

**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, MAY 28, 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	Absent
	Transier	Present
Ward II	Plocher	Absent
	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 Orr, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, Assistant City Administrator Willrett, and EEI Engineer Sanderson.

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/81166415978?pwd=cUY0VXN4eFZ2aEdiRXgxalNLZVFZUT09>.

The Zoom meeting ID was 811 6641 5978.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

Swearing-In to Sergeant – Officer Robbie Hart

Mayor Purcell swore in Sergeant Robbie Hart. Chief Jensen shared that they are honored to have Sergeant Hart, with his 21 years of experience, added to the command staff. He has served as a School Resource Officer, certified Crisis Intervention Officer, Field Training Officer, Defensive Tactics Instructor, and De-Escalation Instructor, and works with the Citizens at Risk program.

Merit Award – Officer Nick Mertes

Commander McMahon presented Officer Mertes with a Merit Award, which is given to officers who perform an outstanding act that results in improved administration or operation, substantial savings in labor or operational cost, or greatly enhances the police department's mission. Officer Mertes took the initiative to develop and implement supplemental training for the City's officers.

**Michael Garrett Wolancevich –
Blues Hall of Fame Induction Recognition**

Mayor Purcell presented a certificate to Michael Garrett Wolancevich, a Yorkville resident, for his induction into the Blues Hall of Fame. Michael is the guitarist with the band Lil'Ed and Blues Imperials. He has been a part of the blues scene for over 30 years.

PUBLIC HEARINGS

1. 2024 Water Bond

A public hearing will be held to receive public comments on the proposal to issue revenue bonds of the City, payable solely from the revenue derived from the operation of the City's water delivery system (the "System"), and other such funds to be pledged, in the amount not to exceed \$25,000,000 and bearing interest per annum at a rate not to exceed the maximum rate authorized

by law at the such revenue bonds are sold (the “*Revenue Bonds*”) or, in lieu thereof, its general obligation alternate revenue bonds in the amount not to exceed \$25,000,000 (the “*Alternate Bonds*”), for the purpose of providing funds for the enhancement of the City’s water delivery system, including replacing existing water mains, constructing a new well, modifying the existing raw water main and water treatment plant and other capital improvements relating to the System.

2. WIFIA Loan

A public hearing will be held to receive public comments on the proposal to borrow a Water Infrastructure Finance and Innovation Act loan (a “WIFIA Loan”) from the United States Environmental Protection Agency, payable solely from the revenue derived from the operation of the City’s water delivery system (the “System”), in the amount of not to exceed \$160,000,000 and bearing interest per annum at a rate not to exceed the maximum rate authorized by law at the time such WIFIA Loan is borrowed (a “Revenue-Backed WIFIA Loan”) or, in lieu thereof, a general obligation alternate revenue WIFIA Loan in an amount of not to exceed \$160,000,000 (the “Alternate Revenue WIFIA Loan”), for the purpose of providing funds for the enhancement of the City’s water delivery system, including, without limitation, replacing existing water mains, modifying the existing raw water main and water treatment plant and other capital improvements relating to the System, and for the construction of a new water supply line and connection to the DuPage Water Commission for a new source of water.

3. Public Works and Parks Facility Bond

A public hearing will be held to receive public comments on the proposal to issue revenue bonds of the City in the amount of not to exceed \$40,000,000 for the purpose of providing funds for (i) the acquisition of certain real property located within the City, including, without limitation, approximately twelve acres of the real property known as Lot 4 in the Yorkville Business Center located within the City, (ii) the construction of a new public works facility thereon, and (iii) certain other capital infrastructure projects within the City.

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

CITIZEN COMMENTS ON AGENDA ITEMS

None.

