

**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, APRIL 10, 2018**

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 (Arrived at 7:04)
	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, City Administrator Olson, Police Chief Hart, Deputy Chief of Police Hilt, Deputy Chief of Police Klingel, Public Works Director Dhuse, Finance Director Fredrickson, EEI Engineer Sanderson, Community Development Director Barksdale-Noble, Building Code Official Ratos, Director of Parks and Recreation Evans, Assistant City Administrator Willrett

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

Mayor Golinski requested that the appointment to Park Board (CC 2018-13) be pulled off the Mayor's Report.

Amendment approved unanimously by a viva voce vote.

PRESENTATIONS

Commendation for Officer Jeff Johnson

Mayor Golinski stated the first thing is a commendation for Officer Jeff Johnson. Mayor Golinski stated that Officer Johnson apprehended some creep who was robbing cars. Mayor Golinski called Officer Johnson and Deputy Chief of Police Klingel to the front. Deputy Chief of Police Klingel read the commendation for Officer Johnson.

PUBLIC HEARINGS

1. Third amendment to that certain Annexation Agreement (Prestwick of Yorkville Subdivision) dated April 26, 2005, as amended October 8, 2013 and May 27, 2014, by and among Yorkville Farms Development, LLC. (*Owner/Developer*), an Illinois Limited Liability Corporation, and the United City of Yorkville, Kendall County, Illinois, for the purpose of amending the requirements for the construction of an access roadway from the Yorkville Christian School site to Ashley Road.

Please, see attached report of proceedings by the Court Reporter for the public hearing.

Mayor Golinski closed the public hearing and the court reporter left. Discussion continued as follows. Mayor Golinski asked the City Council how they felt about the annexation agreement. Alderman Colosimo would be happy with the agreement if it guarantees that Ashley Road is completed in seven years, by 2025. Alderman Frieders said four years ago his decision was based on the school having an access road to Ashley Road. Alderman Frieders discussed the potential for bottlenecks and congestion around for the school's only access being from Route 126. Alderman Funkhouser pointed out that the traffic access for the proposed school is identical to that of the Yorkville Middle School. He is not in favor of forcing the school to have an additional access road onto Ashley Road. Alderman Frieders reiterated the fact he is sticking to the decision that was made four years ago. Alderman Funkhouser understands Alderman Frieders' position but stated things have changed due to the developer. Alderman Frieders reiterated his position. Alderman Milschewski asked if the school was being downsized. City Administrator Olson answered her. Alderman Milschewski stated that there could still potentially be 800 students at that school at some point and time. She believes the access road requirement should remain. Alderman Tarulis was in favor of the access road. The tally is 4/4 among the Council. Alderman Funkhouser wanted clarification on which intersection will have a stop light. Alderman Milschewski feels that the access from the Prestwick Subdivision is preferred to the intersection at Ashley and Route 126. City Administrator Olson thinks he has his direction as far as the 75th permit requirement. The vote is 5 to 4 as follows. Mayor Golinski, Alderman Funkhouser, Alderman Colosimo, Alderman Koch, and Alderman Hernandez is saying it is ok to remove the 75th permit requirement so that it will simply read

seven years from the approval of the agreement completed roadway that can be driven on. City Administrator Olson stated the Alderman who said no were Alderman Frieders, Alderman Milschewski, Alderman Tarulis and Alderman Plocher. City Administrator Olson stated the threshold for the annexation agreement approval is a super majority, six out of nine votes, but it will be drafted as a seven year timeline. Alderman Funkhouser reiterated his position on the annexation agreement. Alderman Colosimo stated in the short term the safest thing to do is to amend the annex agreement to provide for the exit to Ashley Road to be completed within 7 years.

CITIZEN COMMENTS ON AGENDA ITEMS

None.

CONSENT AGENDA

None.

MINUTES FOR APPROVAL

1. Minutes of the Regular City Council – March 13, 2018

Mayor Golinski entertained a motion to approve the minutes of the regular City Council meeting of March 13, 2018 as presented. So moved by Alderman Tarulis; seconded by Alderman Frieders

Minutes approved unanimously by a viva voce vote

BILLS FOR PAYMENT

Mayor Golinski stated that the bills were \$462,409.50.

REPORTS

MAYOR'S REPORT

Proclamation for Motorcycle Awareness Month

(CC 2018-14)

Mayor Golinski stated that the proclamation in is the packet if anyone would like to read it.

