

**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, MARCH 24, 2020**

Mayor Purcell called the meeting to order at 7:05 p.m. and led the Council in the Pledge of Allegiance.

ROLL CALL

City Clerk Pickering called the roll.

Ward I	Koch	Present (electronic attendance)
	Transier	Present
Ward II	Milschewski	Present
	Plocher	Present
Ward III	Funkhouser	Present
	Frieders	Present (electronic attendance)
Ward IV	Tarulis	Absent
	Peterson	Present (electronic attendance)

Staff in attendance at city hall: City Administrator Olson, Chief of Police Jensen, Public Works Director Dhuse, and Attorney Orr.

Staff in attendance electronically: City Clerk Pickering, Community Development Director Barksdale-Noble, Finance Director Fredrickson, Parks and Recreation Director Evans, Assistant City Administrator Willrett, and EEI Engineer Sanderson.

Clerk's Note: Due to COVID-19, requirements of the Open Meetings Act have been temporarily suspended by Governor Pritzker via Executive Order 2020-07, which suspends certain provisions of the Open Meetings Act, 5 ILCS 120. Specifically, (1) the requirement in 5 ILCS 120/2.01 that "members of a public body must be physically present" is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended.

Members of the public were able to attend this meeting in person while practicing social distancing as well as being able to access the meeting remotely via Zoom which allowed for video, audio and telephonic participation. Information was posted on the city's website on the agenda, minutes and packets webpage as well as social media with instructions regarding remote meeting access and a link was included for the public to participate in the meeting remotely: <https://us04web.zoom.us/j/140324395>. Telephonic participation was also offered. The Zoom meeting ID was 140 324 0395.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

None.

PUBLIC HEARINGS

Proposed Fiscal Year 2020-2021 Budget

Mayor Purcell opened the public hearing for the proposed fiscal year 2020-2021 budget to begin May 1, 2020. He asked if anyone wished to comment on the proposed budget. Upon hearing no public comments, Mayor Purcell then closed the public hearing.

CITIZEN COMMENTS ON AGENDA ITEMS

None.

CONSENT AGENDA (as recommended by Mayor Purcell)

1. Bills for Payment - \$1,172,099.87
2. **Ordinance 2020-16** Amending the Regulations for the Liquor Licenses (Off-Premise Package Sales) – *authorize the Mayor and City Clerk to execute* (CC 2020-12)
3. Fox Hill and Sunflower Estates SSA Maintenance and Management Services – Request for Proposals – *authorize staff to issue a request for proposals* (PW 2020-18)

CONSENT AGENDA (cont'd)

4. **Ordinance 2020-17** Proposing the Establishment of Special Service Area Number 2020-1 and Providing for Other Procedures in Connection Therewith (Lot #1 - 4100 North Bridge Street) (Gas N Wash Backup SSA) – *authorize the Mayor and City Clerk to execute* (PW 2020-21)
5. **Ordinance 2020-18** Amending the Code of Ordinances Regulating On-Street Parking (South Main Street) – *authorize the Mayor and City Clerk to execute* (PW 2020-22)
6. Timber Glenn Subdivision (Lot 5 and 6 Sanitary Sewer Replacement) – Acceptance of Public Improvements – *accept the public improvements as described in the Bill of Sale for ownership and maintenance by the city 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 2020-26)
7. Treasurer’s Report for February 2020 (ADM 2020-20)
8. Water, Sewer, and Road Infrastructure Fee Renewal (ADM 2020-24)
 - a. **Ordinance 2020-19** Amending the Infrastructure Maintenance Fee for Water and Sanitary Sewer Service – *authorize the Mayor and City Clerk to execute*
 - b. **Ordinance 2020-20** Amending the Termination Date of the Motor Vehicle Tax – *authorize the Mayor and City Clerk to execute*
9. **Resolution 2020-11** Authorizing the Purchase of Two Police SUVs From Morrow Brothers Ford, Greenfield, Illinois in the Amount Not to Exceed \$150,000 From the FY21 Budget – *authorize the Mayor and City Clerk to execute* (ADM 2020-25)
10. **Ordinance 2020-21** Amending the Zoning Ordinance Regarding Commercial Signage on Alternative Energy Systems (Wind) – *authorize the Mayor and City Clerk to execute* (PZC 2020-05 and EDC 2020-19)

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

Motion approved by a roll call vote. Ayes-7 Nays-0
Milschewski-aye, Funkhouser-aye, Transier-aye, Plocher-aye,
Frieders-aye, Peterson-aye, Koch-aye

MINUTES FOR APPROVAL

None.

