

**MINUTES OF THE SPECIAL 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, JANUARY 29, 2019**

Mayor Golinski called the meeting to order at 7:00 p.m. and he called Ethan and Caleb up to the front to lead the Council in the Pledge of Allegiance.

Mayor Golinski stated that Ethan and Caleb were attending the meeting tonight for a requirement for the citizenship in the community merit badges.

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
	Peterson	Present

Also present: City Clerk Warren, City Attorney Orr, City Administrator Olson, 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

Mayor Golinski stated at the request of Alderman Frieders he is going to move Public Safety Committee Report #2, Ordinance Amending the Regulations for Licensed Massage Establishments to # 1 under Mayor's Report.

Amendment approved unanimously by a viva voce vote.

PRESENTATIONS

Presentation to Eagle Scout – Nicholas Krauss

Mayor stated that the Eagle Scout could not make it tonight, so it will be rescheduled.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS ON AGENDA ITEMS

Mr. Furr, owner and operator of 4 You Massage, addressed licensing fees and codes for massage establishments.

CONSENT AGENDA

1. **Ordinance 2019-01** Amending the Yorkville City Code Liquor Control Regarding Restrictions Concerning Minors – *authorize the Mayor and City Clerk to execute* (PS 2018-16)
2. **Ordinance 2019-02** Amending the Regulations of a Class M Microbrewery/Brewpub Liquor License and Creating a New Class L Brewery Liquor License – *authorize the Mayor and City Clerk to execute* (PS 2019-04)
3. Riverfront and Bristol Bay Parking Improvements – Change Order No. 1 – *authorize the Mayor to execute* (PW 2019-04)
4. Autumn Creek – Unit 2C Bond Release – *authorize the release of the maintenance bond (Westchester Fire Insurance Co. #K082230456-M in the amount of \$240,015.05)* (PW 2019-05)
5. Bristol Bay – Unit 11 Bond Release – *authorize the release of the maintenance bond (Arch Insurance #SU1147043 in the amount of \$16,159.00)* (PW 2019-06)
6. **MFT Resolution 2019-01** for 2019 Road to Better Roads Program – *authorize the City Clerk to execute* (PW 2019-07)

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

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

Funkhouser-aye, Koch-aye, Peterson-aye, Plocher -aye

MINUTES FOR APPROVAL

None.

BILLS FOR PAYMENT

Mayor Golinski stated that the bills were \$1,113,253.27.

REPORTS

MAYOR'S REPORT

Ordinance 2019-03

**Amending the Regulations for Licensed Massage Establishments
(PS 2019-03)**

Alderman Colosimo made a motion to approve an ordinance amending the regulations for licensed massage establishments and authorize the Mayor and City Clerk to execute; seconded by Alderman Frieders.

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, Peterson-aye

**Resolution 2019-02 Approving an Application to Omni TRAX, Inc. for a Public Grade Crossing
Over Hoover Drive at the Hoover Drive Forest Preserve
(CC 2019-05)**

Mayor Golinski entertained a motion to approve a resolution approving an application to Omni Trax, Inc. for a Public Grade Crossing over Hoover Drive at the Hoover Forest Preserve and authorize the Mayor and City Clerk to execute. So moved by Alderman Frieders; seconded by Alderman Koch.

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

**Ordinance 2019-04 Abating Special Service Area Taxes for Special Service Area Numbers
2005-108 and 2005-109 Special Tax Refunding Bonds, Series 2016
(Autumn Creek Project and Bristol Bay I Project)
(ADM 2018-100)**

Mayor Golinski entertained a motion to approve an ordinance abating SSA taxes for Special Service area numbers 2005-108 and 2005-109 special tax refunding bonds, series 2016 (Autumn Creek Project and Bristol Bay I Project) as presented in the City Council packet as exhibit C - revised scenario - SSA taxes paid and authorize the Mayor and City Clerk to execute. So moved by Alderman Frieders; seconded by Alderman Colosimo.

Mayor Golinski stated that the City did receive confirmation that the fees were paid by the developer.

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

Update on Snow Operations

Mayor Golinski gave an update on the snow removal efforts of the Public Works. He also gave information about salt usage for the roadways and current inventory levels. Mayor Golinski thanked the Public Works Department for their hard work during a very difficult time. Mayor Golinski mentioned the amount of salt usage will have an impact on the budget and asked Alderman Frieders to give an update after the next Public Works meeting. Public Works Director Dhuse stated a winter report will be produced. Alderman Frieders addressed the storage issues with the Public Works Department and asked that the expansion of the Public Works infrastructure be addressed in the future.

