

**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, OCTOBER 14, 2025**

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 Contrino called the roll.

Ward I	Koch	Present	
	Transier	Present	
Ward II	Plocher	Present	(electronic attendance – late arrival 7:05 pm, then in-person at 7:33 pm)
	Soling	Present	
Ward III	Funkhouser	Present	
	Marek	Present	
Ward IV	Corneils	Present	(electronic attendance)
	Hyett	Absent	

Staff in attendance at City Hall: City Administrator Olson, City Clerk Contrino, Chief Jensen, Attorney Castaldo, Public Works Director Dhuse, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, Economic Development Coordinator Gregory, Economic Development Director Dubajic Kellogg, and EEI Engineer Sanderson.

Staff in attendance electronically: Attorney Orr, 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/82298589090?pwd=1q1aBlIesRzaQnmuu04greDKzTt0uL.1>.

The Zoom meeting ID was 822 9858 9090.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

None.

PUBLIC HEARINGS

1. 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 \$225,000,000 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 \$225,000,000 (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.

CITIZEN COMMENTS ON AGENDA ITEMS

Cecilia Martinez, a Yorkville resident, shared her thoughts on the public camping ordinance. She read from her “Updates to Known Unhoused Situations” handout (*see attached*), which highlights the placement of three unhoused individuals by the Daybreak Shelter. She expressed that she feels the ordinance should be repealed.

Alison Metz, a Yorkville resident, submitted a series of questions to the City Council (*see attached*) regarding the public camping ordinance. She would like it to be repealed.

Anne Engelhardt, a Yorkville resident and former Kendall Co. PADS Executive Director, shared her thoughts on the public camping ordinance. She shared the written comments that she emailed (*see attached*). She also invited the Council to attend a Zoom training on October 16, 2025, that relates to homelessness encampments.

Alyssa Marrero, Director of AID Mobile Crisis Team. She shared that while AID is limited to mental health, they are willing to assist on any task force created. She also recognized Cecilia Martinez for assisting in getting homeless individuals connected to resources.

John Bryan, a resident of Legacy Farms, shared his thoughts on the data centers. He mentioned that he is still waiting to see the project specifications, including planned energy consumption, water usage, cooling, and generator details. He also said that people in Aurora are saying the noise from the C1 data center is outrageous.

Keith Landovitz, a resident who lives on the west side of Ashe Road, spoke on the Project Cardinal Planned Unit Agreement's phasing proposal. He believes that if the development phase begins west of Ashe Road, the residents in that area will be most affected. He proposes beginning construction of the data center at the center of the property, closest to the ComEd transmission lines.

Alicia Castillo, a Yorkville resident, shared her thoughts on the public camping ordinance. She pointed out sections of the City Code and State Code that are already in place that could address any concerns related to public camping. She described Ordinance 2025-57 as redundant and harsh, and she requests that the City repeal it.

Attorney Bernie Weiler reported that Aurora currently has a moratorium on Data Centers. He asked the Council to consider those living near the proposed project area. He emphasized the need for caution in moving forward because once the PUD is approved, it cannot be changed for 20 years. He also noted that there are no guarantees of benefits.

CONSENT AGENDA

1. Minutes of the Regular City Council – September 23, 2025
2. Bill Payments for Approval
 - \$ 580,366.71 (vendors)
 - \$ 197,095.43 (wire payments)
 - \$ 464,550.03 (payroll period ending 09/26/25)
 - \$ 1,242,012.17 (total)

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

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

REPORTS

MAYOR'S REPORT

Ordinance 2025-71

**Amending Title 7, Chapter 12
of the Yorkville City Code
(Public Camping Ordinance
(CC 2025-58))**

Mayor Purcell entertained a motion to approve an Ordinance Amending Title 7, Chapter 12 of the Yorkville City Code (Public Camping Ordinance) and authorize the Mayor and City Clerk to execute. So moved by Alderman Soling; seconded by Alderman Marek.

City Administrator Olson reported that this amendment requires the PD to inform anyone who is public camping about all known social services available before issuing a citation. It allows sleeping in cars in public parking lots, parks, public spaces, or on the streets at any time. It still does not allow public camping. It also removes a violation of private property unless the property owner does not allow it.

Alderman Transier asked whether anyone had spoken to the State's Attorney's office about prosecuting the offense if it reaches the sixth violation. City Administrator Olson stated the City did not. Alderman Transier stated enforcement may be an issue.

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

2025 Preliminary Tax Estimate
(CC 2025-73)

Mayor Purcell reported that the increase is 2.9% over last year. The City plans to use the increment generated from new construction only. Finance Director Fredrickson reported that, for the public hearing, they increased the new construction budget by 20%, which sets the ceiling, but could always be set lower. He explained that this is due to changes in assessed values between the initial assessment in August and the final assessed values in November.

Resolution 2025-107 **Authorizing the Repair of a Water Main on Crooked Creek Drive in an Amount Not to Exceed \$92,920**
(CC 2025-74)

Mayor Purcell entertained a motion to approve a Resolution Authorizing the Repair of a Water Main on Crooked Creek Drive in an Amount Not to Exceed \$92,920 and authorize the Mayor and City Clerk to execute. So moved by Alderman Transier; seconded by Alderman Soling.

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

Public Works Director Dhuse reported that a small section of the water main on Crooked Creek Drive has experienced three water main breaks, two of which were very large and resulted in a significant loss of water. These pipes have deteriorated to the point where holes are now forming at the bottom. They need to replace the damaged pipes now, then work with EEI on a plan for a secondary feed, and finally design and construct a new water main for the subdivision in that area.

Data Centers Water Planning Services
(CC 2025-75)

Resolution 2025-108 **a. Approving a Memorandum of Understanding By and Among the United City of Yorkville, Kendall County, Illinois, Pioneer Development, LLC and Pioneer, L.P.**

Mayor Purcell entertained a motion to approve a Resolution Approving Memorandum of Understanding By and Among the United City of Yorkville, Kendall County, Illinois, Pioneer Development, LLC, and Prologis L.P. and authorize the Mayor and City Clerk to execute. So moved by Alderman Funkhouser; seconded by Alderman Marek.

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

Resolution 2025-109 **b. Approving an Engineering Agreement with Engineering Enterprises, Inc. (Water Planning) for Data Center Developments – 2025)**

Mayor Purcell entertained a motion to approve a Resolution Approving an Engineering Agreement with Engineering Enterprises, Inc. (Water Planning for Data Center Developments – 2025) and authorize the Mayor and City Clerk to execute. So moved by Alderman Funkhouser; seconded by Alderman Koch.

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

Ordinance 2025-72 **Authorizing the Acquisition of an Easement for the Construction of Improvements to the City's Water System (Baird)**
(CC 2025-76)

Mayor Purcell entertained a motion to approve an Ordinance Authorizing the Acquisition of an Easement for the Construction of Improvements to the City's Water System (Baird) and authorize the Mayor and City Clerk to execute. So moved by Alderman Marek; seconded by Alderman Koch.

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

PUBLIC WORKS COMMITTEE REPORT

No report.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

No report.

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

Parks and Recreation Director Evans announced that the Prestwick Playground is now open, while the Cannonball Playground is currently closed for construction. He also noted that the Recreation App is operational.

RECESS

Mayor Purcell stated that a brief recess would take place.

PLANNING AND ZONING COMMISSION (cont'd)

**Project Steel – Prologis
(Data Center) – Discussion
(PZC 2025-07 & EDC 2025-59)**

- a. Ordinance Approving a Planned Unit Development Agreement with Prologis L.P. (Project Steel)
- b. Ordinance Authorizing the Execution of an Annexation Agreement for Certain Territory Located Generally South of Galena Road, East of Eldamain Road, and West of North Bridge Street (Project Steel)
- c. Ordinance Approving the Rezoning to the M-2 General Manufacturing Zoning District of Certain Territory Located Generally South of Galena Road, East of Eldamain Road, and West of North Bridge Street (State Route 47) (Project Steel)
- d. Ordinance Annexing Certain Territory Located Generally South of Galena Road, East of Eldamain Road, and West of North Bridge Street to the United City of Yorkville (Project Steel)

Community Development Director Barksdale Noble shared that the traffic impact study was provided, and staff had reviewed it and found the site would generate limited traffic. The study indicated that they will not require major roadway improvements beyond those already planned. They plan to realign East Beecher Road to connect with Corneils Road. The City engineer reviewed the plans, providing several comments and requesting revisions. These revisions included incorporating construction traffic phases and updating the plan to reflect the county's plan for Galena Road, as well as the future roundabouts at the Beecher and Corneils intersections. She then shared an update on the Sound Study, where they have provided a follow-up report. The findings do not contradict the overall results of the previous sound study but clarify an error in the Revision B report related to the emergency generators. See memo in the packet for revisions. She also shared that they will not utilize propylene glycol at their data center.

Greg Jones with Ancel Glink provided a presentation on Project Steel's overall project. *(see attached)*

Mayor Purcell asked if they plan to work with the local trade unions, and they said yes. He also inquired if they had considered using solar panels. They responded that they hadn't but would consider it if the City requested it. However, they mentioned that there is no open space available. He further asked about the roundabouts and whether they accounted for farm equipment, to which they confirmed yes. Mayor Purcell reiterated that he knows Phase 1 is only partially within the Yorkville school district and expressed a wish that the entire first phase be included in the district. They acknowledged understanding this request and mentioned they are working with ComEd to continue exploring it. Mayor then asked how much power they expect to use, and they replied 1500 megawatts (1.5 gigawatts) at total build-out. Mayor Purcell asked when the first building would be completed if approved; they estimated around 3 ½ years. He also asked if they have tenants lined up, and they said no, but they have relationships with multiple hyper scalers who are aware of the site. Lastly, he inquired about the bike path and whether they are willing to start on it early; they responded yes, depending on construction and safety considerations.

Alderman Koch asked about the switchyards build-out. They shared that the switch yard for ComEd will be built first, then the substation for phase 1, and then the building. Then they would start on the substation for phase 2, and so on.

Alderman Marek inquired about energy consumption and whether it aligns with expectations or if there's potential for it to decrease as technology becomes more efficient, with the possibility of more equipment on the racks than initially projected. They discussed that, based on past trends, compute power is being utilized more efficiently. He mentioned that compute power demand is increasing significantly. City Administrator Olson added that a recent data center conference highlighted this trend. He noted that data centers are trying to fit more servers on each rack, even as they become more efficient, because demand remains high, and they are attempting to install multiple units of compute power within existing racks. Olson also shared that ComEd indicated data centers are still maintaining their power allocations at a higher level than actual usage, often not fully utilizing their allotted capacity—using about 80% to 90%, averaging around 60%.

Alderman Soling asked if the power usage at other locations causes residents' rates to increase. He mentioned that PJM sets the rates. There could always be a rate increase or decrease depending on future energy prices. He noted that projects in Pennsylvania could affect Yorkville residents. City Administrator Olson added that if the energy supply increases by 10%, during the hot summer, it can go up to 20%-30%, and South of Yorkville experiences even worse increases.

