

**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 23, 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	Absent
	Marek	Present
Ward IV	Tarulis	Present
	Corneils	Present

Staff in attendance at City Hall: City Clerk Behland, Chief of Police Jensen, City 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.

Staff in attendance electronically: Mayor Purcell

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/83254650858?pwd=Z0hoem5sQllwZ2YxVjVQSGdLWEVxZz09>. The Zoom meeting ID was 832 5465 0858.

**QUORUM**

A quorum was established.

**AMENDMENTS TO THE AGENDA**

None.

**PRESENTATIONS**

None.

**PUBLIC HEARINGS**

None.

**CITIZEN COMMENTS ON AGENDA ITEMS**

Todd Milliron, a Yorkville resident, shared his thoughts on the Mayor's Report #1a agenda item, Resolution Declaring Certain Property as Surplus Property and Authorizing Its Sale, and Mayor's Report #1b agenda item, Approval of the Commercial Purchase and Sale Agreement. Mr. Milliron stated he has concerns about the state statute cited. He said he is not opposed to Mr. Marker purchasing the property; he is just concerned if lawful procedures are being followed. Mr. Milliron stated there is supposed to be an appraisal for public inspection, and the one the City currently has is too old. He stated he is concerned that there is a predetermined buyer and someone else might be interested in the property.

**CONSENT AGENDA**

1. Bill Payments for Approval
  - \$ 1,330,960.36 (vendors)
  - \$ 371,437.39 (payroll period ending 01/05/24)
  - \$ 1,702,397.75 (total)
2. Grande Reserve – Unit 12 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 \$49,309.00, 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 2024-04)*

- 3. Grande Reserve – Unit 15 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 \$97,889.00, 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 2024-05)*
- 4. Grande Reserve – Unit 22 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 \$37,038.00, 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 2024-06)*
- 5. New Leaf Energy – Plat of Dedication and Grant of Easement – *authorize staff to accept the plat of dedication and grant of easement for part of New Leaf Energy Project and authorize the Mayor and City Clerk to execute (PW 2024-07)*
- 6. **Resolution 2024-02** 2024 Road to Better Roads – MFT Resolution and Cost Estimate – *authorize the Mayor and City Clerk to Execute (PW 2024-08)*
- 7. North Central Tank Rehabilitation – Change Order No. 3 (Final Balancing) – *approve the North Central Tank Rehabilitation – Change Order No. 3 (Final Balancing) and authorize the Mayor and City Clerk to execute (PW 2024-09)*

Mayor Pro Tem Transier entertained a motion to approve the consent agenda. So moved by Alderman Corneils; seconded by Alderman Koch.

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

**REPORTS**

**MAYOR’S REPORT**

**Kendall Marketplace – 8 Acres**  
(CC 2024-04)

**Resolution 2024-03**

- a. Declaring Certain Property as Surplus Property and Authorizing Its Sale**
- b. Approval of the Commercial Purchase and Sale Agreement**

Mayor Pro Tem Transier entertained a motion to approve a Resolution Declaring Certain Property as Surplus Property and Authorizing Its Sale and authorize the Mayor and City Clerk to execute and approve the Commercial Purchase and Sale Agreement. So moved by Alderman Marek; seconded by Alderman Koch.

City Administrator Olson shared that he had spoken to the developer about the items discussed at the last meeting. The developer did agree to take under advisement on development plan items, lot depts, and parking concerns when submitting their plans to the City. He decided to reduce the fee lock from six to five years. City Administrator Olson reviewed a list of permitted uses within the B-3 business district. They agreed not to allow police stations, fire stations, automobile repair, heavy machinery, equipment rental, recreational vehicle sales, tattoo and body piercing establishments, funeral homes, crematoriums, and pawn shops. City Administrator Olson shared the cover memo with the Council regarding the age restriction questions regarding the deed for the 55 and older community. City Attorney Orr read the code regarding surplus property. She shared that the resolution contains all requested information, and more than the code requires.

Alderman Koch asked about the driveways next to the ballpark. City Administrator Olson shared he believes the driveways will exit onto Northland Lane for lots 3, 4, and 5 within the plan. Lots 1 and 2 will likely be within the new street being created within the development. All of this will be subject to their future. Alderman Tarulis has objections to any commercial use at this property due to the current vacancy of commercial properties within the City. Alderman Plocher brought up that this process is different from when we sold the jail was due to the jail being within the TIF. City Attorney Orr confirmed.

Motion approved by a roll call vote. Ayes-6 Nays-1  
Plocher-aye, Tarulis-nay, Transier-aye, Soling-aye,  
Marek-aye, Corneils-aye, Koch-aye

**Resolution 2024-04**

**Approving and Adopting a Debt Policy**

(CC 2024-05)

Mayor Pro Tem Transier entertained a motion to approve a Resolution Approving and Adopting a Debt Policy and authorize the Mayor and City Clerk to execute. So moved by Alderman Soling; seconded by Alderman Corneils.

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

**Underwriter Engagement Letter for Raintree Village I and  
Raintree Village II Special Service Area (SSA) Bonds**

(CC 2024-06)

Mayor Pro Tem Transier entertained a motion to approve an underwriter engagement letter with D.A. Davidson Companies for services related to the refunding of the Raintree I and Raintree II Special Service Area (SSA) Bonds for fees estimated in the range between \$61,000 (for Raintree II only) and \$111,000 (for Raintree I and II). So moved by Alderman Corneils; seconded by Alderman Koch.

