhuse, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, and EEI Engineer Sanderson.

Staff in attendance electronically: Assistant City Administrator Willrett

Members of the public were able to attend this meeting in person 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/82582298711?pwd=NVN1ODhjYXZ6cC9yNVZOSUVURmw2Zz09>. The Zoom meeting ID was 825 8229 8711.

**QUORUM**

A quorum was established.

**AMENDMENTS TO THE AGENDA**

None.

**PRESENTATIONS**

None.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS ON AGENDA ITEMS**

Mike Krempski, a Yorkville resident, shared his thoughts on the Mayor’s Report #1 agenda item, Ordinance Amending the Regulations or Liquor Control, regarding cocktails to-go. Mr. Krempski passed out and read portions of an investigative summary report from the Illinois Liquor Control Commission, which he states was established from a complaint in 2022 involving Mayor Purcell distributing alcohol and cocktails at Hometown Days. In the portion of the report Mr. Krempski read, he discussed the conversation he had with Mayor Purcell and the capacity in which Mayor Purcell distributed alcohol. Mr. Krempski also read the conclusion of the investigative report. He stated that the Illinois Liquor Control Commission concluded that no violations were identified because Mayor Purcell was acting as a private citizen.

Molly Krempski, a Yorkville resident, shared her thoughts on the Mayor’s Report #1 agenda item, Ordinance Amending the Regulations or Liquor Control, regarding cocktails to-go. Mrs. Krempski wanted to share a video of Mayor Purcell pouring and distributing alcohol at Hometown Days in 2022; however, she was informed that sharing the video would not be possible at this time. Mrs. Krempski stated she is not against expanded liquor sales. Mrs. Krempski stated there was lawlessness concerning the drag shows. Mrs. Krempski referenced the Illinois Liquor Control Commission’s report. She stated the day of reckoning is upon us.

**CONSENT AGENDA**

1. Minutes of the Regular City Council – November 28, 2023
2. Minutes of the Regular City Council – December 12, 2023
3. Bill Payments for Approval
  - \$ 2,945,225.28 (vendors)
  - \$ 2,330,775.24 (wire payments)
  - \$ 378,192.59 (payroll period ending 12/08/23)
  - \$ 375,572.41 (payroll period ending 12/22/23)
  - \$ 6,029,765.52 (total)
4. Grande Reserve – Unit 3 Acceptance – *accept the public improvements of water main, sanitary sewer, storm sewer, paving, sidewalk, street lighting and parkway trees as described in the Bill of Sale for ownership and maintenance by the City, subject to receipt of a maintenance guarantee in the amount of \$98,055.00, subject to verification that the developer has no outstanding debt owed to the City for this project and subject to receipt of a signed Bill of Sale (PW 2023-89)*
5. Grande Reserve – Unit 4 Acceptance – *accept the public improvements of water main, sanitary sewer, storm sewer, paving, sidewalk, street lighting and parkway trees as described in the Bill of Sale for ownership and maintenance by the City, subject to receipt of a maintenance guarantee in the amount of \$519,892.00, subject to verification that the developer has no outstanding debt owed to the City for this project and subject to receipt of a signed Bill of Sale (PW 2023-90)*
6. Grande Reserve – Unit 8 Acceptance – *accept the public improvements of water main, sanitary sewer, storm sewer, paving, sidewalk, street lighting and parkway trees as described in the Bill of Sale for ownership and maintenance by the City, subject to receipt of a maintenance guarantee in the amount of \$142,665.00, subject to verification that the developer has no outstanding debt owed to the City for this project and subject to receipt of a signed Bill of Sale (PW 2023-91)*
7. Grande Reserve – Unit 20 Acceptance – *accept the public improvements of water main, sanitary sewer, storm sewer, paving, sidewalk, street lighting and parkway trees as described in the Bill of Sale for ownership and maintenance by the City, subject to receipt of a maintenance guarantee in the amount of \$298,582.10, subject to verification that the developer has no outstanding debt owed to the City for this project and subject to receipt of a signed Bill of Sale (PW 2023-92)*
8. 507 W. Kendall Drive – IDOT Permit and Resolution – *authorize the Mayor and City Clerk to Execute (PW 2023-93)*
9. Treasurer’s Report for November 2023 (ADM 2023-46)

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

Motion approved by a roll call vote. Ayes-7 Nays-1  
Koch-aye, Plocher-aye, Funkhouser-aye, Tarulis-nay,  
Transier-aye, Soling-aye, Marek-aye, Corneils-aye

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**REPORTS**

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**MAYOR’S REPORT**

**Proclamation for the Yorkville Library Mini Golf FUN Raiser Day**  
(CC 2024-01)

Mayor Purcell proclaimed February 4, 2023, as the Yorkville Library Mini Golf FUN Raiser Day in the United City of Yorkville (*see attached*).