Alderman Marek shared a lot of feedback from residents, saying they do not want data centers in Yorkville because it will increase their bills. However, this is a misconception, as this project will not affect them any more than a data center project in Pennsylvania, which Project Steel acknowledged was correct. Residents also mentioned that they will pay for all upgrades to localized transmissions with ComEd upfront. City Administrator Olson also shared that ComEd has been asking data centers to provide very large deposits or security.

Alderman Funkhouser inquired about the project phases and whether all three phases would be mass graded and have their infrastructure fully completed up front. Project Steel noted that most utility and roadwork would occur during the first phase. They explained they would not mass grade all three phases simultaneously, as some areas would remain untouched for years. Alderman Funkhouser requested clarification on whether, in the first phase, brush and berming would commence at the beginning.

Alderman Transier asked what if the need for large buildings might not be necessary in the years to come. They mentioned that they could have larger buffers since the buildings wouldn't be as significant.

**Project Cardinal - Pioneer
(Data Center) – Discussion
(PZC 2025-08 & EDC 2025-50)**

- a. Ordinance Approving a Planned Unit Development Agreement with Pioneer Development, LLC (Project Cardinal)
- b. Ordinance Authorizing the Execution of an Annexation Agreement for Certain Territory Located at the Southwest Corner of Baseline Road and North Bridge Street (Project Cardinal)
- c. Ordinance Approving the Rezoning to the M-2 General Manufacturing Zoning District of Certain Territory Located at the Southwest Corner of Baseline Road and North Bridge Street (State Route 47) (Project Cardinal)
- d. Ordinance Annexing Certain Territory Located at the Southwest Corner of Baseline Road and North Bridge Street to the United City of Yorkville (Project Cardinal)

City Administrator Olson reported that the Annexation and PUD agreements are in the packet, near final form, and this item could be voted on at the next meeting. The Annexation agreement involves annexing over 300 acres out of more than 1,000 (previously annexed over 700 acres). Both the Annexation and PUD Agreements will be approved contingent on the future approval of utility, infrastructure, and development agreements, all before July 1, 2026. The developer has requested that no agreements be recorded against the property until all agreements are approved and the property closes. The agreement states that this will be either a data center or something that the City Council must approve. The PUD Agreement notes a 10-year construction timeline, though it is not limited to that. The UDO and zoning changes are locked in for 10 years. The agreement prohibits nuclear energy on-site. Current phases are: Phase 1 to the west, Phase 2 to the south/east, and Phase 3 to the north/east. The developer is flexible on phases, and staff support the phased approach. However, staff prefer the south/east to be last since that will be the most developable property if data centers do not fully develop. The land use plan, which is an exhibit to the agreement, cannot be substantially changed without City Council approval. The primary and secondary access points are Baseline and Galena. A final sound study is required at the time of building

permit issuance. Noise monitoring will continue during construction. The façade will be listed as an exhibit. Building height is restricted to 56.5 feet without rooftop equipment, or 78 feet if rooftop equipment is included. Water usage is estimated at an average of 350,000 gallons per day at full build-out. Once complete, the data center would use half the water that a residential subdivision on the same land would. They must also submit an emergency operations plan to the Bristol Kendall Fire Protection District. Operational testing of the generators is limited to weekdays between 11 a.m. and 5 p.m., excluding holidays. Building permit fees are not frozen within the agreement in case of cost increases. A certificate of occupancy will only be issued once they are connected to the electrical grid. City Administrator Olson also mentioned that there is a list of minor and major amendments to the PUD. The City Council must approve major amendments, while minor amendments can be approved by staff.

Alderman Funkhouser asked why there was nothing about the need to do the trails up front. City Administrator Olson stated that it will be part of the development or utility/infrastructure agreement. Alderman Funkhouser expressed difficulty with the suggestion that anything under 10% staff can approve as a minor amendment to the PUD. He suggested 5%. He clarified that the maximum height for any building is 78 feet; if they want anything higher, they must return to the Council. He also does not favor the idea of the developer being able to reduce landscaping by 5%, but is okay with increasing it. Their estimated power consumption is 1.8 gigawatts. Mayor Purcell inquired about the school, and the representatives indicated they would like to discuss and finalize the details before July 1st. Mayor Purcell added that this will be on the agenda for a vote at the next City Council meeting.

CITY COUNCIL REPORT

No report.

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

No report.

STAFF REPORT

Public Works Director Dhuse reported that they auctioned trucks previously approved by the council. His estimate was \$40,000, but they received \$58,000.

MAYOR'S REPORT (cont'd)

**Public Works and Parks Department
Facility Update
(CC 2025-08)**

Mayor Purcell shared that the roof has been put on the new building. Public Works Director Dhuse mentioned that the parking lot was graveled over the weekend, and the binder is next. He also shared that if any of the Council members would like a tour, they should reach out to him to set up a time.

**Lake Michigan Water
Project Update
(CC 2025-09)**

No report.

ADDITIONAL BUSINESS

No report.

CITIZEN COMMENTS

None.

EXECUTIVE SESSION

None.

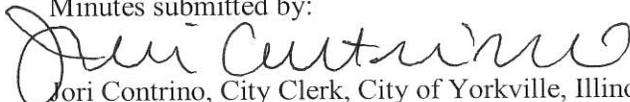
ADJOURNMENT

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

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 9:59 p.m.

Minutes submitted by:


Jori Contrino, City Clerk, City of Yorkville, Illinois

Updates to known unhoused situations

On October 3rd, I was notified by Chief Jensen that the Daybreak Shelter had made room for at least two unhoused individuals from the local community. Prior to this development, both the Health Department and my contact at the Will-Grundy Medical Clinic advised that registration within the Continuum of Care system could take approximately six months to one year before resulting in housing placement.

Following this notification, I met with the affected individuals to discuss the potential transition to the shelter. They expressed concerns regarding safety conditions, the sudden availability of accommodations, and possible police involvement in the transport process. To mitigate these concerns - I offered to take a tour of the facility, obtain responses to their questions from shelter staff, and provide direct transportation to alleviate apprehension about traveling with law enforcement.

Daybreak administrators scheduled the tour for Monday, October 6th, during which all inquiries were addressed comprehensively. The shelter also arranged a subsequent street outreach session to conduct individualized assessments and determine appropriate placement options. Following the outreach meeting on October 10th, Daybreak successfully placed three unhoused individuals in hotel accommodations, each assigned a case manager to facilitate ongoing support and services. Daybreak personnel transported two individuals who were reluctant to ride with law enforcement, while I personally transported the third individual due to limited officer availability at the time.

It is critical to note that if enforcement actions disproportionately impact individuals with disabilities (including those with mental illness or mobility impairments) or fail to provide reasonable accommodations such as accessible or trauma-informed shelter options, the city may incur liability under the Americans with Disabilities Act (ADA).

Example: An individual with post-traumatic stress disorder (PTSD) who cannot safely remain in a crowded shelter and is subsequently cited for sleeping outdoors may have grounds for an ADA complaint.

I underscore the relevance of ADA considerations because several unhoused individuals have sustained head injuries, experienced trauma from previous shelter environments, or suffer from mental health challenges worsened by prolonged isolation. Many have indicated that they feel unsafe in traditional shelter settings and would prefer to remain outdoors rather than risk assault or theft. In these cases, the use of deferred or alternative housing placements has proven to be the only viable means of ensuring both safety and voluntary participation in services.

Finally, I wish to express concern that the current ordinance may further erode trust between law enforcement and the unhoused or imminently unhoused members of the community. This deterioration of trust could intensify if the ordinance is actively enforced. I remain in contact with the last known unhoused individual in town, just waiting on Daybreak to coordinate another street outreach assessment for potential placement.

Good Evening. My name is Alison Metz, resident of Yorkville since 1988.

In light of the pending amendments to Yorkville's recently passed Public Camping Ordinance as it applies to unhoused community members, I would like to comment and pose questions to you our city council as well as to the YPD.

1. How much discretionary use do local authorities have in utilizing the punitive measures outlined in the ordinance? These punitive measures include the use of graduated fines for sleeping, camping, or otherwise seeking shelter on public property in an attempt to meet basic human needs, the potential removal of "exempt personal property" broadly defined as having no apparent utility or monetary value" and potential incarceration for a period to not exceed maximum time allowed by the IL Municipal Code. Which, I believe, the City Attorney stated at the last city council meeting was a maximum of 6 months.

- The discretionary use, if any, does not appear to be addressed in the ordinance, other than the substitution of public service for any monetary penalty and that must be approved by the City and is not stated to be the decision of the law enforcement officer.

2. As I'm sure each of you are aware, by use of this ordinance you have set up a system of failure for any unhoused individual in Yorkville who most likely does not have the money to pay the fines, or simple access to that money.

3. We have heard that the Yorkville police department has training in basic crisis management skills and has a printed card that can be given to an unhoused community member when "offering" services that lists various agency contact information. I stand here before you again tonight and emphatically state "THAT IS NOT ENOUGH". Being unhoused is a very complicated and devastating situation for any human to endure. I have yet to hear:

- How many times has any unhoused individual been approached regarding shelter options?
- Who was offering the options? Was it the same officer each time an individual was approached?
- How long did these conversations last? Did they involve more than providing an informative card?
- Were options offered at the same time a fine was issued? I think you will remember that I previously brought up the negative consequences penalization will have on trust building with unhoused individuals.
- What questions was the unhoused individual asked in an attempt to understand their point of view? For example: Were they asked why they did not want to accept shelter? Were there found to be concerns about safety in a shelter? Distance from their home town?

Transportation? Trust in the system or officials offering the help? Negative prior experiences?

4. This week I had the opportunity to speak with Kyle Fiore, social worker from the Kendall County Health Department and learned that his services are available to the YPD once weekly on Fridays. This is in addition to covering services, as a temporary position, for Oswego, Plano, and the Sheriff's Department. I believe I understood that the Kendall County Health Department is in the process of trying to fill a full time and a part time position for a Community Crisis Clinician and a Community Crisis Case Manager. I am not clear on what those job descriptions might entail, but I believe their services will still cover the 4 entities. I would hope that these individuals would be actively involved in working with our unhoused, as their training and background experience would make them uniquely qualified for outreach.

5. I understand that the ordinance adopted by the City is a "template" that is circulating the United States and is in reality flawed, in addition to being an unethical attempt to deal with unhoused individuals.

With that being said, have you, the City Council, considered or planned for the following:

- The proposed amendments include that "the City is required to inform anyone that is public camping about all known social services available **prior** to issuance of a warning or citation". The word **prior** is not clearly defined. How much time must have elapsed before a warning or citation is given?

- What happens if an unhoused community member agrees to shelter options, but no space is currently available or they are waitlisted? Does the ordinance address this? Will that person continue to receive graduating fines for meeting their basic human need for sleep? If not, what will the procedure be?
- What happens if the case goes to court and the judge will not incarcerate the individual?
- What happens after an individual is fined and incarcerated when they are released and still unhoused? Does the cycle repeat?
- What if our Kendall County State's Attorney will not support the ordinance?
- What is your plan if IL HB 1429 amends the Bill of Rights for the Homeless Act and prohibits ordinances like this one?

I have used the word "flawed" to describe the ordinance because of these questions in addition to its failure, in reality, to do anything toward solving the problem of housing.

