

**KENDALL COUNTY BOARD AGENDA
REGULAR JUNE MEETING**

**Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560
Tuesday, June 21, 2022 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
6. Public Comment
7. Consent Agenda
 - A. Approval of County Board Minutes from May 17, 2022 and May 26, 2022
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$1,864,127.91
 - D. Approval of a Contract for Plumbing Inspection Services between Kendall County and Mayer Construction, LLC, D.B.A. Mayer Plumbing, LLC
 - E. Approval of Revised Part-time Administrative Assistant Job Description
 - F. Approval of 2023 Kendall County Holiday Calendar
 - G. Approval of Standard CAD File Transfer Agreement Between Dewberry and Kendall County
8. Executive Session
9. Old Business
 - A. Approval of a Settlement Agreement among the United City of Yorkville, Rob Roy Drainage District, Raymond Drainage District, and Kendall County regarding Kendall County Circuit Court Cases 1975 MC 1 and 2010 MC 1
10. New Business
11. Elected Official Reports & Other Department Reports
 - A. Sheriff
 - B. County Clerk and Recorder
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
12. Standing Committee Reports
 - A. Finance
 1. Approval of agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Voluntary Action Center of Northern Illinois for the amount of \$25,000
 2. Approval of an Ordinance Approving a Budget Amendment for the Kendall County Fiscal Year 2021-2022 Annual Budget and Appropriations
 - B. Planning Building
 1. Approval of Petition 21-49 Request from Irma Loya Quezada for a Map Amendment Rezoning Portions of Land Located on the East Side of Brisbin Road Across from 14859 and 14975 Brisbin Road (Parts of PINs: 09-18-300-018 and 09-18-300-019) in Seward Township from A-1 Agricultural District to R-1 One Family Residential District
 2. Approval of Petition 22-10-Request from Mark Fecht on Behalf of Fecht Brothers, Inc. (Property Owner) and Jeremy and Samantha Dippold on Behalf of Best Budget Tree, LLC (Contract Purchaser) for a Special Use Permit for a Landscaping Business at the Property on the North Side of Route 52 Across from 2190 and 2200 Route 52, Minooka (PIN: 09-15-200-003) in Seward Township; Property is Zoned A-1 Agricultural District.
 - C. Highway
 1. Approval of Local Public Agency Amendment #1 to the Local Agency Agreement for Federal Participation for Eldamain – Contract B Construction
 2. Approval of Ordinance granting variance to the Kendall County Highway Access Regulation Ordinance for Plainfield Logistics Centre on Ridge Road near 143rd Street
 3. Approve Resolution authorizing the use of eminent domain to acquire certain parcels of land for roadway purposes for the Collins Road Extension project in Kendall County, Illinois
 - D. Economic Development
 1. Approval of a Resolution Supporting Light Industrial Development in the Village of Plainfield within Kendall County in Alignment with the Kendall County Land Resource Management Plan
13. Special Committee Reports

14. Other Business
15. Chairman's Report
 - A. July 5th County Board Meeting

APPOINTMENTS

Melissa Maye – Historic Preservation Commission – 3 year term – Expires June 2025

Pam Gegenheimer – Tax Board of Review – 2 year term – Expires June 2024

16. Public Comment
17. Questions from the Press
18. Executive Session
19. Adjournment

If special accommodations or arrangements are needed to attend this County meeting,
please contact the Administration Office at 630-553-4171, a minimum 24-hours prior to the meeting time.

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
May 17, 2022**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Rooms 209 & 210, in the City of Yorkville on Tuesday May 17, 2022 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Brian DeBolt (arrived at 10:30am), Scott Gengler, Judy Gilmour, Matt Kellogg, Dan Koukol and Robyn Vickers. Member(s) absent: Elizabeth Flowers and Ruben Rodriguez.

The Clerk reported to the Chairman that a quorum was present to conduct business.

THE AGENDA

Member Cesich moved to approve the agenda. Member Koukol seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL RECOGNITION

Historic Preservation Commission Award

A plaque was presented to Peter McKnight and Allen & Pepa Architects for their adaptive reuse of a Building- the Historic Yorkville Jail and Sheriff's Residence.

Law Enforcement Week

Chairman Gryder presented Sheriff Baird a plaque acknowledging Law Enforcement Week in Kendall County.

PUBLIC COMMENT

Scott Pugsley commented on the information he provided to the board on April 11th regarding the Oswego Fire Districts accounting procedures discrepancies.

CONSENT AGENDA

Member Cesich moved to approve the consent agenda of **A)** county board minutes from April 19, 2022; **B)** standing committee minutes; **C)** claims in an amount not to exceed \$1,246,188.27; **D)** Annual Facility Inspection Report for NPDES Permit for Stormwater Discharges from Separate Storm Sewer Systems (MS4); Filing Fee of \$1,000 to be Paid from Planning, Building and Zoning Department's NPDES Permit Fee Line Item (11001902-63670); and **E)** Authorize the County Board Chairman to Sign and Submit an Illinois Grant Accountability and Transparency Notice of State Award for a Certified Local Government Grant for an Historic Structure Survey in Unincorporated Kendall and Bristol Townships; Grant Amount is \$29,750 and County's Match is \$12,750 for a Total Project Cost of \$42,500. Member Gengler seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

C) COMBINED CLAIMS: ADMIN \$855.80; ANML CNTRL WRDN \$115.66; CAP EXPEND \$3,499.99; CIR CRT CLK \$4,359.03; CIR CRT JDG \$14,981.12; CMB CRT SRV \$92.44; CONTRT SRVS \$15,725.53; CORONR \$784.27; CORR \$21,497.05; CNTY ADMN \$240.00; CNTY BRD \$93,406.73; CNTY CLK \$22,278.19; HIGHWY \$196,724.97; CNTY TREASR \$422,733.68; ELECTION \$16.53; EMA \$215.79; FCLT MGMT \$35,386.79; GIS CORD \$29,369.63; HLTH & HMN SRV \$155,423.61; JURY \$310.83; MERIT \$3,261.00; PBZ \$609.69; PRSDNG JDG \$10,290.80; PROB \$12,655.27; ROE \$6,556.50; SHRF \$49,503.09; ST ATTY \$3,642.56; TECH DIR \$5,516.66; TREASR \$21,248.97; UTIL \$30,210.26; VET \$15,420.65; FP \$17,078.17; SHF \$21,638.89; SHF \$30,538.12

NEW BUSINESS

Financial Statements Presentation

Mack & Associates presented the Fiscal Year 2020-21 Audited Financial Statements to the board.

Single Bidder Rule

Member Cesich moved to approve an ordinance allowing the Kendall County Treasurer to adopt a Single Bidder Rule for the Annual Tax Sale. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 22-13 is available in the Office of the County Clerk.

Jellystone Park Campground

Members discussed the court ordered special use permit held by Jellystone Park Campground and the County's Intergovernmental Agreement with the Village of Millbrook regarding Jellystone Park Campground. The County can choose not to enter into an Intergovernmental Agreement in the future and then it would fall to the Village of Millbrook.

P-Tax Form

Member Gengler moved to approve the P-Tax form for the Kendall County Sheriff's salary reimbursement. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird introduced Larry Lapp the County's Inspector General.

County Clerk

Revenue Report		4/1/22-4/30/22	4/1/21-4/30/21	4/1/20-4/30/20
Line Item	Fund		Revenue	Revenue
CLKFEE	County Clerk Fees	\$821.50	\$1,337.00	\$974.00
MARFEE	County Clerk Fees - Marriage License	\$1,140.00	\$1,560.00	\$420.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$30.00
ASSUME	County Clerk Fees - Assumed Name	\$45.00	\$50.00	\$15.00
CRTCOP	County Clerk Fees - Certified Copy	\$1,200.00	\$1,884.00	\$1,190.00
NOTARY	County Clerk Fees - Notary	\$310.00	\$380.00	\$35.00
MISINC	County Clerk Fees - Misc	\$52.02	\$225.58	\$6.00
	County Clerk Fees - Misc Total	\$3,568.52	\$5,436.58	\$2,670.00
RECFEE	County Clerk Fees - Recording	\$29,115.00	\$45,345.00	\$32,752.00
	Total County Clerk Fees	\$32,683.52	\$50,781.58	\$35,422.00
CTYREV	County Revenue	\$57,681.25	\$55,540.00	\$34,037.00
DCSTOR	Doc Storage	\$17,087.50	\$26,708.00	\$19,208.00
GISMAP	GIS Mapping	\$54,186.00	\$84,570.00	\$60,780.00
GISRCD	GIS Recording	\$3,612.00	\$5,638.00	\$4,052.00
INTRST	Interest	\$29.76	\$37.17	\$26.53
RECMIS	Recorder's Misc	\$633.00	\$7,314.25	\$3,026.50
RHSP	RHSP/Housing Surcharge	\$14,787.00	\$24,066.00	\$17,532.00
TAXCRT	Tax Certificate Fee	\$1,520.00	\$1,760.00	\$1,040.00
TAXFEE	Tax Sale Fees	\$148.00	\$100.00	\$35.00
PSTFEE	Postage Fees	\$0.00	\$70.20	\$20.85
CK # 19464	To KC Treasurer	\$182,368.03	\$256,585.20	\$175,179.88

County Clerk, Debbie Gillette stated that they are preparing the ballots and getting ready for early voting. There are matters before the court that are not final and that may impact the ballot layout.

Treasurer

Office of Jill Ferko

Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR FIVE MONTHS ENDED 04/30/2022

<u>REVENUES*</u>	Annual <u>Budget</u>	2022 YTD <u>Actual</u>	2022 YTD% <u>%</u>	2021 YTD <u>Actual</u>	2021 YTD <u>%</u>
Personal Property Repl. Tax	\$465,000	\$517,770	111.35%	\$217,506	55.77%
State Income Tax	\$2,574,336	\$1,373,056	53.34%	\$1,216,524	52.89%
Local Use Tax	\$950,000	\$285,125	30.01%	\$521,930	57.99%
State Sales Tax	\$583,000	\$209,516	35.94%	\$228,649	43.14%
County Clerk Fees	\$350,000	\$148,178	42.34%	\$247,080	76.02%
Circuit Clerk Fees	\$1,250,000	\$415,085	33.21%	\$498,220	40.84%
Fines & Foreits/St Atty.	\$275,000	\$94,482	34.36%	\$107,095	38.94%
Building and Zoning	\$75,000	\$50,895	67.86%	\$51,255	75.38%
Interest Income	\$40,000	\$16,686	41.72%	\$9,133	9.13%
Health Insurance - Empl. Ded.	\$1,588,649	\$502,313	31.62%	\$152,993	10.43%
1/4 Cent Sales Tax	\$3,228,750	\$1,095,015	33.91%	\$1,417,011	46.08%
County Real Estate Transf Tax	\$450,000	\$158,431	35.21%	\$243,017	54.00%
Federal Inmate Revenue	\$1,898,000	\$627,600	33.07%	\$823,520	40.29%
Sheriff Fees	\$115,000	\$37,178	32.33%	\$35,723	25.52%
TOTALS	\$13,842,735	\$5,531,330	39.96%	\$5,769,656	43.43%
Public Safety Sales Tax	\$5,512,500	\$2,181,951	39.58%	\$2,449,987	46.67%
Transportation Sales Tax	\$6,000,000	\$2,181,951	36.37%	\$2,449,987	46.67%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 5 months the revenue and expense should at 41.65%

Treasurer Jill Ferko stated that the tax bills have gone out and collection has begun.

State's Attorney

State's Attorney Eric Weis introduced and spoke about the Domestic Violence Response Team.

Coroner

Coroner Jacquie Purcell reviewed the yearend report that was included in the packet.

Health Department

Executive Director RaeAnn VanGundy informed the board that their accreditation has come in and they met all but one of the 1,673 standards. They are looking to get a 3 year accreditation.

STANDING COMMITTEE REPORTS

Admin HR

Presidio

Member Gilmour moved to approve the rubric IT low bid from Presidio in an amount of \$153,810.76. Member Koukol seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Finance

Non-Profit Grant Program

Member Kellogg moved to approve Kendall County Non-Profit Grant Program Funded by the American Rescue Plan Act with a Maximum Grant of \$25,000 per Non-Profit and a Total not to exceed \$900,000. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Small Business Policy and Procedures

Member Kellogg moved to approve the American Rescue Plan Act Small Business Policy and Procedures. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Member Kellogg withdrew the motion and Member Cesich withdrew the second due to the fact that the item should have been for Non-Profits.

Small Business Grant Agreement

Member Kellogg moved to approve the American Rescue Plan Act Small Business Grant Agreement. Member Cesich seconded the motion.

Member Kellogg withdrew the motion and Member Cesich withdrew the second due to the fact that the item should have been for Non-Profits.

Audited Financial Statements

Member Kellogg moved to approve the Fiscal Year 2020-21 Audited Financial Statements. Member Cesich seconded the motion. Chairman Gengler asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Yorkville Education Foundation

Member Kellogg moved to approve the updated American Rescue Plan Act Grant Agreement with Yorkville Education Foundation. Member Gengler seconded the motion.

Motion and second was retracted due to the fact that the paperwork is not complete yet.

Planning, Building & Zoning

Petition 22-09

Member Gengler moved to approve Petition 22-09-Request from the Kendall County Regional Planning Commission for Amendments to the Future Land Use Map in the Kendall County Land Resource Management Plan by Reclassifying the Properties Located North and Southwest of 12565 Fox Road (PINs: 04-02-400-002, 04-02-400-003, and 04-01-301-005 (South of the Railroad Tracks Only) in Fox Township from Rural Residential to Mixed Use Business. Member Koukol seconded the motion. Chairman Gengler asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 22-25 is available in the Office of the County Clerk.

Village of Plattville Agreement

Member Gengler moved to approve the Intergovernmental Agreement between the Village of Plattville and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, and Stormwater Management within the Jurisdiction of the Village of Plattville for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village Plattville to the County of Kendall. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 22-24 is available in the Office of the County Clerk.

Economic Development

Camp Mutty Paws

Member Koukol moved to approve a revolving loan fund private business loan in the amount of \$54,100 with a term of 7 years and an interest rate of 3.5% to Camp Mutty Paws. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Health and Environment

Gun Violence Awareness

Member Vickers moved to approve a proclamation declaring the first Friday in June to be National Gun Violence Awareness Day. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 22-25 is available in the Office of the County Clerk.

Chairman's Report

Chairman Gryder stated that he and Member Vickers attended an active shooter training.

PUBLIC COMMENT

Scott Pugsley asked the board if they were aware of the Oswego Fire Department Trustees authorized opening a line of credit using the main fire station as collateral.

QUESTIONS FROM THE PRESS

Ethan Kruger from WSPY asked about the motions from items B 1 and 2 being treated as if it did not happen.

ADJOURNMENT

Member Gilmour moved to adjourn the County Board Meeting until the next scheduled meeting. Member Gengler seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 18th day of May, 2022.
Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

**KENDALL COUNTY BOARD
SPECIAL MEETING
May 26, 2022**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building 111 W Fox St, in the City of Yorkville on Thursday, May 26, 2022 at 5:00 pm. Members present: Chairman Scott Gryder (arrived 5:03pm), Amy Cesich, Brian DeBolt, Scott Gengler, Judy Gilmour, Matt Kellogg, and Robyn Vickers. Member(s) absent: Elizabeth Flowers, Dan Koukol and Ruben Rodriguez.

The Clerk reported to the Chairman that a quorum was present to conduct business.

THE AGENDA

Member Cesich moved to approve the agenda. Member Cesich seconded the motion. Vice Chairman Kellogg asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

OLD BUSINESS

Jellystone Park Campground

Member Gilmour moved to approve relinquishing authority over Jellystone Park Campground. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Non-Profit Policy and Procedures

Member DeBolt moved to approve the American Rescue Plan Act Non-Profit Policy and Procedures. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Non-Profit Grant Agreement

Member Cesich moved to approve the American Rescue Plan Act Non-Profit Grant Agreement. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Yorkville Education Foundation

Member Gilmour moved to approve the amendment Agreement for Distribution and Use of Kendall County's American Rescue Plan Act Grant Agreement with Yorkville Education Foundation for the amount of \$11,416. Member DeBolt seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

SPECIAL COMMITTEE REPORTS

Finance

Claims

Member Kellogg moved to approve the claims in an amount not to exceed \$54,100. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ADJOURNMENT

Member Cesich moved to adjourn the County Board Meeting until the next scheduled meeting. Member Vickers seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Approved and submitted this 3rd day of June, 2022.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

COUNTY OF KENDALL, ILLINOIS
BUDGET & FINANCE COMMITTEE
Meeting Minutes for Thursday, May 26, 2022

Call to Order – Committee Chair Matt Kellogg called the Budget and Finance Committee to order at 5:15p.m

Roll Call

Attendee	Status	Arrived	Left Meeting
Amy Cesich	Present		
Brian DeBolt	Here		
Scott Gengler		5:17p.m.	
Scott Gryder	Yes		
Matt Kellogg	Yes		

Others Present – Latreese Caldwell, Alice Elliott, Jennifer Karales, Scott Koeppel, Jason Majer

Approval of Agenda - Member Cesich made a motion to approve the agenda, second by Member Gryder. **With four members present voting aye, the motion carried by a vote of 4-0.**

Member Gengler arrived at 5:17p.m.

Approval to Forward Claims – Member Cesich made a motion to forward the claims to the County Board for approval, second by Member Gengler. **With five members present voting aye, the motion carried by a vote of 5-0.**

Department Head and Elected Official Reports – No reports

Items of Business

- *Approval of an Intergovernmental Agreement between the State of Illinois Criminal Justice Information Authority and the County of Kendall, Illinois* – Court Services Director Alice Elliott provided information about the agreement.

Member Cesich moved to approve the Intergovernmental Agreement between the State of Illinois Criminal Justice Information Authority and the County of Kendall, Illinois, Member Gengler seconded the motion. **With five member present voting aye, the motion carried.**

- *Discussion and Approval of the Public Defender Departmental Salaries* – Public Defender Majer provided history and background on staffing and salary for the department, as well as budget issues for the past several years. Mr. Majer stated that Kendall County Public Defender staff salaries are not comparable with other counties, and are in fact, significantly lower.

Member Cesich made a motion to forward the Discussion and Approval of the Public Defender Departmental Salaries to the June 29, 2022 County Board meeting, second by Member Gengler. **With five members present voting aye, the motion carried.**

- *Discussion and Approval of an Amendment Agreement for Disbursement and Use of Kendall County's American Rescue Plan Act Funds with the Kendall County Historical Society for the Amount of \$5,350* – Ms. Karales explained the necessity of the amendment to the committee. Member Cesich made a motion to approve an Amendment Agreement for Disbursement and Use of Kendall County's American Rescue Plan Act Funds with the Kendall County Historical Society for the Amount of \$5,350, second by Member Gryder. **With five members present voting aye, the motion carried.**
- *Discussion and Approval of an Amendment Agreement for Disbursement and use of Kendall County's American Rescue Plan Act Funds with Lewis Shultz VFW Post 1486 for the amount of \$11,115* - Ms. Karales explained the necessity of the amendment to the committee. Member Cesich made a motion to approve an Amendment Agreement for Disbursement and use of Kendall County's American Rescue Plan Act Funds with Lewis Shultz VFW Post 1486 for the amount of \$11,115, second by Member Gryder. **With five members present voting aye, the motion carried.**
- *FY22-24 ARPA Budget Discussion* – Mr. Koeppel reviewed the ARPA “Wish List” with the committee asking for direction on how to proceed. Administration staff will contact the Village of Lisbon regarding their original request for water funding.

Items for the June 7, 2022 County Board Meeting

Approval of an Intergovernmental Agreement between the State of Illinois Criminal Justice Information Authority and the County of Kendall, Illinois

Items for the June 30, 2022 County Board Meeting

Discussion and Approval of the Public Defender Departmental Salaries

Items for the June 16, 2022 Committee of the Whole Meeting - None

Public Comment – None

Executive Session – Not needed

Adjournment – Member Gryder made a motion to adjourn the Budget and Finance Committee meeting, Member Cesich seconded the motion. **With five members present voting aye, the meeting was adjourned at 5:53p.m. by a vote of 5-0.**

Respectfully submitted,

Valarie McClain

Administrative Assistant and Recording Clerk

COUNTY OF KENDALL, ILLINOIS
Health & Environment Committee
Monday, June 13, 2022
Meeting Minutes

CALL TO ORDER

The meeting was called to order by Chair Robyn Vickers at 8:30a.m.

ROLL CALL

Attendee	Status	Arrived	Left Meeting
Robyn Vickers	Here		
Ruben Rodriguez	Here		
Elizabeth Flowers	Present		
Scott Gengler	Absent		
Judy Gilmour	Absent		

With three members present, a quorum was determined for the conducting of committee business.

STAFF PRESENT: Brandy Lehman, RaeAnn Van Gundy

GUESTS PRESENT:

APPROVAL OF AGENDA – Member Rodriguez made a motion to approve the agenda, second by Member Flowers. **With three members present in agreement, the motion carried by a vote of 3-0.**

APPROVAL OF PREVIOUS MONTHS MINUTES – Member Flowers made a motion to approve the May 9, 2022 meeting minutes, second by Member Rodriguez. **With three members present in agreement, the motion carried by a vote of 3-0.**

STATUS REPORTS

- **Board of Health** – Health Department Executive Director Van Gundy briefed the committee on unfunded mental health training Mental Health Department Director Lisa Holch conducts with all Sheriff's Office Deputy new hires. Topics covered in the 1-2 hour training session include how to recognize, evaluate and determine the best way for de-escalation before the situation becomes a crisis, how to identify a person experiencing a drug overdose and identifying drug withdrawal symptoms, and juvenile crisis response and intervention. Van Gundy stated that the training has been well received by law enforcement personnel. **The committee wants Mental Health Director Lisa Holch, and Sheriff's Office Deputy Paul Kubinski to attend a**

future Committee of the Whole meeting to inform the full Board about this unfunded service that is being offered through the Health Department.

- **Health Department** – Brandy Lehman, R.N.; B.S.N. from the Community Health Division provided details on the Immunization Services available through the Health Department which include “Back to School Clinics” for Kindergarten, 6th Grade and Senior High School students. There are 16 clinics scheduled for this year with some available offsite at Emily G. Johns School in Plano, Oswego High School, and within the Newark School District.

They also offer two monthly children’s vaccine clinics through a federal program that assists those with no insurance, under insured, and those on state insurance. They can add additional clinics when necessary. Ms. Lehman stated that one of the main issues is getting parents to bring their children for vaccinations in the Health Department. Health Department staff continues to reach out to parents through school, Physician’s offices, social media and word of mouth. The addition of the new Health Department Mobile Van will hopefully be up and running to assist in getting infants and children vaccinated right in their own neighborhoods.

Ms. Lehman explained that Covid 19 vaccine clinics continue, but have dropped to two or three times per month, due to the decrease in people wanting vaccinations.

The numbers have increased for those citizens travelling out of the country, and the Travel Clinic is also available to those outside of Kendall County as well.

- **Kendall County Soil and Water District** – No report
- **Water Related Groups** – No report
- **708 Mental Health Board** – No report

OLD BUSINESS – None

NEW BUSINESS – None

CHAIRMAN’S REPORT – No report

PUBLIC COMMENT – None

ITEMS FOR COMMITTEE OF THE WHOLE – None

JUNE 21, 2022 COUNTY BOARD MEETING ACTION ITEMS - None

EXECUTIVE SESSION – Not Needed

ADJOURNMENT – Member Flowers made a motion to adjourn the meeting, second by Member Rodriguez. **With four members present in agreement, the motion carried 3-0, and the meeting ended at 8:56a.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant and Recording Clerk

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of June 13, 2022 – Unofficial until Approved

CALL TO ORDER

The meeting was called to order by Chairman Gengler at 6:30 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Scott Gengler (Chairman), Dan Koukol, and Robyn Vickers

Committee Members Absent: Judy Gilmour (Vice-Chairwoman)

Also Present: Matt Asselmeier (Senior Planner), Dan Kramer, Jeremy Dippold, Samantha Dippold, Boyd Ingemunson, Robert Delaney, Jim Martin, Joe Frescura, Pat Frescura, Ramiro Guzman, Sharleen Smith, Anne Vickery, Gerald Gapa, Bob Patula, Kathy Patula, and Blanca Mota

APPROVAL OF AGENDA

Member Vickers made a motion, seconded by Chairman Gengler, to approve the agenda with amendment to move the item regarding 19 N. Cherry Road to the first item of under New Business.