CONSENT AGENDA

- 1. Bill Payments for Approval
 - \$ 545,735.58 (vendors – FY 24)
 - \$ 1,309,743.75 (vendors – FY 25)
 - \$ 412,087.19 (payroll period ending 05/10/24)
 - \$ 2,267,566.52 (total)
- 2. Bluestem Water Main Replacement - Design Engineering Agreement – *authorize the Mayor and City Clerk to execute* (PW 2024-44)
- 3. Water Rate Study – Professional Services Agreement – *authorize the Mayor and City Clerk to execute* (PW 2024-45)

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

Motion approved by a roll call vote. Ayes-6 Nays-0
Funkhouser-aye, Tarulis-aye, Transier-aye,
Soling-aye, Marek-aye, Corneils-aye

REPORTS

MAYOR’S REPORT

Ordinance Amending Title 3, Chapter 3 of the Code of Ordinances Creating a New Liquor License Class and Fee (Water Parks) – Informational Item (CC 2024-35)

Mayor Purcell read the following amended language added to the new liquor license class for water parks: “No beer, wine, or liquor shall be sold or served to anyone not wearing a wristband provided by the water park. No beer, wine, or liquor shall be consumed on the premises without wearing a wristband provided by the water park. Wristbands will only be provided to individuals twenty-one years or older who present a valid driver’s license or state identification card.”

Resolution 2024-27

Authorizing the Purchase of a Skid Steer From McCann Industries, Inc. in an Amount Not to Exceed \$45,440
(CC 2024-44)

Mayor Purcell entertained a motion to approve a Resolution Authorizing the Purchase of a Skid Steer From McCann Industries, Inc. in an Amount Not to Exceed \$45,440 and authorize the Mayor and City Clerk to execute. So moved by Alderman Transier; seconded by Alderman Marek.

Motion approved by a roll call vote. Ayes-6 Nays-0
Tarulis-aye, Transier-aye, Soling-aye,
Marek-aye, Corneils-aye, Funkhouser-nay

Selection of Mayor Pro Tem for Fiscal Year 2025
(CC 2023-45)

Mayor Purcell asked for nominations from the floor for Mayor Pro Tem. Alderman Tarulis nominated Alderman Transier.

Mayor Purcell entertained a motion to appoint Alderman Transier as Mayor Pro Tem for Fiscal Year 2025. So moved by Alderman Tarulis; seconded by Alderman Funkhouser.

Motion approved by a roll call vote. Ayes-5 Nays-0 Present-1
Transier-present, Soling-aye, Marek-aye,
Corneils-aye, Funkhouser-aye, Tarulis-aye

Ordinance 2024-24

Approving a Redevelopment Agreement By and Between the United City of Yorkville, Kendall County, Illinois and the Williams Group, LLC
(CC 2024-46)

Mayor Purcell entertained a motion to approve an Ordinance Approving a Redevelopment Agreement By and Between the United City of Yorkville, Kendall County, Illinois and the Williams Group, LLC and removing the proposed language from the Redevelopment Agreement Article 3, Section 3.1, requiring the Developer to provide no less than 1,500 square feet of retail space and authorize the Mayor and City Clerk to execute. So moved by Alderman Marek; seconded by Alderman Soling.

City Administrator Olson reported that the Williams Group was okay with the requirement of pulling the permits before the calendar year ends. They were not ok with having a tenant locked in before the end of the year. They want to take their time and select the proper tenant for their location. Alderman Transier asked how long the permits are good for, and City Administrator Olson stated they are good for a year.

Motion approved by a roll call vote. Ayes-6 Nays-0
Soling-aye, Marek-aye, Corneils-aye,
Funkhouser-aye, Tarulis-aye, Transier-aye

121 East Van Emmon Street (FS Property)
(CC 2024-47)

Mayor Purcell entertained a motion to table to the June 11, 2024, City Council meeting. So moved by Alderman Soling; seconded by Alderman Corneils.

Motion approved by a roll call vote. Ayes-6 Nays-0
Marek-aye, Corneils-aye, Funkhouser-aye,
Tarulis-aye, Transier-aye, Soling-aye

Mayor Purcell reported to the Council that the owner of the FS property (three parcels totaling 1.6 acres) has agreed to sell it to the City for \$900,000. The \$900,000 would be paid in interest-free installments of \$150,000, with installments starting on the closing day. Mayor Purcell stated the property has been vacant for many years. He also noted the cash flow would not be negatively impacted if the purchase was made, and there would still be a substantial surplus yearly. He also stated that in the last few goal-setting meetings the Council has had, one of the number one goals was downtown redevelopment. The City also proposes applying for a grant for up to \$2 million for the downtown. City Administrator Olson reported that if the City applied for the grant, the state would need to know the plans, benefits for businesses, and benefits to downtown activity. He shared that the memo explains some ideas for the grant. The City has already budgeted \$700,000 for the East Alley water main improvements.