6. Another issue to be raised here is the **contradictory** language used in the recently posted proposed amendments to the ordinance. On page 201 under The Memorandum, it states: "The attached ordinance removes all references to **sleeping in cars** or sleeping in public spaces; as in if the ordinance is approved, **anyone may sleep in their car in public spaces**" and "This would allow an overnight nurse, truck driver, or **any other resident** to sleep on a bench in a public park during hours that the park is open **or in their car in a public parking lot or street at any time**. Yet further on the Memorandum states: "the ordinance still prohibits public camping – **so residents are prohibited from camping in their car** or camping on public property". What exactly distinguishes "sleeping" from "camping" in one's car? The ordinance defines this as "bedding such as a sleeping bag or blanket established or maintained for the purpose of maintaining a temporary place to live". If you were to examine the contents of my car at any time you would find the following items: several blankets, a yoga mat, a bottle of water, a sweatshirt, possibly snacks or candy, a flashlight, hand sanitizer, bandaids and Tylenol. Who is to say whether or not I have those items because I am establishing a "temporary place to live" or whether I might have those with me in case of an emergency such as a winter storm, or I run out of gas somewhere during nighttime travel? So, as a **housed resident** of Yorkville, I can choose to sleep in my car at any time, including overnight, yet if an **unhoused resident** chooses to do the same thing it appears to be defined as "**camping**". To be blunt, that is **discrimination**. The Bill Of Rights for the Homeless, Public Act 098-0516 of the IL General Assembly states "No person's rights, privileges, or access to public services may be denied or abridged **solely** because he or she is homeless" and "in the same manner as any other person and without discrimination on the basis of his or her housing status; the right to equal treatment by all State and municipal agencies". I'm fairly certain that the City of Yorkville does not want to be in violation of State Law based on **acts of discrimination**.

Since these questions have been raised, and I strongly believe that citizens of Yorkville have the right to answers, I request that the vote on amendments be tabled until which time the answers are made clear. Finally, I ask the biggest question, "what is the intended purpose of the ordinance?", because that remains unclear and conspicuously unstated. So far the only statements I have heard at these meetings are the following:

"To move things along" and to "Eradicate the situation" And so I once again ask the City Council to **Repeal the Ordinance**. Thank you for your time.

Good evening, Mayor Purcell and Alderman of the Yorkville city Council.

Anne Engelhardt, [REDACTED]

- Resident of Yorkville since 1978
- Retired teacher (English/ Language Arts)
- Former member of Yorkville District 115 Board of Education
- Served as Executive Director of Kendall County PADS (Public Action to Deliver Shelter) which provided overnight shelter, food and other services to more than 750 unhoused people from October 2010- March 2020

Reminder: With you packets, you received an invitation to attend an online training: Encampments: Community-wide responses - Ryan Dowd with Iain De Jong

Date & Time: Oct 16, 2025 01:00 -2:00PM

Description

In this conversation, Ryan and Iain explore compassionate, housing-focused strategies for responding to homelessness encampments.

Details, including how to register for this free event, are in the written comments I previously emailed to you.

NOTE:

I will present facts, and where I quote specific numbers, the source of the data is provided in this printed document. You will get copies of my comments.

First, I want to talk about fines and incarceration and money as it relates to an unhoused person in Kendall County.

OVERVIEW of HOMELESS PERSON

A chronically homeless person (that is more than 1 nights unhoused) is living with many complex conditions. They are usually unemployed or under-employed - meaning they earn less than they can live on. They may not have a vehicle, which immediately makes a huge challenge to being able to work. They live with physical disabilities, ongoing health conditions, mental illness, PTSD, previous life traumas, social disorders, no support system. By the time you see them living in public places, they do not have a vehicle; their possessions are crammed in a backpack or two. Biggest challenges are getting the basics: food for the day, finding a restroom, figuring out where to sleep - even in rain, snow, cold

temperatures,, and how to not get a citation or arrested. (I am not here tonight to get into the details of the backgrounds of homeless people.)

HOW MUCH MONEY DOES A HOMELESS PERSON HAVE?

A chronically homeless person generally has less than \$100; some have less than \$20 or nothing. Many un-housed people do not have employment. (If they have money, they would not choose to be living outdoors.)

Using the citation amounts in the ordinance, the first offense will be \$75, the second offense \$150, the third offense \$350. The totals for six offenses \$2575. How does an unemployed person with no money pay these tickets? Where will they get the money to pay the fines? What is the point, or tipping point to put the person in jail?

If a person is given "pubic service" to "pay" the total amount of six fines, at the \$15 minimum hourly wage, they would have to work (without getting any payment) 142 hours! And giving this public service to they are not earning any money to improve their own financial situation; and furthermore, they still have no place to live! This does not sound like help, it sounds like a cruel punishment.

INCARCERATION

Next step for a chronically unhoused person who cannot pay fines, and is living out doors, is to put them in jail. The cost of incarceration per day in Illinois is approximately **\$135**. A week's cost will be **\$954**; if the person is held for the maximum of six months as designated in the ordinance, the cost of incarceration will be **\$24,804**. Who pays for one day or 180 days? We, the Illinois tax payers. (<https://idoc.illinois.gov/content/dam/soi/en/web/idoc/reportsandstatistics/documents/FY24-Financial-Impact-Statement.pdf>)

And, now, let's look at the time one spends in jail. IS there an available bed in the jail? Does the jail provide a case worker, a mental health counselor, or a place to be employed and earn money? A plan as to where they will go next? Does the person have a court hearing? Will they now have a record to go with them when applying for a job or applying for a rental? When the person is released, how will they be changed? How will their circumstances be improved? They will be released right back into the same situation.

LACK OF AFFORDABLE HOUSING

Next is the problem of affordable housing in Kendall County. In this scenario a person can get a job earning minimum hourly wage. In Illinois, the minimum wage is **\$15.00** per hour, which will come to \$600 per a 40-hour work week, or **\$2600 per month**, and **\$31,200 per year**. And this amount is before subtracting taxes and other fees.

(https://minimumwage.com/state/illinois/?utm_source=google&utm_medium=cpc&gad_source=1&gad_campaignid=1403578692&gbraid=0AAAAADqGYalOwcMB_zFnh_z2NF4UDB5nd&gclid=Cj0KCQjw3aLHBhDTARIsAIRij5_-eD8IMCNoLciAH4E4eFBLCCLoQIOFxQdm8mGpY5c8LkMKKe1XloMaAnHaEALw_wcB)

In Kendall County, the cost of a one-bedroom apartment on the low end is **\$1375 per month** (7 are available right now); studio apartments cost **\$1800** (8 are available).

https://www.apartments.com/kendall-county-il/?bb=s3q2ri3z1J_tgtm6N

General knowledge is that one's rent should be approximately 30% or less of one's income. In Kendall County, the lowest priced apartment would eat up more than 50% of their income. After paying utilities, food and necessities, transportation to and from a job (if they can even get transport), it won't take many weeks before the expenses outweigh the income, and they will be forced to leave the apartment. They now could very likely become homeless.

GETTING HELP

In Kendall County, if an unhoused person's only option is to live outside, they may not know about the options available to them.

Based on the ordinance, after an encounter with a homeless person, police or another agency will explain options for shelter and other resources.

If the person **does not immediately agree**, and, if they sleep outside or in a vehicle in a public space, they will be fined. If there is another encounter with the same response, the person will be ticketed again. This can happen six times and then a person is jailed.

If the homeless person **agrees** to the offer of going to a shelter, there often may be a wait-period of a few days or week or more, where will the unhoused person be able to stay? Where in this ordinance is there a solution for this time gap? Based on the ordinance, additional tickets will be issued.

REACTION OR SOLUTION?

Ordinance 2025-57, even with amendments is a **reaction** to a problem; it is does NOT address the problems.

This ordinance does nothing to look at the **source** of the problem.

If you found sick, diseased, or dead fish along the banks on the Fox River in Yorkville, we would certainly want to know the cause and would investigate. If Yorkville/ Kendall County has unhoused people, we need to go up river and learn about their situations and needs so that the source of the problem can be addressed.

KEEPING AN ORDINANCE THAT HAS FINES AND JAIL TIME IS NOT SOLVING THE PROBLEM. THIS ORDINANCE CLEARLY SEEMS TO HAVE HAD NO BACKGROUND STUDY OR INVESTIGATION - IF THAT HAD BEEN DONE, YOU WOULD HAVE FOUND DATA-BASED RESEARCH AND PROVEN REAL EXAMPLES OF OTHER WAYS TO ACTUALLY WORK TOWARD REDUCING HOMELESSNESS.

HOMELESSNESS WILL CONTINUE TO INCREASE

In the past 10 years in the US, Homelessness has increased by 45% (<https://endhomelessness.org/state-of-homelessness/>) You can be sure that there will continue to be unhoused people in Kendall County and more often and higher numbers.

And, it there is much researched date to show the cost of homelessness and the economic and social benefits for HOUSING FIRST the unhoused individuals.

<https://www.npscoalition.org/post/fact-sheet-cost-of-homelessness#>:

BEST CASE SCENARIO

The most important actions will be to offer social services immediately, and bring the person to a shelter. We are fortunate in KC to belong to the Continuum of Care that includes Daybreak Center in Joliet, a 24 hour shelter with on-going and continuous supportive services. The goal is to get unhoused people into rapid re-housing or permanent housing with supportive series. You/ we in the audience had an excellent presentation at the last City Council meeting on September 23, where the YPD and the KC Health Department explained how they work with unhoused people. (Review slides from last meeting for details and clarification.)

A CLOSING ARGUMENT FOR REPEALING THE ORDINANCE.

1. Agencies and organizations have in place people who have been trained; they are respectful as they offer help to the unhoused. We have the YPD, the KC Health Department, KC Food Pantry, and Continuum of Care.
2. The system can be **improved** if these various entities can work out a communications plan - to know who should be called to work directly with an unhoused person. Know the process, the order of involvement, and relationship of the different helpers. Knowing who does what, and when - depending on the time of day or night and the situation - can improve efficiency in getting help more quickly to those in need.
3. In addition, these agencies also need to have people as a **street task force** to meet, talk, find out needs, and build trust with each unhoused person. As an example, Cecilia Martinez, a citizen who cares, volunteered her time in the past six weeks or so, and connected the dots between the homeless and the agencies that responded. The men who have been targeted since summer are now in shelter and waiting for more permanent housing.. Her work is proof that citations and jailing were not necessary.
4. If a civil offense occurs, certainly, it should be addressed with the existing ordinances/ laws! Yorkville has 1300+ ordinances, including ordinances for . . .
 - A. Trespassing on private property
 - B. Littering on public property
 - C. Damage to public property
 - D. Petty theft; shop lifting

- E. Indecent exposure
- F. Illegal / unacceptable use of phones (photos, for example)
- G. Noise level violations
- H. Campfires in undesignated places
- I. Inappropriate language
- J. Many others . . .

If you follow up on complaints and there is clearly an offense, use the existing laws (ordinances) for every incident — regardless if the person has a home or not.