With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES

Member Flowers made a motion, seconded by Member Vickers, to approve the minutes of the May 9, 2022, meeting.

With a voice vote of four (4) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report from May 2022.

The Committee also reviewed the six (6) month expenditure report and fiscal year-to-date escrow report.

PETITIONS

Petition 21-49 Irma Loya Quezada

Mr. Asselmeier summarized the request.

The Petitioner is requesting a map amendment rezoning two (2) approximately three point two-four (3.24) acre parcels from A-1 Agricultural District to R-1 One Family Residential District in order to construct one (1) house on each parcel.

The Petitioner plans to use Plat Act exemptions to divide the subject areas proposed for rezoning from the larger parcels.

The agricultural building permits for the parcels were used in 2003 and 2004. The only way houses can be constructed on the subject parcels is by obtaining the requested map amendment.

The application materials, plat of survey and aerial of the property were provided.

On December 4, 2021, five (5) neighbors submitted a written objection to the map amendment. These objections were provided. On January 24, 2022, one (1) additional neighbor submitted an objection. This objection was provided.

On December 7, 2021, the Petitioner's Attorney submitted a request to continue the Petition from the December Kendall County Regional Planning Commission meeting and Kendall County Zoning Board of Appeals hearing. This email was provided.

The properties are on the east side of Brisbin Road across from 14859 and 14975 Brisbin Road.

The current land use is Agricultural.

The future land use is Rural Estate Residential (Max 0.45 Du/Acre).

Brisbin Road is a Township Maintained Major Collector. There are no trails planned in the area.

There were no floodplains or wetlands on the property.

The adjacent land uses were Agricultural, Farmstead, and Hogan's Market.

The adjacent properties and properties within one half (1/2) of a mile were zoned A-1 and A-1 SU.

The Kendall County Future Land Use Map called for the to be Rural Estate Residential. The Plattville Future Land Use Map called for the property to the north of the subject property to be Low Density Residential.

The A-1 special use to the west is for the sale of agricultural products, art, pottery, and home décor not produced on the premises (Hogan's Market).

EcoCat submitted on November 11, 2021, and consultation was terminated.

NRI application submitted on October 18, 2021. The draft LESA Score was 199 indicating a low level of protection.

Seward Township was emailed information on November 16, 2021. The Seward Township Planning Commission reviewed this proposal on December 7, 2021. Discussion occurred regarding the Land Resource Management Plan in relation to Seward Township and protecting farmland. Discussion also occurred regarding drainage and illegal dumping on the property. The Seward Township Planning Commission issued a negative recommendation by a vote of four (4) against the proposal and zero (0) in favor of the proposal with one (1) member absent. The minutes were provided. On December 27, 2021, the Petitioner's Attorney submitted a response to the actions of the Seward Township Planning Commission; this letter was provided. On January 11, 2022, the Seward Township Board voted to submit a formal objection to the

map amendment. On May 10, 2022, prior to submitting the objection to the County, the Seward Township Board voted to rescind the objection. The email to that effect was provided.

The Village of Plattville was emailed information on December 16, 2021. No comments received.

The Lisbon-Seward Fire Protection District was emailed information on November 16, 2021. No comments received.

ZPAC reviewed this proposal at their meeting on December 7, 2021. The Petitioner's Attorney indicated the Petitioner only wanted to build two (2) houses at this time. The Highway Department requested a voluntary right-of-way dedication; the Petitioner's Attorney was agreeable to the request. ZPAC recommended approval of the requested map amendment by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission did not have a quorum for their meeting on January 26, 2022. The Kendall County Regional Planning Commission reviewed the proposal at their meeting on April 27, 2022. Member Wilson asked why the Petitioners were rezoning only the center portion of the lot and leaving a U-shaped area zoned A-1. The Petitioners, responded that the proposed rezoned portions of the property were the best locations for houses because of drainage, per the engineer, Phil Young, that examined the property. They said the second home would be for their son. They will lease the land to farm and they also plan to have horses on the property. Dan Kramer, Attorney for the Petitioner, explained that the Petitioner still desired to farm a portion of the property. No other business would be run at the property; no landscaping business has been run at the property and no construction or landscaping debris has been placed on the property. The request is consistent with the County's Land Resource Management Plan; Mr. Kramer noted that Seward Township allowed similar rezoning requests recently. He felt that some of the objectors had an implicit bias against the Petitioner. He hoped Seward Township would follow the proper procedures regarding updating a comprehensive plan. Mr. Kramer discussed the LaSalle Factors. He also discussed the *Village of Richton Park v. Sinclair Pipeline* case. He felt the proposed use would be consistent with the neighboring uses because other single-family homes on similar sized lots are located in the area. Donald and Jo Beth Larkin expressed concerns about drainage, potential damage to field tile, and the construction of more homes on smaller parcels in the area. A drain tile survey will be required in order to build a house; the owners have to repair damaged tile by law. Also, a homeowner would not want broken tile on their property because the water would damage their house. Drainage Law is enforced civilly in Illinois. The property is not in a federal designated floodplain. The Larkins were encouraged to work with the Petitioners to maintain the tile; this will be an opportunity to locate and examine the tile. Tim O'Brien, Seward Township Supervisor, explained that the Seward Township Planning Commission was concerned about water issues. The Kendall County Regional Planning Commission recommended approval of the request by a vote of eight (8) in favor and zero (0) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals started a public hearing on this proposal on December 13, 2021. At the Petitioner's request the hearing was continued to January 31, 2022. The hearing was continued again to February 28, 2022. The minutes of the December 13, 2021, meeting were provided. The minutes of the January 31, 2022, meeting were provided.

On February 14, 2022, the Petitioner's Attorney submitted a request that the hearing be continued to May 2, 2022. This email was provided. The minutes of the February 28, 2022, hearing were provided. At the May 2, 2022 hearing. Mr. Kramer said that his comments regarding implicit bias were directed at the objectors and not anyone associated with Seward Township. He also clarified the type of development that would occur if the rezoning request was approved. The drain tile would be located. Member Vickery provided a history of development in the area and the need for a moratorium on certain zoning actions. The Kendall County Zoning Board of Appeals recommended approval of the request by vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing were provided.

The Petitioner desires to rezone the subject property in order to build one (1) house on each of the two (2) new parcels created for a total of two (2) new houses.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities are onsite.

The property fronts Brisbin Road. Staff has no concerns regarding the ability of Brisbin Road to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 or A-1 SU for the sale of agricultural products, art, pottery, and home décor not produced on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The agricultural housing allocations for the subject property have already been used and no new single-family homes can be constructed on the subject property without a map amendment.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the

public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Estate Residential. The R-1 One Family Residential District is consistent with the Rural Estate Residential classification.

Staff recommended approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan.

The draft ordinance was provided.

Dan Kramer, Attorney for the Petitioner, discussed the acreage configuration in the area. The owner of the neighboring twenty (20) acres to the north have dumped debris on their property and observers misunderstood which properties were owned by which parties. The Petitioners have not dumped debris on the subject property. The area around the property proposed for rezoning is planted in soybeans.

Member Koukol asked about the landscaper on the west side of the road and if that landscaper was connected to the property on the east of the road. Mr. Kramer did not know the answer to that question. The subject properties have always been vacant.

Discussion occurred regarding the current and projected taxes generated by the subject properties.

Member Koukol made motion, seconded by Member Vickers, to recommend approval of the map amendment.

With a voice vote of four (4) ayes, the motion carried.

Anne Vickery noted the confusion in the area and she pledged to be good neighbors.

The proposal goes to the County Board on June 21, 2022, on the regular agenda.

Petition 22-10 Mark Fecht on Behalf of Fecht Brothers, Inc. (Property Owner) and Jeremy and Samantha Dippold on Behalf of Best Budget Tree, LLC (Contract Purchaser)

Mr. Asselmeier summarized the request.

Best Budget Tree, LLC would like to purchase the subject property from Fecht Brothers Inc. in order to operate a tree and landscaping business at the property.

Best Budget Tree, LLC has been in existence for over ten (10) years.

The application materials, site plan, landscaping plan, stormwater plans, and renderings of the proposed building were provided.

The property is on the north side of Route 52 across from 2190 and 2200 Route 52.

The property is approximately forty-eight (48) acres in size.

The property is zoned A-1 Agricultural.

The County's Future Land Use Map calls for the property to be Rural Residential (Max 0.65 Du/Acre). Shorewood's Future Land Use Map calls for the property to be Residential and Commercial.

Route 52 is a State maintained Arterial road.

Joliet has a trail planned along Route 52, but Joliet does not want a right-of-way dedication at this time; an email to that effect was provided.

There are no floodplains on the property. There is a wetland near the northwest corner of the property.

The adjacent land uses are Agricultural and Single-Family Residential.

The adjacent properties are zoned A-1 and R-3.

The County's Future Land Use Map calls for the area to be Commercial, Rural Residential, and Suburban Residential. Joliet's Future Land Use Map calls for the area to be Residential. Shorewood's Future Land Use Map calls for the area to be Residential and Commercial.

The nearby properties are zoned A-1, A-1 SU, and R-1, and R-3.

The A-1 special use permit to the west is for the sale of agricultural products not grown on the premises.

EcoCAT Report was submitted on April 15, 2022, and indicated the following protected resources:

Aux Sable Creek INAI Site

Greater Redhorse (*Moxostoma valenciennesi*)

The Illinois Department of Conservation determined that negative impacts were unlikely and consultation was terminated on April 18, 2022.

The application for NRI was submitted April 21, 2022. The LESA Score was 210 indicating a medium level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on April 25, 2022. The Seward Township Planning Commission reviewed the proposal in May 2022. They expressed concerns about the location of lighting with respect to the adjacent homes. The Seward Township Planning Commission recommended approval of the request. An email to that effect was provided. The Seward Township Board met on May 28, 2022 and recommended denial on a vote of three (3) in favor and one (1) in opposition. The Township Board recommended denial because of concerns related to decreased property values, noise, pollution concerns, the presence of containers for storage, fire issues, the impact of the use on the existing pipelines, and enforcement of conditions by the County. The minutes of the meeting were provided.

Petition information was sent to the Village of Shorewood on April 25, 2022. On May 4, 2022, the Village of Shorewood submitted an email saying they did not want to request a right-of-way dedication for a biking/walking trail. This email was provided.

Petition information was sent to the Minooka Fire Protection District on April 25, 2022. On May 5 and 6, 2022, the Minooka Fire Protection District submitted a letter and email requesting a fire alarm system that meets applicable codes, no smoking signs near the mulch pile, a dry fire hydrant, and signage properly marking the address of the property. The letter and email were provided. The Petitioners were agreeable to this request.

The Kendall County ZPAC reviewed this Petition at their meeting on May 3, 2022. Mr. Klaas asked if the six inch (6") pipe shown on the plans went to Route 52. John Tebrugge, Petitioners' Engineer, said the pipe goes almost to Route 52. The Petitioners had not received final access approval from the Illinois Department of Transportation; they will not get final approval until they (the Dippolds) own the property. The Petitioners understood that any buildings constructed on the property would not be eligible for agricultural building permit exemptions. Based on the information provided, the well would not be a non-community well. The Petitioners were advised to design the septic system for maximum load. The Petitioners were advised to identify on the site plan where lights would be placed. The Petitioners had no plans to use the access off of Arbeiter Road. The land comes with building allocations. ZPAC recommended approval of the proposal by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes were provided.

The Kendall County Regional Planning Commission reviewed this Petition at their meeting on May 25, 2022.

Chairman Ashton asked if the Minooka Fire Protection District wanted just an alarm system or if the request was to have the building sprinklered. Mr. Asselmeier responded just an alarm system.

Member Wilson asked how the Petitioners were going to manage the mulch pile and if mulch would be sold. Jeremy Dippold, Petitioner, said the mulch would be installed on off-site locations. They would have several small piles. The maximum height of the mulch piles would be twelve feet (12') because of the company's equipment.

Member Casey asked where the business was currently located. Mr. Dippold responded Renwick Road and Interstate 55. Mr. Dippold said the proposed location would look better than the existing location because no inside storage exists at their current location.

Member Casey asked about possible expansion. Mr. Asselmeier said, if the Petitioners expanded into the farmland beyond the area identified on the site plan, an amendment to the special use permit would be required.

Discussion occurred regarding the access point off of Arbeiter Road. The access would remain to allow a farmer to get their equipment into the field. Based on the plans, it appeared difficult for a farmer to get equipment to north portion of the property using the access off of Route 52. Equipment could be driven through the parking lot. The current owner would continue to farm the property after the Dippolds acquire the property.

Joe Frescura requested that the proposal be denied for the following reasons:

1. The business has no noise control plan; wood chippers would exceed the noise requirements in the proposed special use permit. He provided pictures of the height of mulch piles at the business' current location. The trees proposed on the site plan will not reach full height for ten (10) years and will not provide a full

- noise buffer until that time.
2. The dyed mulch will jeopardize local wells, waterways, and wetlands.
 3. Inclusion of access to Arbeiter Road; he would like to see the access point removed. He also discussed burning at other landscaping businesses.
 4. There are several containers at the Petitioners' current operating location. He was concerned about the placement of the containers turning the area into an industrial park and causing a decrease in property values in the area.
 5. He noted that five (5) landscaping business have special use permits in Seward Township. These existing special uses are not located near homes like the proposed special use.
 6. He expressed concerns regarding the soils to support a septic system.
 7. He expressed concerns regarding burning on the property and the possible intermingling of onsite and offsite generated materials in a burn pile.
 8. He noted that the LESA Score was 210. He argued the property should be retained for farming.

Mr. Dippold said chippers would not be used onsite; they would be at customers' homes. He explained the mulch dyeing process; the dyed mulch is not hazardous. He did not want burning on the property. He has three (3) containers which are used for storage; the containers would be replaced with the building. He was agreeable to a condition not allowing shipping containers on the property. He did not anticipate operating at the site until July 2023. He has no interest in using Arbeiter Road to access the property for the business.

Anne Vickery noted this proposal would be the sixth (6th) landscaping special use in Seward Township. She asked if anyone on the Board would like to live next to this type of use. She also noted that the property was planned to be residential. She asked who would enforce the regulations; she noted burning at another landscaping business.

Robert Delaney said the area was a residential area and should remain a residential area. He questioned the need to have a large amount of acreage used for the proposed use.

Pat Frescura said that she has lived in the area for over fifty (50) years. She noted the time, investment, and pride in her property. She was against having the proposed use near her property. She wanted to keep the land as farmland. She said that she was unaware of the Seward Township Planning Commission's meeting.

Jim Martin, Seward Township Trustee, said the Seward Township Planning Commission did not forward a recommendation to the Township Board. The Township Board did not vote on this proposal.

Tim O'Brien, Seward Township Supervisor, said the Seward Township Planning Commission did not forward a recommendation to the Township Board.

It was noted that the proposal would preserve agricultural uses on the majority of the property.

Dave Shively asked what A-1 meant. A-1 means agricultural. He discussed the repaving of Arbeiter Road. He asked about enforcement of burning regulations. Mr. Asselmeier explained that burning items brought onto the property was against State law. Mr. Shively favored keeping the property in farming. He favored a housing development instead of the proposed use.

Member Wilson favored having the proposal over houses.

Tony Guzman said that he bought his property because it was a residential area. He would like to see the property become a park. He likes the wildlife in the area. He felt the use was an industrial use.

Mr. Dippold asked if his proposal was any different than a farmer building grain bins with related noise and odors. He also noted that he was pursuing the zoning on the property the correct way.

Kim Larkin said that she did not want to look at this use in her backyard. She said that mulch has an odor. Discussion occurred regarding the smell of mulch. She expressed concerns about diminished property values.

Steve Papaeliou expressed his opposition to the containers on the property.

Mr. O'Brien requested the proposal be tabled and sent back to Seward Township. Member Wilson wanted to know the opinion of the Township Board. Member Nelson noted the Petitioners followed the proper procedures to get to this point. Mr. Dippold opposed tabling the proposal because Mr. Fecht wants to close on the property quickly.

Member Nelson did not see much of a difference between the proposal and farming uses.

Member Wormley noted that a subdivision could be placed on the property at some point in the future, even if the special use permit was approved. He thought the proposal was a good proposal compared to other uses that could go on the property.

The Kendall Regional Planning Commission voted to recommend approval of the proposal with an additional condition stating that no storage containers would be allowed on the subject property by a vote of seven (7) in favor and one (1) in opposition with one (1) member absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on May 31, 2022. It was noted that the powered equipment exemption applies to equipment used to maintain the property and not to equipment related to the landscaping business. The business would have to follow the hours of operation and employee number requirements in the special use permit and could move snow, if they followed the hours of operation requirement. The Petitioners had not indicated that they would move snow. The Zoning Ordinance set the number of parking spaces required. An amendment to the special use permit would be required, if the business expanded onsite. Discussion occurred regarding Joliet's and Shorewood's Future Land Use Maps in this area.

Boyd Ingemunson, Attorney for the Petitioners, said the Petitioners have gone above and beyond what is required of them in terms of planning and preparing for the proposal. He said the business is a tree processing company. Chipping occurs offsite. Onsite, they make mulch and cut firewood for customers. No chipping occurs onsite. There are no by-products. No storage of landscaping materials like rock or grass clippings, will occur. He noted that the conditions were more restrictive than other special uses in the A-1 District. The Petitioners agreed to the conditions. He noted the buffer space and screening with trees. Member Vickery asked if chipping would occur onsite. Mr. Ingemunson said chipping occurs offsite. Mr. Ingemunson noted the safety guide for the mulch dyeing. He said table salt is more toxic than mulch dyeing. Mr. Ingemunson said wood splitting would occur onsite with a hydraulic splitter.

Member Vickery asked about containers. Jeremy Dippold, Petitioner, said the reason for the building was to store equipment. No cargo containers would be needed if the building was constructed. He was agreeable to a condition not to have semi-trailers on the premises.

Chairman Mohr asked how long the business had been in existence on Renwick Road. Mr. Dippold responded 2012. Chairman Mohr asked about the distance to existing residences at the business' current site. Mr. Dippold responded the current site was thirty-two (32) acres and across the entire frontage there is about a dozen homes. He has not received any complaints. Chairman Mohr asked if the business will change because of the increased acreage. Mr. Dippold responded that he wanted additional room and have more organization. Chairman Mohr asked if any employees self-report to sites. Mr. Dippold responded employees come to the business and take work vehicles to sites. Mr. Dippold explained that he always overdoes in terms of room and space. He noted it was better to have multiple small piles of mulch.

Discussion occurred regarding moving the perimeter trees, with berms and more mature trees, along the boundary of the landscape business area instead of around the perimeter of the entire site. Mr. Dippold described tree growth and that trees root better on flat pieces of land.

Joe Frescura discussed the impact of the proposed use on property values. He said that no noise plan was provided. He discussed the removal of tree waste from the site. He discussed the wheel loader used by the Petitioners. This piece of equipment generates about 125 decibels. He said people purchased property in the area for the peace and quiet. Agricultural equipment is used episodically and not continually on the subject property. The proposed use is different than residential maintenance. He stated that the proposed use is close to residential houses, which is different than other intense agricultural and landscaping uses. Noise would decrease property values. It was noted that no noise study existed for the proposed use. The noise ordinance does not apply to agricultural uses. Mr. Asselmeier explained the enforcement of noise regulations. Mr. Frescura requested a noise study. He also noted that the amount of chemicals impact toxicity. He questioned how much water would be used to dilute chemicals. Loss of water would also negatively impact property values.

Pat Frescura said the property is zoned residential and agricultural and has been used for farming. She had a Realtor look at her property and said that her property would decrease in value by fifteen percent (15%) if the proposed use moved into the area. She said no one would benefit from this use, except the Petitioners. She noted the odors from the mulch, dust from truck traffic, noise, and burning would negatively impact the area. She said that complaints of burning against TZ Landscaping have been made and no enforcement occurs. She did not see a gain to the public from the proposed use. She noted that none of the existing landscaping businesses were close to existing homes. She noted that the Seward Township Board voted against the proposal. She noted the LESA Score was 210 making the land desirable for farming; lower score land should be used for business uses.

Discussion occurred regarding other landscaping businesses located near residences.

Ramiro Guzman said that he was also in the landscaping business, but did not operate out of his house. He loves the agriculture around his property. He did not think a business would locate in the area. He is opposed to the proposal. He discussed the making of chips and mulch. He would like to know the power load of the grinder. The use will create a pile of dead branches; he questioned the height of piles of brush and logs. He was also concerned about the safety of local children because of the pond. He was also concerned about mulch fires. Mr.

Dippold described his grinder; he said it makes minimal noise. He said his pond is no different than retention ponds in subdivision. He was not opposed to moving the screen of trees to around the landscaping business area only.

Sheila Trost questioned the public need for the proposed use. Chairman Mohr said there was not a public need and special use permits do not need to meet all of the LaSalle Factors, like zoning changes.

Kim Larkin felt the proposal did not meet the requirements of the LaSalle Factors. The business will not be open to the public and will not bring anything to the community or provide income to the County or Township. She said Kendall County does not come out when complaints are filed; she provided an example involving Animal Control and a dog in the area.

Mr. Frescura asked about buildings not being considered agricultural. Mr. Asselmeier explained that the conditions related to agricultural exempt buildings and agricultural exempt equipment were placed in special use permits to qualify that the use is not agricultural and needs to secure appropriate permits and follow rules for non-agricultural equipment. Mr. Frescura argued that the use is a manufacturing use and not an agricultural use.

Tim O'Brien, Seward Township Supervisor, noted that the Seward Township Board voted this proposal down by a three (3) to one (1) vote.

Mark Fecht, Property Owner and Petitioner, said the wetland is a farmed wetland. He said the soil is not the greatest soil; leaching was not likely. He discussed his hog operations and the property would be ideal for pig space. He felt operating a hog farm would more negatively impact property values than the proposed use. He felt that he might be able to get two thousand four hundred (2,400) hogs on the property. The property was not set up for irrigation.

Discussion occurred regarding the location of the pipelines. The pipelines are near the southern part of the property and are not near the proposed use area.

Member Vickery left the meeting prior to the votes on the conditions and recommendation.

The Kendall County Zoning Board of Appeals voted four (4) in favor and zero (0) in opposition with three (3) absent to amend condition 25 to not allow semi-trailers to be parked on subject the property.

The consensus of the Kendall County Zoning Board of Appeals was not to change the site plan, landscaping plan, and tree counts to have the trees placed along the landscape business area only instead of the perimeter of the property.

The Kendall County Zoning Board of Appeals voted three (3) in favor and (1) in opposition to the request with three (3) members absent. State law requires the concurrent vote of four (4) members to recommend approval. Therefore, the recommendation was denial. Chairman Mohr voted no because of the concerns raised by the neighbors related to the view of area. He was also concerned about loss of property values. He believed the subject property would eventually be houses. The minutes of the hearing were provided.

The Petitioners called after the hearing and said they would like to amend condition 25 to set a date for removal of the storage containers. The Petitioners also would like to allow semi-trailers on the property both in relation to the business allowed by the special use permit and in relation

to farming activities. The Petitioners also submitted a plat showing the distance to property lines from their operations. This plat was provided.

Per Section 7:01.D.30 of the Kendall County Zoning Ordinance, landscaping businesses can be special uses on A-1 zoned property subject to the following conditions:

1. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.
2. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County's LRMP, having an all-weather surface, designed to accommodate loads of at least seventy-three thousand, two hundred eighty pounds (73,280 lbs.), unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles). These restrictions shall be included as controlling conditions of the Special Use.
3. No landscape waste generated off the property can be burned on this site.

If the County Board approves the outdoor storage of materials, the above conditions have been met.

According to the business plan, the business currently operates two (2) four (4) employee crews in April through October and one (1) four (4) employee crew in November through March. The Petitioners plan to hire four (4) additional employees, if business increases. Employees arrive at the property at approximately 7:30 a.m., go to work sites, and return to the property between 3:30 p.m. and 4:00 p.m. Employees unload equipment and materials and leave between 4:30 p.m. and 5:00 p.m. The business operates on Monday through Fridays with an occasional Saturday.

Business equipment presently consists of two (2) bucket trucks, two (2) wood chippers, two (2) one (1) ton pickup trucks, two (2) utility trailers, two (2) spare pick-up trucks, and one (1) wheel leader tractor. When not in operation, the Petitioners plan to house vehicles and equipment inside the proposed approximately nine thousand six hundred (9,600) square foot building. Mulch and firewood piles would be placed on the gravel area as shown on the site plan and landscaping plan and would be piled a maximum twelve feet (12') in height. The Petitioners do not plan to store stone, brick, or rock at the property. Per the site plan, the gravel area is approximately ten point five (10.5) acres in size. If there is a motor vehicle or equipment related leak, the impacted gravel will be removed and replaced with clean gravel.