Alderman Soling shared that he has questions regarding the remediation mentioned within the packet. City Administrator Olson stated that the property was identified as a brownfield in the early 2000s and entered the IEPA's brownfield program for around 15 years. To be removed as a brownfield, you can cap the property and build on top of the cap, physically remove the contamination, or treat it on-site. The state will require updated testing.

Alderman Funkhouser stated he hesitates to purchase the property without due diligence and a new environmental assessment. His other concern is the funding. He also noted that if the City buys this property, the property would no longer generate money for the TIF. Alderman Funkhouser mentioned a private business is already working on the possibility of a band shell and would not want to take that opportunity away from them. He thinks doing some public/private partnerships would be beneficial. He also brought up the possibility of Metra coming downtown, and this property could be prime development property that the City would take away. Alderman Funkhouser stated he has significant reservations about the contract without reviewing more questions.

Alderman Tarulis shared that he supports much of what Alderman Funkhouser brought up. He said he is looking for more private development downtown. He is also concerned about music downtown, as the City already receives complaints about other businesses' music.

Mayor Purcell reported that even if the City makes the purchase this year and within the next five years, it will have a surplus of \$1.4 million in revenues over expenditures in the TIF. He said that he has received many complaints about this property. He doesn't believe this property would be developed anytime soon. There are still many opportunities to build downtown. He does understand some of the concerns brought up. Alderman Soling reported that over the past 12 years, there has been no interest in the property. Because it requires remediation, people could find a better property elsewhere.

PUBLIC WORKS COMMITTEE REPORT

**2024 Local Road Program –
Contract Award
(PW 2024-41)**

Alderman Soling made a motion to accept the bid and award contract to Builders Paving, LLC in the amount not to exceed \$3,162,008.00 and authorize the Mayor and City Clerk to execute; seconded by Alderman Marek.

Motion approved by a roll call vote. Ayes-6 Nays-0
Corneils-aye, Funkhouser-aye, Tarulis-aye,
Transier-aye, Soling-aye, Marek-aye

**2024 Local Road Program –
Construction Engineering Agreement
(PW 2024-42)**

Alderman Soling made a motion to approve the 2024 Local Road Program – Professional Services Agreement – Construction Engineering Agreement and authorize the Mayor and City Clerk to execute; seconded by Alderman Transier.

Motion approved by a roll call vote. Ayes-6 Nays-0
Funkhouser-aye, Tarulis-aye, Transier-aye,
Soling-aye, Marek-aye, Corneils-aye

**2025 Water Main Replacement –
Design Engineering Agreement
(PW 2024-43)**

Alderman Soling made a motion to approve the 2025 Water Main Improvements Agreement for Professional Services – Design Engineering and authorize the Mayor and City Clerk to execute; seconded by Alderman Corneils.

Motion approved by a roll call vote. Ayes-6 Nays-0
Tarulis-aye, Transier-aye, Soling-aye,
Marek-aye, Corneils-aye, Funkhouser-aye

ECONOMIC DEVELOPMENT COMMITTEE REPORT

**East Village of Westbury
(EDC 2024-30)**

Ordinance 2024-25

**a. Repealing a Planned Unit Development Agreement
for the East Village of Westbury**

Alderman Funkhouser made a motion to approve an Ordinance Repealing a Planned Unit Development Agreement for the East Village of Westbury and authorize the Mayor and City Clerk to execute; seconded by Alderman Soling.

Motion approved by a roll call vote. Ayes-6 Nays-0
Transier-aye, Soling-aye, Marek-aye,
Corneils-aye, Funkhouser-aye, Tarulis-aye

Ordinance 2024-26

**b. Approving a Memorandum of Understanding
Regarding the East Village of Westbury**

Alderman Funkhouser made a motion to approve an Ordinance Approving a Memorandum of Understanding Regarding the East Village of Westbury and authorize the Mayor and City Clerk to execute; seconded by Alderman Marek.