If the offense is addressed with the applicable ordinance, the “camping ordinance” would be pared down to the parts where immediate assistance is given as soon as possible and long-term resources are offered, communication and trust are established, and bringing a person to Daybreak Center in Joliet.

If the camping ordinance is re-written, it can and it should **delete the fines, jail, and public service hours**. Then the ordinance it will be the start of a more humane, more compassionate approach to helping each human being caught in homelessness.

CLOSING

As elected leaders and professionals, you are entrusted by the public to do two things at the same time. As citizens we need and want the best environment for ourselves and our children, and that means effectively addressing immediate problems. In addition, we as citizens, expect you to really get into the bigger issues, the long term problems and solutions — such as the need for electricity, the need for clean water and air, the need for supporting good education, and many other things. One of the long-term issues that cannot be overlooked is the need to prevent homelessness.

Homelessness is one of America’s most visible yet least understood challenges. It affects people from all walks of life who struggle due to economic hardship, lack of affordable housing, other systemic barriers.

The reality is that most people are forced into homelessness by circumstances beyond their control. THE SOLUTIONS LIE IN SYSTEMIC CHANGES, NOT QUICK FIXES.

The United States, including Kendall County, simply does not have enough housing for everyone who needs it. Building and preserving affordable housing is one of the most effective ways to stop the flow of people into homelessness. More units need to be built, and current housing must remain accessible to low-income individuals and families.

Closing the gap between income and housing costs is critical. By increasing income opportunities and public benefits, we can help prevent or drastically reduce homelessness.

Will you commit to creating a task force to address the gap between income and housing costs? That is a hard ask. And the hard stuff is part of your job.



Yorkville City Council
United City of Yorkville
651 Prairie Pointe Drive
Yorkville, IL 60560

October 14, 2025

Dear Yorkville City Council Members,

I. Yorkville should repeal its Anti-Camping Ordinance.

As advocates with the Chicago Coalition to End Homelessness, we believe the most prudent course of action for Yorkville is to repeal Yorkville's Anti-Camping Ordinance, which is both illegal and an ineffective means to address the concerns Yorkville seeks to alleviate.

Yorkville's Anti-Camping Ordinance makes clear that it is intended to address ambiguous public health concerns. It further seeks to address the "complex and serious social issue" of homelessness as it relates to public camping. As to the former, there is no doubt that homelessness is a public health concern, but it is so because of the devastating effects that unsheltered homelessness has on people *experiencing* homelessness. Criminalizing people in Yorkville who have nowhere else to go does nothing to address the only credible public health concerns that unsheltered homelessness implicates; instead, such criminalization exacerbates the relevant public health risks by further reducing individuals' stability, forcing them out of their community merely because they lack housing, and thereby further reducing any chance they have to receive housing and other services.

Similarly, Yorkville's Anti-Camping Ordinance is an ineffective means of addressing the concerns Yorkville has about there being unsheltered homelessness in its community at all. Banning unsheltered homelessness does not end homelessness, but merely further penalizes some of the most vulnerable members of the community. That is particularly true given the insufficient availability of affordable housing, emergency shelters, and homeless service options in Yorkville. As local advocates have urged, Yorkville would better address this issue by focusing on establishing more short-term housing and shelter, as well as transportation options that would allow both shelter residents and the broader community to access essential community spaces and places of employment. Yorkville should also focus on the development of long-term affordable housing.

Finally, Yorkville's Anti-Camping Ordinance, which attempts to classify unsheltered homelessness as a "nuisance" and to regulate it accordingly, is unlawful. The Ordinance is unconstitutional because it specifically targets homeless individuals and infringes on their very right to exist without housing. Furthermore, it provides for the seizure of individuals' property based on unlawful and vague standards, provides insufficient procedural safeguards for the taking and reclaiming of property, inflicts disparate negative impacts on people of color and with disabilities, and assesses criminal penalties that do not comply with the state and federal constitution standards. Yorkville's ambiguous interests in public health



are insufficient to justify this infringement on their rights or the discriminatory targeting of these individuals because of their indigency, race, and disability status. Even assuming more specific public health concerns related to unsheltered homelessness, the Anti-Camping Ordinance does little to address such concerns.

For all of these reasons, a repeal of the Yorkville Anti-Camping Ban is the most reasonable outcome.

II. If Yorkville will not repeal its Anti-Camping Ban, it should make several amendments.

If Yorkville refuses to repeal its Anti-Camping Ordinance, there are several amendments it could make to alleviate the harms it inflicts on unsheltered individuals in Yorkville.

First, Yorkville should amend the Anti-Camping Ordinance to prohibit enforcement before individuals are offered housing, or at least shelter. Currently, shelter options are inaccessible by public transit – Aurora is 25 minutes away and Joliet is about 40 minutes away, which is difficult if not impossible to access for people without means of transportation. Yorkville also does not have adequate low barrier and non-congregate shelter options, which oftentimes better suit the needs of people experiencing homelessness who have experienced trauma.

If Yorkville’s intention is to address the “complex and serious social issue” of unsheltered homelessness, the most effective way of doing so is by ensuring there is adequate shelter space in Yorkville and, if there is not, by providing transportation and coordinated entry into shelters in neighboring communities. To accomplish this end, we urge you to meaningfully consider local advocates’ recommendations for a “Task Force” or “Work Group” in Yorkville that would connect well-trained professionals in the community with individuals experiencing unsheltered homelessness as a first point of contact to assess individuals’ most immediate needs and connect them with local resources. Yorkville’s Anti-Camping Ordinance should also provide that if no shelter or housing is available to offer, then individuals will not be penalized under the ordinance.

Second, Yorkville should amend the Anti-Camping Ordinance to remove all criminal penalties from its Anti-Camping Ordinance. Imposing fines and arresting individuals for being unsheltered does nothing to address the reason individuals are unsheltered. Instead, it merely penalizes them for not having shelter and creates further barriers to housing stability. That is, the criminal penalties imposed by Yorkville’s Anti-Camping Ordinance will do nothing but exacerbate the issues that Yorkville wishes to alleviate. To better address the complex issue of unsheltered homelessness, the Yorkville Anti-Camping Ordinance should be amended to remove all criminal penalties.

Third, and relatedly, the Yorkville Anti-Camping Ordinance should be amended to remove the penalty of forced labor cleaning public facilities. This level of penalty for unsheltered individuals seeking to survive in Yorkville is degrading and shocks the community sense. It is disproportionate to the seriousness of the “offense” Yorkville seeks to address and furthermore insufficiently tailored to rehabilitating the unsheltered individuals that it seeks to punish. In fact, as explained above, it is more likely that criminally penalizing unsheltered individuals will in fact exacerbate unsheltered homelessness in Yorkville’s community. Fourth, the Yorkville Anti-Camping Ordinance should be amended to limit the scope of Yorkville’s power to take individuals’ property. Namely, the clause permitting Yorkville to dispose of individuals’ property that they cannot demonstrate “the requisite lawful authority to possess” is



vague and overbroad and should be removed. Similarly, the language permitting Yorkville to take individuals' property "appearing to be evidence of a crime" is inconsistent with the probable cause requirements of the federal and state constitutions and should be removed. Furthermore, the ordinance should more clearly provide unsheltered individuals with an opportunity to be heard before being deprived of their property and should provide specific procedures for the storage and retrieval of that property.

Reports of People Experiencing Homelessness in Yorkville Being Removed from Public Spaces

The Law Project of the Chicago Coalition to End Homelessness is deeply concerned about the reports provided to us firsthand and by community members of displacement of unsheltered residents of Yorkville from public spaces for arbitrary reasons. We have also learned of alleged repeated reports of violence directed at people experiencing homelessness in public spaces by Yorkville residents.

Under the Illinois Bill of Rights for the Homeless Act, people experiencing homelessness have the right to use and move freely in public spaces without discrimination based on housing status. 775 ILCS 45/10(a)(1). In addition, people experiencing homelessness have a reasonable expectation of privacy in their personal belongings to the same extent as personal property in a personal residence. 775 ILCS 45/10(a)(7). The Illinois Bill of Rights for the Homeless Act provides for damages and attorney's fees, appropriate injunctive and declaratory relief, and actual damages, for violations of the Act. 775 ILCS 45/15.

The alleged lack of notice provided, and other details shared with us regarding how people, including those with disabilities, are being moved along from public space by Yorkville police are troubling. These practices do not ensure that people living in the area have adequate time to relocate or protect themselves and their personal belongings. Anti-camping ordinances that effectively criminalize the status of homelessness can exacerbate community hostility towards people experiencing homelessness, and we hope that Yorkville keeps this in mind as they consider how to best move forward.

We have attached a letter from the Illinois Department of Human Rights (IDHR) and Illinois Office to Prevent and End Homelessness (OPEH) to public officials urging respect for Illinois law, including the Bill of Rights for the Homeless Act, which prohibit the discriminatory denial of access to public spaces for people experiencing homelessness. Their letter encourages collaborative solutions and cautions that ordinances of criminalizing homelessness may lead to legal action and increased barriers for people experiencing homelessness who seek housing.

We urge you to repeal the ordinance.

Sincerely,

Melissa West

Melissa West | Attorney
On Behalf of the Law Project of the Chicago Coalition to End Homelessness



March 13, 2025

Re: Non-Discrimination in Public Spaces & Persons Experiencing Homelessness

Dear Illinois local public officials:

As a valued government partner, this letter is being transmitted to provide you with guidance, analysis, and resources following the recent U.S. Supreme Court opinion addressing laws that regulate camping and other sleeping activities on public property.¹ The majority of localities have not changed their approach of providing care and compassion to people experiencing homelessness. Unfortunately, several units of local government have enacted or are considering enacting ordinances that may unduly restrict access to public spaces by creating penalties, fines and, in some instances, providing for the incarceration of persons experiencing homelessness. The information below serves to remind local public officials that Illinois law requires the administration of access to public spaces in a non-discriminatory manner, including to persons who may be seeking shelter. It is our collective responsibility to avoid any discriminatory infringement of these rights in violation of the Illinois Human Rights Act, the Illinois Civil Rights Act of 2003, and the Bill of Rights for the Homeless Act.²

We understand that local public officials face difficult challenges in responding to the needs of persons experiencing homelessness within their jurisdictions. While you have a responsibility to ensure public health and safety, you must do so in a way that protects the right to access public spaces in a nondiscriminatory manner. This can be accomplished by working collaboratively with local, state and federal agencies (especially social service agencies), non-governmental organizations, and public safety agencies. Persons experiencing homelessness are often targeted for discrimination, harassment, and violence and local public officials should exercise caution before penalizing or excluding persons from public spaces, including those who rely on access to those spaces for their survival.

As local public officials responsible for ensuring nondiscriminatory access to Illinois public spaces, we share the following obligations that govern the execution of your responsibilities and duties:

- **Bill of Rights for the Homeless Act (BRHA) protections.** Under the BRHA, persons experiencing homelessness have the right to equal treatment by all State and municipal agencies, without discrimination on the basis of housing status. Persons experiencing homelessness have the right to use and move freely in public spaces, including but not limited to public sidewalks, public parks, public transportation, and public buildings, in the same manner as any other person and without discrimination on the basis of their housing status. Persons experiencing homelessness also have the right to a reasonable expectation of privacy in their personal property.³
- **Illinois civil rights statutory protections.** Under the Illinois Human Rights Act (IHRA), no person may deprive another of the full and equal enjoyment of a place of public accommodation based

¹ See *City of Grants Pass, Oregon v. Gloria Johnson, et al.*, 603 U.S. ___ (June 28, 2024) (hereinafter, “*Grants Pass*”).