No retail services will be available at the property and retail customers will not be invited onto the property.

If approved, the Petitioners plan to start operations as quickly as possible.

One (1) approximately nine thousand six hundred (9,600) square foot building is proposed for the site in the location depicted on the site plan and landscaping plan. The building will look substantially like the provided rendering. The walls will be approximately sixteen feet (16') feet

tall and the doors will be fourteen feet (14') in height. The peak of the building will be a maximum twenty-four feet (24').

Any structures related to the landscaping business would be required to obtain applicable building permits.

No well or septic system presently exists on the property. No other utilities are located on the property.

One (1) ten foot by ten foot (10' X 10') dumpster enclosure was shown on the site plan and landscaping plan east of the vehicle parking area.

The property drains to the south.

There is one (1) wetland located near the northwest corner of the property.

The site plan and landscaping plan show a proposed seventy-three thousand, nine hundred eighty-four (73,984) square foot wet bottom pond. At the deepest point, the pond will be sixteen feet (16') deep. The stormwater plan information was provided.

WBK Engineering submitted comments on the proposal. This letter was provided. These comments will have to be addressed prior to the issuance of a stormwater management permit.

Per the site plan and landscaping plan, the Petitioners plan to install one (1) thirty foot (30') wide gravel driveway. The driveway will be approximately forty-eight feet (48') from the western property line.

According to site plan and landscaping plan, the Petitioners plan to install two (2) parking areas. One (1) parking area is planned south of the building and the other parking area is planned west of the building. The total number of parking spaces is twenty-one (21) including one (1) handicapped accessible parking space.

Three (3) pipeline easements exist on the property.

No existing lighting is located on the property.

At the time of the ZPAC meeting and Seward Township Planning Commission meeting, the Petitioners had not submitted a lighting plan. The lighting plan shows one (1) free standing light near the south parking lot and six (6) lights on the building. Based on the photometrics provided, no light would cross the property lines. The lighting plan was provided.

Per Section 11:02.F.12.e, of the Kendall County Zoning Ordinance, the maximum height for the freestanding light is twenty feet (20').

According to the site plan and landscaping plan, one (1) non-illuminated sign is proposed between the gravel driveway and the western property line. No information was provided regarding sign dimensions or height. Per Section 12:08.A. of the Kendall County Zoning Ordinance, the total maximum allowable signage is thirty-two (32) square feet of gross surface area.

No security information was provided.

The landscaping plan shows one hundred fifty (150) white pines along the perimeter of the property. The white pines will be three (3') feet at the time of planting and will grow to between fifty feet (50') and eighty feet (80'). Ten (10) deciduous trees are planned along the perimeter of the pond. The trees will be one and one half inches (1.5") at the time of planting. The landscaping plan also calls for a seed mix of Kentucky blue grass and turf type perennial grass around the pond and along the gravel driveway. Vegetation will be installed after the gravel and pond are installed.

The portion of the property not used for storage, building, driveway, or the pond will remain farmed. Most of the property will be farmed in 2022, which will delay the installation of the landscaping until 2023.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the nineteenth (19th) special use permit for a landscaping business in unincorporated Kendall County.

The Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Provided the site is developed in accordance with the submitted site plan and landscaping plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. Conditions may be placed in the special use permit ordinance to address hours of operation. **Member Vickery dissented with this Finding.**

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, lighting, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent land uses. **Chairman Mohr and Member Vickery dissented with this Finding.**

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. If a stormwater management permit is issued based on the submitted materials, drainage should not be an issue. If the Illinois Department of Transportation approves the access, ingress and egress should not be an issue. Utilities will need to be extended and/or installed on the property. **Member Vickery dissented with this Finding.**

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by

the County Board pursuant to the recommendation of the Zoning Board of Appeals. This is true. No variances are required. **Member Vickery dissented with this Finding.**

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 9-21 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents”. Also, the Kendall County Future Land Use Map and the Village of Shorewood’s Future Land Use Map call for commercial uses near the intersection of Route 52 and Arbeiter Road. **Chairman Mohr and Member Vickery dissented with this Finding.**

Staff recommended approval of the special use permit for a landscaping business subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and lighting plan **(amended after ZPAC)**.
2. The gravel area shown on the submitted site plan and landscaping plan shall not exceed ten point five (10.5) acres in size. The owners of the business allowed by this special use permit may reduce the amount of acreage covered by gravel.
3. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
4. One (1) approximately nine thousand six hundred (9,600) square foot building may be installed on the subject property in substantially the location shown on the site plan. The building shall look substantially like the building depicted in the submitted rendering. The maximum height of the building shall be twenty-four feet (24’).
5. Any new structures constructed or installed related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
6. No business operations may commence at the subject property until an occupancy permit is issued for the building shown on the submitted site plan. No business operations may commence at the subject property until the parking stalls, dumpster enclosure, and wet bottom pond shown on the submitted site plan are installed. Business operations may commence at the subject property prior to the installation of vegetation shown on the submitted landscaping plan.
7. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors at the subject property during the hours the business is open and shall be stored indoors during non-business hours.
8. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
9. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.

10. All landscape related materials shall be stored indoors or on the gravel area depicted on the site plan. The maximum height of the piles of landscaping related material shall be twelve feet (12') in height, unless otherwise restricted by a stormwater management permit. Stone, brick, and rock shall not be stored outdoors.
11. The size and depth of the wet bottom pond shall be governed by the stormwater management permit issued for the subject property.
12. One (1) two (2) sided non-illuminated sign may be installed on the location depicted on the submitted site plan.
13. At least two (2) no smoking signs shall be installed near the piles of landscaping related materials. **(added after ZPAC)**
14. One hundred fifty (150) white pines shall be installed in substantially the locations shown on the submitted landscaping plan. The white pines shall be a minimum of three feet (3') in height at the time of planting. The white pines shall be installed by June 30, 2023. Damaged or dead white pines shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the white pines.
15. Ten (10) deciduous trees shall be installed in substantially the locations shown on the submitted landscaping plan. The deciduous trees shall be a minimum one point five inches (1.5") in diameter at the time of planting. The deciduous trees shall be installed by June 30, 2023. Damaged or dead deciduous trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the deciduous trees.
16. The seed mix called for in the submitted landscaping plan shall be installed by June 30, 2023. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the seed mix.
17. No landscape waste generated off the property can be burned on the subject property.
18. A maximum of twenty (20) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
19. No retail customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
20. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 7:30 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
21. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

22. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
23. One (1) dry hydrant shall be placed on the property **(added after ZPAC)**.
24. The maximum height of the light pole shown in the lighting plan shall be twenty feet (20') **(added after ZPAC)**.
25. No storage/shipping containers are allowed on the subject property and no semi-trailers may be parked on the subject property **(added by the RPC and amended at ZBA)**.
26. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
27. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
28. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
29. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
30. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

The draft ordinance was provided.

Member Koukol asked about the handicapped parking space. Mr. Asselmeier said that parking space was required per the Americans with Disabilities Act.

Member Koukol asked about grinding offsite and the dyeing process. Boyd Ingemunson, Attorney for the Petitioners, said wood chipping occurs offsite and they roto-chop onsite (making the mulch onsite).

Mr. Ingemunson explained that the equipment would not exceed the noise requirements. He also explained the need for the business in the area; the business is a specialized tree and landscaping business. He explained the proposed screening and said the Petitioners were agreeable with planting trees along the perimeter of the property as shown on the landscaping plan.

Mr. Ingemunson requested that condition 25 be amended to have semi-trailers on the property, but not used for storage. The semi-trailers would be stored inside the building during non-business hours.

Mr. Dippold explained the dyeing process. The dyeing machine is not used every day. Dyeing does not occur in the winter because the water freezes. No burning would occur onsite. He also discussed back-up beepers that only go off if something is behind the equipment.

Member Flowers asked about fire prevention. The site will have a pond and dry hydrant.

Member Koukol asked if the restrictions would impact the business and if the Petitioners have discussed the proposal with neighbors. Mr. Dippold said that he has containers to store equipment at his existing site. Those containers will not be used at the subject property. The existing containers on the subject property will be removed, if the special use permit is approved.

Member Koukol noted the concerns of the neighbors.

Discussion occurred regarding the proposed gravel driveway and keeping access on Arbeiter Road for farming purposes.

Discussion occurred about installing berms. The belief was that trees would do better on flat ground compared to installing trees in berms. Mr. Dippold explained the tree selection in the landscaping plan.

The building would be installed over the winter 2022-2023 with excavating in fall 2022. Mr. Dippold would like to plant the trees in the fall.

Robert Delaney questioned if the Petitioners were in the landscaping business. He said the Petitioners were a manufacturing facility. Mr. Ingemunson said the Petitioners are not manufactures and the use does not fit in the M-1 District. The use is landscaping. Mr. Ingemunson said forestry is a permitted use in the A-1.

Joe Frescura discussed concerns about a lack of a noise abatement plan. He requested that the proposal not be voted on or denied until a noise abatement plan was provided. He has driven by the Petitioners current location.

Anne Vickery discussed the Findings of the Fact. She felt the use would be detrimental to the area. She said the use would not be consistent with the Kendall County Land Resource Management Plan because no taxes would be generated at the subject property. She said that the Petitioners could do their business at their home outside Newark. She asked when the

people living in the unincorporated area count.

Pat Frescura said that her neighbor, Mr. Carusi, was elderly and also against the proposal.

Ramiro Guzman said that he was in the landscaping business. He explained the mulch making process. He said that it would take at least twelve (12) months to make mulch. He was concerned about traffic, dust, and noise.

Member Vickers discussed the possibility of hogs going on the property. Discussion occurred hog farmers paying neighbors because of the smell.

Member Koukol suggest finding a compromise between the Petitioners and the neighbors.

Discussion occurred regarding the dyeing process. The wood absorbs the dye while inside the machine.

Mr. Dippold said that his residential property is wooded. He was open to installing berms on the property.

Chairman Gengler suggested that Mr. Dippold invite neighbors to the business' current location.

Sharleen Smith, Seward Township Trustee, discussed the conflicts when considering the proposal. She noted that Seward Township has had issues with other businesses and the Township has been burned in those cases. As a Board, the Township would like to see that everyone's needs are met. She said the Township Board voted with the people. She said people were concerned about noise, dye, and fire.

Member Koukol suggested tabling the proposal in order to give his neighbors an opportunity to visit the business' current operations. He also favored having a berm on the property. He would like to find some middle ground.

Mr. Ingemunson discussed the rule of law as it relates to zoning and private property rights. He discussed the possibility that the court could issue the special use permit without any conditions.

Chairman Gengler suggested visiting the business' current location.

Discussion occurred regarding the dates of the July Committee of the Whole, Planning, Building and Zoning Committee, and County Board meetings. Mr. Ingemunson noted that the property is under contract with extensions.

Jim Martin, Seward Township Trustee, said the property owner has had the property for sale for some time. He urged Committee members to visit other mulch operations to see if they are located in residential areas. He believes the quality of life for the residents would be diminished.

Chairman Gengler made motion, seconded by Member Vickers, to issue a neutral recommendation and the proposal go to the Committee of the Whole on June 16, 2022.

The proposal may get tabled at the Committee of the Whole to allow County Board members to visit the business' current location.

With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the Committee of the Whole on June 16, 2022.

Robert Delaney discussed the pipelines that run through the property and if the pipeline owner would want anything over the pipes to protect the pipes.

NEW BUSINESS

Request for Guidance Regarding a Junk and Debris Issue and Container without a Permit at 19 N. Cherry Drive, Oswego

Mr. Asselmeier summarized the issue and provided pictures of the property showing the container.

Gerald Gapa, property owner, explained the container was placed in the property to hold household items after a fire at the property. Within the next six (6) months, they plan to sell and move to Michigan. The debris in the yard was created by the fire and related demolition work.

Mr. Gapa owns the container.

Member Koukol suggested putting the items back in the house.

The container does not leak.

Member Vickers asked if Mr. Gapa needed assistance with moving. He did not assistance taking care of the landscaping debris in the backyard.

Member Koukol asked if the Mr. Gapa could find another location for the container. Mr. Gapa was unsure if he could find an offsite location.

Mr. Gapa requested three (3) months to remove the container.

Bob and Kathy Patula said the property has continued to decline for the last twenty-six (26) years. They felt the building should be condemned. Mr. Asselmeier said that the County does not have property maintenance code in the unincorporated area. Discussion occurred about the tax reduction at the property and loss of property value.

The consensus of the Committee was to set a deadline of September 1, 2022, to remove the container.

Approval of a Recommendation to Change the Address of 27 Knollwood Drive, Montgomery to 35 Woodcliff Drive Montgomery; Committee Could Request the State's Attorney's Office Assist with Drafting/Reviewing the Address Change Ordinance

Mr. Asselmeier summarized the issue.

GIS received a complaint from the resident of 27 Woodcliff Road. Due to a public safety concern of emergency responders possibly going to the wrong address KenCom agreed the address should be changed from 27 Knollwood Drive to 35 Woodcliff Road. This issue was voted on by the KenCom Operations Board and the minutes were provided. A picture of the area was provided.

It was noted that the owners of 27 Knollwood Drive opposed the address change.

Blanca Mota, property owner, explained her reasons for opposing the change. She was not aware the issue existed. She was willing to erect clearer signage on the property. She was provided KenCom's information regarding signage placement suggestions.

It was noted that this property was not the only property with this issue in Boulder Hill.

Review of Annual NPDES Survey

Mr. Asselmeier summarized the issue.

Every year at the end of June or beginning of July, Kendall County sends an NPDES survey to the townships.

WBK reviewed the survey and suggested adding question one under Good Housekeeping. WBK also suggested that question two under Good Housekeeping be changed from:

"Do you feel the County provides adequate training to staff members to keep them informed on stormwater pollution prevention practices?"

to

"Do you feel you have adequate resources for training of your staff members to keep them informed on stormwater pollution prevention practices?"

The revised survey incorporating WBK's suggestions was provided.

The Committee had no objections to the survey as presented.

OLD BUSINESS

Approval of a Contract for Plumbing Inspections Between Kendall County and Mayer Construction, LLC D.B.A. Mayer Plumbing, LLC

Mr. Asselmeier summarized the request.

The Planning, Building and Zoning Department has been informed that Randy Erickson was no longer available to do plumbing inspections.

Brian Holdiman researched possible replacements and recommended Anthony Mayer of Mayer Construction, LLC, D.B.A. Mayer Plumbing, LLC.

The proposed contract was provided.

Pete Ratos from the United City of Yorkville is presently doing plumbing inspections for the County under the terms of the existing intergovernmental agreement between the County and Yorkville.

Member Koukol made motion, seconded by Member Flowers, to recommend approval of the contract.

With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the County Board on June 21, 2022, on the consent agenda.

Certified Local Government Grant Items

Approval to Issue an Invitation to Bids to Conduct an Historic Structure Survey in Unincorporated Kendall and Bristol Townships

Mr. Asselmeier presented the invitation to bid.

Approval to Request that the State's Attorney's Office Review the Contract of the Lowest Responsible Bidder

Member Flowers made motion, seconded by Member Koukol, to issue the invitation to bids and request that the State's Attorney's Office review the contract of the lowest responsible bidder.

With a voice vote of four (4) ayes, the motion carried.

NEW BUSINESS

Approval to Schedule a Second Planning, Building and Zoning Committee Meeting During the Month of June 2022

The consensus of the Committee was to have a special meeting on June 29, 2022, at 5:30 p.m.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

The following items were moved to the June 29, 2022, meeting agenda:

Request for Guidance Regarding a Banquet Facility at 1126 Simons

Recommendation of a Proposal from Teska Associates, Inc. to Update the Kendall County Land Resource Management Plan in Its Entirety

Approval of an Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan, and Stormwater Management within the Jurisdiction of the Village of Millbrook for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Millbrook to the County of Kendall

ADJOURNMENT

Member Flowers made a motion, seconded by Member Vickers, to adjourn. With a voice vote of four (4) ayes, the motion carried.

Chairman Gengler adjourned the meeting at 8:51 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM Senior Planner

Enc.

COUNTY OF KENDALL, ILLINOIS
SPECIAL COMMITTEE OF THE WHOLE
STATE OF THE COUNTY ADDRESS
Friday, June 3, 2022 at 9:00a.m.
Meeting Minutes

CALL TO ORDER AND PLEDGE OF ALLEGIANCE - The meeting was called to order at 9:00a.m. by County Board Chair Scott Gryder.

ROLL CALL

Board Member	Status	Arrived	Left Meeting
Amy Cesich	Present		
Brian DeBolt	Here		
Elizabeth Flowers	Absent		
Scott Gengler	Here		
Judy Gilmour	Here		
Scott Gryder	Present		
Matt Kellogg	Here		
Dan Koukol	Absent		
Ruben Rodriguez	Here		
Robyn Vickers	Present		

Guests Present: Ryan Anderson, Village of Minooka Public Works Director; Mayor John Argoudelis, Village of Plainfield; Michael Bailey, Staff Member Senator Holmes Office; Chief Jason Bateman, Bristol-Kendall Fire District; Joshua Blakemore, Administrator, Village of Plainfield; Steve Gengler, Kendall Township Supervisor; Joann Gryder, Kendall Township Clerk, Dave Guritz, Forest Preserve District of Kendall County Director; Don Hirsch; Kendall Township Trustee; Shannon Hogan, Senator Rezin's Chief of Staff; Chief James Jensen; Yorkville Police Department; Chief Jeff Mathre, Newark Fire District; Chris Mehochko; Grundy Kendall Regional Office of Education Superintendent; Jessica Mino, The Conservation Foundation Kane & Kendall Counties Director; Chief Pat Pope, Lisbon Seward Fire District; Cathy Scalise, Kendall Township Assessor; Chief Jon Stratton, Plainfield Fire District; Senator Karina Villa, 25th Senate District; Antoinette White, KC Forest Preserve District; Stefanie Wiencke, KC Forest Preserve District Natural Beginnings Program

Media Present: Mark Foster, Shaw News Network; Ethan Krueger, WSPY News

Staff Present: Senior Planner Matt Asselmeier, Deputy ICT Director Meagan Briganti, EMA Director Roger Bonuchi, Court Services Office Manager Sheryl Burgess, Deputy County Administrator Latreese Caldwell, Animal Control Officer Brianna Falk; County Treasurer & Collector Jill Ferko; Assistant State's Attorney Leslie Johnson, Chief Deputy Treasurer Bob Jones; Financial Analyst Jennifer Karales, Matt Kinsey, Kendall County Technology Director; County Administrator Scott Koeppel, Jason Majer, Kendall County Public Defender; Mayor Ric Offerman, Village of Minooka; Dan Polvere, Deputy Facilities Management Director; Animal Control Director Kelly Prestegaard; Jacquie Purcell, Kendall County Coroner; RaeAnn

VanGundy, KC Health Department Executive Director;

APPROVAL OF AGENDA – Motion by Member DeBolt, second by Member Cesich. **With eight members present voting aye, the motion carried by a vote of 8-0.**

ITEMS OF BUSINESS

- *State of the County Address* – County Board Chairman Scott R. Gryder
- *State of the Forest Preserve District* – President Judy Gilmour

QUESTIONS FROM THE MEDIA – None

ADJOURNMENT – Member Cesich made a motion to adjourn the meeting, second by Member DeBolt. **With eight members present voting aye, the meeting adjourned at 10:05a.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant/Recording Secretary

HIGHWAY COMMITTEE MINUTES

DATE: June 14, 2022
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Amy Cesich, Matt Kellogg, Brian DeBolt, Scott Gengler & Scott Gryder
STAFF PRESENT: Michele Riley and Francis Klaas
ALSO PRESENT: PJ Fitzpatrick, Ryan Sikes, Kelly Farley, & Jonathan Proulx

The committee meeting convened at 3:31 P.M. with roll call of committee members. Gengler absent. Quorum established.

Motion DeBolt; second Cesich, to approve the agenda as presented. Motion approved unanimously.

Motion Cesich; second DeBolt, to approve the Highway Committee meeting minutes from April 12, 2022. Motion approved unanimously.

Motion Kellogg; second Cesich to recommend approval of a Local Public Agency Amendment #1 to the Local Agency Agreement for Federal Participation for Eldamain – Contract B Construction. Klaas described how the State reallocated funding in this amendment so that Kendall County could realize the full \$30 million grant that was provided in ReBuild Illinois. The remaining \$5 million in construction costs will be paid with \$4.1 million ReBuild Illinois Bond Funds, \$675,000 in a DCEO Grant through Keith Wheeler’s Office, and a few remaining dollars from the Transportation Sales Tax Fund. DeBolt asked how much the bridge will cost the tax payers of Kendall County. Klaas indicated that there is no free lunch, but technically, there will be no local property taxes used for the project; only sales tax monies, which are paid for by local and non-local residents. Motion approved unanimously.

Klaas informed the committee that items #7 and #8 are not ready for action by the Committee.

Motion Cesich; second DeBolt to recommend approval of an ordinance granting variance to the Kendall County Highway Access Regulation Ordinance for Plainfield Logistics Centre on Ridge Road near 143rd Street. Klaas provided the committee with exhibits showing the proposed full access and noted that the proposal balances full access with adjoining properties, as well as future proposed access just north of Ill. Rte. 126. Gryder described the proposed use as catering to entities such as General Mills and Procter & Gamble. They anticipate a couple users that they are specifically serving. He also indicated that the Village President of Plainfield had asked him to come out and speak about the project from a Kendall County perspective. They anticipate additional development in the area with the proposed intersection improvement at Ridge & 143rd Street. Kendall County has programmed \$1 million in 2023 for this project. Kellogg thought it would be a good idea to line up the full access with the south side of the fire district property on the west side of Ridge Road, so they would have good access. Jonathan Proulx, Planning Director for the Village of Plainfield, confirmed that the Ridge Road & 143rd Street intersection improvement would relocate the existing intersection just slightly north. Gryder asked Proulx what the nature of the opposition would be to this development project. Proulx indicated that there was some concern by a couple of village board members related to traffic, especially heavy

trucks increasing in the area. He also described the additional road projects that would take the 143rd corridor further east to the interstate. The Plainfield Plan Commission has made a unanimous recommendation for approval of this development. Cesisch asked how many new employees would be at this site. Kellogg indicated that this would be the subject of a future meeting. Upon consideration, motion approved unanimously.

Gengler arrived at 3:46 P.M.

Under other business, Chairman Gryder asked Klaas about the southerly alignment of Eldamain Road. Klaas provided a brief history of the Eldamain Road corridor development, and emphasized how long it took to get the alignment approved by FHWA. It would be no small task to change the alignment, and he cautioned the committee about changing the alignment without significant additional discussion. Gengler summarized the discussion that was held at the Comprehensive Plan Update. There was opposition from the residents along Lisbon Road north of Walker Road to the current corridor alignment, as it would be very disruptive for them, and would increase traffic significantly someday. The comp plan committee had looked at options to run Eldamain more straight south from W. Highpoint through farm fields in order to get to Walker Road. Gryder asked how much the County had spent so far on Eldamain, Contract C. Klaas stated that \$1.5 million had been spent on Phase I Engineering for the entire corridor, from Walker Road to Route 34. DeBolt asked when Contract C might be built. Klaas stated that there is no money whatsoever in the County's 5-Year Plan for Contract C. He added that it may be 5 years or 50 years before anything is needed in the Contract C area. Gengler thought that the people on Highpoint Road would rather see it sooner than later. Klaas stated that the townships were interested in putting up weight limits on Eldamain / Lisbon south of Route 71 to discourage truck traffic.

Gryder asked about the land acquisition on N. Johnson Road for the County's proposed road reconstruction, specifically on the Jim Johnson parcel. Klaas was not familiar with that specific parcel, but generalized that most of the acquisition was thin strips of new right-of-way.

DeBolt commended the Highway Department on the recent installation of blinker stop signs. He indicated that the County Sheriff was interested in the placement of more signs at specific locations, which he would provide to the County Engineer.

Klaas confirmed with the Committee that Fox Road will be closed at Illinois Railways Railroad for 90 days beginning June 22, 2022. Signing and portable message boards will be installed within the next 24 hours.