**Rob Roy Drainage Ditch – Additional Work**  
(CC 2024-02)

Mayor Purcell entertained a motion to approve a quote from Homer Tree Service, Inc. in an amount not to exceed \$58,000 for additional work on the Rob Roy Drainage Ditch and authorize the Mayor to execute. So moved by Alderman Koch; seconded by Alderman Plocher.

Public Works Director Dhuse explained this was an omission in the first request for proposal (RFP) in which a small branch north of Corneils Road was not included. It was caught and is now being included.

Motion approved by a roll call vote. Ayes-6 Nays-2  
Plocher-aye, Funkhouser-nay, Tarulis-aye, Transier-aye,  
Soling-nay, Marek-aye, Corneils-aye, Koch-aye

**Ordinance 2024-01**

**Amending the Regulations for Liquor Licenses  
(CC 2024-03)**

Mayor Purcell entertained a motion to approve an Ordinance Amending the Regulations for Liquor Licenses. So moved by Alderman Marek; seconded by Alderman Plocher.

Alderman Funkhouser asked how compliance would be enforced and if we would do anything to spot-check if the labeling was correct. Chief of Police Jensen stated that if it violates the ordinances, a citation would be issued, and it would go in front of the Liquor Commission. There would be spot-checks when alcohol compliance checks are performed throughout the year.

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

**Resolution Declaring Certain Property as  
Surplus Property and Authorizing Its Sale  
(CC 2024-04)**

Mayor Purcell explained this is the eight acres out by Home Depot that the City owns. The City has a contract proposal from Heartland Meadows LLC to purchase the property. There are twenty home sites and four commercial sites. City Administrator Olson shared the timeframe for this project. Heartland Meadows LLC has five months to walk away from the project with their earnest money. After the five months expire, they have thirty days to submit a plan to the City. Then, the City has one hundred and eighty days to approve it. If the City denies the plan, they can walk away from the agreement with their earnest money. City Administrator Olson then shared the information from his memo with the Council. Mayor Purcell stated the contract is for \$405,000, which aligns with the appraisal price. Mayor Purcell shared that he spoke to them today and that they would not want to continue with the proposal if they were not allowed to have the commercial sites.

Alderman Transier asked for clarification on the earnest money. He asked if they could walk away with their earnest money anytime, for any reason, within the five-month timeframe. City Administrator Olson said yes. Alderman Transier asked if this was standard practice. City Administrator Olson shared that this was negotiated between Attorney Orr and Heartland Meadows LLC's attorney. Alderman Soling asked about the four commercial sites and wanted clarification on whether they would be allowed to have high-noise businesses. Mayor Purcell shared they were looking for more professional companies, such as doctors' offices, beauty salons, and business offices. Alderman Koch asked why the fee lock was part of the contract, as he thought the City was stepping away from it. City Administrator Olson shared that the developer specifically requested the fee lock and noted it is only on the sewer connection and water fees.

Alderman Funkhouser shared that a six-year fee lock seems too long, and he would be more comfortable with a three-year fee lock from the final plat approval. Mayor Purcell shared that the City has had no interest in this property other than townhomes over the last three years. Alderman Funkhouser shared he does have concerns about the commercial sites but does not want to lose the proposal if they are unwilling to move forward without them. He also discussed the lot sizes and would like the developer to widen the lots to fit in better with the community. Then he brought up the parking concerns due to the ballpark nearby. He would like to see if they would be willing to have people park there after hours for overflow parking for the ballpark. The internal streets may need parking restrictions and have parking on one side of the street. Alderman Marek shared he has the same concerns about parking as Alderman Funkhouser said. Alderman Transier said he would like not to allow earnest money to be taken back for no reason in future real estate deals. He also shared a concern with the commercial sites due to the current vacant commercial buildings in the City, but it's not a deal breaker.

Mayor Purcell shared that they are removing the motion and will not vote on the contract proposal tonight. They will bring this item back to the next meeting.

**PUBLIC WORKS COMMITTEE REPORT**

**Route 47 Water Main Relocation – Water Park Way to  
Bertram Drive – Agreement for Professional Services  
(PW 2023-94)**

Alderman Koch made a motion to approve the Route 47 Water Main Relocation – Water Park Way to Bertram Drive – Agreement for Professional Services and authorize the Mayor and City Clerk to execute; seconded by Alderman Plocher.