Ordinance 2018-21

Amending the Regulations for a Class CA – Catering Liquor License

(PS 2018-07)

Mayor Golinski entertained a motion to approve an ordinance amending the regulations for a Class CA Catering license and authorize the Mayor and City Clerk to execute. So moved by Alderman Colosimo; seconded by Alderman Frieders.

Alderman Funkhouser made a motion to amend it to include language to put a provision that is limited to the downtown; seconded by Alderman Colosimo.

Mayor Golinski stated roll call on the motion to amend.

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

Mayor Golinski stated roll call vote on the amended motion.

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

Ordinance 2018-22

**Deleting the Requirement for a License Fee Deposit for
Liquor License Applications**

(PS 2018-08)

Mayor Golinski entertained a motion to approve an ordinance deleting the requirement for a license fee deposit for liquor license applications and authorize the Mayor and City Clerk to execute. So moved by Alderman Tarulis; seconded by Alderman Funkhouser.

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

PUBLIC WORKS COMMITTEE REPORT

No report.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Downtown Redevelopment Project Area #2

(EDC 2017-58)

- a. **Ordinance 2018-23** Approving the United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2 Redevelopment Plan

Alderman Koch made a motion to approve an ordinance approving the United City of Yorkville, Kendall County, Illinois Downtown redevelopment project area #2 redevelopment plan and authorize the Mayor and City Clerk to execute; seconded by Alderman Frieders.

Motion approved by a roll call vote. Ayes-7 Nays-0 Abstain-1
Plocher -aye, Frieders-aye, Tarulis-aye, Colosimo-aye,
Funkhouser-aye, Milschewski-abstain, Hernandez -aye, Koch-aye

- b. **Ordinance 2018-24** Designating the Proposed United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2 Pursuant to the Tax Increment Allocation Redevelopment Act

Alderman Koch made a motion to approve an ordinance designating the proposed United City of Yorkville, Kendall County, Illinois downtown redevelopment project area #2 pursuant to the tax increment allocation redevelopment act and authorize the Mayor and City Clerk to execute; seconded by Alderman Hernandez.

Motion approved by a roll call vote. Ayes-7 Nays-0 Abstain-1
Frieders-aye Tarulis-aye, Colosimo-aye, Funkhouser-aye,
Milschewski- abstain, Hernandez -aye, Koch-aye, Plocher -aye

- c. **Ordinance 2018-25** Adopting Tax Increment Allocation Financing for United City of Yorkville, Kendall County, Illinois Downtown Redevelopment Project Area #2

Alderman Koch made a motion to approve an ordinance adopting tax increment allocation financing for United City of Yorkville, Kendall County, Illinois downtown redevelopment project area #2 and authorize the Mayor and City Clerk to execute; seconded by Alderman Funkhouser.

Motion approved by a roll call vote. Ayes-7 Nays-0 Abstain-1
Tarulis-aye, Colosimo-aye, Funkhouser-aye, Milschewski-abstain,
Hernandez -aye, Koch-aye, Plocher -aye, Frieders-aye

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

Purcell Park – Playground Equipment Proposals

(CC 2018-15)

Mayor Golinski entertained a motion to approve the purchase of playground equipment for Purcell Park from Zenon Company in an amount not to exceed \$40,000. So moved by Alderman Frieders; seconded by Alderman Hernandez.

Motion approved by a roll call vote. Ayes-7 Nays-1
Colosimo-aye, Funkhouser-nay, Milschewski-aye,
Hernandez -aye, Koch-aye, Plocher -aye, Frieders-aye, Tarulis-aye

Windett Ridge Park – Playground Equipment Proposals

(CC 2018-16)

Mayor Golinski entertained a motion to approve the purchase of playground equipment for Windett Ridge Park from Play Illinois LLC (Burke) in an amount not to exceed \$45,362. So moved by Alderman Colosimo; seconded by Alderman Frieders.

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

PLANNING AND ZONING COMMISSION

No report.

CITY COUNCIL REPORT

No report.

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

No report.

STAFF REPORT

No report.

MAYOR'S REPORT (cont'd):

Ordinance 2018-26

**Approving 2018-2019 Fiscal Budget
(CC 2018-08)**

Mayor Golinski entertained a motion to approve an ordinance approving the 2018-2019 fiscal budget, incorporation budget adjustments #1 through #9 and authorize the Mayor and City Clerk to execute. So moved by Alderman Frieders; seconded by Alderman Milschewski.