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

**PUBLIC WORKS COMMITTEE REPORT**

**2024 Water Main Replacement Contract B  
(Fox Industrial Park) – Contract Award**

(PW 2024-10)

Alderman Koch made a motion to approve the bid and award contract to Winner Excavating, Inc. in the amount not to exceed \$2,734,644.25 and authorize the Mayor and City Clerk to execute; seconded by Alderman Transier.

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

**2024 Water Main Replacement Contract B (Fox Industrial Park) –  
Construction Engineering Agreement**

(PW 2024-11)

Alderman Koch made a motion to approve the 2024 Water Main Replacement Contract B (Fox Industrial) – Professional Services Agreement – Construction Engineering Agreement and authorize the Mayor and City Clerk to execute; seconded by Alderman Tarulis.

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

**Resolution Approving an Agreement with Kluber, Inc.  
for the Design of a Public Works Facility**

(PW 2024-12)

City Administrator Olson shared that this is for an entire architectural services contract from our current status of the space needs analysis with high-level planning through construction management and engineering. This agreement is for a flat fee of \$1,362,400 to do an estimated \$20 million to \$22 million Public Works Facility. City staff is recommending a construction manager, a separate firm from Kluber. They negotiate and discuss pre-bidding services, help staff finalize the design, and give any advice needed during the process. City Administrator Olson shared that the next item on the agenda is an agreement with EEI for their service on anything required outside the building.

Chris Hanson with Kluber, Inc. shared they previously did six or seven various studies of different locations within the City. Since then, a property most suited to long-range needs has been purchased. A year ago, Kluber discussed a blended scheme for the property with the Council, which was approximately \$23.8 million. The next step is a schematic design to look into a more compact design but useful building. The main goal is to get as many pieces of equipment under the roof as possible. The property will also allow future expansion when needed. The next step is to refine the plan and refine the budget. Once the budget is refined, they can start the process of hiring a construction manager. Kluber has assisted with this process in the past and can aid the City with making their selection as needed. There have been

discussions on additional services such as commissioning agents, a fuel station on the property, the design of material storage bins, and a salt dome.

City Administrator Olson shared that there is no need for a budget amendment if the Council approves it this fiscal year. Staff was able to budget a high-end number, which generally aligned with Kluber, EEI, and industry standards. They could shoot for an August or September bidding timeline if approved tonight to take advantage of the current bidding climate. Alderman Koch suggested holding off until the next Council meeting to vote. Alderman Tarulis still has many questions and would like more time.

Alderman Koch made a motion to table the Resolution Approving an Agreement with Kluber, Inc. for the Design of a Public Works Facility to the next City Council meeting; seconded by Alderman Plocher.

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

**Yorkville Public Works Building - Agreement  
for Professional Services (EEI Contract)  
(PW 2024-13)**

Alderman Koch made a motion to table the Yorkville Public Works Building for Professional Services Agreement to the next City Council meeting; seconded by Alderman Marek.

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

**ECONOMIC DEVELOPMENT COMMITTEE REPORT**

No report.

**PUBLIC SAFETY COMMITTEE REPORT**

No report.

**ADMINISTRATION COMMITTEE REPORT**

No report.

**PARK BOARD**

No report.

**PLANNING AND ZONING COMMISSION**

**Ordinance 2024-03**

**Granting an Accessory Structure Location Variance  
for the Property Located at 703 South Main Street  
(Detached Shed)  
(PZC 2024-02 & EDC 2024-05)**

Mayor Pro Tem Transier entertained a motion to approve an Ordinance Granting an Accessory Structure Location Variance for the Property Located at 703 South Main Street (Detached Shed) and authorize the Mayor and City Clerk to execute. So moved by Alderman Tarulis; seconded by Alderman Koch.

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

**Kendall County Petitions 23-32 and 23-33 – 1.5 Mile Review  
(Grainco FS, Inc. & A.B. Schwartz)  
(PZC 2024-03 & EDC 2024-06)**

Mayor Pro Tem Transier entertained a motion to authorize staff to notify Kendall County that the City Council does not have any objections to the proposed map amendment (rezoning) and an amendment to Kendall County's Future Land Use Map. So moved by Alderman Marek; seconded by Alderman Corneils.

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

**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)**

No report.

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

No report.

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

**ADDITIONAL BUSINESS**

None.

**CITIZEN COMMENTS**

None.

**EXECUTIVE SESSION**

None.

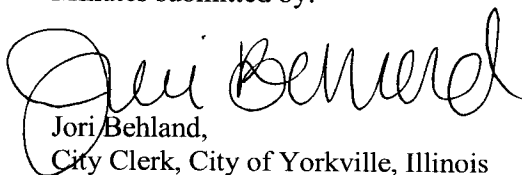
**ADJOURNMENT**

Mayor Pro Tem Transier entertained a motion to adjourn the City Council meeting. So moved by Alderman Plocher; seconded by Alderman Koch.

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

Meeting adjourned at 8:00 p.m.

Minutes submitted by:

  
Jori Behland,  
City Clerk, City of Yorkville, Illinois