

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
OF THE UNITED CITY OF YORKVILLE, KENDALL COUNTY, ILLINOIS,
HELD IN THE CITY COUNCIL CHAMBERS,
800 GAME FARM ROAD ON
TUESDAY, OCTOBER 24, 2017**

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

City Clerk Warren called the roll.

Ward I	Koch	Present
	Colosimo	Present
Ward II	Milschewski	Present
	Plocher	Present
Ward III	Frieders	Present
	Funkhouser	Present
Ward IV	Tarulis	Present
	Hernandez	Present

Also present: City Clerk Warren, City Attorney Orr, Police Chief Hart, Deputy Chief of Police Klingel, Public Works Director Dhuse, Finance Director Fredrickson, EEI Engineer Sanderson, Community Development Director Barksdale-Noble, Director of Parks and Recreation Evans

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

Community Hero Award

Mayor Golinski stated there is a super secret community hero award presentation tonight. Mayor Golinski called Jen Slepika, with Suicide Prevention Services, to the front to take over. Ms Slepika spoke and stated she remembered when Alderman Frieders messaged her about the suicide prevention proclamation that he was writing. Alderman Frieders sent Ms Slepika a rough draft asking if there were any additions or changes that she wanted to make. The only thing Ms Slepika wanted to add were the words Suicide Prevention Services, for she wanted people to know that this program exists to help. Aside from that, the proclamation was perfect. Originally Ms Slepika thought that this was just for the City of Yorkville but it ended up being for 25 communities in the area. Ms Slepika listed all the communities that adopted Alderman Frieders proclamation. On Friday October 26, 2017, Alderman Frieders' proclamation will be read in front of Springfield in the state of Illinois. Ms Slepika thanked Alderman Frieders for reaching out to every area of City Council to share his proclamation with them. She thanked Alderman Frieders for writing this proclamation. Ms Slepika stated Alderman Frieders' dedication to the Suicide Prevention Services mission is incredible and Suicide Prevention Services is so grateful. Ms Slepika shared that specifically in this proclamation it asks each of us to reach out to our friends, family, and neighbors to let them know that they are appreciated and valued, by any means necessary. She thanked the City Council for its time in joining her to celebrate Alderman Frieders. Ms Slepika stated that she would like to use this platform to show Alderman Frieders how much he is loved, valued, and appreciated. She thanked Yorkville for giving her this opportunity. She thanked Alderman Frieders for encouraging the public to talk about something that no one wants to talk about. Thank you for talking about suicide. Ms Slepika asked that on your way out today, please hug someone, even if you don't know them, because we are a community, a family and we need to support one another and live out our appreciation for Alderman Frieders. Alderman Frieders shared his feelings on receiving this community hero award. He thanked everyone for acknowledging him but more important acknowledging the topic of suicide.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS ON AGENDA ITEMS

Mayor Golinski stated that Citizen comments would be allowed at this time, even if the comments were not related to the agenda items.

Gail Gaebler, 202 East Street, announced that there is a group of individuals considering the formation of a nonprofit organization called the Friends of Ron Clark park to improve this City's park by the removal of evasive plants located in the park. She mentioned an offer made by Mark Southern, ecological consultant and president of ENCAP, in Dekalb. Mr. Southern offered a year of free maintenance and stewardship work through 2018 as a donation to a non-profit group looking to restore Ron Clark Park. She and this group are seriously considering Mr. Southern's generous offer.

Nathan Schnttke spoke in regards to Ron Clark Park. He is very upset that the City and its group of planners tried to incorporate Ron Clark Park into a commercial project despite the fact that the parks use designated for recreation and learning only.

CONSENT AGENDA

1. 2018 Road to Better Roads Program – Engineering Agreement – *authorize Mayor and City Clerk to execute* (PW 2017-69)
2. Windett Ridge Unit 1 – Acceptance of Improvements – *accept the public improvements as described in Exhibit A attached to the Bill of Sale for ownership and maintenance by the City and authorize the release of the existing security upon receipt of a maintenance guarantee in the amount of \$66,478.00, subject to verification that the developer has no outstanding debt owed to the City for this project and subject to receipt of a signed Bill of Sale* (PW 2017-72)
3. ITEP Project Selection – *authorize staff to submit applications for ITEP grants for the following projects: Fox Road Multi-Use Path from IL 47 to Hoover Forest Preserve, ComEd Multi-Use Path from Kingsmill Street to Riverfront Park, and Downtown Hill Landscaping* (PW 2017-73)
4. **Ordinance 2017-51** Approving a Site Access Agreement with SMSA Limited Partnership Doing Business as Verizon Wireless (610 Tower Lane) – *authorize Mayor and City Clerk to execute* (PW 2017-74)
5. Monthly Treasurer’s Report for September 2017 (ADM 2017-72)
6. Annual Treasurer’s Report (ADM 2017-77)
7. Tax Levy Estimate – *approve a tax levy estimate for 2017, to be used for purposes of conducting a public hearing on the tax levy in the amount of \$4,003,284* (ADM 2017-78)

Mayor Golinski entertained a motion to approve the consent agenda as presented. So moved by Alderman Koch; seconded by Alderman Hernandez.