Committee discussed the ongoing Operators 150 Strike in the local quarries. Klaas indicated that the strike could have a profound impact on road and bridge construction if it continues. He then provided an update on all of the major road projects in the County. Gengler asked about the Cannonball Trail curve project. Utility reconstruction has delayed this project. DeBolt asked about the timing of the N. Johnson St. project. This is programmed for 2023 construction, but could get delayed because of significant utility reconstruction. Gryder and Kellogg both asked about the status of improvements on Route 126. Klaas said he would find out and report back to the committee. Committee also wanted to know about the Route 47 widening both north and south of Yorkville.

Motion DeBolt; second Gengler to forward Highway Department bills for the month of June in the amount of \$372,004.02 to the Finance Committee for approval. By roll call vote, motion approved unanimously.

Motion Gengler; second DeBolt, to adjourn the meeting at 4:08 P.M. Motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis C. Klaas", with a stylized flourish at the end.

Francis C. Klaas, P.E.
Kendall County Engineer

Action Items

1. Local Public Agency Amendment #1 to the Local Agency Agreement for Federal Participation for Eldamain – Contract B Construction
2. Ordinance granting variance to the Kendall County Highway Access Regulation Ordinance for Plainfield Logistics Centre on Ridge Road near 143rd Street



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: May 9, 2022 and June 13, 2022

Amount: N/A

Budget: N/A

Issue: Approval of a Contract for Plumbing Inspection Services Between Kendall County and Mayer Construction, LLC, D.B.A. Mayer Plumbing, LLC

Background and Discussion:

The Planning, Building and Zoning Department has been informed that Randy Erickson was no longer available to do plumbing inspections.

Brian Holdiman researched possible replacements and recommended Anthony Mayer of Mayer Construction, LLC, D.B.A. Mayer Plumbing, LLC.

The proposed contract is attached.

Pete Ratos from the United City of Yorkville is presently doing plumbing inspections for the County under the terms of the existing intergovernmental agreement between the County and Yorkville.

Committee Action:

PBZ Committee-Approval (4-0-1)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: June 14, 2022

**PLUMBING INSPECTIONS AGREEMENT BETWEEN KENDALL COUNTY, ILLINOIS
AND MAYER CONSTRUCTION L.L.C., D.B.A. MAYER PLUMBING LLC**

THIS Agreement is entered into the day and year set forth below between *KENDALL COUNTY, ILLINOIS* (hereinafter "Kendall County") and MAYER CONSTRUCTION L.L.C. d.b.a MAYER PLUMBING LLC, with its principal offices at 39 E Pleasantview Dr., Oswego, IL 60543 (hereinafter referred to as "Inspector"). In consideration of the mutual covenants hereinafter set forth, and other good and valuable consideration, the parties hereto agree as follows:

1. Scope of Services: Inspector will provide Kendall County with necessary inspection services to ensure the adherence to minimum regulations governing the design, installation and construction of plumbing systems to protect the public health against the hazards of inadequate, defective or unsanitary plumbing installations. In doing so, Inspector shall perform inspections of properties in conformance with the, Kendall County Building Code and Illinois State Plumbing Code (77 Ill. Adm. Code 890), as may be amended from time to time. Such inspections shall include, but not be limited to, rough plumbing inspections, under floor plumbing inspections, final plumbing inspections before occupancy, and necessary re-inspections along with any other inspections that are requested by Kendall County to ensure compliance with, and enforcement of, the Kendall County Building Code and Illinois State Plumbing Code.

Inspector shall not subcontract the services provided under this agreement to a third-party inspector or plumber without the prior written consent of Kendall County. It is also understood and agreed that Anthony Mayer shall be the only plumber authorized to perform inspections on behalf of MAYER CONSTRUCTION L.L.C. d.b.a MAYER PLUMBING LLC pursuant to this contract, and that Inspector shall not employ another plumber or plumbing inspector to fulfill the duties prescribed herein. Anthony Mayer shall maintain an Illinois Plumber's license in good standing at all times in which this Agreement is in effect and shall upon demand provide a copy to Kendall County at no additional cost.

2. Inspections must be completed using the proper Kendall County reports/forms. Prior to the commencement of any requested inspection, Kendall County will prepare and provide all necessary inspection reports/forms for use by the inspector. Following an inspection, the original, completed inspection reports/forms shall be returned to the Kendall County Planning, Building & Zoning Department within twenty-four (24) hours after completion of the inspection.
3. Fees & Reimbursements for the above described work shall be a \$150.00 flat fee per inspection or re-inspection performed, regardless of size, type or time necessary to complete inspection. Inspector shall issue monthly invoices to Kendall County for his services, unless no inspections were performed in a given month.
4. Payment shall be made in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 *et seq.*).

5. Kendall County shall provide notice at least one (1) business day prior to when there is a foreseeable need for an inspection to take place. However, should an emergency inspection be necessary as determined by a Kendall County Code Official, Inspector agrees to provide such service upon notification.
6. Inspector's availability is to be 7:00 AM – 5:00 PM, Monday – Friday, except on County Holidays. Inspector must also be available in the case of emergency as determined by the Kendall County Code Official.
7. Inspector must make himself available to testify in any court proceedings within Kendall County in respect to plumbing inspections and enforcement of the Kendall County Building Code and Illinois State Plumbing Code.
8. Inspector must provide a current telephone number at all times to the Kendall County Administration office, and be available at that number to communicate with Planning, Building & Zoning Department staff.
9. Should inspector not be available to perform inspections at any time, Inspector is to provide the County with notice of his unavailability at least forty-eight (48) hours in advance.
10. Inspector shall maintain an Illinois Plumber's license in good standing at all times in which this Agreement is in effect and shall upon demand provide a copy to Kendall County at no additional cost. As of the time of signing this Agreement, Inspector is certifying that its plumbing license is current and in good standing.
11. Inspector shall not perform inspections for work previously performed by or on behalf of Inspector, Anthony Mayer, or any current apprentice of Inspector or Anthony Mayer ("Inspection Conflict"). Should Inspector be called upon to perform an inspection that would result in an Inspection Conflict, Inspector shall promptly notify Kendall County of such Inspection Conflict and Kendall County shall make alternative arrangements for the performance of the inspection. Inspector shall not be entitled to any fee or reimbursement for its inability to perform an inspection due to an Inspection Conflict.
12. Inspections performed under this Agreement shall be completed using Inspector's own equipment, tools and vehicles, and Kendall County shall not be responsible for reimbursing the Inspector for mileage or any other expenses incurred.
13. Inspector is an Independent Inspector and is not an employee of, partner of, agent of, or in a joint venture with Kendall County. Inspector understands and agrees that Inspector is solely responsible for paying all wages, benefits and any other compensation due and owing to Inspector's officers, employees, and agents for the performance of services set forth in the Agreement. Inspector further understands and agrees that Inspector is solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for Inspector's officers, employees and/or agents who perform services as set forth in the

Agreement. Inspector also acknowledges its obligation to obtain appropriate insurance coverage for the benefit of Inspector, Inspector's officers, employees and agents and agrees that Kendall County is not responsible for providing any insurance coverage for the benefit of Inspector, Inspector's officers, employees and agents. Inspector hereby indemnifies and agrees to waive any right to recover alleged damages, penalties, interest, fees (including attorneys' fees), and/or costs from Kendall County, and their past, present and future board members, officials, employees, insurers, and agents for any alleged injuries that Inspector, its officers, employees and/or agents may sustain while performing services under the Agreement. Inspector shall exercise general and overall control of its officers and employees.

14. This Agreement shall be construed in accordance with the law and Constitution of the State of Illinois and if any provision is invalid for any reason such invalidations shall not render invalid other provisions which can be given effect without the invalid provision. The parties agree that the venue for any legal proceedings between them shall be the Circuit Court of Kendall County, Illinois, Twenty-Third Judicial Circuit, State of Illinois.
15. Inspector agrees to indemnify and hold harmless, and defend with counsel of Kendall County's own choosing, Kendall County, including their past, present, and future board members, elected officials, insurers, employees, and agents from and against claims, liabilities, obligations, losses, penalties, fines, damages, and expenses and costs relating thereto, including but not limited to reasonable attorneys' fees and other legal expenses, which Kendall County, their board members, elected officials, insurers, employees, and/or agents may sustain, incur or be required to pay arising out of Inspector's performance or failure to adequately perform its obligations pursuant to this Agreement.

Nothing contained herein shall be construed as prohibiting Kendall County, its past, present, and future board members, elected officials, directors, officers, agents and employees, from defending through the selection and use of their own agents, attorneys and experts, any claims, suits, demands, proceedings and actions brought against them. Pursuant to Illinois law, 55 ILCS 5/3-9005, any attorney representing the County, under this paragraph, shall be approved by the Kendall County State's Attorney and shall be appointed a Special Assistant State's Attorney. Kendall County's participation in its defense shall not remove Inspector's duty to indemnify, defend, and hold Kendall County harmless, as set forth above.

Kendall County does not waive its defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1 *et seq.*) by reason of indemnification or insurance. Indemnification shall survive the termination of this contract.

16. Inspector will obtain and continue in force, during the term of this Agreement, all insurance as set forth below. Each insurance policy shall not be cancelled or changed

without thirty (30) days prior written notice, given by the Inspector to Kendall County at the address set forth below for receipt of notice. Before starting work hereunder, Inspector shall deposit with Kendall County certificates evidencing the insurance it is to provide hereunder:

Coverage shall be at least as broad as:

1. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$2,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: ISO Form Number CA 00 01 covering any auto (Code 1), or if Inspector has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than \$1,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation: as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease.

If the Inspector maintains broader coverage and/or higher limits than the minimums shown above, Kendall County requires and shall be entitled to the broader coverage and/or the higher limits maintained by the Inspector. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to Kendall County.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

Kendall County, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Inspector including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Inspector's insurance (at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10, CG 20 26, CG 20 33, or CG 20 38; and CG 20 37 if a later edition is used).

Primary Coverage

For any claims related to this contract, the Inspector's insurance coverage shall be primary coverage at least as broad as ISO CG 20 01 04 13 as respects Kendall County, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by Kendall County, its officers, officials, employees, or

volunteers shall be excess of the Inspector's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to Kendall County.

Waiver of Subrogation

Inspector hereby grants to Kendall County a waiver of any right to subrogation which any insurer of said Inspector may acquire against Kendall County by virtue of the payment of any loss under such insurance. Inspector agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not Kendall County has received a waiver of subrogation endorsement from the insurer.

Self-Insured Retentions

Self-insured retentions must be declared to and approved by Kendall County. Kendall County may require the Inspector to purchase coverage with a lower retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or Kendall County.

Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to Kendall County.

Verification of Coverage

Inspector shall furnish Kendall County with original Certificates of Insurance including all required amendatory endorsements (or copies of the applicable policy language effecting coverage required by this clause) and a copy of the Declarations and Endorsement Page of the CGL policy listing all policy endorsements to Kendall County before work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the Inspector's obligation to provide them. Kendall County reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Special Risks or Circumstances

Kendall County reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Kendall County shall be named as Additional Insured on a Primary and Non-Contributory basis with respect to the general liability, business auto liability and excess liability insurance, as well as a waiver of subrogation with respect to the general liability and workers' compensation in favor of Kendall County. Also, Kendall County shall be designated as the certificate holder.

17. Neither party will be responsible to the other for damage, loss, injury, or interruption of work if the damage, loss, injury, or interruption of work is caused solely by conditions that are beyond the reasonable control of the parties, and without the intentional misconduct or negligence, of that party (hereinafter referred to as a "force majeure event"). To the extent not within the control of either party, such force majeure events may include: acts of God, acts of any governmental authorities, fire, explosions or other casualties, vandalism, riots or war, and unavailability of parts, materials, or supplies. A party claiming a force majeure event ("the claiming party") shall promptly notify the other party in writing, describing the nature and estimated duration of the claiming party's inability to perform due to the force majeure event. The cause of such inability to perform will be remedied by the claiming party with all reasonable dispatch.
18. Upon the occurrence of any material default or breach of Agreement by either party, the injured party (i.e., the non-breaching and/or non-defaulting party) may, at its option, upon notice to the other in writing, declare this Agreement to be in default, and at any time thereafter, so long as the other party shall not have remedied or caused to be remedied all outstanding defaults and/or breaches within a reasonable period of time as determined by Kendall County, the injured party may elect, in accordance with law and any other Agreement between the parties to: (a) Proceed by appropriate court action at law or in equity to enforce performance by the defaulting party of its obligations under this Agreement and/or to recover damages for breach thereof; and/or (b) By notice in writing to the defaulting party, cancel or terminate this Agreement. In any action with respect to this Agreement, the parties are free to pursue any legal remedies at law or in equity. If Kendall County is required to take legal action to enforce performance of any of the terms, provisions, covenants and conditions of this Agreement, and by reason thereof, Kendall County is required to use the services of an attorney, then Kendall County shall be entitled to reasonable attorneys' fees, court costs, and expenses incurred by Kendall County pertaining thereto and in enforcement of any remedy, including costs and fees relating to any appeal.
19. Inspector agrees to comply with any and all applicable federal, state or local laws and regulatory requirements and to secure such licenses as may be required for its employees to conduct business in the state, municipality, county, or location. Such obligation includes, but is not limited to, environmental laws, civil rights laws, prevailing wage and labor laws.
20. Inspector certifies that Inspector, its parent companies, subsidiaries, and affiliates are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging or bid rotating) or as a result of a violation of 820 ILCS 130/1 *et seq.* (the Illinois Prevailing Wage Act).
21. Inspector, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.

22. Nothing contained in this Agreement, nor any act of Kendall County or Inspector pursuant to this Agreement, shall be deemed or construed by any of the parties hereto or by third persons, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving Kendall County and the Inspector.
23. When performing inspections under the terms of this Agreement, the Inspector intends that any injuries to its respective employees shall be covered and handled exclusively by Inspector's own worker's compensation insurance in place at the time of such injury. It is further agreed that all employee benefits, wage and disability payments, pension and worker's compensation claims, damage to or destruction of equipment, facilities, clothing and related medical expenses of the inspector, which may result from its activities under this Agreement, shall be the responsibility of inspector.
24. This Agreement represents the entire understanding between the parties hereto, and any modification or amendment hereof must be made in writing, and executed by both parties hereto. Furthermore, this Agreement supersedes any prior written or oral agreements between the parties, and there are no other promises or conditions in any other agreement whether oral or written.
25. Neither party shall assign, sublet, sell, or transfer its interest in this Agreement without the prior written consent of the other.
26. Any notice required or permitted to be given pursuant to this Agreement shall be duly given if sent by fax, certified mail, or courier service and received, in the case of notice to Kendall County, Kendall County Planning Building & Zoning Department, Attention: Code Enforcement Official, 111 West Fox Road, Room 203, Yorkville, Illinois, 60560, fax: (630) 553-4179 with copy sent to: County Administrator, 111 West Fox Road, Room 316, Yorkville, Illinois, 60560 and to Kendall County State's Attorney, 807 John Street, Yorkville, Illinois, 60560, fax (630) 553-4204. And, in the case of Inspector, to: Anthony Mayer, d.b.a. Mayer Plumbing LLC, 4 Hickory Lane Oswego, IL 60543.
27. This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.
28. Kendall County and Inspector each hereby warrant and represent that their respective signatures set forth below have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.
29. In the event Kendall County is in default under the Agreement because funds are not appropriated for a fiscal period subsequent to the one in which the Agreement was entered into which are sufficient to satisfy all or part of the County's obligations

under this Agreement during said fiscal period, the County agrees to provide prompt written notice of said occurrence to Inspector. In the event of a default due to non-appropriation of funds, Kendall County has the right to terminate the Agreement upon providing thirty (30) days written notice to Inspector. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

30. This Agreement shall be in full force and effect for a period of two (2) years from the date of the last signature below, however it may be renewed for subsequent one (1) year terms upon written agreement signed by both parties.

31. This Agreement may be terminated by Kendall County upon written notice delivered to Inspector at least thirty (30) calendar days prior to the effective date of termination. No additional payments, penalties and/or early termination charges shall be required upon termination of the Agreement.

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be executed as set forth below.

MAYER CONSRUCTION L.L.C. D.B.A. KENDALL COUNTY, ILLINOIS
MAYER PLUMBING LLC

BY: _____

BY: _____

NAME: ANTHONY MAYER

NAME: SCOTT R. GRYDER

TITLE: _____

TITLE: KENDALL COUNTY BOARD
CHAIRMAN

DATE: _____

DATE: _____

Kendall County Job Description

TITLE: Part-Time Administrative Assistant
DEPARTMENT: Administrative Services
SUPERVISED BY: Deputy County Administrator
FLSA STATUS: Non-Exempt
APPROVED: June 21, 2022

I. Position Summary:

Provides administrative and clerical support to the Administrative Services Department and County Board.

II. Essential Duties and Responsibilities:

- A. Provide administrative assistance to Administrative Services with the general affairs of the department and special assigned projects, as assigned by the County Administrator, Deputy County Administrator and/or County Board members.
- B. Answer incoming telephone calls/walk ins - provide general information to the public.
- C. Complete State-mandated training and serve as a Freedom of Information Act Officer for Administrative Services, departments reporting to County Administrator and County Board. Utilize electronic compliance software to manage requests and responses.
- D. Type, send and file letters and informational lists for distribution.
- E. Update certain County website pages.
- F. Distribute mail and run postage machine.
- G. Order office supplies and inventory.
- H. Assist with processing, tracking and filing accounts payable invoices using ERP system.
- I. Assist with collecting data, developing reports and completing special projects.
- J. Handle confidential matters relating to Kendall County Administrative Services and Kendall County committees.
- K. Assist with general filing of Administrative Services and County Board documents.
- L. Electronically record and run a Board Committee meeting using Board meeting software and audio/visual software.
- M. Type and post agendas, compile meeting packets, communicate with the internal and external stakeholders regarding public notices, prepare minutes for County Board committee meetings.
- N. Assist in preparation of Excel spreadsheets including creating tables, forms, templates and updating reports and charts.
- O. Assist in the preparation of PowerPoint presentations.
- P. Create content for and post to public relations and social media accounts.
- Q. Complies with all applicable federal and state laws and regulations regarding or relating to assigned job duties.
- R. Maintains regular attendance.
- S. Attend County Board committee meetings after regular business hours as assigned.
- T. Other duties as assigned

Kendall County Job Description

III. Supervisory Responsibilities:

This job has no supervisory responsibilities.

IV. Qualifications:

To perform this job successfully, an individual must be able to perform all essential duties satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required for the position.

A. Skills, Knowledge and Abilities:

- The person should have strong organization skills and be able to communicate effectively both orally and in writing with staff and the general public.
- The ability to listen, understand information and ideas and work effectively with the public, employees, outside entities, vendors, and the County's elected officials in both a one-on-one and group settings.
- The ability to independently complete projects and follow guidance.
- Requires skill in operating a personal computer, facsimile machine, copier, and other office equipment.
- Proficient use and knowledge of MS Office Suite and remote meeting software.
- Prepare and use audio/visual equipment for presentations.

B. Work Standards and Best Practice Guidelines:

- Adheres to all work and safety policies.
- Attends training and other meetings.
- Organizes workload to respond to all requests efficiently.

C. Education and Experience:

- A minimum of a high school diploma or general education degree (GED);
- A minimum of two (2) years' experience in an office environment

VI. Physical Demands:

While performing the duties of this job, the employee must be able to:

- Frequently sit for long periods of time at desk or in meetings;
- Occasionally walk to other offices in the County Office Building and other County buildings (e.g., Kendall County Courthouse);
- Frequently lift and/or move up to 10 pounds;
- Occasionally lift and/or move up to 40 pounds;
- Use hands to finger, handle, or feel;
- Reach, push and pull with hands and arms;
- Bend over at the waist and reach with hands and arms;
- Climb stairs and ladders and balance;
- Stoop, kneel, crouch, and/or crawl;
- Talk and hear in person and via use of telephone;
- Specific vision abilities include close and distance vision, depth perception;

Kendall County Job Description

- Travel independently to other County office buildings and other locations in Kendall County to perform assigned job duties.

V. VII. Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee is subject to the following working conditions:

- Mostly inside environmental conditions except when outside traveling between various buildings/location in Kendall County to perform assigned job duties.
- The noise level in the work environment is usually quiet to moderately quiet.
- Employee may be exposed to stressful situations while working with staff, law enforcement, department heads, elected officials, vendors, and the public.
- Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.
- Employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.

By signing my name below, I hereby affirm that I received a copy of this job description.

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor

Date

cc: personnel file, employee

IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT
DEKALB COUNTY, ILLINOIS

GENERAL ORDER 22-05

FILED

JUN 02 2022

IN THE MATTER OF THE ADOPTION)
OF THE COURT CALENDAR FOR)
THE YEAR 2023)

Lori Grubbs
Clerk of the Circuit Court
DeKalb County, Illinois

WHEREAS, the Supreme Court of the State of Illinois has issued its Order dated May 19, 2022 setting forth the dates for the observance of certain holidays in the 2023 calendar year; and

WHEREAS, pursuant to the authority granted in said Order, Illinois Supreme Court Rule 21(b) and the inherent authority of the Court;

IT IS ORDERED that the Circuit Court for the Twenty-Third Judicial Circuit of the State of Illinois shall adjourn, and the Offices of the Circuit Clerk of DeKalb and Kendall Counties shall be closed on the following holidays for the year 2023:

HOLIDAY

New Year's Day
Martin Luther King, Jr. Day
Lincoln's Birthday
Washington's Birthday
Spring Holiday (½ day)
Memorial Day
Juneteenth
Independence Day
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day following Thanksgiving Day
Christmas Day

OBSERVED

Monday, January 2
Monday, January 16
Monday, February 13
Monday, February 20
Friday, April 7 (afternoon only)
Monday, May 29
Monday, June 19
Tuesday, July 4
Monday, September 4
Monday, October 9
Friday, November 10
Thursday, November 23
Friday, November 24
Monday, December 25

Enter: June 2, 2022



Honorable Bradley J. Waller
Chief Judge



Standard CAD File Transfer Agreement

This File Agreement is between **Kendall County**, and **Dewberry Engineers Inc.**, for **Kendall County Office Building – Board Room Renovation** (under Dewberry Project number **50124390**).

By signing below, you agree to be bound by this File Agreement and to use our instruments of service, in CAD form, and identified in this File Agreement (called “Project Files” in this File Agreement), subject to this File Agreement.

Unless we have a signed written contract with you that provides otherwise, the following applies:

We agree to permit you to access and use the CAD files sent, including, but not limited to those listed on Exhibit A for a single project (Project # 50124390) in strict compliance with, and subject to, this File Agreement. You agree: (a) to independently verify the accuracy, correctness and completeness of the Project Files for your needs; (b) unless we have contractually agreed otherwise, to remove our name and logo from the Project Files; and (c) to assume the sole risk, responsibility and liability for use of the Project Files. You may not reuse the Project Files or assign your rights or delegate your obligations under this File Agreement without our prior written consent. You agree to comply with all applicable laws, codes, rules and regulations with respect to your use of the CAD Files. You shall be solely responsible for obtaining any approvals from local authorities or others arising from or related in any manner to your use of the CAD Files.

We retain our intellectual property rights in the Project Files and grant you only a limited license to use the Project Files as stated in this File Agreement. Your license to use the Project Files automatically terminates upon your breach of this File Agreement.

We make no warranties, express or implied, regarding: (a) the Project Files’ accuracy, correctness or completeness; or, (b) the Project Files’ merchantability or fitness for a particular purpose.

Before you share the Project Files with any other party that party must first enter into a separate File Agreement with us.

Illinois law governs this File Agreement in all respects, including matters of construction, validity, and performance. You consent to the exclusive jurisdiction of the 23rd Circuit Court of Kendall County, Illinois (“Kendall County Court”), and the United States District Court for the Northern District of Illinois (the “U.S. District Court”), over any controversy between you and us arising out of or related to this File Agreement. You waive any objection you may have to the jurisdiction of the Kendall County Court or the U.S. District Court concerning any controversy between you and us. You and we waive all right to trial by jury in any action, proceeding, or counterclaim arising out of or related to this File Agreement.

You and we agree that any invalid, illegal, or unenforceable portion of this File Agreement shall be stricken from this File Agreement and the balance of this File Agreement shall be construed as if this File Agreement did not contain the invalid, illegal, or unenforceable portion.

This File Agreement supersedes any and all prior agreements, understandings, or communications, between you and us, whether oral or written, about the subject matter of this File Agreement. This File Agreement represents the entire agreement between you and us regarding the subject matter. This File Agreement may not be modified except in writing signed by you and us.