City Administrator Olson gave a quick update on this ordinance. City Administrator Olson gave details of the budget and stated that the Parks and Recreation building is having heating issues. It is believed to be the heat exchanger and hopefully the entire heating system will not need to be replaced. The building is currently at 60 degrees and with the weather being warmer than usual the City does not anticipated any freezing issues until the necessary repairs are made. City Administrator Olson also stated that the January consumer sales are in and show to be up approximately 1.5%. Also, the projected cost of MRF, pension fund, budgeted at 10 plus % came in at 9% which provides a savings of approximately \$21,000. Alderman Colosimo supports being more conservative for the City's budget. Alderman Koch will support the budget. He commented on a software system used by the school district. He stated that it provides a working budget which reflects actual receipts and shows ongoing deficits instead of waiting until the end of the year for that information. Alderman Koch was wanting to know if this would be possible for the City to provide. City Administrator Olson stated that in the past the City has done this by providing either or options, depending upon revenues. This was done often during the years when revenues were lower. He stated that depending on the audit outcome this may be something that would be a good portion of next year's budget proposal

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

ADDITIONAL BUSINESS

None.

EXECUTIVE SESSION

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

So moved by Alderman Hernandez; seconded by Alderman Frieders

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

The City Council entered Executive Session at 7:56 p.m.

The City Council returned to regular session at 8:00 p.m.

CITIZEN COMMENTS

None.

ADJOURNMENT

Mayor Golinski stated meeting adjourned.

Meeting adjourned at 8:01 p.m.

Minutes submitted by:



Beth Warren,
City Clerk, City of Yorkville, Illinois

UNITED CITY OF YORKVILLE

Motorcycle Awareness Month Proclamation

WHEREAS, safety is the highest priority for the highways and streets of our City and State; and

WHEREAS, the great State of Illinois is proud to be a national leader in motorcycle safety, education and awareness; and

WHEREAS, motorcycles are a common and economical means of transportation that reduces fuel consumption and road wear, and contributes in a significant way to the relief of traffic and parking congestion; and

WHEREAS, it is especially meaningful that the citizens of our City and State be aware of motorcycles on the roadways and recognize the importance of motorcycle safety; and

WHEREAS, the members of A.B.A.T.E. of Illinois, Inc. (A Brotherhood Aimed Toward Education), continually promote motorcycle safety, education and awareness in high school drivers' education programs and to the general public in our City and State, presenting motorcycle awareness programs to over 120,000 participants in Illinois over the past five years; and

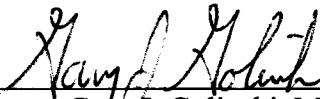
WHEREAS, all motorcyclists should join with A.B.A.T.E. of Illinois, Inc. in actively promoting the safe operation of motorcycles as well as promoting motorcycle safety, education, awareness and respect of the citizens of our City and State; and

WHEREAS, the motorcyclists of Illinois have contributed extensive volunteerism and money to national and community charitable organizations; and

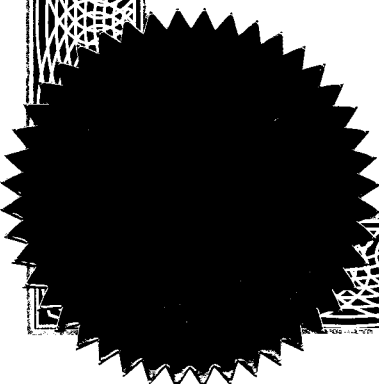
WHEREAS, during the month of May, all roadway users should unite in the safe sharing of the roadways within the United City of Yorkville and throughout the State of Illinois.

NOW, THEREFORE, I, Gary J. Golinski, Mayor of the United City of Yorkville, in the great State of Illinois, in recognition of 31 years of A.B.A.T.E. of Illinois, Inc., and over 676,000 registered motorcyclists statewide, and in recognition of the continued role Illinois serves as a leader in motorcycle safety, education and awareness, do hereby proclaim the Month of May 2018 as Motorcycle Awareness Month in the United City of Yorkville, and urge all motorists to join in an effort to improve safety and awareness on our roadways.

Dated this 10th day of April, 2018, A.D.



Gary J. Golinski, Mayor



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UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS

CITY COUNCIL MEETING
PUBLIC HEARINGS

800 Game Farm Road
Yorkville, Illinois

Tuesday, April 10, 2018
7:00 p.m.

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PRESENT:

- Mr. Gary Golinski, Mayor;
- Mr. Carlo Colosimo, Alderman;
- Mr. Ken Koch, Alderman;
- Ms. Jackie Milschewski, Alderman;
- Mr. Chris Funkhouser, Alderman;
- Mr. Joel Frieders, Alderman;
- Mr. Joe Plocher, Alderman;
- Mr. Alex Hernandez, Alderman;
- Mr. Seaver Tarulis, Alderman.

