

**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 13, 2020**

Mayor Purcell called the meeting to order at 7:01 p.m. and led the Council in the Pledge of Allegiance.

Mayor Purcell stated that he has determined that under the Governor's orders the meeting can be held with electronic attendance for the safety of the council members and the public and to help prevent the spread of the coronavirus.

ROLL CALL

City Clerk Pickering called the roll.

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

Staff in attendance at city hall: City Administrator Olson, City Clerk Pickering, Chief of Police Jensen, and Attorney Orr.

Staff in attendance electronically: Public Works Director Dhuse, 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, in accordance with Public Act 101-0640 and Gubernatorial Disaster Proclamation issued by Governor Pritzker pursuant to the powers vested in the Governor under the Illinois Emergency Management Act, the United City of Yorkville encouraged social distancing by allowing remote attendance to the City Council meeting.

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.

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/81567535281?pwd=MjZ2bTNrNGhWaFErNjlvckM5M1dsUT09>. The Zoom meeting ID was 815 6753 5281.

QUORUM

A quorum was established.

AMENDMENTS TO THE AGENDA

None.

PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS ON AGENDA ITEMS

None.

CONSENT AGENDA

1. Minutes of the Regular City Council – September 22, 2020
2. Bill Payments for Approval
 - \$ 819,150.42 (vendors)
 - \$ 607,221.12 (payroll period ending 9/18/20 and 10/2/20)
 - \$ 1,426,371.54 (total)

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

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

REPORTS

MAYOR'S REPORT

National Night Out

Mayor Purcell commented that the Police Department and Parks and Recreation Department did a tremendous job on the National Night Out event that was held on October 6th.

**Sewer Department Truck Repair
(CC 2020-76)**

Mayor Purcell entertained a motion to approve the repair of a sewer department truck. So moved by Alderman Transier; seconded by Alderman Milschewski.

Mayor Purcell said the repair would cost approximately \$27,000.00 and is for a vehicle that was purchased five years ago.

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

PUBLIC WORKS COMMITTEE REPORT

**ITEP Applications
(PW 2020-52)**

ITEP Project Selection

Resolution 2020-69 Authorizing Application for the Illinois Transportation Enhancement Program and Execution of all Necessary Documents (Fox Road Shared-Used Path)

Resolution 2020-70 Authorizing Application for the Illinois Transportation Enhancement Program and Execution of all Necessary Documents (Vegetation Management – Route 34 Corridor)

Alderman Plocher made a motion to authorize staff to submit applications for ITEP grants for the following projects: Fox Road Multi-Use Path from IL-47 to Hoover Forest Preserve and U.S. Route 34 Corridor Vegetation Management; to approve a Resolution Authorizing Application for the Illinois Transportation Enhancement Program and Execution of all Necessary Documents (Fox Road Shared-Used Path); and to approve a Resolution Authorizing Application for the Illinois Transportation Enhancement Program and Execution of all Necessary Documents (Vegetation Management – Route 34 Corridor); seconded by Alderman Milschewski.

Discussion took place on the Fox Road shared-use path. It was mentioned that the proposed trail ends at the east side of the White Oak Subdivision where there is an existing sidewalk. It was also mentioned that there was currently a gap in the sidewalk section. It was asked if the project could be expanded so that the existing sidewalk could be replaced with a shared-use path that would be extend all the way to Route 47. Staff commented that they were still looking into the application process, so they were unsure at this time.

Discussion also took place on the Route 34 vegetation management. The plan is to put in low grow/no mow vegetation. It was asked if the low grow/no mow could be limited to the islands/medians only and if perennial flowers could also be used in the medians. It was also asked if bluegrass could be planted along the sidewalks/trails instead of the low grow/no mow. Director Dhuse said that staff had looked at putting in the low grow/no mow in the medians as well as the entire right-of-way. He said the low grow/no mow vegetation will grow to about 12 inches tall and then you cut it back to 4 inches tall. It will look like turf grass, but it will not have to be mowed as much as regular grass.