REPORTS

MAYOR’S REPORT

Comments from Mayor Purcell

Mayor Purcell mentioned that he appreciates the patience of everyone who has contacted him with phone calls and questions recently. He said that many things have changed in the two weeks that have passed since the last meeting when the proposed fiscal year 2020-2021 budget was presented. Mayor Purcell mentioned that he thinks that the staff and community have come together very well in trying to navigate the COVID-19 crisis.

Ordinance 2020-22

**Granting Emergency Powers to the Mayor
of the United City of Yorkville
(CC 2020-13)**

Mayor Purcell entertained a motion to approve an Ordinance Granting Emergency Powers to the Mayor of the United City of Yorkville and authorize the Mayor and City Clerk to execute. So moved by Alderman Milschewski; seconded by Alderman Plocher.

Discussion took place on what this ordinance means for residents and businesses within the community and it was questioned if this ordinance was necessary. Mayor Purcell responded that approval of this ordinance was not absolutely necessary; however, if the COVID-19 situation continues to worsen, this ordinance would allow the Mayor the authority to enact stricter measures within the community without having to call a special City Council meeting. It was questioned about the provision in the ordinance that gives additional spending authority to the Mayor if a new budget is not approved by the City Council by April 30, 2020. Attorney Orr responded that this ordinance granting emergency powers is only in effect until the next regular meeting of the City Council and is a precautionary measure in case disaster should strike.

Motion approved by a roll call vote. Ayes-7 Nays-0
Funkhouser-aye, Transier-aye, Plocher-aye, Frieders-aye,
Peterson-aye, Koch-aye, Milschewski-aye

**2020 Road to Better Roads Program –
Additional Work Contract
(CC 2020-14)**

Mayor Purcell entertained a motion to authorize staff to approve additional street work on Greenbriar Road in the amount not to exceed \$163,472.25 with Geneva Construction Co. and authorize the Mayor to execute contingent on the Mayor’s review and approval. So moved by Alderman Milschewski; seconded by Alderman Transier.

Mayor Purcell explained that he wants the city to be able to do the proposed road projects; however, with everything that has occurred during the past two weeks, he has not had a chance to discuss with staff how the financial impact of COVID-19 is going to affect the city’s cash flow and budget. He wants to make sure the city will have the funding to meet the financial obligations of these contracts.

It was mentioned that while it would be nice to move forward with the projects that the city has been planning and working toward, the city council needs to be thinking in realistic terms of what the city can afford in light of the financial impact residents, businesses, and the community will be facing.

Motion approved by a roll call vote. Ayes-7 Nays-0
Transier-aye, Plocher-aye, Frieders-aye, Peterson-aye,
Koch-aye, Milschewski-aye, Funkhouser-aye

PUBLIC WORKS COMMITTEE REPORT

**Road to Better Roads Program – Contract Award
(PW 2020-23)**

Alderman Plocher made a motion to accept bid and award contract to Geneva Construction, Co., in an amount not to exceed \$737,441.07 contingent on the approval of the Mayor; seconded by Alderman Frieders.

Motion approved by a roll call vote. Ayes-7 Nays-0
Transier-aye, Plocher-aye, Frieders-aye, Peterson-aye,
Koch-aye, Milschewski-aye, Funkhouser-aye

Ordinance 2020-23

**Authorizing the Acquisition of Equipment for the
Upgrade of the Blackberry Creek North Lift Station
(PW 2020-27)**

Alderman Plocher made a motion to approve an Ordinance Authorizing the Acquisition of Equipment for the Upgrade of the Blackberry Creek North Lift Station and authorize the Mayor and City Clerk to execute; seconded by Alderman Milschewski.