ALSO PRESENT:

- Ms. Beth Warren, City Clerk,
- Ms. Kathleen Field-Orr, City Attorney,
- Mr. Bart Olson, City Administrator.

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(WHEREUPON, the following
proceedings were had in
public hearing:)

MAYOR GOLINSKI: Next we have a public hearing, so I'll entertain a motion to go into public hearing for the Third Amendment to that certain Annexation Agreement (Prestwick of Yorkville Subdivision) dated April 26, 2005, as amended October 8, 2013 and May 27, 2014, by and among Yorkville Farms Development, LLC, (Owner/Developer), an Illinois Limited Liability Corporation, and the United City of Yorkville, Kendall County, Illinois, for the purpose of amending the requirements for the construction of an access roadway from the Yorkville Christian School site to Ashley Road.

ALDERMAN COLOSIMO: So moved.

ALDERMAN FUNKHOUSER: Second.

MAYOR GOLINSKI: So we are in public hearing.

Is there anyone from the public who would like to comment on this?

(No response.)

MAYOR GOLINSKI: Going once. Anyone

1 from the Council have anything?

2 (No response.)

3 MAYOR GOLINSKI: I know Bart wanted to
4 update us on something, right?

5 MR. OLSON: Yes. So there was a
6 discussion at the EDC involving the deadline for
7 completion of the Ashley Road intersection
8 improvements, and so what's reflected in the
9 packet is a start date of -- by the 75th
10 building permit in the subdivision or seven-year
11 period, survey for the actual completion of the
12 roadway.

13 I've heard from a couple of Council
14 members that the intent of discussion, and after
15 listening to the discussion, does lead me to
16 believe that that was spoken at the meeting, that
17 the metric for those two timelines is actually
18 the completion of the roadway improvements, so I
19 think the intent is for the City Council packet
20 in two weeks from now, when it's up for a vote,
21 that will be amended such that the Ashley Road
22 and Route 126 intersection improvements would
23 be -- need to be completed by the 75th building
24 permit or the --

1 MAYOR GOLINSKI: Seventh year.

2 MR. OLSON: -- seventh year from the
3 approval of the Annexation Agreement Amendment
4 rather than the start of those amendments.

5 MAYOR GOLINSKI: Okay. Anyone else,
6 comments or questions? Yes.

7 ALDERMAN FUNKHOUSER: I think as -- you
8 know, I was chatting with Alderman Colosimo here.
9 The 75th permit doesn't necessarily serve the
10 purpose once you factor in the amount of time
11 it's going to take them to do the engineering, go
12 through the IDOT process, and actually do the
13 construction, so the -- you know, if you put the
14 permits on there, they're going to be -- if
15 everything goes, they could be hamstrung, so I
16 think just the one condition of having it
17 completed at seven years is sufficient. That's
18 my thought on that one there as I was having
19 conversations.

20 MAYOR GOLINSKI: Anyone else?

21 If you'd like to say something, feel
22 free.

23 MS. BERNHARD: Good evening. My name is
24 Patti Bernhard and I am the attorney representing

1 Michelle and John Stewart, who are the owners and
2 the petitioners, and when we met with EDC -- and
3 we do appreciate all the help that we've gotten
4 from Staff and from the members of EDC to assist
5 us.

6 We have a number of people here that
7 can answer questions if anybody else has any
8 questions: We have the traffic engineer here; we
9 have our engineer here; all of the school board
10 members; we have a number of parents of students
11 from the school here; and then also some of the
12 neighbors also are here in support of this
13 project.

14 What we wanted to do is to make sure
15 that we did deal with the seven years versus the
16 75th certificate of occupancy.

17 We have a contract right now on the
18 property, and if we limit issuing certificates of
19 occupancy to 75 permits, if this subdivision
20 takes off, which is what we hope will happen,
21 what might happen is if in three years they have
22 75 lots sold and certificates of occupancy
23 issued, that would have to stop until such point
24 as we could get the road in.

1 So what we would like to really do
2 is just go with the seven years and not have a
3 certificate of occupancy permit associated with
4 it because that will cause problems with our
5 builder that we have a contract with right now.

6 If that is limited and they can't
7 get certificates of occupancy and they know that
8 that's going to happen right upfront, it's going
9 to be difficult to move forward with that
10 contract, and without that contract, it's going
11 to be difficult to have the money to do the
12 roadway improvements that we need to do, so what
13 we are asking is that we take out the 75 permit
14 occupancy restriction and just have it be that it
15 will have to be completed in seven years, and we
16 will provide a bond in order to make sure that
17 that does happen.