Please indicate your acceptance of this File Agreement by signing below and returning an electronic copy to us. Please retain an executed electronic copy for your records.

Dewberry Engineers Inc.



Name: Craig Clary
Title: Project Manager
Date: 5.6.2022

Kendall County Representative

Name:
Title:
Date:

EXHIBIT A

We consent to the use of the following Project Files solely by you, subject to the terms and conditions of the File Agreement:

Fill in Project Files Name:

<u>Date</u>	<u>Drawing Name:</u>
11/16/2021	A-101 - FIRST & THIRD FLOOR ANNOTATION PLAN
11/16/2021	A-102 - FIRST FLOOR RCP
11/16/2021	A-121 - SECOND FLOOR ANNOTATION & DIMENSION PLAN
11/16/2021	A-122 - SECOND FLOOR RCP, DIMENSION & FINISH PLAN
11/16/2021	A-411 - LARGE SCALE ELEVATIONS.
11/16/2021	I-121 - SECOND FLOOR FURNITURE PLAN
11/16/2021	E-110 – COURTHOUSE AND FIRST FLOOR PLANS – POWER
11/16/2021	E-120 – SECOND FLOOR PLANS- ELECTRICAL
11/16/2021	E-130 – THIRD FLOOR & PENTHOUSE PLANS – ELECTRICAL
11/16/2021	E-500 – ELECTRICAL RISER DIAGRAM
11/16/2021	E-600 – ELECTRICAL SCHEDULES
11/16/2021	M-121 – SECOND FLOOR PLAN – MECHANICAL DEMO & NEW
11/16/2021	TA-110 – FIRST FLOOR PLAN – AUDIO VISUAL
11/16/2021	TA-120 – SECOND FLOOR PLAN – AUDIO VISUAL
11/16/2021	TA-121 – SECOND FLOOR RCP – AUDIO VISUAL
11/16/2021	TA-600 – AUDIO VISUAL BLOCK DIAGRAMS
11/16/2021	TY-110 – FIRST FLOOR PLAN – SECURITY
11/16/2021	TY-120 – SECOND FLOOR PLAN – SECURITY
11/16/2021	TY-130 –THIRD FLOOR PLAN – SECURITY
11/16/2021	TY-140 – PENTHOUSE FLOOR PLAN – SECURITY
11/16/2021	TY-301 – OLD COURTHOUSE GROUND FLOOR PLAN – SECURITY
11/16/2021	TY-302 – OLD COURTHOUSE MAIN FLOOR PLAN – SECURITY
11/16/2021	TY-600 – SECURITY SYSTEM DUAGRAM

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made by and among the United City of Yorkville, Illinois (the “City”), Rob Roy Drainage District (“Rob Roy”), Raymond Drainage District (“Raymond”) (Rob Roy and Raymond collectively referred to as the “Drainage Districts”), and Kendall County, Illinois (the “County”) (collectively, the “Parties”) on this 21st of June, 2022.

RECITALS

A. WHEREAS, the Drainage Districts are drainage districts organized under and by virtue the Illinois Drainage Code and state law.

B. WHEREAS, on April 19, 2021, the Drainage Districts each filed their Petition for Approval of Development Ordinance, Easement Protection Ordinance and Stormwater Management Ordinance (the “Petition”) in the proceedings pending before the Circuit Court of Kendall County, entitled *In re Rob Roy Drainage District*, Case No. 75 MC 1 & 10 MC 2, and *In re Raymond Drainage District*, Case No. 10 MC 1.

C. WHEREAS, the City and County oppose the Petitions.

D. WHEREAS, the Parties desire to settle their dispute and avoid the expense and inconvenience of litigation.

AGREEMENT

NOW THEREFORE, in consideration of the recitals, covenants, and terms contained in this Agreement, the Parties agree as follows:

1. The foregoing Recitals are incorporated into and made a part of this Agreement
2. The Parties each agree to conduct research of and apply for any eligible grants in order to obtain funds that can be applied to the cleaning and repair of the ditches and facilities contained in the boundaries of Drainage Districts. The Parties agree to provide information to each

other related to eligible grants and to provide copies of any completed applications within fourteen days after submission. The Parties shall further advise the other parties within fourteen days of receipt of any decision to approve or deny said grant applications. Any grant funds received by the City and/or County shall only be expended on costs related to the repair, cleaning, and/or maintenance of the facilities in the Drainage Districts. In no event will any grant proceeds received by the City or County be used to pay for any Drainage District expenses that are unrelated to the repair, cleaning, and/or maintenance of Drainage District facilities (such as engineering and legal expenses).

3. The Drainage Districts agree that the Kendall County Stormwater Management Ordinance shall control review of all proposed development within the Drainage District's boundaries that is within the County, but not within the City.

4. The Drainage Districts agree that the City's Stormwater Management Ordinance shall control review of all proposed development within the Drainage District's boundaries that is within the City.

5. The Drainage Districts agree that they will not require any separate engineering review of any development (or other activity that would otherwise require engineering review by the Drainage Districts) within the Drainage District's boundaries. The City's engineers will provide any necessary review and/or approval of development per the City's usual practices and procedures of all proposed development within the Drainage District's boundaries that is within the City. The County's engineers will provide any necessary review and/or approval of development per the County's usual practices and procedures of all proposed development within the Drainage District's boundaries that is within the County, but not within the City. The Drainage

Districts will adopt the findings and decisions of the County or the City as the case may be. The Drainage District will not conduct an independent review of proposals.

6. In the event that a third party seeks to connect to a facility of the Drainage Districts, the Governmental body providing review of stormwater drainage and release plans shall notify or cause the Applicant for Approval of a Development Project to notify and provide copies of its Drainage and Stormwater Plans to the respective Drainage District prior to final approval by the City or the County as the case may be. In compliance with 70 ILCS 605/12-1, the Drainage District shall review and provide approval for connection to any facility of the respective Drainage District. The Drainage District's approval (or lack thereof) shall be based on the recommendation of the City's or County's Engineer (as applicable). The Drainage District shall not unreasonably withhold approval where the City's or County's Engineer has recommended approval. Said approval shall be provided to the Applicant within fourteen (14) days of the later of 1) receipt of the application or 2) the receipt of the City's or County's Engineer's recommendation.

7. After all grant funds are expended on the cleaning and repair of the ditches and facilities, the Parties agree that they will meet to discuss and attempt an agreement regarding ongoing maintenance costs for the drainage districts. In no event will the County or City be responsible for any past expenses incurred by the Drainage Districts to date, including engineering and legal.

8. The Parties agree that they will contact any other municipal governments whose municipal boundaries fall within the Drainage Districts' boundaries to request that they participate in any proposed cost-sharing agreements related to future maintenance and/or any repair/cleaning costs that are not covered by grant monies. This Agreement shall not bind the City and/or County to pay for any repair/cleaning costs that are not covered by grant monies.

9. Within fourteen (14) days after the execution of this Agreement by all Parties, counsel for the Drainage Districts will dismiss with prejudice the Petition.

10. The term of the Agreement shall be for a period of fifty (50) years and may be renewed by agreement of the Parties for an additional fifty (50) year term.

11. The Parties agree that each of the Parties shall bear its own costs, attorneys' fees and other expenses incurred in connection with the Lawsuits and the negotiation and preparation of this Agreement.

12. This Agreement, including any other writings incorporated by reference herein, contains the entire understandings and agreements of the Parties with respect to the subject matter hereof. All oral or written agreements between the Parties prior to the effective date of this Agreement and which relate to this Agreement and the matters set forth herein are declared null and void, except for any and all agreements, documents, leases, and other writings incorporated by reference herein.

13. Any modification and/or amendment to this Agreement shall be made in writing and executed by all Parties.

14. This Agreement is the compromise of disputed claims and is intended to amicably resolve disputes and to avoid extensive and uncertain litigation. Nothing contained in this Agreement shall be interpreted or construed to be an admission on the part of, or to the prejudice of, any person or party named herein.

15. It is understood and agreed by the Parties that this Agreement shall be construed without regard to any presumption or other rule requiring construction or interpretation against the drafting party.

16. This Agreement may be executed in counterparts, each of which shall be deemed to be an original as against any Parties whose signatures appear thereon, and all of which together shall constitute one and the same Agreement. The Agreement shall be deemed to be fully executed when one or more counterparts, individually or taken together, shall bear the signatures of each of the persons reflected as signatories. Signatures that are photocopied, scanned, emailed, faxed, or otherwise electronically reproduced or transmitted shall be deemed to be originals.

17. The Parties agree that no third party shall have any rights under this Agreement.

18. Each of the Parties represents and warrants that it has full, complete, and valid authority to execute this Agreement, to settle and release all claims covered by this Agreement, and to effect any and all actions contemplated in this Agreement. The signatories to this Agreement further represent that they have the necessary authority to bind their respective Parties.

19. If any provision in this Agreement is adjudicated invalid or unenforceable by a judicial body of competent jurisdiction, but said judicial body determines that such provision would be valid and enforceable if its scope was limited, then the Parties hereby authorize and direct such judicial body to limit the scope of such provision in the minimum amount it deems necessary to make such provision valid and enforceable to the fullest extent permissible under the laws and public policies of that jurisdiction. If any provision of this Agreement is adjudicated invalid or unenforceable by a judicial body of competent jurisdiction, and the judicial body making such determination, also, determines that it could not be made valid and enforceable by a limitation thereon, then such provision shall be deleted, and all other provisions of this Agreement shall, in all other respects, remain unmodified and continue in full force and effect, and their validity shall not be affected, provided that the remaining parts, terms, and provisions of the Agreement can be construed in substance to constitute the agreement the Parties intended to enter. This provision

shall not preclude a court of competent jurisdiction from refusing to sever any provision if severance would be inequitable.

20. This Agreement shall be governed by the law of the state of Illinois.

21. This Agreement may not be assigned by any party without the advance written consent of the other Parties. Any assignment in violation of this provision shall be void.

22. This Agreement is subject to and conditioned upon approval by the Yorkville City Council and Kendall County Board.

Remainder of Page Intentionally Left Blank; Signature Page Follows

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date appearing hereafter.

UNITED CITY OF YORKVILLE

KENDALL COUNTY, ILLINOIS

By: _____

By: _____

Its: Mayor _____

Its: _____

Print name: _____

Print name: _____

Dated: _____

Dated: _____

ROB ROY DRAINAGE DISTRICT

RAYMOND DRAINAGE DISTRICT

By: _____

By: _____

Its: _____

Its: _____

Print name: _____

Print name: _____

Dated: _____

Dated: _____

Kendall County Clerk				
Revenue Report		5/1/22-5/31/22	5/1/21-5/31/21	5/1/20-5/31/20
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$749.50	\$1,202.00	\$972.50
MARFEE	County Clerk Fees - Marriage License	\$1,680.00	\$1,710.00	\$990.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$40.00	\$55.00	\$45.00
CRTCOP	County Clerk Fees - Certified Copy	\$2,100.00	\$1,670.00	\$724.00
NOTARY	County Clerk Fees - Notary	\$295.00	\$365.00	\$315.00
MISINC	County Clerk Fees - Misc	\$34.98	\$53.00	\$15.00
	County Clerk Fees - Misc Total	\$4,899.48	\$5,055.00	\$3,061.50
RECREE	County Clerk Fees - Recording	\$26,513.00	\$40,923.00	\$32,715.00
	Total County Clerk Fees	\$31,412.48	\$45,978.00	\$35,776.50
CTYREV	County Revenue	\$51,104.75	\$44,625.00	\$26,861.25
DCSTOR	Doc Storage	\$15,509.50	\$23,999.00	\$19,215.50
GISMAP	GIS Mapping	\$49,200.00	\$75,990.00	\$60,810.00
GISRCD	GIS Recording	\$3,280.00	\$5,066.00	\$4,054.00
INTRST	Interest	\$30.65	\$39.40	\$26.93
RECMIS	Recorder's Misc	\$7,398.00	\$5,601.75	\$619.00
RHSP	RHSP/Housing Surcharge	\$13,491.00	\$21,636.00	\$17,505.00
TAXCRT	Tax Certificate Fee	\$1,160.00	\$1,200.00	\$640.00
TAXFEE	Tax Sale Fees	\$0.00	\$35.00	
PSTFEE	Postage Fees	\$674.32	\$0.00	
CK # 19485	To KC Treasurer	\$173,260.70	\$224,170.15	\$165,508.18
Death Certificate Surcharge sent from Clerk's office \$1816.00 ck # 19484				
Dom Viol Fund sent from Clerk's office \$280.00 ck 19483				

Office of Jill Ferko

Kendall County Treasurer & Collector
111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES FOR SIX MONTHS ENDED 05/31/2022

<u>REVENUES*</u>	Annual <u>Budget</u>	2022 YTD <u>Actual</u>	2022 YTD% <u>%</u>	2021 YTD <u>Actual</u>	2021 YTD <u>%</u>
Personal Property Repl. Tax	\$465,000	\$795,975	171.18%	\$362,673	92.99%
State Income Tax	\$2,574,336	\$2,184,513	84.86%	\$1,638,497	71.24%
Local Use Tax	\$950,000	\$359,573	37.85%	\$587,148	65.24%
State Sales Tax	\$583,000	\$264,572	45.38%	\$228,649	43.14%
County Clerk Fees	\$350,000	\$180,861	51.67%	\$297,862	91.65%
Circuit Clerk Fees	\$1,250,000	\$528,702	42.30%	\$598,835	49.08%
Fines & Foreits/St Atty.	\$275,000	\$137,448	49.98%	\$135,593	49.31%
Building and Zoning	\$75,000	\$60,298	80.40%	\$64,061	94.21%
Interest Income	\$40,000	\$26,025	65.06%	\$10,863	10.86%
Health Insurance - Empl. Ded.	\$1,588,649	\$596,906	37.57%	\$168,077	11.45%
1/4 Cent Sales Tax	\$3,228,750	\$1,393,718	43.17%	\$1,417,011	46.08%
County Real Estate Transf Tax	\$450,000	\$268,457	59.66%	\$298,557	66.35%
Federal Inmate Revenue	\$1,898,000	\$772,320	40.69%	\$961,280	47.03%
Sheriff Fees	\$115,000	\$51,364	44.66%	\$52,859	37.76%
TOTALS	\$13,842,735	\$7,620,733	55.05%	\$6,821,966	51.35%
Public Safety Sales Tax	\$5,512,500	\$2,705,349	49.08%	\$2,449,987	46.67%
Transportation Sales Tax	\$6,000,000	\$2,705,349	45.09%	\$2,449,987	46.67%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 6 months the revenue and expense should at 50.00%

EXPENDITURES

All General Fund Offices/Categories

\$30,023,573	\$11,053,983	36.82%	\$11,260,855	36.30%
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Office of the Kendall County Coroner

Monthly Report May 2022

*There were 16 hours of community service time served during the month of May.

*Lights of Hope group met on May 4, 2022.

*Full-Time Deputy Coroner Tara York started with the office on May 24, 2022.

Deaths Report to the M.E.		Deaths Investigations	
May 2022	35	May 2022	3
YTD	175	YTD	35

MEI Scene Investigations		Postmortem Examinations	
May 2022	5	May 2022	3
YTD	26	YTD	14

Manner of Death						
	Natural	Accident	Suicide	Homicide	Indeterminate	Pending
May 2022	31	0	1	0	0	3
YTD	159	5	6	0	0	5

Cremation Permits Issued	
May 2022	21
YTD	108

Case Number	MOD	COD	DOB	DOD	Autopsy	Scene
2022-0141	Natural	Renal Disease	08-12-1941	05-01-2022	None	No
2022-0142	Natural	Neoplasm	04-24-1946	05-01-2022	None	No
2022-0143	Natural	Cardiac	08-22-1931	05-03-2022	None	No
2022-0144	Natural	Dementia-Alzheimers	07-21-1945	05-03-2022	None	No
2022-0145	Natural	Cardiac	07-16-1956	05-03-2022	None	No
2022-0146	Natural	Neoplasm	02-03-1931	05-05-2022	None	No
2022-0147	Natural	Nervous System	06-05-1924	05-05-2022	None	No
2022-0148	Natural	Cardiac	03-11-1930	05-06-2022	None	No
2022-0149	Natural	Nervous System- Stroke	02-21-1941	05-06-2022	None	No
2022-0150	Natural	Cardiac	06-21-1937	05-07-2022	None	No
2022-0151	Natural	Neoplasm	08-06-1957	05-08-2022	None	No
2022-0152	Natural	Cardiac-Hypertension	08-18-1944	05-08-2022	None	Yes
2022-0153	Natural	Dementia-Alzheimers	03-05-1938	05-10-2022	None	No
2022-0154	Natural	Cardiac	08-13-1924	05-10-2022	None	No
2022-0155	Natural	Cardiac	03-25-1936	05-11-2022	None	No
2022-0156	Pending		08-04-1974	05-11-2022	Full	Yes
2022-0157	Natural	Neoplasm	01-26-1943	05-11-2022	None	No
2022-0158	Suicide	Asphyxia-Strangulation-Hanging	11-05-1982	05-12-2022	None	Yes
2022-0159	Natural	Cardiac	11-26-1930	05-13-2022	None	No
2022-0160	Natural	Dementia-Alzheimers	08-09-1931	05-14-2022	None	No
2022-0161	Natural	Dementia-Alzheimers	10-23-1938	05-17-2022	None	No
2022-0162	Natural	Neoplasm	01-17-1955	05-17-2022	None	No
2022-0163	Natural	Nervous System- Stroke	10-08-1932	05-20-2022	None	No
2022-0164	Natural	Cardiac	01-16-1946	05-22-2022	None	No
2022-0165	Pending		10-28-1990	05-22-2022	Full	Yes
2022-0166	Natural	Neoplasm	09-30-1954	05-22-2022	None	No
2022-0167	Natural	Pulmonary	12-27-1938	05-25-2022	None	No
2022-0168	Natural	Neoplasm	02-22-1968	05-25-2022	None	No
2022-0169	Natural	Cardiac-Infarct NOS	11-10-1944	05-26-2022	None	No
2022-0170	Natural	Dementia-Alzheimers	08-22-1931	05-26-2022	None	No
2022-0171	Pending		09-26-1986	05-26-2022	Full	Yes
2022-0172	Natural	Neoplasm	03-04-1947	05-28-2022	None	No
2022-0173	Natural	Neoplasm	03-14-2003	05-29-2022	None	No
2022-0174	Natural	Neoplasm	09-10-1931	05-30-2022	None	No
2022-0175	Natural	Pulmonary	10-21-1934	05-30-2022	None	No

GENERAL FUND
May 26, 2022

		FY21 Year End Projected	Fund Balance Mos.
	<u>FISCAL YEAR 2021</u>		
1	Beginning Balance	\$20,284,744	8.2
2	Revenue & Transfers In	31,148,079	
3	Expenditure & Transfers Out	(29,561,811)	
4	Surplus / (Deficit)	1,586,268	1,586,268
5	Year End Balance	21,871,012	
6	Year End Fund Bal. months	8.9	8.9
13	Current Year End Fund Balance	21,871,012	
	1/2 Expenditure & Transfers Out	(14,780,906)	
15	Reduce Expenditure	7,090,107	
16	Est. Ending Balance	14,780,906	
23	Fund Balance Months	6.0	6.0

**Kendall County General Fund
Income Statement
For Period Ended 11/30/2021**

Month Budget Percent = **100.0%**

		Current Year		
		FY20-21		
		Budget	YTD 2021 NOV	Actual % of Budget
Beg Balance (Cash)		19,300,315	20,284,744	
Property Tax		11,656,958	11,643,451	99.9%
Revenues		16,298,932	17,439,300	107.0%
Other Taxes		7,952,575	10,890,352	136.9%
Fees & Revenue fm Services		7,075,242	5,398,678	76.3%
Interest Income		100,000	26,220	26.2%
Intergovernmental		1,171,115	1,124,050	96.0%
Transfers In		3,064,352	2,065,328	67.4%
		19,363,284	19,504,628	
Expenditures		30,298,755	24,080,157	79.5%
Salaries		17,584,201	17,617,759	100.2%
Health Insurance		5,865,200	0	0.0%
Contracts		4,462,846	4,092,384	91.7%
Utilities		794,413	822,491	103.5%
Commodities		616,856	828,123	134.2%
Capital		378,959	426,735	112.6%
Contingency		322,620	0	0.0%
Other		273,660	292,665	106.9%
Transfers Out		806,279	5,481,655	679.9%
		31,105,034	29,561,811.36	
Ending Balance		19,215,523	21,871,012	
Surplus/(Deficit)		-84,792	1,586,268	
Expenditure % of Fund Balance		62%	74%	
Fund Balance (months)		7.41	8.88	
REVENUE				
Property Tax	37.6%	11,656,958	11,643,451	99.9%
Other Taxes	25.6%	7,952,575	10,890,352	136.9%
Personal Prop. Repl. Tax		390,000	680,696	174.5%
State Income Tax		2,300,000	3,316,158	144.2%
State Sales Tax (Retailers Tax)		530,000	735,649	138.8%
County 1/4 Cent Tax		3,075,000	4,035,899	131.2%
Co. Real Estate Transfer Tax		450,000	695,432	154.5%
State Use Tax (Local Use Tax)		900,000	1,015,542	112.8%
Cannibis Tax			36,044	
Franchise Tax		307,575	374,932	121.9%
Fees & Rev fm Service	22.8%	7,075,242	5,398,678	76.3%
County Clerk Fees		325,000	590,882	181.8%
Circuit Clerk Fees		1,220,000	1,249,111	102.4%
Corrections Board & Care		401,500	231,080	57.6%
Federal Inmate Revenue		2,044,000	1,845,600	90.3%
Sheriff Fees		140,000	81,296	58.1%
Fines & Forfeiture		275,000	283,805	103.2%
Health Insurance - Employee Ded.		1,467,439	-	0.0%
Other Fees & Rev fm Service		1,202,303	1,116,904	

**Kendall County General Fund
Income Statement
For Period Ended 11/30/2021**

Month Budget Percent = **100.0%**

		Current Year		
		FY20-21		
		Budget	YTD 2021 NOV	Actual % of Budget
Interest	0.3%	100,000	26,220	26.2%
Interest Income		100,000	26,220	26.2%
Intergovernmental	3.8%	1,171,115	1,124,050	96.0%
Salary Reimb. from State of IL		1,095,115	1,052,916	96.1%
Other Intergovernmental		76,000	71,134	93.6%
CURES Revenue			-	
Total Revenue		27,955,890	29,082,751	104.0%
	w/o property	16,298,932	17,439,300	107.0%
TRANSFERS IN				
PSST		1,822,523	1,822,523	100.0%
HHS Benefit Reimbursement		684,955	0	0.0%
Reserve Funds		164,019	164,019	
Other Department/Office		392,855	78,786	20.1%
Total Transfers In	9.9%	3,064,352	2,065,328	67.4%
		31,020,242	31,148,079	
EXPENDITURE				
Salaries	56.4%	17,584,201	17,617,759	100.2%
Health Insurance	18.8%	5,865,200		0.0%
Contractual	6.4%	1,996,388	1,896,873	95.0%
KenCom IGA	6.3%	1,964,248	1,967,357	100.2%
Facilities Mgt Contracts	1.6%	502,210	228,154	45.4%
Utilities	2.5%	794,413	822,491	103.5%
Commodities	2.0%	616,856	828,123	134.2%
Capital	1.2%	378,959	426,735	112.6%
Contingency	1.0%	322,620	-	0.0%
Other	0.9%	273,660	292,665	106.9%
Total Expenditure		30,383,546	24,080,157	79.3%
TRANSFERS OUT				
Debt	0.9%	296,000	296,000	100.0%
Reserves	0.8%	235,000	495,333	210.8%
To Other Funds for Oper.	0.9%	275,279	540,322	196.3%
To HealthCare Fund			4,150,000	
Total Transfers Out		806,279	5,481,655	679.9%
		31,189,825	29,561,811	

COUNTY OF KENDALL, ILLINOIS

ORDINANCE 2022-__

**ORDINANCE AUTHORIZING A BUDGET AMENDMENT TO THE
KENDALL COUNTY FISCAL YEAR 2022 BUDGET**

WHEREAS, 55 ILCS 5/6-1002 provides that, the authority of the County Board to amend the annual appropriation ordinance at any point during the fiscal year shall be the same as its authority to determine and adopt the original annual budget; such amended budget shall be prepared as otherwise provided in this Section; and