Motion approved by a roll call vote. Ayes-8 Nays-0
Colosimo-aye, Milschewski-aye, Tarulis-aye, Frieders-aye,
Funkhouser-aye, Koch-aye, Hernandez-aye, Plocher-aye

MINUTES FOR APPROVAL

None.

BILLS FOR PAYMENT

Mayor Golinski stated that the bills were \$1,420,018.05.

REPORTS

MAYOR’S REPORT

None.

PUBLIC WORKS COMMITTEE REPORT

**Letter of Intent – IDOT Improvement of US 30 from IL 47 to IL 31
(PW 2017-70)**

Alderman Frieders made a motion to authorize the Mayor to sign the letter of intent concurring with the project scope, concurring with the sidewalk path scope, costs and long-term maintenance, concurring with the shared-use path scope, costs and long-term maintenance, and concurring with the landscaped median long-term maintenance; seconded by Alderman Milschewski.

Alderman Colosimo stated he is against the initial expenditure for engineering costs as well as the future costs associated with the project. He asked the rest of the Council to vote no. Alderman Funkhouser verified with EEI Engineer Sanderson that the estimated for the project includes the engineering and construction costs. Alderman Funkhouser also stated that Yorkville's portion of this project is small and estimates it as only 10% of the entire project. He asked if the maintenance portion of the project included turf and landscaping and if so what would the City be responsible for. EEI Engineer Sanderson said if the project is only turf, then Yorkville has no future costs. If there is landscaping that would change.

Motion approved by a roll call vote. Ayes-6 Nays-2
Hernandez-aye, Koch-aye, Plocher-aye, Frieders-aye,
Tarulis-nay, Colosimo-nay, Funkhouser-aye, Milschewski-aye

Ordinance 2017-52

**Amending the Water Use and Service Regulations
(PW 2017-63)**

Alderman Frieders made a motion to approve an ordinance amending the water use and service regulations and authorize the Mayor and City clerk to execute; seconded by Alderman Milschewski.

Alderman Colosimo wanted to clarify the part of the ordinance concerning shutoff of water in multi unit properties. Public Works Director Dhuse and Alderman Colosimo discussed this issue. Alderman Frieders

stated the purpose of this ordinance is to place the burden back on the landlord, and not involve the City staff in dealing with the individual tenants.

Motion approved by a roll call vote. Ayes-8 Nays-0
Koch-aye, Plocher-aye, Frieders-aye, Tarulis-aye,
Colosimo-aye, Funkhouser-aye, Milschewski-aye, Hernandez-aye

ECONOMIC DEVELOPMENT COMMITTEE REPORT

**Ordinance Extending the New Residential Construction Incentive Program (B.U.I.L.D. Program)
(EDC 2017-65)**

Alderman Koch made a motion to approve an ordinance extending the new residential construction incentive program (B.U.I.L.D program) and authorize the Mayor and City Clerk to execute; seconded by Alderman Hernandez.

Alderman Colosimo stated it has been a good day today. Mayor Golinski stated it was a good program but never designed to last forever. Alderman Colosimo stated this would be the seventh extension to the B.U.I.L.D. Program. He feels that this program has put an extensive drain on the water fund, which more than likely will result in increased water bills to the residents. Alderman Colosimo feels strongly that the Council should end this program at the end of the year. Alderman Frieders said he was in favor of the B.U.I.L.D. Program for a while. He now feels it is a good thing to let the B.U.I.L.D. Program end at the end of the year. Alderman Funkhouser believes the B.U.I.L.D. Program has benefited the City and remains in favor of this program. Alderman Milschewski agrees with Alderman Funkhouser. Mayor Golinski said that no one has mentioned the revenue received from the special census. That revenue will continue forever.