Motion approved by a roll call vote. Ayes-6 Nays-0
Soling-aye, Marek-aye, Corneils-aye,
Funkhouser-aye, Tarulis-aye, Transier-aye

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

Margaritas En Mayo

Parks and Recreation Director Evans reported that Margaritas En Mayo was an outstanding success and the busiest he has ever seen downtown for an event. The turnout was great.

Memorial Day Ceremony

Parks and Recreation Director Evans thanked everyone for attending the Memorial Day Ceremony with the Yorkville American Legion on May 27, 2024.

School's Out Beach Party

Parks and Recreation Director Evans reminded that the School's Out Beach Party will take place at Town Square Park on Thursday, June 6th, from 5:00 p.m. to 9:00 p.m.

FORE! Yorkville Golf Outing

Parks and Recreation Director Evans reminded that the Yorkville Golf Outing will occur on Thursday, June 13th, from 7:00 a.m. to 2:00 p.m. at Blackberry Oaks Golf Course.

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)**

No report.

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

No report.

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

Todd Milliron, a resident of unincorporated Yorkville, informed the Council at tonight's meeting that the city has approved \$200 million of debt, making this a monumental meeting. He hopes the water project between Yorkville, Oswego, and Montgomery will be well-planned and well-executed. He shared that the Margaritas en Mayo event was well attended and showcased the City's diversity and inclusion. Mr. Milliron thanked the Parks and Recreation Department for the event. He asked when the next Comp Plan review was, which Community Development Director Barksdale-Noble said the current plan expires in

2026. He shared there are talks about an industrial park near Silver Springs. He said the people of Yorkville should have some input on that topic.

Lisa Wolancevich, a Yorkville resident, shared with the Council that she was glad to hear about the City wanting to redevelop the downtown area. The property in question tonight has been a big eye-sore. She also shared that there is a natural spring under the bank building. It goes through the parking lot straight down to the river. She stated Valerie Burd had an idea that should be opened up for a view of the running water and return the water to the river. The development of this downtown property would make the downtown worth more money. This would increase the look and feel of the downtown area and the number of people attending the downtown businesses. She applauds this idea and thinks it needs to be done. Mrs. Wolancevich also brought up the burial ground that was located at the construction site. The burial stones were moved to the Elmwood cemetery, but the bodies were not moved. They are currently looking through census records and matching them with stones.

PRESENTATIONS (cont'd)

Elected Officials Harassment Training

Attorney William Wake provided the annual harassment training to the elected officials.

EXECUTIVE SESSION

None.

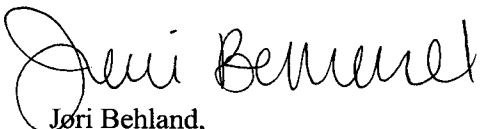
ADJOURNMENT

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

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 8:39 p.m.

Minutes submitted by:



Jori Behland,
City Clerk, City of Yorkville, Illinois

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UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS

CITY COUNCIL MEETING
PUBLIC HEARINGS

651 Prairie Pointe
Yorkville, Illinois

Tuesday, May 28, 2024

7:00 p.m.

PRESENT:

Mr. John Purcell, Mayor;
Mr. Dan Transier, Alderman;
Mr. Craig Soling, Alderman;
Mr. Chris Funkhouser, Alderman;
Mr. Matt Marek, Alderman;
Mr. Rusty Corneils, Alderman;
Mr. Seaver Tarulis, Alderman.

ALSO PRESENT:

Mr. Bart Olson, City Administrator;
Ms. Jori Behland, City Clerk;
Ms. Erin Willrett, Assistant City
Administrator;
Ms. Kathleen Field Orr, City Attorney;
Mr. Rob Fredrickson, Finance Director;
Chief James Jensen, Yorkville Police
Department;
Mr. Tim Evans, Parks and Recreation
Director;
Ms. Krysti Barksdale-Noble, Community
Development Director;
Mr. Brad Sanderson, City Engineer.

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1 (WHEREUPON, the following
2 proceedings were had in the public
3 hearing portion of the meeting,
4 commencing at 7:13 p.m.)