Motion approved by a roll call vote. Ayes-7 Nays-0
Plocher-aye, Frieders-aye, Peterson-aye, Koch-aye,
Milschewski-aye, Funkhouser-aye, Transier-aye

ECONOMIC DEVELOPMENT COMMITTEE REPORT

No report.

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

**Insurance Renewals for FY 2021
(ADM 2020-23)**

Alderman Funkhouser made a motion to approve a contract for the renewal of existing HMO and PPO plans with Blue Cross Blue Shield; to approve a contract with MetLife for the dental plan; to approve a contract with Lincoln Financial for life insurance; to approve employee HRA card amounts in the same amounts as FY 2020 and to authorize non-union employee contribution percentages in the amounts of 10.5% for HMO coverage and 12.5% for PPO coverage and with union employee contribution rates in the amounts as authorized by the Police Department and Public Works union contracts; seconded by Alderman Milschewski.

Motion approved by a roll call vote. Ayes-7 Nays-0
Frieders-aye, Peterson-aye, Koch-aye, Milschewski-aye,
Funkhouser-aye, Transier-aye, Plocher-aye

**Progressive Energy – Audit of City Facilities and Municipal Aggregation
(ADM 2020-26)**

Resolution 2020-12 **Authorizing Participation Progressive Energy Group (PEG)
and Authorizing the City Administrator to Approve a
Contract with the Lowest Cost Electricity Provider
by Rate Classification for a Period up to 60 Months**

Ordinance 2020-24 **Authorizing Renewal of Aggregation Program for Electrical Load**

Alderman Funkhouser made a motion to approve a Resolution Authorizing Participation Progressive Energy Group (PEG) and Authorizing the City Administrator to Approve a Contract with the Lowest Cost Electricity Provider by Rate Classification for a Period up to 60 Months and authorize the Mayor and City Clerk to execute and to approve an Ordinance Authorizing Renewal of Aggregation Program for Electrical Load and authorize the Mayor and City Clerk to execute; seconded by Alderman Milschewski.

Administrator Olson said that Chris Childress from Progressive Energy was in attendance electronically to answer any broker questions the City Council might have. Administrator Olson said there are two components up for consideration. The first component is bidding out the city's own electrical supply accounts in the hope of procuring lower rates and the second component is to return to a traditional electric aggregation program for residential accounts citywide.

It was questioned if this is the best time to enter into a contract for a length of 60 months when we do not know what effect the global pandemic will have on electric rates. Administrator Olson explained that the proposed resolution is authorizing rates for a period up to 60 months. This would allow staff the flexibility to choose a length of time less than 60 months after the rates are submitted if a shorter time frame would provide more benefit to the city and residents. Mr. Childress said the future price of electricity is actually lower than the current price of electricity. The farther you go out, the cheaper electricity becomes. Mr. Childress mentioned that he is more concerned with the effect of oil prices on the cost of electricity. He explained that with oil prices being so low right now, more companies are shutting off fracking. Fracking drives a lot of electric throughout the nation, so if fracking is shut down, it will put upward pressure on natural gas which will in turn drive electric prices up.

Motion approved by a roll call vote. Ayes-7 Nays-0
Peterson-aye, Koch-aye, Milschewski-aye, Funkhouser-aye,
Transier-aye, Plocher-aye, Frieders-aye

Resolution 2020-13 **Authorizing Notice of the Termination of its Participation in the
Southwest Fox Valley Cable and Telecommunication Consortium
(CC 2020-27)**

Alderman Funkhouser made a motion to approve a Resolution Authorizing Notice of the Termination of its Participation in the Southwest Fox Valley Cable and Telecommunication Consortium and authorize the Mayor and City Clerk to execute; seconded by Alderman Plocher.