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

**Center Street Water Main Extension – Agreement for  
Professional Services (YBSD)  
(PW 2023-95)**

Alderman Koch made a motion to approve the Center Street Water Main Extension – Agreement for Professional Services and authorize the Mayor and City Clerk to execute; seconded by Alderman Transier.

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

**Lake Michigan Allocation Permit – Engineering  
Work – Change Order No. 1  
(PW 2023-96)**

Alderman Koch made a motion to approve the Lake Michigan Allocation Permit – Engineering Work – Change Order No. 1 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, Corneils-aye, Koch-aye, Plocher-aye,  
Funkhouser-aye, Tarulis-aye, Transier-aye, Soling-aye

**ECONOMIC DEVELOPMENT COMMITTEE REPORT**

No report.

**PUBLIC SAFETY COMMITTEE REPORT**

No report.

**ADMINISTRATION COMMITTEE REPORT**

**Ordinance 2024-02**

**Approving a Master Power Supply Agreement with  
MC Squared Energy Services  
(ADM 2023-50)**

Alderman Marek made a motion to approve an Ordinance Approving a Master Power Supply Agreement with MC Squared Energy Services and authorize the Mayor and City Clerk to execute; seconded by Alderman Soling.

City Administrator Olson stated this would not impact residents, and they would see no real change in their electric bills. If approved, it would be implemented on May 1<sup>st</sup>. Letters will go out to residents in March and April, informing them of the change. Alderman Marek asked if there had been many resident inquiries. City Administrator Olson stated resident calls with basic questions can be directed to call City Hall. Any questions beyond basic questions will be deferred to MC Squared Energy Services.

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

**PARK BOARD**

No report.

**PLANNING AND ZONING COMMISSION**

No report.

**CITY COUNCIL REPORT**

No report.

**CITY CLERK'S REPORT**

No report.

**COMMUNITY & LIAISON REPORT**

**Aurora Area Convention & Visitor Bureau**

Alderman Funkhouser reported he attended the annual luncheon with the AACVB. He stated they received an additional grant from the COVID relief funds for \$700,000. This money is to be used for marketing as a whole, which will have some impact on the City. Their funding is now back up to where they used to be.

**STAFF REPORT**

Public Works Director Dhuse wanted to give recognition to the Public Works and Parks crews for the great job they did snow plowing. They were out at 3:00 a.m. and did not stop plowing until 6:00 a.m. They will be out again at 3:00 a.m. the following day.

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

**City Buildings Updates**

(CC 2021-04)

No report.

**Water Study Update**

(CC 2021-38)

No report.

**ADDITIONAL BUSINESS**

None.

**CITIZEN COMMENTS**

None.

**EXECUTIVE SESSION**

None.

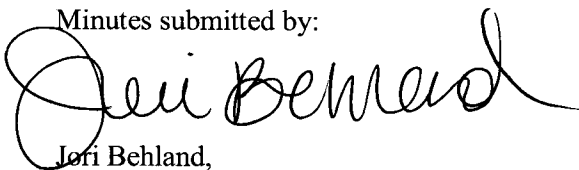
**ADJOURNMENT**

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

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 8:02 p.m.

Minutes submitted by:



Jori Behland,  
City Clerk, City of Yorkville, Illinois

# UNITED CITY OF YORKVILLE

## *Proclamation*

*WHEREAS*, libraries provide access to information and also serve as community centers; and

*WHEREAS*, the Friends of the Yorkville Public Library is a support group for the library; and

*WHEREAS*, the Friends of the Yorkville Public Library strive to focus attention on library services and needs and also help to strengthen and expand library services; and

*WHEREAS*, the Friends of the Yorkville Public Library participates in fundraising for library projects, programs, and the purchase of special equipment; and

*WHEREAS*, the Friends of the Yorkville Public Library, in partnership with the Yorkville Public Library, are hosting a Mini Golf FUN Raiser on Sunday, February 4, 2024, from 10:00 a.m. to 4:00 p.m. in the Yorkville Public Library.

*NOW, THEREFORE*, I, John Purcell, Mayor of the United City of Yorkville, do hereby proclaim Sunday, February 4, 2024, as the "Yorkville Library Mini Golf FUN Raiser Day" in the United City of Yorkville and encourage all residents to support the Yorkville Public Library by participating in this FUN raiser day.

Dated this 9<sup>th</sup> day of January, 2024, A.D.



John Purcell, Mayor