Motion failed by a roll call vote. Ayes-3 Nays-5
Plocher-nay, Frieders-nay, Tarulis-nay, Colosimo-nay,
Funkhouser-aye, Milschewski-aye, Hernandez-nay, Koch-aye

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

No report.

PLANNING AND ZONING COMMISSION

Sidewalk/Parklet Cafes

- a. **Ordinance 2017-53** Amending the Yorkville Zoning Ordinance by Adding Guidelines, Standards and Procedures for Temporary and Seasonal Uses in the City's Right-of-Way (PZC 2017-11)

Mayor Golinski entertained a motion to approve an ordinance amending the Yorkville zoning ordinance by adding guidelines, standards and procedures for temporary and seasonal uses in the City's right-of-way and authorize the Mayor and City Clerk to execute. So moved by Alderman Tarulis; seconded by Alderman Colosimo.

Alderman Frieders discussed this ordinance and asked the Council to consider amending the ordinance by allowing outdoor events on a case by case basis outside the time of April to October. He also stated that he would like to see an additional amendment to allow the use of a loud speaker at local businesses following all City noise ordinances. Alderman Milschewski pointed that the noise from these establishments is heard by the local residents. Alderman Frieders said if there were complaints then that would give the opportunity for the establishments to make adjustments. Alderman Colosimo agrees with Alderman Frieders as to giving the community director the flexibility to allow outdoor events during this time. He is not in support of the loud speakers being outside. Alderman Frieders asked for consensus for the second half of his amendment. City Attorney Orr suggested that this ordinance should go back to committee. There are several months before this has to be implemented. She stated that hopefully the committee could get this to a form in terms of getting discretion and better direction. Alderman Frieders asked if it was possible to vote on this with the amendment that most of the Council seems ok with and then addressing the loud speaker to a later date. Alderman Colosimo tried to help Alderman Frieders with stating what he wanted to amend.

Alderman Frieders wanted to amend this ordinance to include the annual scheduling to include outside of the April 2nd to October 31st with the community development director authorization on a case by case basis; seconded by Alderman Tarulis.

Mayor Golinski stated roll call vote on the amendment

Motion approved by a roll call vote. Ayes-8 Nays-0
Frieders-aye Tarulis-aye, Colosimo-aye, Funkhouser-aye,
Milschewski-aye, Hernandez-aye, Koch-aye, Plocher-aye

Mayor Golinski stated now back to the original amended motion. He asked if Alderman Frieders is going to leave the speaker issue off, for now. Alderman Frieders stated yes.

Mayor Golinski stated roll call vote on the original amended motion.

Motion approved by a roll call vote. Ayes-8 Nays-0
Tarulis-aye, Colosimo-aye, Funkhouser-aye, Milschewski-aye,
Hernandez-aye, Koch-aye, Plocher-aye, Frieders-aye

- b. **Ordinance 2017-54** Adding Outdoor Liquor License Regulations for Patio Service Adjacent to Licensed Premises in the City's Right-of-Way (PS 2017-17)

Mayor Golinski entertained a motion to approve an ordinance adding liquor license regulations for patio service adjacent to licensed premises in the City's right-of-way and authorize the Mayor and City Clerk to execute. So moved by Alderman Colosimo; seconded by Alderman Milschewski.

Motion approved by a roll call vote. Ayes-8 Nays-0
Colosimo-aye, Funkhouser-aye, Milschewski-aye, Hernandez-aye,
Koch-aye, Plocher-aye, Frieders-aye, Tarulis-aye

CITY COUNCIL REPORT

No report.

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

No report.

STAFF REPORT

No report.

ADDITIONAL BUSINESS

None.

EXECUTIVE SESSION

Mayor Golinski entertained a motion to go into Executive Session for the purpose of

1. For the discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes.
2. Litigation

So moved by Alderman Colosimo; seconded by Alderman Hernandez.

Going into Executive Session was approved unanimously by a viva voce vote.

The City Council entered Executive Session at 7:53 p.m.

The City Council returned to regular session at 8:03 p.m.

CITIZEN COMMENTS

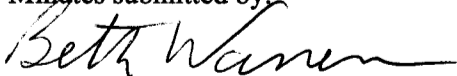
None.

ADJOURNMENT

Mayor Golinski stated meeting adjourned.

Meeting adjourned at 8:04 p.m.

Minutes submitted by:



Beth Warren,
City Clerk, City of Yorkville, Illinois

REGULAR CITY COUNCIL MEETING
Public Comment

October 24, 2017

PLEASE PRINT

NAME:

SUBDIVISION OR BUSINESS:

Tail Gabler

Nathan Schutte