WHEREAS, 55 ILCS 5/6-1003 provides that, after the adoption of the county budget, transfers of budget appropriations affecting personnel and capital may be made at any meeting of the county board by a two-thirds vote of all members constituting such board, provided any such transfer of appropriations does not affect the total amount appropriated for the fund; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increased transfer out of \$3,000,000 to remain in compliance with the County's 6 Month General Fund Balance Policy adopted by Resolution 2014-33 to Health Care/Benefit Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increased transfer out of \$500,000 to remain in compliance with the County's 6 Month General Fund Balance Policy adopted by Resolution 2014-33 to Public Safety Capital Improvement Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increased transfer out of \$500,000 to remain in compliance with the County's 6 Month General Fund Balance Policy adopted by Resolution 2014-33 to 27th Payroll Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increased transfer out of \$300,000 to remain in compliance with the County's 6 Month General Fund Balance Policy adopted by Resolution 2014-33 to County Clerk Election Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increased transfer out of \$500,000 to remain in compliance with the County's 6 Month General Fund Balance Policy adopted by Resolution 2014-33 to Mental Health Treatment Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increased transfer out of \$1,000,000 to remain in compliance with the County's 6 Month General Fund Balance Policy adopted by Resolution 2014-33 to Building Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increased transfer out of \$1,000,000 to remain in compliance with the County's 6 Month General Fund Balance Policy adopted by Resolution 2014-33 to Capital Improvement Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease of revenue of \$150,000 to the Transfer from ARPA Fund line in the Mental Health Treatment Court Fund Budget and increase in revenue of \$150,000 to the Transfer to Mental Health Fund line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in revenue of \$95,481 in the Corporate (General) Budget and increase in revenue of \$95,481 in the Corporate (General) Fund; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in revenue of \$135,000 to the States Attorney Grant Reimbursement line in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include increase in expense of \$8,775 to the Salaries-Administrative Assistant line in the Corporate (General) Budget and decrease in revenue of \$5,850 to the Coroner Special Fees line in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$1,000 to the Technology Fees line in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$2,500 to the Technology Municipality line in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$15,423 to the ROE Health Insurance Reimbursement line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$91,332 to the Forest Preserve Insurance Reimbursement line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in expense of \$341,644 to the Dental Insurance line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$1,000 to the Employee Reimbursement line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in expense of \$9,324 to the County Life Insurance line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$600,000 to the HAS Employer Contribution line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$31,000 to the FSA Monthly Fee line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in expense of \$982,968 to the Health Insurance Premium line in the Health Care/ Benefit Funds Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$43,940 to the State comp.- Sheriff line in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in revenue of \$4,363 to the Camp Mutt Paws line in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in expense of \$25,000 to the Budget Book Software in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in expense of \$20,070 to the Salaries- Assistant Public Defender in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the increase in expense of \$37,250 to the Salaries- Deputy Clerk in the Corporate (General) Budget and increase in revenue of \$37,250 to the Circuit Clerk Revenue line in the Corporate (General) Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in expense of \$400,000 to the Other CVD19 Health Expense in the American Rescue Plan Budget and increase in expense of \$400,000 to Other COVID Public Health Expense in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in expense of \$80,000 to Mental Health Service line in the American Rescue Plan Fund Budget and increase in expense of \$80,000 to the Mental Health Service line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in expense of \$1,200,000 to the Capital Investments line in the American Rescue Plan Fund Budget and increase in expense to Other Public Health Services line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in expense of \$1,002,268 to Small Business Economic Support line in the American Rescue Plan Fund Budget and increase in expense of \$1,002,268 to Small Business Economic Support line in the American Rescue Plan Fund

Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in expense of \$1,000,000 to Aid to Nonprofit Organization line in the American Rescue Plan Fund Budget and increase in expense of \$1,000,000 to Aid to Nonprofit Organization line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease in expense of \$130,000 to the Broadband Infrastructure line in the American Rescue Plan Fund Budget and increase expense of \$130,000 to Broadband Infrastructure line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease expense of \$114,066 to Rehiring Public Sector Staff line in the American Rescue Plan Fund Budget and increase in expense of \$114,066 to Rehiring Public Sector Staff line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include the decrease expense of 355,048 to the Rehiring Public Sector Staff line in the American Rescue Plan Fund Budget and increase in expense of \$355,048 in the Rehiring Public Sector Staff line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include increase in expense of \$300 to the supplies line item in the Loss Revenue Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include increase in revenue of \$12,000 to the Interest Income line in the American Rescue Plan Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include increase in revenue of \$57,000 to the Grant Award line item in the Family Violence Coordination Council Fund Budget; and

WHEREAS, the Fiscal Year 2022 Budget did not include increase in revenue of \$4,000,000 to the IDOT Rebuild IL line in the Kendall Area Transit Fund Budget; and

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Kendall County, Illinois that the following budget revisions and journal entries in the Fiscal Year 2021 Budget are hereby authorized as follows in attached Exhibit A.

BE IT FURTHER RESOLVED, that the Kendall County Clerk is hereby authorized to distribute a certified copy of this Ordinance to the County Administrator and the Kendall County Treasurer.

Approved and adopted by a two-thirds majority vote of the County Board of Kendall County, Illinois, this 21st day of June 2022.

Board Chairman Signature:

Attest:

Scott R. Gryder, Chairman
County Board

Debbie Gillette
County Clerk

_____ Ayes
_____ Nays
_____ Abstain

Exhibit A

	Org	Object	Description	Debit	Credit
1	11003038	61450	Transfer to Health Care/ Benefit Fund	3,000,000	
2	136125	40000	Transfer from General Fund		3,000,000
3	11003038	61040	Transfer to Public Safety Capital Improvement Fund	500,000	
4	140425	40000	Transfer from General Fund		500,000
5	11003038	61070	Transfer to 27th Payroll Fund	500,000	
6	130025	40000	Transfer from General Fund		500,000
7	11003038	61320	Transfer to County Clerk Election Fund	500,000	
8	135706	40000	Transfer from General Fund		500,000
9	11003038	xxxxx	Transfer to Mental Health Fund	300,000	
10	135815	40000	Transfer from General Fund		300,000
11	11003038	61100	Transfer to Building Fund 1401	1,000,000	
12	140125	40000	Transfer from General Fund		1,000,000
13	11003038	61030	Transfer to Capital Improvement Fund	1,000,000	
14	140225	40000	Transfer from General Fund		1,000,000
15	135815	40390	Transfer From ARPA Fund	150,000	
16	177025	79112	Mental Health Service		150,000
17	11000530	41430	KenCom Operations Reimbursement	95,481	
18	11002233	41430	KenCom Operations Reimbursement		95,481
19	11002120	41480	States Attorney Grant Reimb.		135,000
20	11000417	51280	Salaries- Administrative Assistant	8,775	
21	11000417	51220	Coroner On Call Budget		5,850
22	130804	61000	Transfer to General Fund	2,925	
23	11003038	xxxxxx	Transfer from Coroner Special Fees		2,925
24	11002233	41410	Technology Fees		1,000
25	11002233	41420	Technology Municipality		2,500
26	136125	43820	ROE Health Insurance Reimb.		15,423
27	136125	40020	Forest Preserve Insurance Reimb.		91,332
28	136125	65420	Dental Insurance		341,644
29	136125	65480	Employee Reimbursement		1,000
30	136125	65670	County Life Insurance		9,324
31	136125	65680	HAS Employer Contribution		600,000
32	136125	65690	FSA Monthly Fee		31,000
33	136125	65470	Health Insurance Premium	982,968	
34	11000530	41130	State Comp.- Sheriff		43,940
35	131605	43830	Camp Mutty Paws		4,363
36	11000828	65590	Budget Book Software		25,000
37	11001719	51260	Salaries Asst Public Defender		20,070
38	11000314	42250	Circuit Clerk Revenue		37,250
39	11000314	51040	Salaries- Deputy Clerk	37,250	
40	177025	79108	Other CVD19 Health Exp	400,000	
41	177025	79107	Other COVID Public Health Expense		400,000
42	177025	79110	Mental Health Service	80,000	

Exhibit A

	Org	Object	Description	Debit	Credit
43	177025	79112	Mental Health Service		80,000
44	177025	79107	Capital Investments	1,200,000	
45	177025	79114	Other Public Health Services		1,200,000
46	177025	79209	Small Business Economic Support	1,002,268	
47	177025	79229	Aid to Small Business		1,002,268
48	177025	79210	Aid to Nonprofit Organizations	1,000,000	
49	177025	79234	Aid to Nonprofit Organizations		1,000,000
50	177025	79517	Broadband: Other Projects	130,000	
51	177025	79521	Broadband: Other Projects		130,000
52	177025	79214	Rehiring Public Sector Staff- Health Ins.	114,066	
53	177025	79302	Rehiring Public Sector Staff		114,066
54	17702514	79214	Rehiring Public Sector Staff-Circuit Clerk	120,000	
55	17702514	79302	Rehiring Public Sector Staff		120,000
56	17702517	79214	Rehiring Public Sector Staff-Coroner	30,048	
57	17702517	79302	Rehiring Public Sector Staff		30,048
58	17702519	79214	Rehiring Public Sector Staff-PD	65,000	
59	17702519	79302	Rehiring Public Sector Staff		65,000
60	17702520	79214	Rehiring Public Sector Staff-SAO	140,000	
61	17702520	79302	Rehiring Public Sector Staff		140,000
62	177025	79517	Interest Income		12,000
63	177125	70040	Supplies		300
64	174616	42970	Grant Award		57,000
65	176505	xxxxxx	IDOT Rebuild IL		4,000,000



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: June 13, 2022

Amount: N/A

Budget: N/A

Issue: Petition 21-49-Request from Irma Loya Quezada for a Map Amendment Rezoning Portions of Land Located on the East Side of Brisbin Road Across from 14859 and 14975 Brisbin Road (Parts of PINs: 09-18-300-018 and 09-18-300-019) in Seward Township from A-1 Agricultural District to R-1 One Family Residential District

Background and Discussion:

The Petitioner would like to rezone the subject property in order to build two houses.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/21901/637873409005230000>.

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (8-0-2), RPC-Approval (8-0-1), ZBA-Approval (6-0-1), Seward Township Planning Commission-Denial (0-4-1), Seward Township Board-Approval, Village of Plattville-No Comments, Lisbon-Seward Fire Protection District-No Comments, PBZ Committee-Approval (4-0-1)

Staff Recommendation:

Approval because the proposal is consistent with the Land Resource Management Plan.

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: June 14, 2022

ORDINANCE NUMBER 2022-_____

**MAP AMENDMENT FOR APPROXIMATELY SIX POINT FOUR-EIGHT ACRES OF LAND
LOCATED ON THE EAST SIDE OF BRISBIN ROAD ACROSS FROM 14859 AND 14975
BRISBIN ROAD (PORTION OF PINS: 09-18-300-018 AND 09-18-300-019) IN
SEWARD TOWNSHIP
Rezone from A-1 to R-1**

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of two parcels totaling approximately 20.7 more or less acres of which approximately 6.48 more less acres are subject to the map amendment and located on the east side of Brisbin Road across from 14859 and 14975 Brisbin Road and identified by portions of Parcel Identification Numbers 09-18-300-018 and 09-18-300-019, in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by Irma Loya Quezada and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about November 12, 2021, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on November 25, 2021, the Kendall County Zoning Board of Appeals initiated a public hearing on December 13, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, and continued the public hearing to January 31, 2022, at 7:00 p.m., and continued the public hearing to February 28, 2022, at 7:00 p.m., and continued the public hearing to May 2, 2022, at 7:00 p.m., at the same location, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated May 2, 2022, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Map Amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District.
3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a supermajority vote of the Kendall County Board and is effective this 21st day of June, 2022.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Legal Descriptions

Parcel 1A

That Part of the West Half of the Southwest Fractional Quarter of Section 18, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Southwest Fraction Quarter; thence Southerly, along the West Line of said Southwest Fractional Quarter, 2100.30 feet for the point of beginning; thence Northerly along said West Line, 302.08 feet; thence Easterly, perpendicular to said West Line, 470.00 feet; thence Southerly, perpendicular to the last ascribed course 298.98 feet to a line drawn Easterly from the point of beginning which is parallel to said North Line; thence Westerly parallel with said North Line, 470.01 feet to the point of beginning in Seward Township, Kendall County, Illinois.

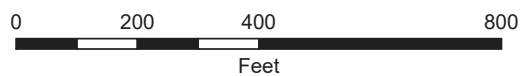
Parcel 2A

That Part of the West Half of the Southwest Fractional Quarter of Section 18, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northwest Corner of said Southwest Fraction Quarter; thence Southerly, along the West Line of said Southwest Fractional Quarter, 2100.30 feet for the point of beginning; thence Southerly, along said West Line 298.75 feet; thence Easterly, perpendicular to said West Line, 470.0 feet; thence Northerly, perpendicular to the last described course, 301.85 feet to a line drawn Easterly from the point of beginning, which is parallel with the North Line of said Southwest Fractional Quarter; thence Westerly, parallel with said North Line, 470.01 feet to the point of beginning, in Seward Township, Kendall County, Illinois.



Legend

- Legal Descriptions
- Parcels



Kendall County GIS
 111 West Fox Street - Room 308
 Yorkville, Illinois 60560
 630.553.4212

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on May 2, 2022, by a vote of six (6) in favor and zero (0) in opposition. Member Mohr was absent.

FINDINGS OF FACT

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 or A-1 SU for the sale of agricultural products, art, pottery, and home décor not produced on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The agricultural housing allocations for the subject property have already been used and no new single-family homes can be constructed on the subject property without a map amendment.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Estate Residential. The R-1 One Family Residential District is consistent with the Rural Estate Residential classification.

RECOMMENDATION

Approval



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: June 13, 2022

Amount: N/A

Budget: N/A

Issue: Petition 22-10-Request from Mark Fecht on Behalf of Fecht Brothers, Inc. (Property Owner) and Jeremy and Samantha Dippold on Behalf of Best Budget Tree, LLC (Contract Purchaser) for a Special Use Permit for a Landscaping Business at the Property on the North Side of Route 52 Across From 2190 and 2200 Route 52, Minooka (PIN: 09-15-200-003) in Seward Township; Property is Zoned A-1 Agricultural District

Background and Discussion:

The Dippolds would like purchase the property and operate their tree service/landscaping business at this location.

Neighbors are concerned about noise, impacts to property values, dyes from mulch getting into the groundwater and waterways, access to Arbeiter Road, burning, containers on the property, need for the use in the area, benefit to Seward Township and Kendall County to have the use in the area, soil suitability for a septic system, a 210 LESA Score, and incompatibility of the proposed use with surrounding uses (the proposed use seemed more suited to an industrial area).

It was noted at several meetings that other agricultural uses could go on property and the property likely will be houses in the future. All Findings of Fact were made in the affirmative; there was at least one dissent for each Finding.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/23918/637892347201470000>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (6-0-4), RPC-Approval with Conditions(7-1-1), ZBA-Denial (3-1-3) Conditions Approved (4-0-3), Seward Township PC-Approval, Seward Township Board-Denial (1-3-1), Village of Shorewood-Position, Minooka Fire Protection District-Had 4 Conditions, PBZ Committee-Neutral (4-0-1) COW-Forward (8-0-2)

Staff Recommendation:

Approval with Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: June 16, 2022

ORDINANCE NUMBER 2022-_____

**GRANTING A SPECIAL USE PERMIT FOR A LANDSCAPING BUSINESS AT THE
PROPERTY LOCATED ON THE NORTH SIDE OF ROUTE 52 ACROSS FROM 2190 AND 2200
ROUTE 52, MINOOKA AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER
09-15-200-003 IN SEWARD TOWNSHIP**

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 7:01.D.30 of the Kendall County Zoning Ordinance permits the operation landscaping businesses as a special use in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 48.3 +/- acres located on the north side of Route 52 across from 2190 and 2200 Route 52 (PIN: 09-15-200-003), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is owned by Fecht Brothers, Inc. as represented by Mark Fecht; and

WHEREAS, Best Budget Tree, LLC as represented by Jeremy and Samantha Dippold have entered into a contract to purchase the subject property from Fecht Brothers, Inc. with the intent to operate a landscaping business at the subject property upon purchase; and

WHEREAS, Fecht Brothers, Inc., as represented by Mark Fecht, and Best Budget Tree, LLC, as represented by Jeremy and Samantha Dippold shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about April 19, 2022, Petitioner filed a petition for a special use permit for the operation of a landscaping business at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on May 12, 2022, the Kendall County Zoning Board of Appeals conducted a public hearing on May 31, 2022, at 7:00 p.m., in the County Board Room of the Kendall County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor of the proposal and six members of the public testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their findings of fact and recommended denial of the special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated May 31, 2022, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a neutral recommendation of the requested special use permit; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, the special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit for the operation of a landscaping business on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the site plan attached hereto as Exhibit C, landscaping plan attached hereto as Exhibit D, and lighting plan attached hereto as Exhibit E.
 - B. The gravel area shown on the site plan attached hereto as Exhibit C and landscaping plan attached hereto as Exhibit D shall not exceed ten point five (10.5) acres in size. The owners of the business allowed by this special use permit may reduce the amount of acreage covered by gravel.
 - C. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
 - D. One (1) approximately nine thousand six hundred (9,600) square foot building may be installed on the subject property in substantially the location shown on the site plan attached hereto as Exhibit C. The building shall look substantially like the building depicted in the rendering attached hereto as Exhibit F. The maximum height of the building shall be twenty-four feet (24').
 - E. Any new structures constructed or installed related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
 - F. No business operations may commence at the subject property until an occupancy permit is issued for the building shown on the site plan attached hereto as Exhibit C. No business operations may commence at the subject property until the parking stalls, dumpster enclosure, and wet bottom pond shown on the site plan attached hereto as Exhibit C are installed. Business operations may commence at the subject property prior to the installation of vegetation shown on the landscaping plan attached hereto as Exhibit D.
 - G. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors at the subject property during the hours the business is open and shall be stored indoors during non-business hours.

- H. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
- I. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
- J. All landscape related materials shall be stored indoors or on the gravel area depicted on the site plan attached hereto as Exhibit C. The maximum height of the piles of landscaping related material shall be twelve feet (12') in height, unless otherwise restricted by a stormwater management permit. Stone, brick, and rock shall not be stored outdoors.
- K. The size and depth of the wet bottom pond shall be governed by the stormwater management permit issued for the subject property.
- L. One (1) two (2) sided non-illuminated sign may be installed on the location depicted on the site plan attached hereto as Exhibit C.
- M. At least two (2) no smoking signs shall be installed near the piles of landscaping related materials.
- N. One hundred fifty (150) white pines shall be installed in substantially the locations shown on the landscaping plan attached hereto as Exhibit D. The white pines shall be a minimum of three feet (3') in height at the time of planting. The white pines shall be installed by June 30, 2023. Damaged or dead white pines shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the white pines.
- O. Ten (10) deciduous trees shall be installed in substantially the locations shown on the landscaping plan attached hereto as Exhibit D. The deciduous trees shall be a minimum one point five inches (1.5") in diameter at the time of planting. The deciduous trees shall be installed by June 30, 2023. Damaged or dead deciduous trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the deciduous trees.
- P. The seed mix called for in the landscaping plan attached hereto as Exhibit D shall be installed by June 30, 2023. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the seed mix.
- Q. No landscape waste generated off the property can be burned on the subject property.
- R. A maximum of twenty (20) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
- S. No retail customers of the business allowed by this special use permit shall be invited onto the

property by anyone associated with the use allowed by this special use permit.

- T. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 7:30 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
- U. The noise regulations are as follows:
- Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.
- Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.
- EXEMPTION:** Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
- V. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
- W. One (1) dry hydrant shall be placed on the property.
- X. The maximum height of the light pole shown in the lighting plan attached hereto as Exhibit D be twenty feet (20').
- Y. No storage/shipping containers are allowed on the subject property and no semi-trailers may be parked on the subject property.
- Z. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
- AA. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
- BB. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
- CC. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
- DD. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

3. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of June, 2022.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

LEGAL DESCRIPTION

THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE NORTH 1043.62 FEET OF THE EAST 417.40 FEET THEREOF AND ALSO EXCEPT THE SOUTH 417.42 FEET OF THE EAST 417.42 FEET THEREOF, AND ALSO EXCEPT THAT PART OF THE EAST 417.40 FEET LYING NORTH OF THE NORTH LINE OF THE SOUTH 417.42 FEET AND LYING SOUTH OF THE SOUTH LINE OF THE NORTH 1109.62 FEET THEREOF, AND ALSO EXCEPT THE WEST 402 FEET OF THE EAST 819.42 FEET OF THE SOUTH 417.42 FEET THEREOF, AND ALSO EXCEPT THE WEST 402.02 FEET OF THE EAST 819.42 FEET OF THE NORTH 341.07 FEET OF THE SOUTH 758.49 FEET THEREOF), IN THE TOWNSHIP OF SEWARD, IN KENDALL COUNTY, ILLINOIS.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on May 31, 2022. Members Cherry and Whitfield were absent all votes. Member Vickery was absent on the vote for conditions and recommendation.

FINDINGS OF FACT

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **Provided the site is developed in accordance with the submitted site plan and landscaping plan, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. Conditions may be placed in the special use permit ordinance to address hours of operation. Member Vickery dissented with this Finding.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **Appropriate restrictions may be placed in the special use permit to regulate the number of employees, hours of operation, site landscaping, lighting, and noise. Therefore, the neighboring property owners should not suffer loss in property values and the use will not negatively impact the adjacent land uses. Chairman Mohr and Member Vickery dissented with this Finding.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **If a stormwater management permit is issued based on the submitted materials, drainage should not be an issue. If the Illinois Department of Transportation approves the access, ingress and egress should not be an issue. Utilities will need to be extended and/or installed on the property. Member Vickery dissented with this Finding.***

*That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Zoning Board of Appeals. **This is true. No variances are required. Member Vickery dissented with this Finding.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 9-21 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents”. Also, the Kendall County Future Land Use Map and the Village of Shorewood’s Future Land Use Map call for commercial uses near the intersection of Route 52 and Arbeiter Road. Chairman Mohr and Member Vickery dissented with this Finding.***

CONDITIONS

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and lighting plan.
2. The gravel area shown on the submitted site plan and landscaping plan shall not exceed ten point five (10.5) acres in size. The owners of the business allowed by this special use permit may reduce the amount of acreage covered by gravel.

3. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
4. One (1) approximately nine thousand six hundred (9,600) square foot building may be installed on the subject property in substantially the location shown on the site plan. The building shall look substantially like the building depicted in the rendering. The maximum height of the building shall be twenty-four feet (24').
5. Any new structures constructed or installed related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
6. No business operations may commence at the subject property until an occupancy permit is issued for the building shown on the submitted site plan. No business operations may commence at the subject property until the parking stalls, dumpster enclosure, and wet bottom pond shown on the submitted site plan are installed. Business operations may commence at the subject property prior to the installation of vegetation shown on the submitted landscaping plan.
7. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors at the subject property during the hours the business is open and shall be stored indoors during non-business hours.
8. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
9. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
10. All landscape related materials shall be stored indoors or on the gravel area depicted on the site plan. The maximum height of the piles of landscaping related material shall be twelve feet (12') in height, unless otherwise restricted by a stormwater management permit. Stone, brick, and rock shall not be stored outdoors.
11. The size and depth of the wet bottom pond shall be governed by the stormwater management permit issued for the subject property.
12. One (1) two (2) sided non-illuminated sign may be installed on the location depicted on the submitted site plan.
13. At least two (2) no smoking signs shall be installed near the piles of landscaping related materials.
14. One hundred fifty (150) white pines shall be installed in substantially the locations shown on the submitted landscaping plan. The white pines shall be a minimum of three feet (3') in height at the time of planting. The white pines shall be installed by June 30, 2023. Damaged or dead white pines shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the white pines.
15. Ten (10) deciduous trees shall be installed in substantially the locations shown on the submitted landscaping plan. The deciduous trees shall be a minimum one point five inches (1.5") in diameter at the time of planting. The deciduous trees shall be installed by June 30, 2023. Damaged or dead deciduous trees shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the deciduous trees.