² 775 ILCS 5/5-101 *et seq.*, 740 ILCS 23/1 *et seq.*, 775 ILCS 45/1 *et seq.*, respectively.

³ 775 ILCS 45/10.

on actual or perceived protected characteristics. A Public Official is specifically prohibited from denying or refusing the full and equal enjoyment of facilities and services under their care. Protected characteristics under the IHRA include military status, disability (physical or mental), order of protection status, sexual orientation (including gender identity), race, and color, just to name a few.⁴ The Illinois Civil Rights Act of 2003 (ICRA) also prohibits local and county governments from discriminating against any person based on race, color, national origin, or gender, and from adopting policies whose criteria or methods of administration have the effect of subjecting individuals to discrimination based on those characteristics.⁵

Ordinances that target persons experiencing homelessness for unequal treatment may have the effect of imposing unjustified harms based on protected characteristics under the ICRA or IHRA. For example, Black Illinois residents are almost eight times more likely to be homeless than white Illinois residents, a racial disproportionality that is double the national rate.⁶ People experiencing homelessness may also be disproportionately likely to be veterans,⁷ have a disability,⁸ or be survivors of domestic violence protected by an order of protection⁹ – all protected characteristics under the IHRA. Units of local government should take care to ensure that their ordinances are not enforced in a manner that imposes unjustified disproportionate harm on vulnerable populations.

- **Constitutional protections.** Public officials may not infringe on the constitutional rights of those who seek to use public spaces by, for example, denying equal protection, due process, or First Amendment rights to indigent persons or persons experiencing homelessness. As the Supreme Court observed in *Grants Pass*, regulations on homelessness may not infringe on these fundamental constitutional rights.¹⁰ For instance, the Supreme Court observed that a city that selectively enforces a public-camping ordinance only against homeless persons may be vulnerable to legal challenges under “due process and our precedents regarding selective prosecution.”¹¹
- **Reporting discrimination in public spaces.** Anyone who encounters discrimination, harassment, retaliation, or other civil rights violations in connection with their use of public accommodations (public spaces), may report the incident(s) to the Illinois Department of Human Rights (IDHR) or the Civil Rights Bureau of the Office of the Illinois Attorney General (OAG).
 - IDHR can be reached by calling (877) 236-7703, by *TTY to 7-1-1, by email to IDHR.Intake@illinois.gov, or by visiting IDHR online at dhr.illinois.gov.
 - OAG can be reached at (877) 581-3692, by email to CivilRights@ilag.gov, or by visiting OAG online at IllinoisAttorneyGeneral.gov.

⁴ See 775 ILCS 5/5-101 for the full definition of public accommodations and public officials covered by the IHRA.

⁵ 740 ILCS 23/5.

⁶ See Iván Arenas, William Scarborough, Aisha Lehmann, Karlia Brown, and Amanda E. Lewis, Institute for Research on Race and Public Policy (IRRPP), University of Illinois Chicago, *Black Homelessness in Illinois: Structural Drivers of Inequality at 1* (March 2024), available at <https://uofi.app.box.com/s/owosqr7f4pp3y5csxx4cszymwtk0n1gs>.

⁷ See U.S. Department of Housing and Urban Development (HUD), *The 2023 Annual Homelessness Assessment Report (AHAR) to Congress at 66* (Dec. 2023), available at <https://www.huduser.gov/portal/sites/default/files/pdf/2023-AHAR-Part-1.pdf>.

⁸ See *Grants Pass* at 2.

⁹ *Id.*

¹⁰ *Grants Pass* at 15.

¹¹ *Id.* at 21, fn. 5.

- **Technical assistance for local public officials.** Local Public Officials in need of technical assistance in connection with the lawful administration of places of public accommodations (public spaces) may contact IDHR or the OAG for assistance.
 - **IDHR.** The IDHR Attorney of the Day can be reached by calling (312) 814-6262, by email to IDHR.Legal@illinois.gov, or by visiting IDHR online at dhr.illinois.gov.
 - **OAG.** The Civil Rights Bureau of the Office of the Attorney General (OAG) can be reached by calling (877) 581-3692, by email to civilrights@ilag.gov, or by visiting OAG online at illinoisattorneygeneral.gov.
 - **OPEH.** The Office to Prevent & End Homelessness (OPEH) is available to provide technical assistance and other guidance to partners across the State. Please contact OPEH by email to homeless.office@illinois.gov, or by calling (312) 793-2922 for general questions and technical assistance.

Local public officials should be mindful of the broad protections under the BRHA, Illinois civil rights statutes, and the Constitution when considering ordinances that unduly restrict, create penalties/fines, or provide for incarceration of persons experiencing homelessness for seeking shelter in public spaces. Enacting and enforcing ordinances that interfere with the rights of persons experiencing homelessness to access public spaces may give rise to legal action.¹² Public officials are reminded that the IHRA prohibits retaliation against a person for complaining about discrimination or harassment, and prohibits the aiding, abetting, compelling, or coercing of a person to commit a violation of the IHRA – such conduct may also give rise to legal action.¹³

In Illinois, the commitment to safeguarding the civil rights of persons experiencing homelessness and the law governing access to public spaces is settled: health and safety in, and nondiscriminatory access to, Illinois public spaces is a right for all, and in certain circumstances a necessity.

Together, State and local governmental leaders work to ensure our communities are served and supported. We appreciate your commitment to upholding the laws of our State, including the Illinois Human Rights Act, Illinois Civil Rights Act of 2003, and Bill of Rights for the Homeless Act. Our respective offices remain available to you as vital resources in our shared effort to ensure public health and safety and protect the civil rights of persons experiencing homelessness.

Respectfully,

Jim Bennett

JAMES L. BENNETT
DIRECTOR

Christine Haley

CHRISTINE HALEY
CHIEF HOMELESSNESS OFFICER

ILLINOIS DEPARTMENT OF HUMAN RIGHTS

ILLINOIS OFFICE TO PREVENT & END
HOMELESSNESS

¹² 775 ILCS 5/5-101 *et seq.*

¹³ 775 ILCS 5/6-101.

OCTOBER 2025

Data Center Development Overview

Project Steel | Yorkville, IL

DATA CENTERS

40+

YEARS REAL ESTATE &
DEVELOPMENT EXPERTISE

\$205B

ASSETS UNDER
MANAGEMENT

1.3B

SQUARE FEET PORTFOLIO
ACROSS 20 COUNTRIES

A3/A

CREDIT RATING

25+

YEARS DATA CENTER
EXPERIENCE

30

DATA CENTERS
IN PORTFOLIO

\$2B

SPEND SINCE 2021 ON
DATA CENTER DEVELOPMENT

\$500MW

DATA CENTERS COMPLETED OR
UNDER CONSTRUCTION SINCE 2021



United States

- 801 MSF
- 3,825 BUILDINGS
- 7,944 ACRES



Other Americas

- 130 MSF
- 623 BUILDINGS
- 2,094 ACRES



Europe

- 253 MSF
- 1,154 BUILDINGS
- 2,310 ACRES



Asia

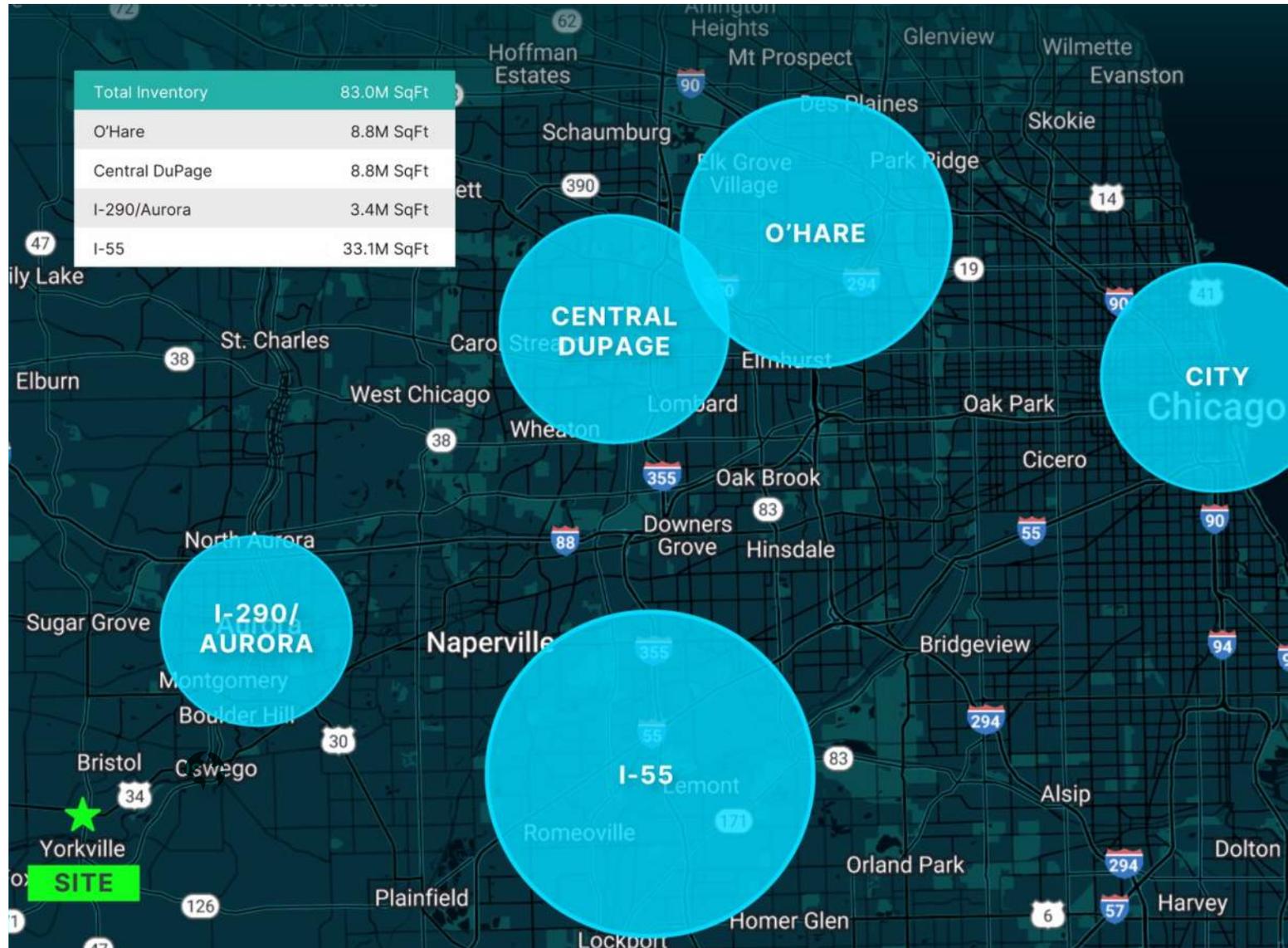
- 115 MSF
- 293 BUILDINGS
- 392 ACRES



Prologis Chicago

With a dominant presence across the region, Prologis owns and operates a portfolio that spans more than 83 million square feet.