18 MAYOR GOLINSKI: I have a quick
19 question. Now, to be completed in seven years,
20 when would you have to start with permitting and
21 construction?

22 MS. BERNHARD: Approximately --

23 MAYOR GOLINSKI: I mean --

24 MS. BERNHARD: I would say four years,

1 four to five years at minimum, because it's going
2 to take a long time to get through the IDOT
3 process because we do have to work with IDOT in
4 order to make this happen.

5 The last roadway improvements for
6 Penman did take a long time to get those through,
7 so by the time you get the engineering plans
8 completed and approved by IDOT and then you
9 actually do the construction, we probably need
10 to start in the fourth or fifth year definitely,
11 so...

12 MAYOR GOLINSKI: Okay. Well, I know I'm
13 in agreement with Chris. I think seven years is
14 better and 75 permits could hamstring them a
15 little bit. Yes.

16 MS. MILSCHEWSKI: Just a point of
17 clarification. So while we're waiting seven
18 years or for these houses, traffic from the
19 school that's going to be growing in population
20 is going to be driving through a neighborhood
21 where houses are being built, so you're going to
22 have construction traffic, construction on the
23 street, and you're going to have families and
24 teenagers driving through and not going

1 immediately to Ashley Road to exit the building
2 or the facility.

3 MR. OLSON: Yes. The Revised Land Use
4 Plan that is currently in front of you and being
5 reviewed by the PZC tomorrow differs from the
6 Land Use Plan in 2013 in that the primary
7 point -- or the secondary point of access doesn't
8 hit the ring road in the subdivision currently,
9 it goes west to a no-load roadway and then to
10 Penman, which is another no-load roadway, so it
11 is in the interior of the subdivision, but there
12 are no homes that front on the service drive or
13 to roadways that lead to Route 126.

14 ALDERMAN MILSCHEWSKI: Thank you.

15 MS. BERNHARD: There really are -- on
16 Penman as you enter, there are berms and backs of
17 houses, and then when you get onto Prestwick Road
18 there are just a couple of houses that it would
19 be the sides of those houses.

20 They would not be driving through
21 the subdivision where driveways are. The
22 subdivision is in front of the school, so they
23 literally will come in Penman and go straight on
24 Prestwick and not be driving in the subdivision.

1 MAYOR GOLINSKI: And what's the current
2 enrollment?

3 MS. BERNHARD: Currently there are
4 approximately 45 students.

5 MAYOR GOLINSKI: 45.

6 MS. BERNHARD: And there are four houses
7 currently in the subdivision.

8 MAYOR GOLINSKI: Anyone else?

9 (No response.)

10 MAYOR GOLINSKI: Okay. If there is no
11 other -- Any other public comment before we close
12 the public hearing?

13 (No response.)

14 MAYOR GOLINSKI: Okay. If not, we will
15 close the public hearing.

16 (Which were all the
17 proceedings had in the
18 public hearing portion
19 of the meeting.)

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1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF LASALLE)

3 I, Christine M. Vitosh, a Certified Shorthand
4 Reporter, do hereby certify that I transcribed
5 the proceedings had at the pubic hearing and that
6 the foregoing, Pages 1 through 11, inclusive, is
7 a true, correct and complete computer-generated
8 transcript of the proceedings had at the time and
9 place aforesaid.

10 I further certify that my certificate annexed
11 hereto applies to the original transcript and
12 copies thereof, signed and certified under my
13 hand only. I assume no responsibility for the
14 accuracy of any reproduced copies not made under
15 my control or direction.

16 As certification thereof, I have hereunto set
17 my hand this 30th day of April, A.D., 2018.

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Christine M. Vitosh, CSR
Illinois CSR No. 084-002883

City Council - April 10, 2018 - Public Hearing

0	2:4, 2:5, 2:6, 2:7, 2:8, 2:9, 2:10, 5:8	certification [1] - 11:16	deal [1] - 6:15	GOLINSKI [15] - 3:4, 3:19, 3:24, 4:3, 5:1, 5:5, 5:20, 7:18, 7:23, 8:12, 10:1, 10:5, 10:8, 10:10, 10:14
084-002883 [1] - 11:20	ALDERMAN [4] - 3:17, 3:18, 5:7, 9:14	Certified [1] - 11:3	definitely [1] - 8:10	growing [1] - 8:19
1	Alex [1] - 2:9	certified [1] - 11:12	Development [1] - 3:10	
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