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

ECONOMIC DEVELOPMENT COMMITTEE REPORT

**Limited Manufacturing Uses in Residential Districts
(EDC 2020-42)**

Alderman Milschewski said that the Economic Development Committee wanted to discuss this item with the entire City Council in order to get input on this request and provide direction to staff. Director Noble explained that a request was received to amend the city code to allow a gun manufacturer to manufacture guns out of a residential home. This use is currently only allowed in manufacturing districts. This request would allow it as an outright permitted use as a home occupation or would allow it as a special use. The other option is to keep the code as it currently is with gun manufacturing being permitted in the manufacturing district only. She mentioned that due to the nature of a Type 7 Federal Firearms License – the federal license allows the license holder to not only manufacture guns, but also to sell guns as well.

Discussion took place that one alderman had received comments from residents after the EDC meeting, and that these residents were not in favor of this use being allowed in residential neighborhoods. Further discussion took place that if the manufacturing is allowed in a residential home, the business owner could also sell guns out of their house as a component of their business. It was asked if there was a way that the city could limit the amount that could be manufactured out of a residence. Attorney Orr said that it would be impractical for staff to monitor how much was being manufactured. Some of the council members indicated that they were not in favor of this type of use being allowed in a residential area and would prefer that this remain only in the manufacturing district.

After the discussion ended, Mayor Purcell stated that the code would be left as it currently is with this use being allowed in the manufacturing district only.

PUBLIC SAFETY COMMITTEE REPORT

No report.

ADMINISTRATION COMMITTEE REPORT

**Tax Levy Estimate
(ADM 2020-56)**

Alderman Funkhouser made a motion to approve a tax levy estimate for 2020, to be used for the purposes of conducting a public hearing on the tax levy in the amount of \$4,295,704; seconded by Alderman Milschewski.

Mayor Purcell said that the city is looking to capture new construction only and not CPI. He said that the total dollar amount of new construction has not been finalized and will not be finalized until after the city council needs to approve the tax levy estimate for the public hearing. He said that last year the city lost out on \$13,000 in new construction due to this lag on getting the final numbers. He asked the council if they would like to increase the tax levy estimate by \$50,000 to ensure that the city has the ability to capture all of the new construction value and when the city receives the final number on the new construction, that is the amount that the city will capture. The tax levy estimate simply sets the ceiling on what the city can ask for and the city has the ability to lower the amount at a later point.

Discussion took place on this request. Administrator Olson confirmed there was enough time for this item to be brought back to the next meeting so that the council would have time to consider this.

Alderman Funkhouser made a motion to table this to the October 27, 2020 City Council meeting; seconded by Alderman Milschewski.

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

PARK BOARD

No report.

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)

**FY 21 Budget Update
(CC 2020-77)**

Mayor Purcell reported that July sales tax is up five percent from last year. Administrator Olson noted that staff had a correction from last month's sales tax report. He said that last month staff thought the regular sales tax was up approximately five percent and that the non-home rule sales tax was flat; however, the non-home rule sales tax was actually up eleven percent year-over-year.

**Collective Bargaining Agreement between the
Yorkville Sergeants and the City
(CC 2020-78)**

Mayor Purcell entertained a motion to approve a collective bargaining agreement between the Yorkville Sergeants and the City. So moved by Alderman Funkhouser; seconded by Alderman Koch.

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

ADDITIONAL BUSINESS

None.

CITIZEN COMMENTS

None.

EXECUTIVE SESSION

Mayor Purcell entertained a motion to go into executive session for the following:

- For litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent.
- For the purchase or lease of real property for the use of the public body.

So moved by Alderman Milschewski; seconded by Alderman Funkhouser.

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

Mayor Purcell announced that no action would be taken after the executive session.

The City Council entered executive session at 7:55 p.m.

The City Council returned to regular session at 8:41 p.m.

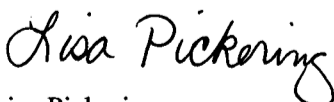
ADJOURNMENT

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

Motion unanimously approved by a viva voce vote.

Meeting adjourned at 8:42 p.m.

Minutes submitted by:



Lisa Pickering,
City Clerk, City of Yorkville, Illinois