PUBLIC WORKS COMMITTEE REPORT

**Ordinance 2019-05 Establishing Special Service Area Number 2019-1 in the United City of
Yorkville, Kendall County, Illinois (Prestwick/The Highlands at Ashley Pointe)
(PW 2018-93)**

Mayor Golinski entertained a motion to approve an ordinance establishing special service area number 2019-1 (Prestwick/The Highlands at Ashley Pointe) and authorize the Mayor and City Clerk to execute. So moved by Alderman Frieders; seconded by Alderman Milschewski.

Alderman Colosimo wanted to make it clear that this was a backup SSA.

Motion approved by a roll call vote. Ayes-8 Nays-0

Funkhouser-aye, Milschewski-aye, Peterson-aye, Koch-aye,
Plocher -aye, Frieders-aye, Tarulis-aye, Colosimo-aye

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Ordinance 2019-06

**Establishing Regulations for Mobile Vendor Vehicles
and Truck Rally Special Events
(EDC 2018-78)**

Mayor Golinski entertained a motion to approve an ordinance establishing regulations for mobile vendor vehicles and truck rally special events and authorize the Mayor and City Clerk to execute. So moved by Alderman Koch; seconded by Alderman Peterson.

Alderman Frieders suggested that the City mention there will a limited number of vehicles allowed to participate in the event.

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

PUBLIC SAFETY COMMITTEE REPORT

**Ordinance Amending Title 3, Chapter 13 of the Code of Ordinances (Licensing
Requirements for Resale Dealers)
(PS 2018-18)**

Mayor Golinski entertained a motion to approve an ordinance amending title 3, chapter 13 of the code of ordinances (licensing requirements for resale dealers) and authorize the Mayor and City Clerk to execute. So moved by Alderman Colosimo; seconded by Alderman Frieders.

Alderman Colosimo asked how does a 35% benchmark affect Yorkville and what specific establishments will be affected. City Administrator Olson stated there are a few business that are currently licensed and this will not affect the regulations on any of those businesses. This ordinance affects businesses that either take in 35% of their sales in trade in electronics or businesses that have over one million dollars of revenue and take in any trade in electronics. Alderman Funkhouser asked if this is singling out any particular businesses. City Administrator Olson stated it affects any business that takes in any trade in material that is intended for resale. Alderman Funkhouser and City Attorney Orr discussed the legal ramifications. Alderman Colosimo wanted to know if anyone has reached out to Target to discuss this issue. City Administrator Olson believes the City has made contact with Target. Alderman Colosimo asked for clarification of the ordinance, and City Administrator Olson explained and stated that these were the recommendations that came out of the Public Safety Committee. Alderman Plocher, City Administrator Olson, and Alderman Frieders discussed this ordinance further. Alderman Milschewski asked if this was directed toward pawn shops and now the City is going to say that Target is going to be subjected to these guidelines. City Administrator Olson stated yes. Target has been made aware of this. Alderman Funkhouser stated if the City doesn't approve this amendment then Target and any other business in this class can still proceed to sell the items they are just not required to register. City Administrator Olson said that is correct. Alderman Funkhouser stated that is the only thing on the table is whether they register and there is oversight through the Police Department or not. City Administrator Olson said yes. Alderman Funkhouser asked how big of an issue is it for the City to not have it on the register. Police Chief Hart stated significant, for this would be the way to track the stolen items. There was more discussion on this ordinance among City Administrator Olson, Police Chief Hart, and Alderman Funkhouser. Alderman Frieders recognizes the benefit of the ordinance to stop the selling of stolen merchandise. Alderman Funkhouser clarified points of the ordinance. Alderman Frieders asked if Aurora had a similar ordinance and City Administrator Olson said yes but he didn't know the specifics. Alderman Milschewski asked if Target will use the same type of computer program that pawn shops use for registering used trade in merchandise. City Administrator Olson stated yes. Alderman Colosimo is not wanting to upset Target and said that Target has its own security measures in place. He is not ready to sign off on this ordinance at this time.

Alderman Colosimo made a motion to table this to send it back to committee; seconded by Alderman Koch.

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

ADMINISTRATION COMMITTEE REPORT

No report.

PARK BOARD

**Baseball and Softball Uniforms and Equipment Request for Proposal
(CC 2019-06)**

Mayor Golinski stated that the Park Board is going out for request for proposal for baseball and softball uniforms and equipment. Mayor Golinski asked Director of Parks and Recreation Evans if he has any idea how baseball registration was going. Director of Parks and Recreation Evans stated it is comparable to past registrations. Alderman Colosimo asked if there would be sponsorships this year. The answer was yes.