- 8.8M SqFt
O'HARE SQUARE FEET OWNED
- 8.8M SqFt
CENTRAL DUPAGE SQUARE FEET OWNED
- 3.4M SqFt
I-290/AUORA SQUARE FEET OWNED
- 33.1M SqFt
I-55 SQUARE FEET OWNED



Prologis Community Involvement

Our local Chicago-based team are proud supporters of:



BOY SCOUTS OF AMERICA®



**GREATER CHICAGO
- FOOD -
DEPOSITORY.**



Our roots in Chicago run deep—
backed by decades of giving, service,
and local partnership.

YORKVILLE, IL

Project Steel

830
ACRE SITE



PROJECT STEEL | 540 ACRES

345 KV LINE

PROJECT STEEL | 540 ACRES

COMED PLANO SUBSTATION

PROJECT STEEL

Site Plan

The Project Steel site plan outlines a purpose-built data center campus designed for power, scale, and longevity.

 540
ACRE SITE

 6.8M
SQUARE FEET

 18
DATA BUILDINGS

 15-20 YEAR
TIMELINE

 3
SUBSTATIONS

 3
PHASES

PROPOSED ZONING: M2 - GENERAL MANUFACTURING DISTRICT



YORKVILLE, IL

Project Steel



YORKVILLE, IL

Project Steel



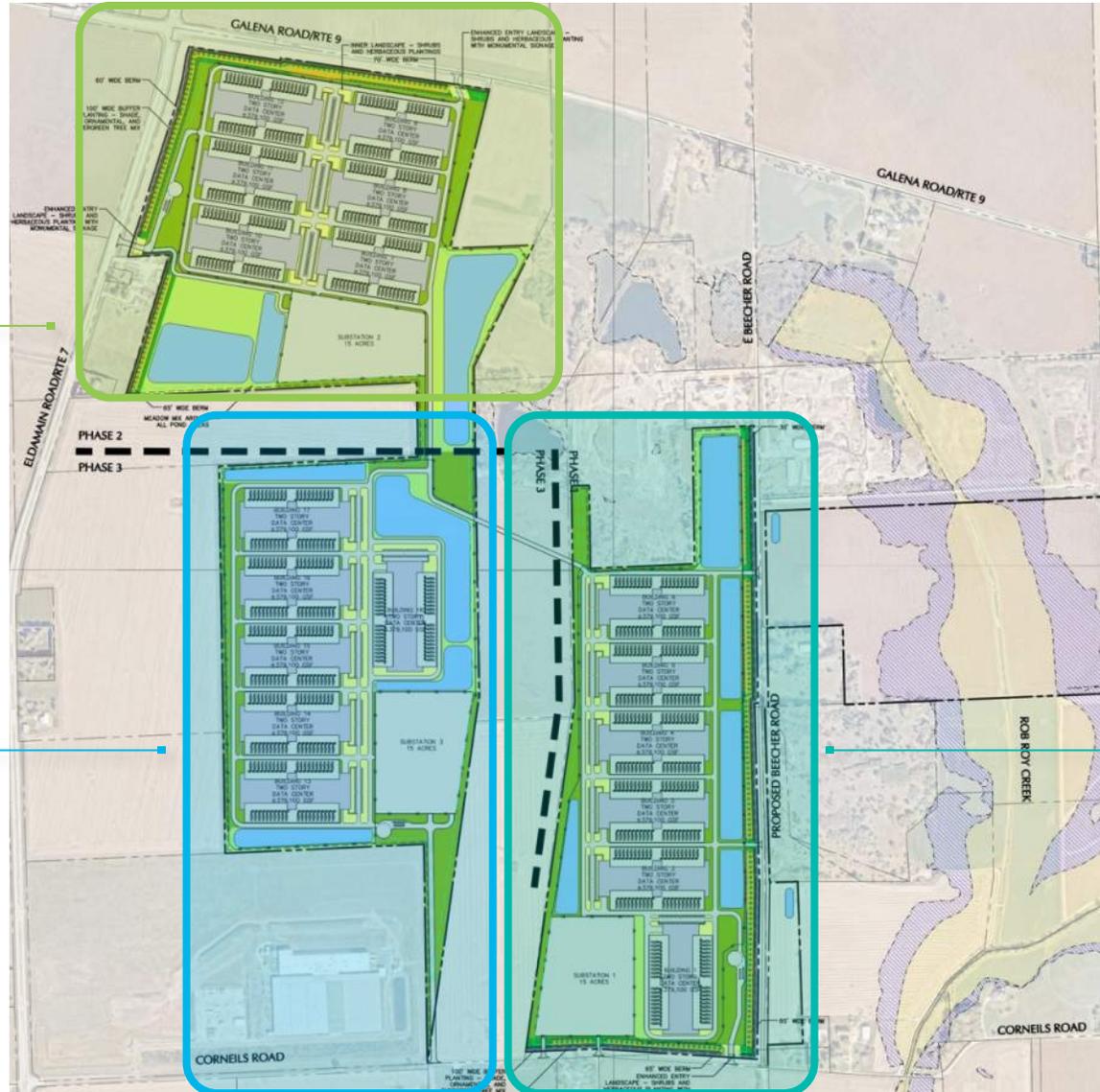
PROJECT STEEL

Phasing

PHASE 2

PHASE 3

PHASE 1



PROJECT STEEL

Site Elements

- 500' Minimum Separation from Residential Structures
- 100' Landscape Buffer
- 6-8' Landscaped Berm
- 10' Multi-Use Trail Along Beecher Road, Eldmain Road and Corneils Road
- New Roadway and Infrastructure



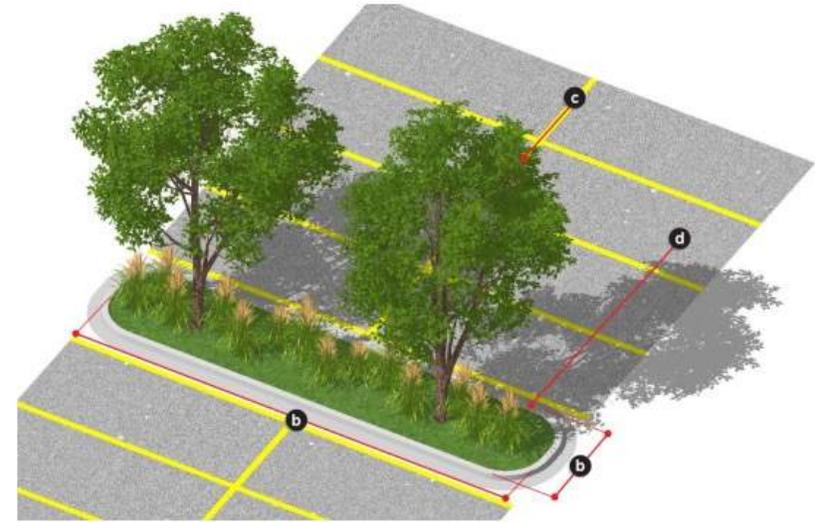
PROJECT STEEL

Landscape & Setbacks

Figure 5.20. Transition Zone Type D Standards



Figure 5.16. Parking Area Island Standards - Double Bay Parking



PROJECT STEEL

Noise Mitigation

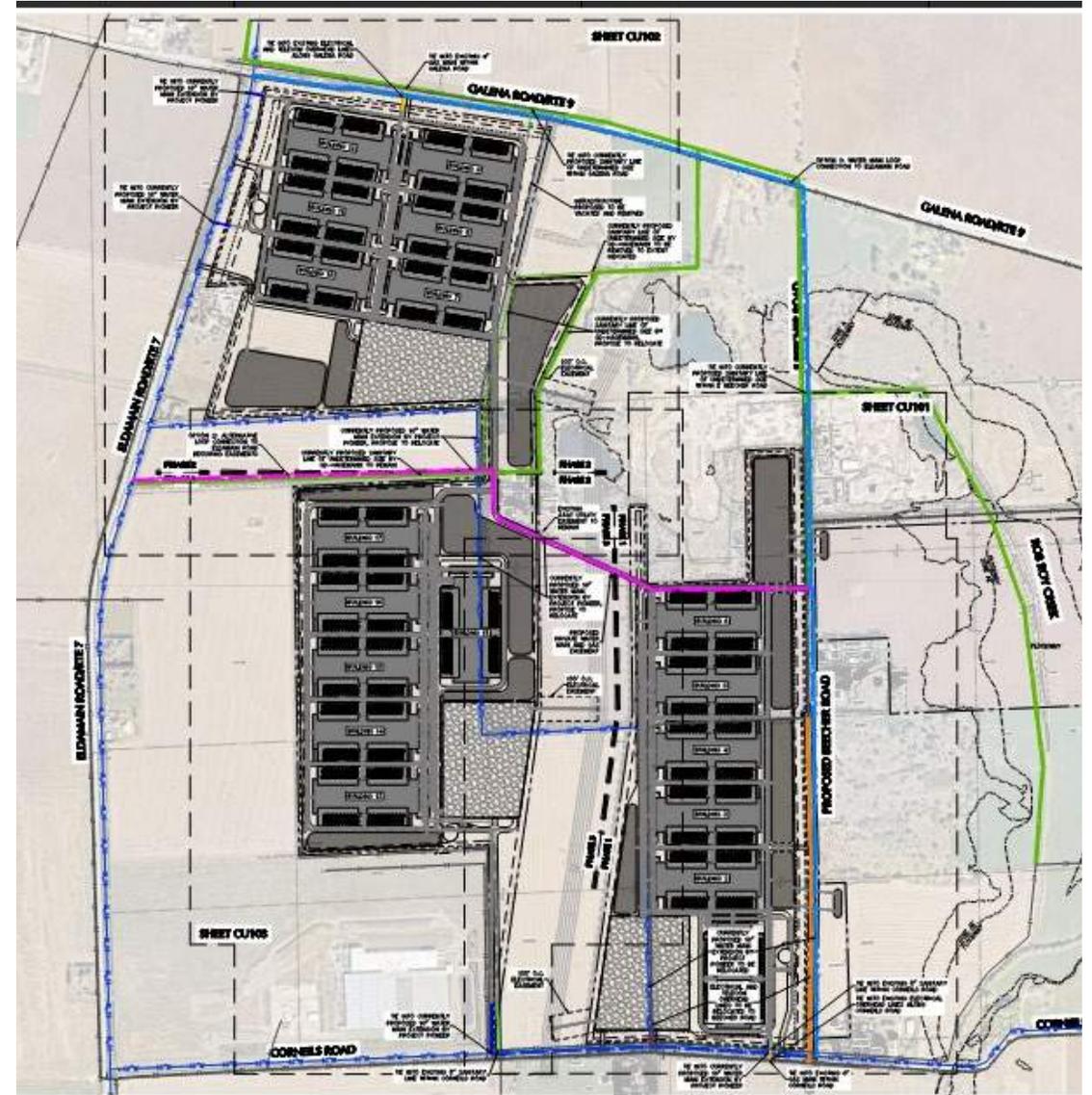
- Conformance with City Noise Ordinance
- Reducing Tonal Noise Sources
- Berms, Soundwalls, Acoustical Barriers
- Daytime Generator Testing