It was asked if there were any alternative options yet for the council to consider. Mayor Purcell said that while there were not any alternatives yet, in looking at the budget, membership in the consortium costs the city approximately \$65,000 per year. In light of what the city is facing with the pandemic, he feels that the \$65,000 could be very useful for other items in the budget. For any agency that would like to leave the consortium, the agreement requires that a notice to leave occur a minimum of ninety days prior to the end of the consortium's fiscal year. The end of the consortium's fiscal year is June 30th, which means the city needs to give notice by March 30th. The City Council will not be holding another meeting between now and March 30th. Mayor Purcell said that if this resolution is approved at tonight's meeting, notification to the consortium could be given and the city could then look at other options. If this resolution is not approved tonight, the city will be locked in for another year. A final decision on whether to leave the consortium this year would return to the City Council for a vote.

Discussion took place that recognized that the city may be facing financial concerns; however, the consortium offers services that are still beneficial to the city. One of the benefits to the city is the transparency provided to the public through the recording of City Council meetings that are shown on public access television. It was asked if the city knew yet if there would be an increase in the amount of money that the city would need to contribute, due to North Aurora leaving the consortium. Administrator Olson said that contribution amounts are something the remaining members of the consortium still need to discuss.

Motion approved by a roll call vote. Ayes-5 Nays-3
Koch-aye, Milschewski-aye, Funkhouser-nay, Transier-aye,
Plocher-nay, Frieders-nay, Peterson-aye, Mayor Purcell-aye

PARK BOARD

No report.

PLANNING AND ZONING COMMISSION

No report.

CITY COUNCIL REPORT

Disaster Distress Hotline

Alderman Frieders read the following statement on the stress being faced by people due to the pandemic and the help that is available if anyone needs to reach out:

“During the stress and uncertainty of this global pandemic, everyone is handling and reacting to things differently. And while we're all in our separate spaces practicing social distancing in an effort to flatten this curve, it's important to pay attention to what you are feeling and to try and share or emote that with someone you trust. Call 1-800-985-5990 or text TalkWithUs to 66746 to connect with a trained crisis counselor at the SAMHSA DISASTER DISTRESS HOTLINE. While all of my travel and educational events I had planned for this month and next month is now canceled, Hope For The Day has pivoted towards offering our in person presentations as live digital education programs during the quarantine. Between myself and those on my education team at Hope For The Day, we are here to get the conversation started, so please reach out to me at joel@hftd.org or info@hftd.org to set something up. We're all in this together.”

CITY CLERK'S REPORT

No report.

COMMUNITY & LIAISON REPORT

No report.

STAFF REPORT

No report.

MAYOR'S REPORT (CONT'D)

**Proposed Fiscal Year 2020-2021 Budget
(CC 2020-15)**

Mayor Purcell said that he would be looking at the proposed budget along with the City Administrator and other department heads to see if there are projects that could be delayed.

It was suggested that the budget be looked at to see if there was anything that the city could do to offer some type of help to local businesses that are struggling due to COVID-19. Suggestions were made that the city could look at waiving all or some of the license or permit fees; late penalties, adjudication fines; and hotel taxes. It was also suggested that some of the big picture items may need to be deferred.

The proposed budget will be on the next City Council agenda for continued discussion.

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

Southwest Fox Valley Cable and Telecommunications Consortium

Mike Rennels, programming manager of Fox Valley Television (FVTV) which is the public access arm of the Southwest Fox Valley Cable and Telecommunications Consortium, spoke in support of the city remaining in the consortium. He mentioned that FVTV operates two full channels – one is a government access channel and the other is a public access channel. In addition to the transparency that the government channel provides to residents, the public access channel is also helpful for residents who take advantage of the training offered to gain experience in producing and airing programs. Much of the programming that is shown on the public access channel is about the local community. Mr. Rennels encouraged the council members to contact him with any questions they might have about the services the consortium and FVTV offer to residents and the community.

Darren Crawford, resident, spoke in favor of Yorkville remaining in the consortium. He feels that the consortium provides a great resource to the community.

EXECUTIVE SESSION

None.


ADJOURNMENT

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

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 8:01 p.m.

Minutes submitted by:


Lisa Pickering,
City Clerk, City of Yorkville, Illinois