16. The seed mix called for in the submitted landscaping plan shall be installed by June 30, 2023. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the seed mix.
17. No landscape waste generated off the property can be burned on the subject property.
18. A maximum of twenty (20) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
19. No retail customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
20. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 7:30 a.m. until 5:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
21. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
22. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
23. One dry hydrant shall be placed on the property.
24. The maximum height of the light pole shown in the lighting plan shall be twenty feet (20').
25. No storage/shipping containers are allowed on the subject property and no semi-trailers may be parked on the subject property.
26. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
27. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
28. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

29. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

30. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

RECOMMENDATION

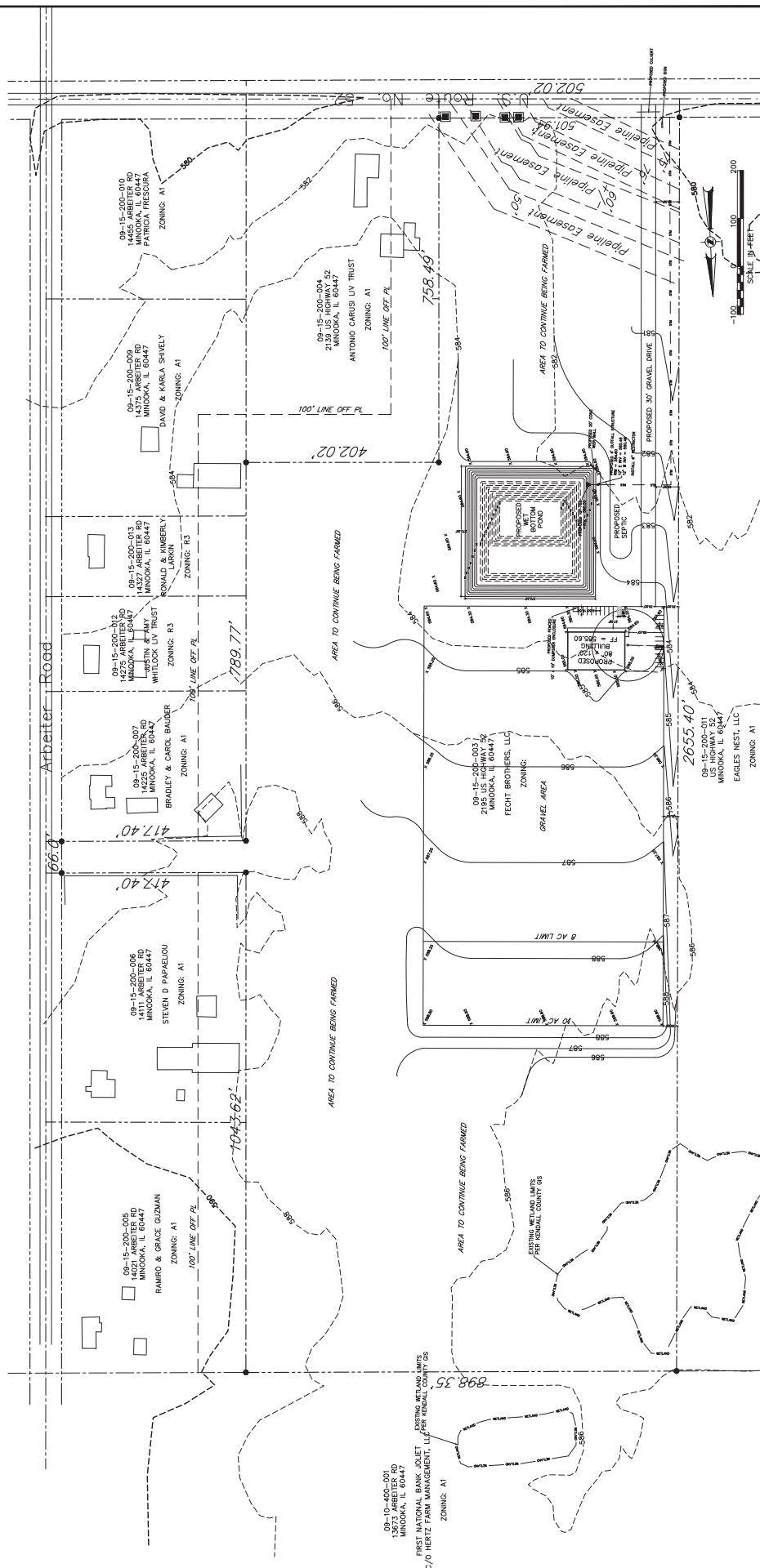
The vote was three (3) in favor of and one (1) in opposition.

Pursuant to 55 ILCS 5/5-12011, the concurrent vote of four (4) members of a Board consisting of seven (7) members is required to decide in favor of the applicant. Therefore, the recommendation is denial.

Chairman Mohr voted no because of the concerns raised by the neighbors related to the view of area. He was also concerned about loss of property values. He believed the subject property would eventually be houses.

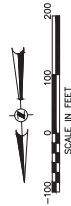
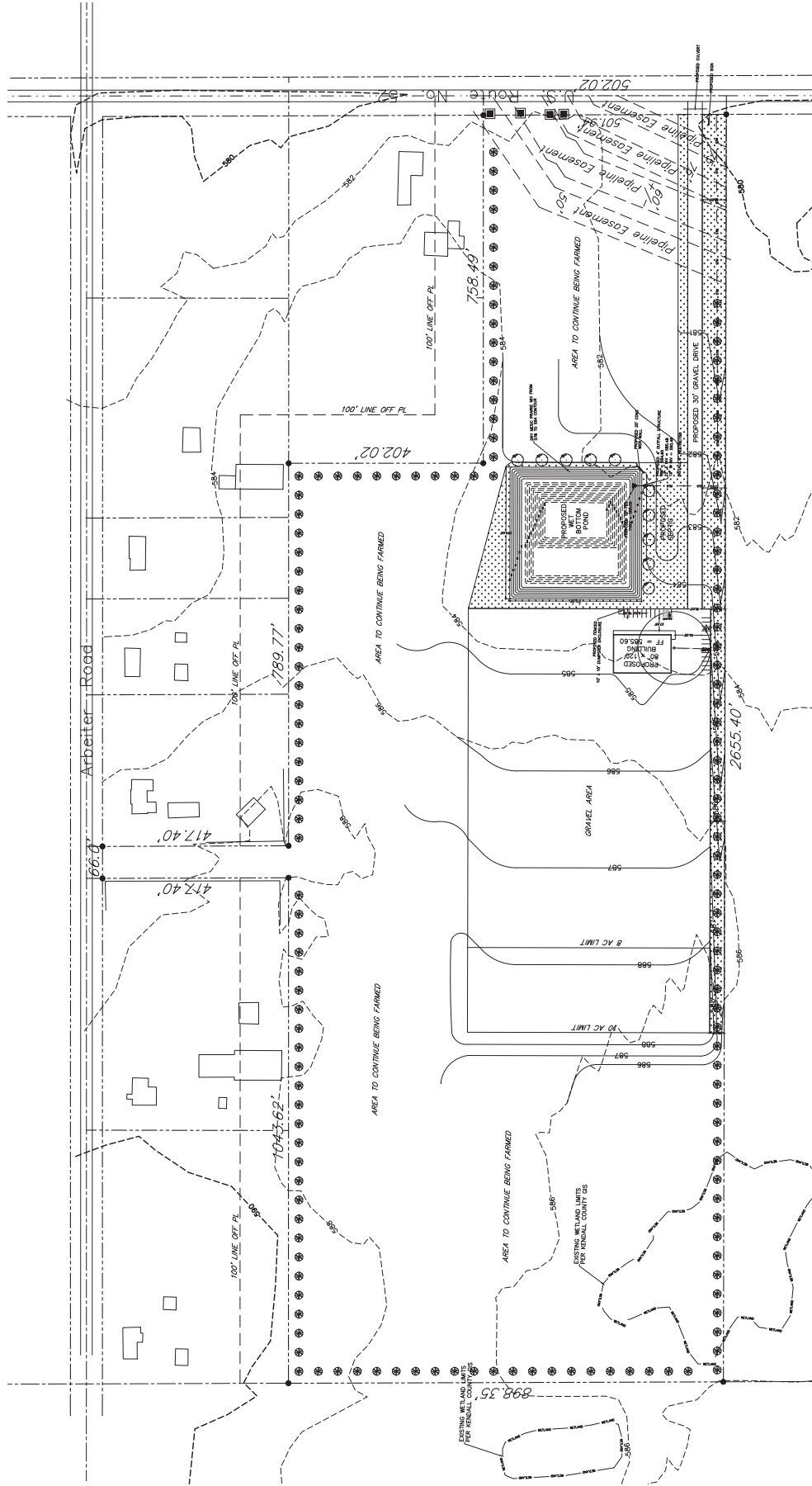
SITE DATA:	
Total Site Area:	48.59 ac.
Current Zoning:	A1
Proposed Zoning:	A1-SU
Current Land Use:	Agriculture
Proposed Land Use:	Improved Agricultural
PARKING:	
Provided Parking Stalls	21 stalls
Required Parking Stalls	20 stalls
Provided Handicap Stalls	1 stalls
Required Handicap Stalls	1 stalls

IMPERVIOUS AREA TABLE:	
Total Site Area:	48.59 ac. 2,116,580 sf
Existing Impervious:	0 sf.
Existing Landscape:	2,116,580 s.f.
Proposed Building:	10,704 s.f.
Proposed Gravel:	457,781 sf.
Total Impervious:	468,485 s.f.
Total Landscape:	1,648,095 s.f.
Percent Impervious Coverage:	22.1%
Percent Landscape Coverage:	77.9%



 TEBRUGGE ENGINEERING 401 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548 PHONE: (815) 786-0195 TEBRUGGEENGINEERING.COM	REVISIONS		PREPARED FOR: BEST BUDGET TREE SERVICE 22419 W RENWICK RD, PLAINFIELD, IL		BEST BUDGET TREE SITE PLAN FINAL PLAN		PROJECT NO. 22-04-02 SCALE: 1" = 100' DATE: APRIL 11, 2022	SHEET NO. 1 OF 1 SHEET
	NO.	DATE	NOTES					

LANDSCAPE PLAN FOR BEST BUDGET TREE



BEST BUDGET TREE SITE PLAN
LANDSCAPE PLAN

PREPARED FOR:
BEST BUDGET TREE SERVICE
22419 W RENWICK RD, PLAINFIELD, IL

NO.	DATE	NOTES

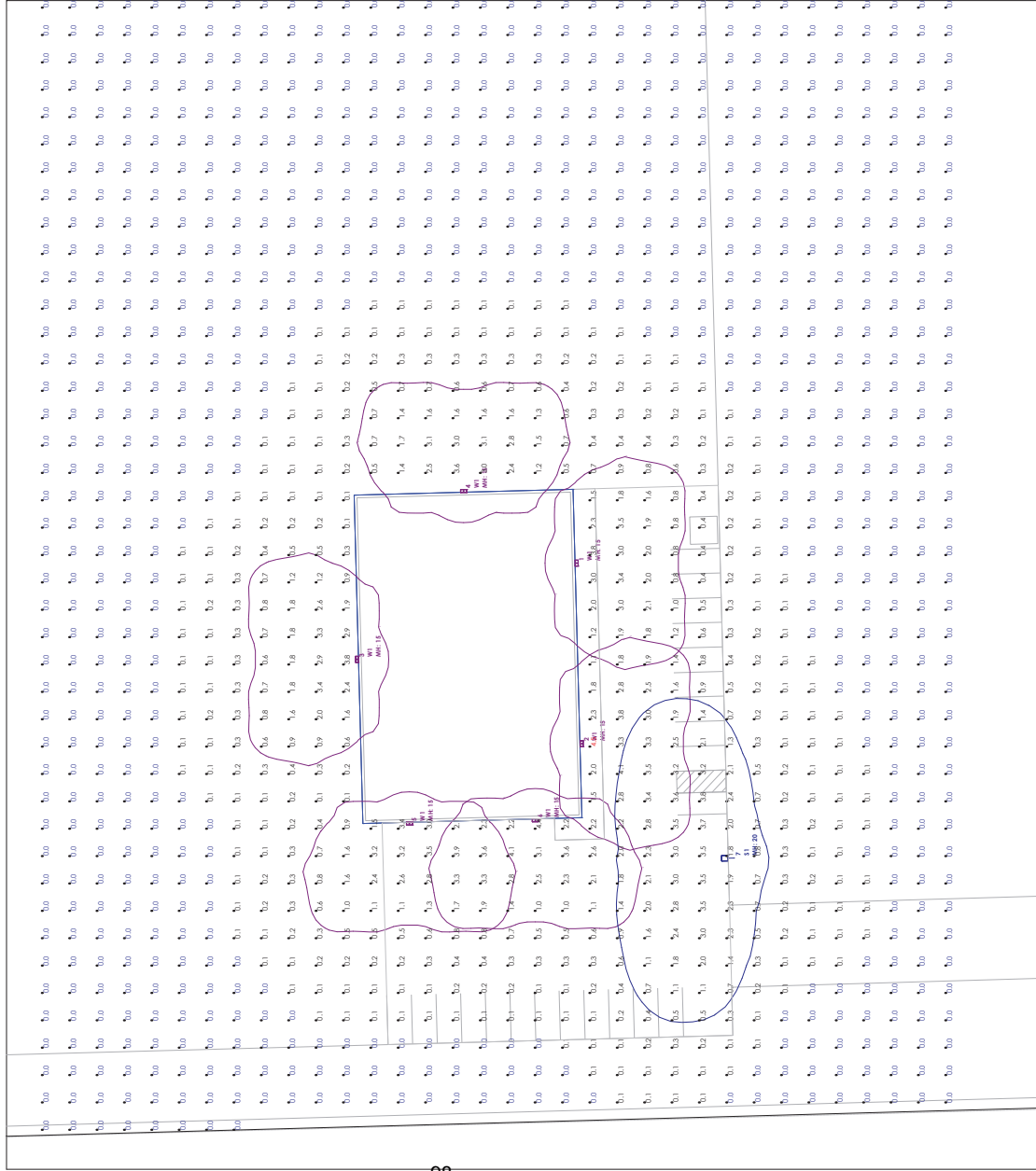
TERRUGGE ENGINEERING
410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60588
PHONE (815) 784-0198 TERRUGGEENGINEERING.COM

PROJECT NO. 22-424.02
SHEET NO. 1
DATE: APRIL 14, 2022
OF 1 SHEET

Symbol	Qty	Teg	Arrangement	Luminarie Lumens	Ar. Lum. Lumens	Luminaire Watts	Arr. Watts	LLF	Manufacturer	Description
	1	S1	Single	12010	87.9	87.9	87.9	0.900	HUBBELL OUTDOOR	RAR-1-60L-100-4K7-3-UNV-AX-X
	6	S1	Single	7558	82.8	82.8	82.8	0.900	HUBBELL OUTDOOR	RNC3-2414K-105-4-U-X

Calculation Summary						
Label	Calc type	Units	Avg	Max	Min	Description
SITE Planar	Illuminance	FC	0.34	4.5	0.0	READINGS @ GRADE
PARKING AREAS	Illuminance	FC	1.73	4.4	0.1	READINGS @ GRADE

Luminaire Location Summary			
LumNo	Label	Mtg Ht	Orient
1	INC-3-24.4K-105-4	15	270
2	INC-3-24.4K-105-4	15	270
3	INC-3-24.4K-105-4	15	90
4	INC-3-24.4K-105-4	15	0
5	INC-3-24.4K-105-4	15	0
6	INC-3-24.4K-105-4	15	180
7	RAR-1-60L-109-4K7-3	20	91



Scale: 1 inch = 20 ft.

PARKING LOT DESIGN GUIDE	MAINTAINED HORIZONTAL			MAINTAINED VERTICAL			MAXIMUM
	AVERAGE (%)	RANGE (%)	PERCENT (%)	AVERAGE (%)	RANGE (%)	PERCENT (%)	
APPLICATION AND TASK							
PARKING (UNCOVERED) ZONE 3 (URBAN)	1.5	0.75 - 3	0.8	0.4 - 1.6	41	151	
PARKING (UNCOVERED) ZONE 2 (SUBURBAN)	1	0.5 - 2	0.6	0.3 - 1.2	41	151	
SAFETY (LIGHTING ENHANCEMENT)	1	0.5 - 2	0.6				FOR SECURITY REASONS, PLEASE AVOID 10 TO 13

SOURCE: ILLINOIS LIGHTING HANDBOOK, 19TH EDITION, 1990, P. 20-14.

ADDITIONAL APPLICATIONS WILL DIFFER BASED ON SITE SPECIFIC RECOMMENDATIONS. PLEASE REFER TO THE MOST RECENT HANDBOOK FOR THE LATEST RECOMMENDATIONS.

NOTES

PG-ENLIGHTEN IS NOT INSURED TO DETERMINE CODE COMPLIANCE, CODE COMPLIANCE REVIEW BY OTHERS, COMPLIANCE CERTIFICATION, OR OTHER COMPLIANCE OBLIGATIONS. LIGHT LOSS FACTORS OR DIMENSIONAL DATA WILL AFFECT THE ACTUAL LIGHT LEVELS OBTAINED. THIS ANALYSIS IS A MATHEMATICAL MODEL AND CAN BE ONLY AS ACCURATE AS THE INPUT DATA AND THE LIGHTING SOFTWARE AND THE IES STANDARDS USED. FUTURE TYPES AND QUANTITIES MAY CHANGE BASED ON UNKNOWN OBSTRUCTIONS OR DIMENSIONS. THIS ANALYSIS IS BASED ON PROVIDED LIGHT AND DRAWINGS AND DOES NOT GUARANTEE THE ACCURACY OF THE ANALYSIS. FUTURE TYPES AND QUANTITIES MAY CHANGE BASED ON PROVIDED LIGHT AND DRAWINGS AND DOES NOT GUARANTEE THE ACCURACY OF THE ANALYSIS. REFERENCE ONLY, TYPES AND QUANTITIES MAY CHANGE WITH FUTURE REVISIONS.

CALCULATION GRID VALUES 10'-0" O.C.

SSS-H SERIES POLES

SQUARE STRAIGHT STEEL

APPLICATIONS

Lighting installations for side and top mounting of luminaires with effective projected area (EPA) not exceeding maximum allowable loading of the specified pole in its installed geographic location

CONSTRUCTION

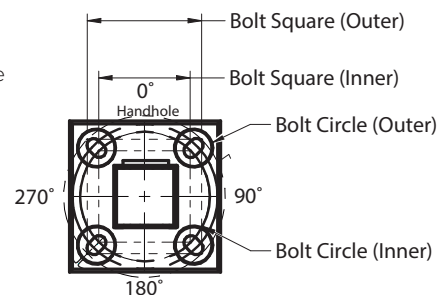
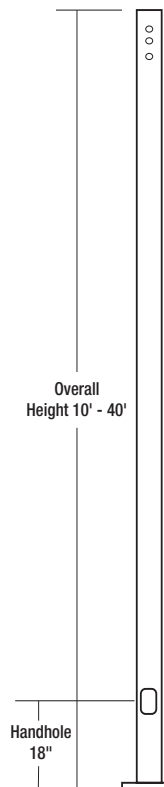
- Shaft: One-piece straight steel with square cross section, flat sides and minimum 0.23" radius on all corners; Minimum yield of 46,000 psi (ASTM-A500, Grade B); Longitudinal weld seam to appear flush with shaft side wall; Steel base plate with axial bolt circle slots welded to pole shaft having minimum yield of 36,000 psi (ASTM A36)
- base cover: Two-piece square aluminum base cover included standard
- pole cap: Pole shaft supplied with removable cover when applicable; Tenon and post-top configurations also available
- hand hole: Rectangular 3x5 steel hand hole frame (2.38" x 4.38" opening); Mounting provisions for grounding lug located behind gasketed cover
- anchor bolts: Four galvanized anchor bolts provided per pole with minimum yield of 55,000 psi (ASTM F1554). Galvanized hardware with two washers and two nuts per bolt for leveling
- Anchor bolt part numbers:
 - 3/4 x 30 x 3 — TAB-30-M38
 - 1 x 36 x 4 — TAB-36-M38

FINISH

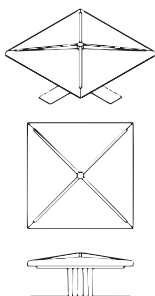
- Durable thermoset polyester powder coat paint finish with nominal 3.0 mil thickness
- Powder paint prime applied over "white metal" steel substrate cleaned via mechanical shot blast method
- Decorative finish coat available in multiple standard colors; Custom colors available; RAL number preferable

WAREHOUSE 'STOCKED' POLES:

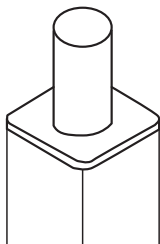
- SSSH-20-40-STK and SSSH-25-40-STK
- The above catalog numbers use a combination of the S2 and B3 drill pattern



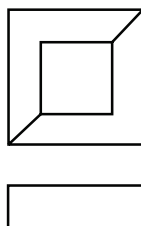
POLE CAP



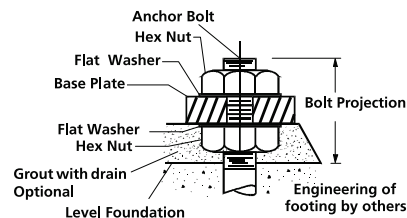
TENON



BASE COVER



BASE DETAIL



SSS-H SERIES POLES

SQUARE STRAIGHT STEEL

ORDERING GUIDE

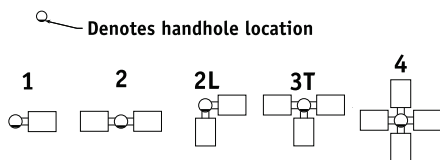
CATALOG #

Example: SSS-H-25-40-A/B/C-2L-S2-DBT-UL

RESET

Series	Height	Shaft	Thickness	Mounting	Finish	Options
SSS-H Square Straight Steel Pole Hubbell Outdoor	Reference page 2 Ordering matrix	Reference page 2 Ordering matrix	Reference page 3 Ordering matrix	1 Single arm mount 2 Two fixtures at 180° 2L Two fixtures at 90° 3T Three fixtures at 90° 4 Four fixtures at 90° TA Tenon (2.38" OD x 4" Tall) TB Tenon (2.88" OD x 4" Tall) TC Tenon (3.5" OD x 6" Tall) TR¹ Removable Tenon (2.38" x 4") OT Open Top (includes pole cap)	BLT Black Matte Textured BLS Black Gloss Smooth DBT Dark Bronze Matte Textured DBS Dark Bronze Gloss Smooth GTT Graphite Matte Textured LGS Light Grey Gloss Smooth PSS Platinum Silver Smooth WHT White Matte Textured WHS White Gloss Smooth VGT Verde Green Textured Color Option CC Custom Colors	GFI² 20 Amp GFCI Receptacle and Cover EHH² Extra Handhole C05² .5" Coupling C07² .75" Coupling C20² 2" Coupling MPB² Mid-pole Luminaire Bracket VM2 2nd mode vibration damper LAB Less Anchor Bolts UL UL Certified
				Drill Pattern B3 2 bolt (2-1/2" spacing), Ratio S2 2 bolt (3-1/2" spacing)		

MOUNTING ORIENTATION



ACCESSORIES- ORDER SEPARATELY

CATALOG NUMBER	DESCRIPTION
VM1³	1st mode vibration damper
VM2SXX*	2nd mode vibration damper

* XX = 08 for 8', 12 for 12', 15 for 16', 20 for 20', and 24' for 24'

Notes:

- Removable tenon used in conjunction with side arm mounting. First specify desired arm.
- Specify option location using logic found on page 1 (Option Orientation).
- VM1 recommended on poles 20' and taller with EPA of less than 1.