5 MAYOR PURCELL: The first one is the
6 2024 Water Bond, so I open the public hearing for
7 the 2024 Water Bond issue. The public hearing --
8 Do I have to read this?

9 MR. OLSON: I believe so, yes.

10 MAYOR PURCELL: Okay. A public hearing
11 is being held to receive public comments on the
12 proposal to issue the revenue bonds of the City
13 payable solely from the revenue derived from the
14 operation of the City's water delivery system,
15 (the "System"), and other such funds to be
16 pledged, in the amount not to exceed \$25,000,000
17 and bearing interest per annum at a rate not to
18 exceed the maximum rate authorized by law at the
19 such revenue bonds are sold, (the "Revenue
20 Bonds"), or, in lieu thereof, its general
21 obligation alternate revenue bonds in the amount
22 not to exceed \$25,000,000, (the "Alternate
23 Bonds"), for the purpose of providing funds for
24 the enhancement of the City's water delivery

1 system, including replacing existing water mains,
2 constructing a new well, modifying the existing
3 raw water main and water treatment plant and
4 other capital improvements relating to the
5 System.

6 So the hearing is open. Are there
7 any comments relating to the 2024 Water Bond
8 public hearing?

9 (No response.)

10 MAYOR PURCELL: Hearing none, I will
11 close the public hearing for the 2024 Water Bond.

12 Well, let's see here. Page 2, as
13 Paul Harvey would say, we now have the WIFIA loan
14 public hearing. I will open the WIFIA loan
15 public hearing.

16 A public hearing is being held to
17 receive public comments on the proposal to borrow
18 a Water Infrastructure Finance and Innovation Act
19 loan, lot of syllables, (a "WIFIA Loan"), from
20 the United States Environmental Protection
21 Agency, payable solely from the revenue derived
22 from the operation of the City's water delivery
23 system, (the "System"), in the amount not to
24 exceed \$160,000,000 and bearing interest per

1 annum at a rate not to exceed the maximum rate
2 authorized by law at the time such WIFIA Loan is
3 borrowed, (a "Revenue-Backed WIFIA Loan)", or, in
4 lieu thereof, a general obligation alternate
5 revenue WIFIA Loan in an amount not to exceed
6 \$160,000,000, (the "Alternate Revenue WIFIA
7 Loan"), for the purpose of providing funds for
8 the enhancement of the City's water delivery
9 system, including, without limitation, replacing
10 existing water mains, modifying the existing raw
11 water system and water treatment plant and other
12 capital improvements relating to the System, and
13 for the construction of a new water supply line
14 and connection to the DuPage Water Commission for
15 a new source of water.

16 The public hearing is now open. Are
17 there any comments related to the WIFIA Loan
18 public hearing?

19 (No response.)

20 MAYOR PURCELL: Hearing and seeing none,
21 I will close that public hearing and move on
22 to -- this one is a little shorter actually. I
23 am opening a public hearing for a Public Works
24 and Parks Facility Bond.

1 A public hearing is being held to
2 receive public comments on the proposal to issue
3 revenue bonds of the City in an amount not to
4 exceed \$40,000,000 for the purpose of providing
5 funds for, one, the acquisition of certain real
6 property located within the City, including,
7 without limitation, approximately 12 acres of the
8 real property known as Lot 4 in the Yorkville
9 Business Center located within the City; two, the
10 construction of a new public works facility
11 thereon; and, three, certain other capital
12 infrastructure projects within the City.

13 Public hearing is now open. Are
14 there any comments on the Public Works and Parks
15 Facility Bond public hearing?

16 (No response.)

17 MAYOR PURCELL: Seeing and hearing none,
18 I will close said public hearing. Thank you for
19 the court reporter's patience while we read those
20 off.

21 (Which were all the proceedings in
22 the public hearing portion of the
23 meeting, concluding at 7:06 p.m.)

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responsibility for the accuracy of any reproduced
copies not made under my control or direction.

IN WITNESS WHEREOF, I do hereunto set my
hand at Leland, Illinois, this 3rd day of June,
2024.

/s/ *Christine Vitosh*

CHRISTINE M. VITOSH,
C.S.R. Certificate No. 084-02883