Receiver	Jurisdiction	Sound Pressure Level (dB re 20 µPa), A-weighted	
		Day	Night
Yorkville noise code		60	50
Illinois noise code		55	44
R1: 1410 E. Beecher Rd.	Illinois	47	44
R2: 10907 Corneils Rd.	Illinois	44	42
R3: Caledonia	Yorkville	34	33
R4: 10825 Corneils Rd.	Yorkville	42	41
R5: 2013 Beecher Rd.	Illinois	44	42
R6: 1414 Eldamain Rd.	Yorkville	43	42
R7: 1314 Eldamain Rd.	Illinois	43	42
R8: 790 Eldamain Rd.	Illinois	49	43
R9: 11843 Galena Rd.	Illinois	43	42
R10: 11018 Galena Rd.	Illinois	40	39
R11: 10724 Galena Rd.	Illinois	37	36

PROJECT STEEL

Utilities & Resources

- Low Water Use Cooling (Air Cooled Closed Loop)
- Stormwater Management
- Privately Funded Infrastructure Improvements



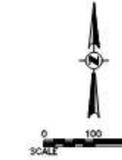
PROJECT STEEL

Beecher Road Realignment

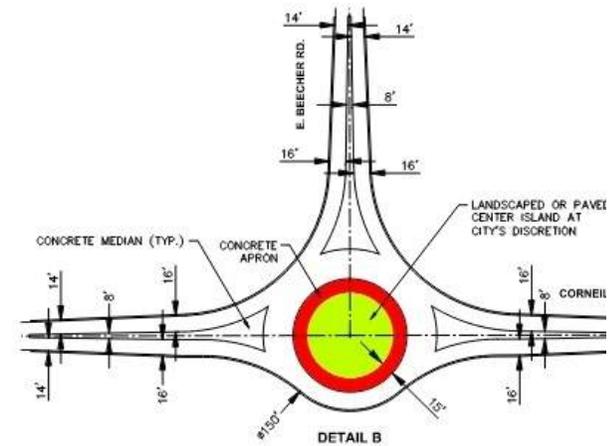
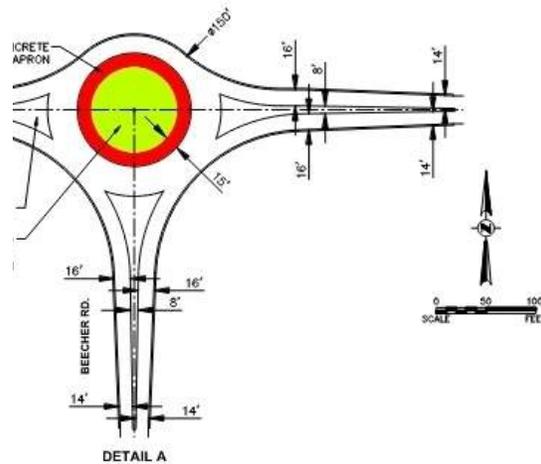


PROJECT STEEL

Beecher Road Realignment



- BENEFITS OF ROUNDABOUTS**
- REDUCE INTERSECTION CI
 - REDUCE VEHICLE SPEEDS
 - REDUCE SEVERITY OF CO
 - MOST ARE SIDEWALK
 - SLOWER VEHICLE SPE
 - REDUCE FATAL ACCIDENT
 - REDUCE INJURY ACCIDENT
 - REDUCE PEDESTRIAN SRI
 - REDUCE DELAY, WHICH A CONSUMPTION AND AIR P
- DATA FROM HIGHWAY NORTH



ITED CITY OF YORKVILLE
PRAIRIE POINTE DRIVE
RKYVILLE, ILLINOIS 60560

NO.	DATE	REVISIONS

CORNEILS RD. AND BEECHER RD.
ROADWAY IMPROVEMENTS

PROJECT STEEL
POTENTIAL ROUNDABOUT LAYOUTS

Beecher Road Realignment



Community Benefits

Project Steel provides the following workforce and economic benefits:

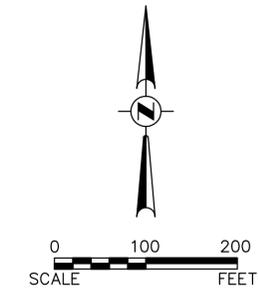
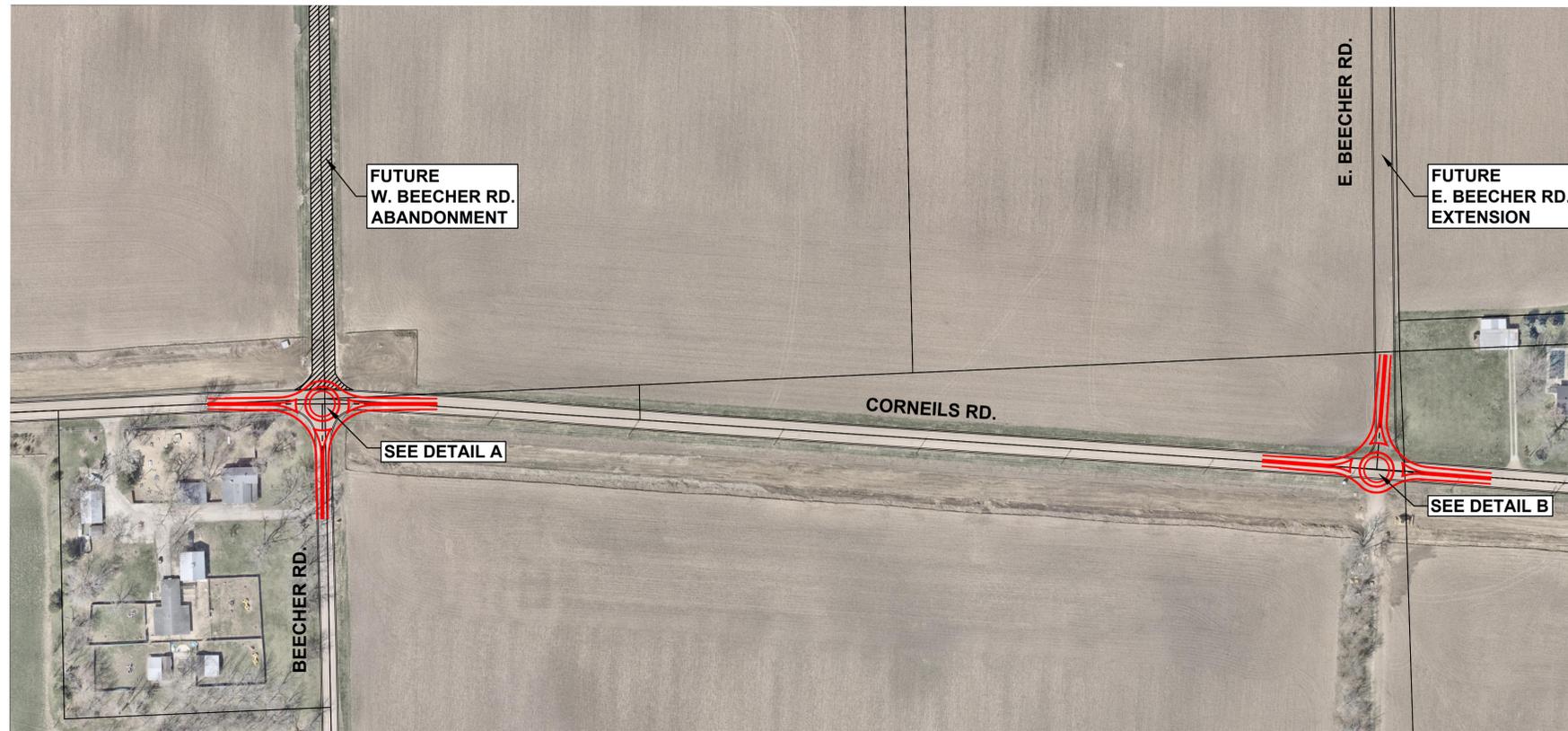
- Construction Jobs
450+ PER BUILDING ACROSS VARIOUS TRADES
- 500+ Permanent Jobs
AVERAGE ANNUAL SALARY OF \$85,000 - \$100,000
\$45-\$55M IN ANNUAL EARNINGS AT FULL BUILD OUT
- Increased Tax Revenue
UTILITY & PROPERTY TAXES
SCHOOL DISTRICT FUNDING WITHOUT ADDED STUDENTS
- Infrastructure Upgrades
POWER, FIBER, WATER, SEWER, & ROADWAYS



Each facility is more than infrastructure—it's a long-term investment in **workforce, wages, and regional economic growth.**



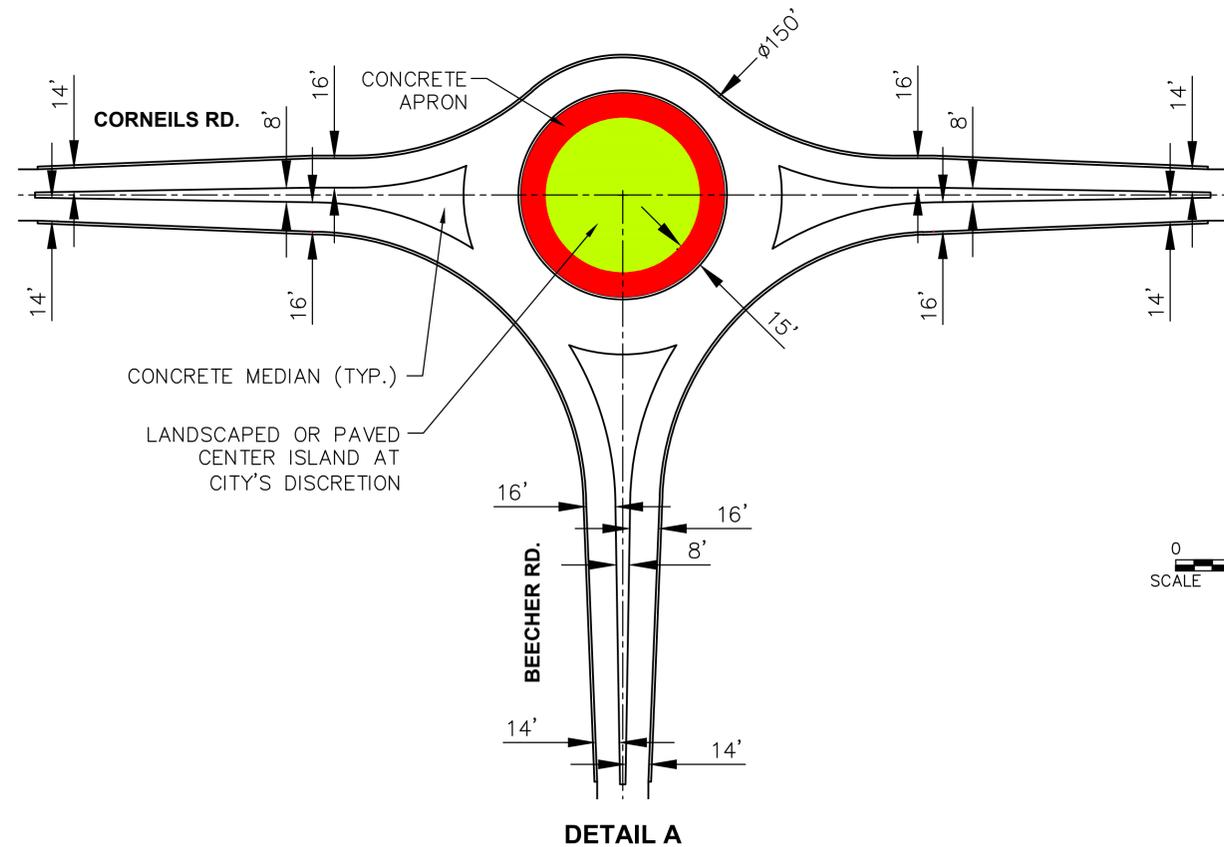
Ahead of what's next.