**Program Catalog Request for Proposal
(CC 2019-07)**

Mayor Golinski stated this is done yearly.

PLANNING AND ZONING COMMISSION

**Ordinance 2019-07 Approving a Fourth Amendment to the Planned Unit Development Agreement Between the United City of Yorkville and CalAtlantic Group, Inc. (Windett Ridge Subdivision)
(PZC 2018-14)**

Mayor Golinski entertained a motion to approve an ordinance approving a fourth amendment to the planned unit development agreement between the City and CalAtlantic Group, Inc. (Windett Ridge subdivision) and authorize the Mayor and City Clerk to execute. So moved by Alderman Colosimo; seconded by Alderman Frieders.

Alderman Colosimo will be voting in favor of this ordinance.

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

**Ordinance 2019-08 Amending the Yorkville Zoning Ordinance by Revising the Definition of Microbrewery and Adding Breweries as Permitted Uses in Manufacturing Districts and Special Uses in the Business Districts
(PZC 2018-19)**

Mayor Golinski entertained a motion to approve an ordinance amending the Yorkville Zoning Ordinance by revision the definition of microbrewery and adding breweries as permitted uses in manufacturing districts and special uses in the business districts and authorize the Mayor and City Clerk to execute. So moved by Alderman Frieders; seconded by Alderman Funkhouser.

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

**Ordinance 2019-09 Amending the Zoning Ordinance by Adding the Regulations for Mobile Food and Retail Vendor Vehicles
(PZC 2018-21)**

Mayor Golinski entertained a motion to approve an ordinance amending the zoning ordinance by adding the regulations for mobile food and retail vendor vehicles and authorize the Mayor and City Clerk to execute. So moved by Alderman Frieders; seconded by Alderman Peterson.

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

CITY COUNCIL REPORT

No report.

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

AACVB

Alderman Funkhouser reported that the AACVB has its annual meeting coming up on March 14, 2019 at the Aurora Regional Fire Museum.

STAFF REPORT

No report.

ADDITIONAL BUSINESS

Park Board Meeting

Alderman Frieders stated after attending the Park Board meeting, he realized that the Park Board has put on a significant number of events. Alderman Frieders then sent an email to Assistant City Administrator

Willrett and asked her to please share what the Park Board has done for the Yorkville community over the last year. In 2018 there were 34 special events and 16 of those were free. He stated that when that is compared to when Evans took over there were 6 events. Alderman Frieders wanted to acknowledge that these events bring in a large number of revenue and many stay in Yorkville due to the Parks and Recreation Department. Alderman Frieders wanted to thank them for all that the department has done.

National Suicide Prevention And Action Month Proclamation

Alderman Frieders wanted to officially ask for permission to restart the National Suicide Prevention and Action Month Proclamation. He has already prepared a letter to elected officials and has adjusted the proclamation to change the lettering some. Alderman Frieders stated that over the last year he has been working with a group called Hope For The Day, which is out of Chicago. He stated that the word awareness started ticking him off because that word is used as if once you know about something you don't need awareness anymore. Alderman Frieders stated that he has stricken the word awareness from every email that he is going to send out. He stated that he is re-naming this from the National Suicide Prevention Campaign to the National Suicide Prevention and Action Month Proclamation. He stated action being this year when he asks people to actually read the proclamation he is going to ask that they share it with their constituents. Alderman Frieders wants people to know that there are services available. When one person completes suicides the ripples are unbelievably damaging to the entire community. It will change people's lives for the negative. He would like to start over and start sending out emails. Last year was 234 cities and 20 counties and 40 different states. Alderman Frieders stated that he has to quadruple that in regards to cities. He stated this needs to be a bigger topic. Mayor Golinski thanked Alderman Frieders and stated that the City definitely appreciates his efforts. Mayor Golinski stated that Alderman Frieders has his 100% support.

EXECUTIVE SESSION

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

1. For litigation.

So moved by Alderman Milschewski; seconded by Alderman Colosimo.

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

The City Council entered Executive Session at 7:47 p.m.

The City Council returned to regular session at 8:25 p.m.

CITIZEN COMMENTS

None.

ADJOURNMENT

Mayor Golinski stated meeting adjourned.

Meeting adjourned at 8:26 p.m.

Minutes submitted by:



Beth Warren,
City Clerk, City of Yorkville, Illinois