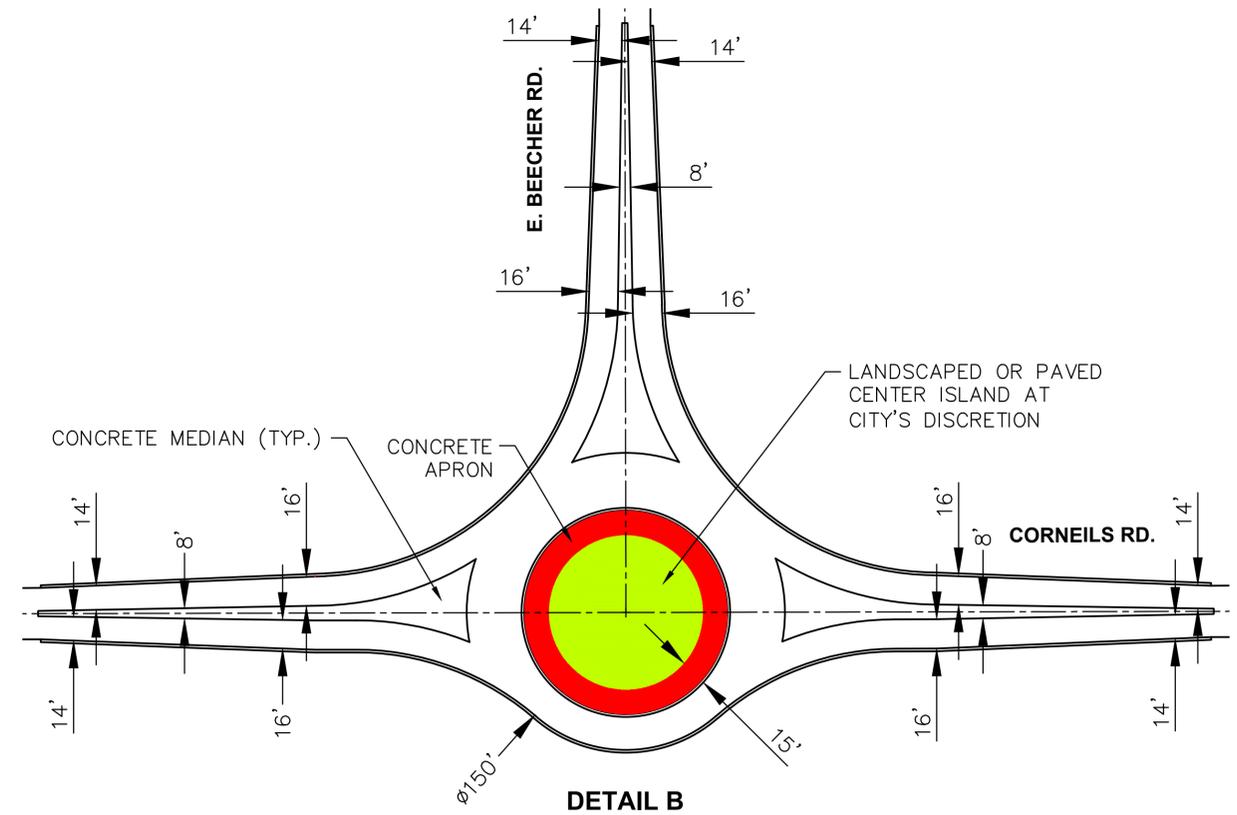
BENEFITS OF ROUNDABOUTS

- REDUCE INTERSECTION COLLISIONS BY 37%
- REDUCE VEHICLE SPEEDS
- REDUCE SEVERITY OF COLLISIONS
 - MOST ARE SIDESWIPE INSTEAD OF HEAD-ON
 - SLOWER VEHICLE SPEEDS AT COLLISION
- REDUCE FATAL ACCIDENTS BY AS MUCH AS 90%
- REDUCE INJURY ACCIDENTS BY 75%
- REDUCE PEDESTRIAN CRASHES BY 40%
- REDUCE DELAY, WHICH ALSO DECREASES FUEL CONSUMPTION AND AIR POLLUTION

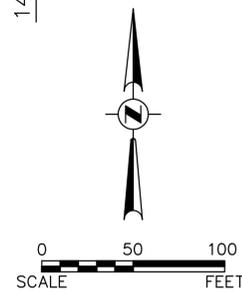
DATA FROM INSURANCE INSTITUTE FOR HIGHWAY SAFETY



DETAIL A



DETAIL B



Printed: May 30, 2025 @ 10:38 AM By: Sarah Leitold - Tab: Roundabout Plan - 22x34

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UNITED CITY OF YORKVILLE
 651 PRAIRIE POINTE DRIVE
 YORKVILLE, ILLINOIS 60560

NO.	DATE	REVISIONS

CORNEILS RD. AND BEECHER RD.
ROADWAY IMPROVEMENTS

PROJECT STEEL
POTENTIAL ROUNDABOUT LAYOUTS

DATE:	MAY 2025
PROJECT NO.:	YO2508
FILE:	YO2508-ROUNDABOUT
SHEET	1 OF 1

Path: H:\5258PROJ\YO_YORKVILLE\2025\YO2508\DWG EXHIBIT\YO2508-ROUNDABOUT

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UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS

CITY COUNCIL MEETING
PUBLIC HEARING

651 Prairie Pointe
Yorkville, Illinois

Tuesday, October 14, 2025

7:00 p.m.

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PRESENT: (In-person and via Zoom)
Mr. John Purcell, Mayor;
Mr. Ken Koch, Alderman;
Mr. Dan Transier, Alderman;
Mr. Craig Soling, Alderman;
Mr. Chris Funkhouser, Alderman;
Mr. Matt Marek, Alderman;
Mr. Rusty Corneils, Alderman.
ALSO PRESENT:
Mr. Bart Olson, City Administrator;
Ms. Jori Contrino, City Clerk;
Ms. Erin Willrett, Assistant City
Administrator;
Mr. Rob Fredrickson, Finance Director;
Mr. Eric Dhuse, Public Works Director;
Mr. James Jensen, Chief of Police;
Mr. Tim Evans, Parks and Recreation
Director;
Ms. Krysti Barksdale-Noble, Community
Development Director;
Ms. Lynn Dubajic Kellogg, Economic
Development Director;
Ms. Katelyn Gregory, Economic
Development Coordinator;
Mr. Brad Sanderson, City Engineer.

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APPEARANCES: (In-person and via Zoom)

OTTOSEN, DiNOLFO, HASENBALG & CASTALDO,
LTD.

BY: MR. MICHAEL CASTALDO, JR.
and

MS. KATHLEEN FIELD ORR,
2441 Warrenville Road, Suite 301
Lisle, Illinois 60532
(630) 682-0085

appeared on behalf of the United City of
Yorkville.

- - - - -

REPORTED BY: Christine M. Vitosh
Illinois C.S.R. License No. 084-002883

1 (WHEREUPON, the following
2 proceedings were had in public
3 hearing, commencing at 7:02 p.m.
4 as follows:)

5 MAYOR PURCELL: Okay. We have the
6 public hearing for the WIFIA loan. I will now
7 open the public hearing for public comments on
8 the proposal to borrow a Water Infrastructure
9 Finance and Innovation Act loan, WIFIA loan, from
10 the United States Environmental Protection
11 Agency, payable solely from the revenue derived
12 from the operation of the City's water system,
13 delivery system, in the amount not to exceed
14 225,000,000 and bearing interest per annum at a
15 rate not to exceed the maximum rate authorized by
16 law at the time such WIFIA loan is borrowed,
17 which is a revenue-backed WIFIA loan, or, in lieu
18 thereof, a general obligation alternate revenue
19 WIFIA loan in an amount not to exceed
20 225,000,000, which is an alternate revenue WIFIA
21 loan, for the purpose of providing funds for the
22 enhancement of the City's water delivery system,
23 including, without limitation, replacing existing
24 water mains, modifying the existing raw water

1 main and water treatment plant and other capital
2 improvements relating to the system, and for the
3 construction of a new water supply line and
4 connection to the DuPage Water Commission for a
5 source of water.

6 Is there anyone who would like to
7 speak regarding the public hearing on the WIFIA
8 loan? If so, step to the microphone and state
9 your name for the record.

10 (No response.)

11 MAYOR PURCELL: Is there anyone in
12 Zoomland who would like to speak to the public
13 hearing for the WIFIA loan? If so, raise your
14 Zoom hand. Isn't that what they do, raise their
15 Zoom hand?

16 Erin, were you just nodding to me or
17 are you raising your hand?

18 MS. WILLRETT: Just nodding in general,
19 I'm not raising my hand. I'm just monitoring.
20 Nobody has raised their hand.

21 MAYOR PURCELL: Okay. Sweet. Okay.
22 One last chance, anyone here?

23 (No response.)

24 MAYOR PURCELL: Okay. I now close the

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WIFIA loan public hearing. Thank you.

(Which were all the proceedings had
in the public hearing, concluding
at 7:04 p.m.)

---o0o---

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF LASALLE)

4 I, CHRISTINE M. VITOSH, a Certified
5 Shorthand Reporter of the State of Illinois, do
6 hereby certify:

7 That the foregoing public hearing
8 transcript, Pages 1 through 8, was reported
9 stenographically by me by means of machine
10 shorthand, was simultaneously reduced to
11 typewriting via computer-aided transcription
12 under my personal direction, and constitutes a
13 true record of the testimony given and the
14 proceedings had;

15 That the said public hearing was taken
16 before me at the time and place specified;

17 That I am not a relative or employee or
18 attorney or counsel, nor a relative or employee
19 of such attorney or counsel for any of the
20 parties hereto, nor interested directly or
21 indirectly in the outcome of this action.

22 I further certify that my certificate
23 attached hereto applies to the original
24 transcript and copies thereof signed and
certified under my hand only. I assume no

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

3 IN WITNESS WHEREOF, I do hereunto set my
4 hand at Leland, Illinois, this 31st day of
5 October, 2025.

6

7

8

/s/ Christine M. Vitosh

9

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

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City Council - Public Hearing - October 14, 2025

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