SSS-H SERIES POLES

SQUARE STRAIGHT STEEL

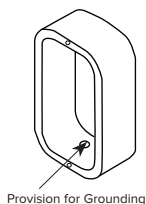
ORDERING GUIDE (CONTINUED)

Catalog Number	Height		Nominal Shaft Dimensions	Wall Thickness	Bolt Circle (suggested)	Bolt Circle (range)	Bolt Square (range)	Base Plate Square	Anchor bolt size	Bolt Projection	Pole weight
	Feet	Meters									
SSS-H-10-40-A-XX-XX	10	3.0	4" square	0.125"	9"	8"-10"	5.66"-7.07"	9"	3/4"x30"x3"	3.5	77
SSS-H-12-40-A-XX-XX	12	3.7	4" square	0.125"	9"	8"-10"	5.66"-7.07"	9"	3/4"x30"x3"	3.5	90
SSS-H-14-40-A-XX-XX	14	4.3	4" square	0.125"	9"	8"-10"	5.66"-7.07"	9"	3/4"x30"x3"	3.5	103
SSS-H-16-40-A-XX-XX	16	4.9	4" square	0.125"	9"	8"-10"	5.66"-7.07"	9"	3/4"x30"x3"	3.5	116
SSS-H-18-40-A-XX-XX	18	5.5	4" square	0.125"	9"	8"-10"	5.66"-7.07"	9"	3/4"x30"x3"	3.5	129
SSS-H-20-40-A-XX-XX	20	6.1	4" square	0.125"	9"	8"-10"	5.66"-7.07"	9"	3/4"x30"x3"	3.5	142
SSS-H-25-40-A-XX-XX	25	7.6	4" square	0.125"	9"	8"-10"	5.66"-7.07"	9"	3/4"x30"x3"	3.5	175
SSS-H-14-40-B-XX-XX	14	4.3	4" square	.188"	11"	10"-12"	7.07"-8.48"	10.50"	3/4"x30"x3"	3.5	152
SSS-H-16-40-B-XX-XX	16	4.9	4" square	.188"	11"	10"-12"	7.07"-8.48"	10.50"	3/4"x30"x3"	3.5	171
SSS-H-18-40-B-XX-XX	18	5.5	4" square	.188"	11"	10"-12"	7.07"-8.48"	10.50"	3/4"x30"x3"	3.5	190
SSS-H-20-40-B-XX-XX	20	6.1	4" square	.188"	11"	10"-12"	7.07"-8.48"	10.50"	3/4"x30"x3"	3.5	209
SSS-H-25-40-B-XX-XX	25	7.6	4" square	.188"	11"	10"-12"	7.07"-8.48"	10.50"	3/4"x30"x3"	3.5	257
SSS-H-30-40-B-XX-XX	30	9.1	4" square	.188"	11"	10"-12"	7.07"-8.48"	10.50"	3/4"x30"x3"	3.5	304
SSS-H-16-50-B-XX-XX	16	4.9	5" square	.188"	11"	10.25"-13.25"	7.25"-9.37"	11.50"	1"x36"x4"	4.5	219
SSS-H-18-50-B-XX-XX	18	5.5	5" square	.188"	11"	10.25"-13.25"	7.25"-9.37"	11.50"	1"x36"x4"	4.5	243
SSS-H-20-50-B-XX-XX	20	6.1	5" square	.188"	11"	10.25"-13.25"	7.25"-9.37"	11.50"	1"x36"x4"	4.5	267
SSS-H-25-50-B-XX-XX	25	7.6	5" square	.188"	11"	10.25"-13.25"	7.25"-9.37"	11.50"	1"x36"x4"	4.5	327
SSS-H-30-50-B-XX-XX	30	9.1	5" square	.188"	11"	10.25"-13.25"	7.25"-9.37"	11.50"	1"x36"x4"	4.5	387
SSS-H-25-50-C-XX-XX	25	7.6	5" square	.25"	11"	10.25"-13.25"	7.25"-9.37"	11.50"	1"x36"x4"	4.5	427
SSS-H-30-50-C-XX-XX	30	9.1	5" square	.25"	11"	10.25"-13.25"	7.25"-9.37"	11.50"	1"x36"x4"	4.5	507
SSS-H-20-60-B-XX-XX	20	6.1	6" square	.188"	12"	11.00"-13.25"	7.81"-9.37"	12.25"	1"x36"x4"	5.0	329
SSS-H-25-60-B-XX-XX	25	7.6	6" square	.188"	12"	11.00"-13.25"	7.81"-9.37"	12.25"	1"x36"x4"	5.0	404
SSS-H-30-60-B-XX-XX	30	9.1	6" square	.188"	12"	11.00"-13.25"	7.81"-9.37"	12.25"	1"x36"x4"	5.0	479
SSS-H-35-60-B-XX-XX	35	10.7	6" square	.188"	12"	11.00"-13.25"	7.81"-9.37"	12.25"	1"x36"x4"	5.0	554
SSS-H-40-60-B-XX-XX	40	12.2	6" square	.188"	12"	11.00"-13.25"	7.81"-9.37"	12.25"	1"x36"x4"	5.0	629

Notes:

1 Factory supplied template must be used when setting anchor bolts. Hubbell Lighting will deny any claim for incorrect anchorage placement resulting from failure to use factory supplied template and anchor bolts.

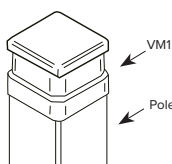
EHH EXTRA HANDHOLE



C05 - C07 - C20 - COUPLING



VM1 - VIBRATION DAMPER 1ST MODE



Field installed Pole Top damper designed to reduce pole top deflection or sway. VM1 is recommended for pole systems 20' and taller with a total EPA of 1.0 or less.

VM2 - VIBRATION DAMPER 2ND MODE



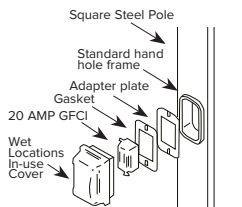
Factory installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.

VM2SXX - VIBRATION DAMPER 2ND MODE

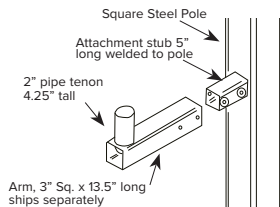


Field installed, internal damper designed to alter pole resonance to reduce movement and material fatigue caused by 2nd mode vibration.

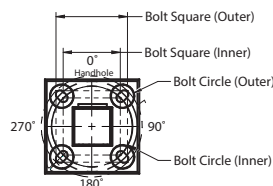
GFI - 20 AMP GFCI RECEPTACLE & COVER



MPB - MID POLE BRACKET



OPTION ORIENTATION

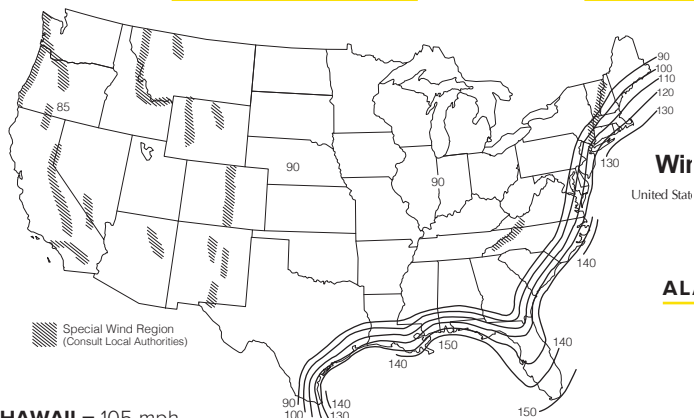


Follow the logic below when ordering location specific options. For each option, include its orientation (in degrees) and its height (in feet). Example: Option C07 should be ordered as: SSS-H-20-40-A-TA-DBT-C07-0-15 (5" coupling on the handhole/arm side of pole, 15 feet up from the pole base) 1' spacing required between option. Consult factory for other configurations.

SSS-H SERIES POLES

SQUARE STRAIGHT STEEL

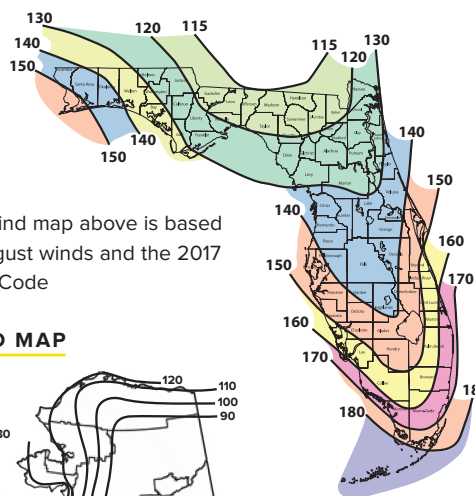
ASCE7-05 WIND MAP



HAWAII – 105 mph

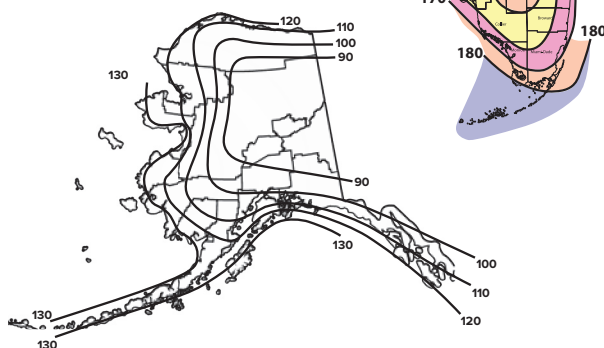
PUERTO RICO – 145 mph

FLORIDA REGION WIND MAP



- Florida region wind map above is based upon 3-second gust winds and the 2017 Florida Building Code

ALASKA REGION WIND MAP



ASCE 7-05 wind map EPA Load Rating - 3 second gust wind speeds
(Use for all locations except Florida)

Catalog Number	85	90	100	105	110	120	130	140	145	150
SSS-H-10-40-A	25.0	25.0	25.0	22.8	20.6	17.0	14.2	11.9	11.0	10.1
SSS-H-12-40-A	25.0	25.0	20.0	18.0	16.1	13.2	10.8	8.9	8.1	7.4
SSS-H-14-40-A	23.1	20.4	16.1	14.3	12.8	10.2	8.2	6.6	5.9	5.3
SSS-H-16-40-A	19.0	16.7	13.0	11.5	10.1	7.9	6.2	4.7	4.1	3.6
SSS-H-18-40-A	15.6	13.6	10.0	9.0	7.8	5.9	4.4	3.1	2.6	2.1
SSS-H-20-40-A	12.7	10.9	7.9	6.9	5.9	4.2	2.8	1.7	1.3	0.9
SSS-H-25-40-A	7.3	5.9	3.8	2.9	2.1	0.8	NR	NR	NR	NR
SSS-H-14-40-B	25.0	25.0	23.3	20.8	18.6	15.1	12.3	10.2	9.2	8.4
SSS-H-16-40-B	25.0	24.9	19.4	17.3	15.4	12.3	9.9	8.0	7.2	6.4
SSS-H-18-40-B	24.0	20.8	16.1	14.2	12.5	9.8	7.7	6.1	5.3	4.7
SSS-H-20-40-B	20.2	17.5	13.2	11.6	10.1	7.7	5.9	4.4	3.8	3.2
SSS-H-25-40-B	12.8	11.0	7.9	6.7	5.5	3.7	2.3	1.2	0.7	NR
SSS-H-30-40-B	8.0	6.6	4.1	3.1	2.2	0.8	NR	NR	NR	NR
SSS-H-16-50-B	25.0	25.0	25.0	25.0	24.8	20.1	16.5	13.6	12.3	11.2
SSS-H-18-50-B	25.0	25.0	25.0	22.9	20.4	16.4	13.2	10.7	9.6	8.6
SSS-H-20-50-B	25.0	25.0	21.3	18.9	16.7	13.2	10.4	8.1	7.2	6.3
SSS-H-25-50-B	20.7	17.8	13.3	11.5	9.8	7.2	5.0	3.3	2.6	1.9
SSS-H-30-50-B	13.5	11.3	7.7	6.2	4.9	2.8	1.1	NR	NR	NR
SSS-H-25-50-C	25.0	25.0	19.4	17.1	15.1	11.7	9.0	6.9	6.0	5.1
SSS-H-30-50-C	20.1	17.3	12.7	10.9	9.3	6.6	4.5	2.8	2.1	1.4
SSS-H-20-60-B	25.0	25.0	25.0	25.0	25.0	20.2	16.1	12.9	11.5	10.3
SSS-H-25-60-B	25.0	25.0	20.6	18.0	15.6	11.8	8.7	6.2	5.2	4.2
SSS-H-30-60-B	21.4	18.1	12.9	10.7	8.8	5.7	3.3	1.3	NR	NR
SSS-H-35-60-B	14.0	11.3	6.9	5.2	3.6	1.0	NR	NR	NR	NR
SSS-H-40-60-B	8.1	5.8	2.2	NR	NR	NR	NR	NR	NR	NR

Florida Building Code 2017 EPA Load Rating - 3 second gust
wind speeds (Use for Florida only)

Catalog Number	115	120	130	140	150	160	170	180
SSS-H-10-40-A	25.0	25.0	25.0	25.0	21.4	18.4	15.9	13.9
SSS-H-12-40-A	25.0	25.0	23.6	19.8	16.7	14.2	12.1	10.4
SSS-H-14-40-A	25.0	23.1	19.0	15.7	13.1	10.9	9.1	7.6
SSS-H-16-40-A	20.8	18.7	15.2	12.3	10.1	8.2	6.7	5.4
SSS-H-18-40-A	16.8	15.0	11.9	9.4	7.5	5.9	4.5	3.4
SSS-H-20-40-A	13.6	11.9	9.2	7.1	5.3	3.9	2.7	1.7
SSS-H-25-40-A	7.4	6.2	4.1	2.5	1.1	NR	NR	NR
SSS-H-14-40-B	25.0	23.6	19.4	16.1	13.4	11.2	9.4	7.8
SSS-H-16-40-B	21.4	19.2	15.6	12.7	10.4	8.5	6.9	5.6
SSS-H-18-40-B	17.2	15.4	12.2	9.7	7.7	6.1	4.7	3.6
SSS-H-20-40-B	13.9	12.3	9.5	7.3	5.5	4.1	2.9	1.9
SSS-H-25-40-B	7.7	6.4	4.3	2.6	1.3	NR	NR	NR
SSS-H-30-40-B	3.2	2.1	NR	NR	NR	NR	NR	NR
SSS-H-16-50-B	25.0	25.0	25.0	25.0	25.0	21.4	18.2	15.5
SSS-H-18-50-B	25.0	25.0	25.0	24.4	20.4	17.0	14.2	11.9
SSS-H-20-50-B	25.0	25.0	24.4	19.9	16.3	13.4	11.0	8.9
SSS-H-25-50-B	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-H-30-50-B	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-H-25-50-C	21.8	19.3	15.0	11.5	8.8	6.5	4.7	3.1
SSS-H-30-50-C	13.7	11.7	8.2	5.5	3.3	1.5	NR	NR
SSS-H-20-60-B	25.0	25.0	25.0	21.9	17.8	14.5	11.7	9.4
SSS-H-25-60-B	23.8	20.9	16.1	12.3	9.2	6.6	4.5	2.8
SSS-H-30-60-B	14.6	12.3	8.4	5.3	2.8	0.8	NR	NR
SSS-H-35-60-B	7.5	5.6	2.4	NR	NR	NR	NR	NR
SSS-H-40-60-B	1.8	NR	NR	NR	NR	NR	NR	NR

RESET

SSS-H SERIES POLES

SQUARE STRAIGHT STEEL

Notes:

- 1 Allowable EPA, to determine max pole loading weight, multiply allowable EPA by 30 lbs.
- 2 The tables for allowable pole EPA are based on the ASCE 7-05 Wind Map or the Florida Region Wind Map for the 2010 Florida Building Code. The Wind Maps are intended only as a general guide and cannot be used in conjunction with other maps. Always consult local authorities to determine maximum wind velocities, gusting and unique wind conditions for each specific application
- 3 Allowable pole EPA for jobsite wind conditions must be equal to or greater than the total EPA for fixtures, arms, and accessories to be assembled to the pole. Responsibility lies with the specifier for correct pole selection. Installation of poles without luminaires or attachment of any unauthorized accessories to poles is discouraged and shall void the manufacturer's warranty
- 4 Wind speeds and listed EPAs are for ground mounted installations. Poles mounted on structures (such as bridges and buildings) must consider vibration and coefficient of height factors beyond this general guide; Consult local and federal standards
- 5 Wind Induced Vibration brought on by steady, unidirectional winds and other unpredictable aerodynamic forces are not included in wind velocity ratings. Consult Hubbell Lighting's Pole Vibration Application Guide for environmental risk factors and design considerations. https://hubbellcdn.com/ohwassets/HLL/outdoor/resources/literature/files/Pole_Wind_Induced_Flyer_HLQI0022.pdf
- 6 Extreme Wind Events like, Hurricanes, Typhoons, Cyclones, or Tornadoes may expose poles to flying debris, wind shear or other detrimental effects not included in wind velocity ratings

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

RATIO Series

AREA/SITE LIGHTER

FEATURES

- Low profile LED area/site luminaire with a variety of IES distributions for lighting applications such as retail, commercial and campus parking lots
- Featuring Micro Strike Optics which maximizes target zone illumination with minimal losses at the house-side, reducing light trespass issues
- Visual comfort standard
- Compact and lightweight design with low EPA
- 3G rated for high vibration applications including bridges and overpasses
- Control options including photo control, occupancy sensing, NX Distributed Intelligence™ and 7-Pin with networked controls
- Best in class surge protection available



IP66



See Certification Specifications

CONTROL TECHNOLOGY



NX DISTRIBUTED INTELLIGENCE™

wiSCAPE™

SPECIFICATIONS

CONSTRUCTION

- Rectilinear form mimics the traditional shoebox form factor keeping a similar but updated style and appearance, ideal for retrofit applications
- Die-cast housing with hidden vertical heat fins that are optimal for heat dissipation while keeping a clean smooth outer surface
- Corrosion resistant, die-cast aluminum housing with powder coat paint finish

OPTICS

- Entire optical aperture illuminates to create a larger luminous surface area resulting in a low glare appearance without sacrificing optical performance
- 80, 160, 320 or 480 midpower LEDs
- 3000K, 4000K or 5000K (70 CRI) CCT
- Zero uplight at 0 degrees of tilt
- Field rotatable optics

INSTALLATION

- Standard square arm mount, compatible with B3 drill pattern
- Optional universal mounting block for ease of installation during retrofit applications. Available as an option or accessory for square and round poles.
- Knuckle arm fitter option available for 2-3/8" OD tenon. Max tilt of 60 degrees with 4 degree adjustable increments. (Restrictions apply for 7-pin options)

ELECTRICAL

- Universal 120-277 VAC or 347-480 VAC input voltage, 50/60 Hz

ELECTRICAL (CONTINUED)

- Ambient operating temperature -40°C to 40°C
- Drivers have greater than 90% power factor and less than 20% THD
- LED drivers have output power over-voltage, over-current protection and short circuit protection with auto recovery
- Field replaceable surge protection device provides 20kA protection meeting ANSI/IEEE C62.41.2 Category C High and Surge Location Category C3; Automatically takes fixture off-line for protection when device is compromised

CONTROLS

- Photo control, occupancy sensor and wireless available for complete on/off and dimming control
- 7-pin ANSI C136.41-2013 photocontrol receptacle option available for twist lock photocontrols or wireless control modules (control accessories sold separately)
- 0- 10 V Dimming Drivers are standard and dimming leads are extended out of the luminaire unless control options require connection to the dimming leads. Must specify if wiring leads are to be greater than the 6" standard
- SiteSync™ wireless control system is available via 7-pin See ordering information and details at: www.hubbelllighting.com/sitesync
- NX Distributed Intelligence™ available with in fixture wireless control module, features dimming and occupancy sensor
- wiSCAPE® available with in fixture wireless control module, features dimming and occupancy sensor via 7-pin



RELATED PRODUCTS

θ [Airo](#)

θ [Cimarron LED](#)

θ [Ratio Family](#)

CERTIFICATIONS

- DLC® (DesignLights Consortium Qualified), with some Premium Qualified configurations. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Listed to UL1598 and CSA C22.2#250.0-24 for wet locations and 40°C ambient temperatures
- 3G rated for ANSI C136.31 high vibration applications
- Fixture is IP66 rated
- Meets IDA recommendations using 3K CCT configuration at 0 degrees of tilt
- This product qualifies as a "designated country construction material" per FAR 52.225-11 Buy American-Construction Materials under Trade Agreements effective 04/23/2020. See [Buy American Solutions](#)

WARRANTY

- 5 year limited warranty
- See [HLI Standard Warranty](#) for additional information

KEY DATA	
Lumen Range	3,000–48,000
Wattage Range	25–340
Efficacy Range (LPW)	118–155
Fixture Projected Life (Hours)	L70>60K
Weights lbs. (kg)	13.5–24 (6.1–10.9)

RATIO SERIES

AREA/SITE LIGHTER

ORDERING GUIDE

Example: RAR1-80L-25-3K7-2-UNV-ASQ-BL-NXWE-BC

CATALOG #

ORDERING INFORMATION

Series	# LEDs - Wattage	CCT/CRI	Distribution	Optics Rotation	Voltage
RAR1 Ratio Area Size 1	80L-25 25W - 3,000 Lumens	3K7 3000K, 70 CRI	2 IES TYPE II	Blank for no rotation	UNV Universal 120-277V
	80L-39 39W - 5,200 Lumens	4K7 4000K, 70 CRI	3 IES TYPE III	L Optic rotation left	120 120V
	80L-50 50W - 6,000 Lumens	5K7 5000K, 70 CRI	4W IES TYPE IV	R Optic rotation right	208 208V
	160L-70 70W - 9,000 Lumens		5QW IES TYPE V		240 240V
	160L-100 100W - 12,000 Lumens				277 277V
	160L-115 115W - 15,000 Lumens				347 347V
	160L-135 135W - 18,000 Lumens				480 480V
RAR2 Ratio Area Size 2	320L-110 110W - 15,000 Lumens				
	320L-140 140W - 18,000 Lumens				
	320L-165 165W - 21,000 Lumens				
	480L-185 185W - 24,000 Lumens				
	480L-210 210W - 27,000 Lumens				
	480L-240 240W - 30,000 Lumens				
	480L-255 255W - 36,000 Lumens				
	480L-295 295W - 42,000 Lumens				
	480L-340 340W - 48,000 Lumens				

Mounting	Color	Control Options Network	Options
ASQ Arm mount for square pole/flat surface	BLT Black Matte Textured	NXWE NX Wireless Enabled (module + radio)	BC Backlight control
ASQU Universal arm mount for square pole/flat surface	BLS Black Gloss Smooth	NXSPW_F NX Wireless, PIR Occ. Sensor, Daylight Harvesting ⁴	F Fusing (must specify voltage)
Mounting Round Poles	DBT Dark Bronze Matte Textured	NXSP_F NX, PIR Occ. Sensor, Daylight Harvesting ⁴	TB Terminal block
A_ Arm mount for round pole ¹	DBS Dark Brone Gloss Smooth	Control Options Other	2PF 2 power feed with 2 drivers ²
A_U Universal arm mount for round pole ¹	GTT Graphite Matte Textured	SCP-40F Programmable occupancy sensor ³	
Mounting Other	LGS Light Grey Gloss Smooth	7PR 7-Pin twist lock receptacle	
WB Wall bracket	PSS Platinum Silver Smooth	7PR-SC 7-Pin receptacle with shorting cap	
MAF Mast arm fitter for 2-3/8" OD horizontal arm	WHT White Matte Textured	7PR-MD40F Low voltage sensor for 7PR	
K Knuckle	WHS White Gloss Smooth	7PR-TL 7-Pin PCR with photocontrol	
	VGT Verde Green Textured	Sensors	
	Color Option	BTS_F Bluetooth Programmable, PIR Occupancy/Daylight Sensor, 360° lens ⁴	
	CC Custom Color	BTSO_F Bluetooth Programmable, PIR Occupancy/Daylight Sensor, 360° lens, up to 12' mounting height ⁵	

Notes:

- 1 Replace " " with "3" for 3.5"-4.13" OD pole, "4" for 4.18"-5.25" OD pole, "5" for 5.5"-6.5" OD pole
- 2 Not available with 25, 50, 255, 295 & 340W configurations
- 3 At least one SCPREMOTE required to program SCP motion sensor
- 4 Replace " " with "14" for up to 14' mounting height, "40F" for 15-40' mounting height
- 5 Replace " " with "12" for up to 12' mounting height

STOCK ORDERING INFORMATION

Catalog Number	Lumens	Wattage	LED Count	CCT/CRI	Voltage	Distribution	Mounting	Finish
RAR1-100-4K-3	12,000	100W	160L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR1-100-4K-4W	12,000	100W	160L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR1-135-4K-3	18,000	135W	160L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR1-135-4K-4W	18,000	135W	160L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze
RAR2-165-4K-3	21,000	165W	320L	4000K/70CRI	120-277V	Type 3	Square Arm	Bronze
RAR2-165-4K-4W	21,000	165W	320L	4000K/70CRI	120-277V	Type 4W	Square Arm	Bronze

RATIO SERIES

AREA/SITE LIGHTER

OPTIONS AND ACCESSORIES - STOCK (ORDERED SEPARATELY)

Catalog Number	Description
<input type="checkbox"/> RARRPA3DB	Round pole adapter 3.5" to 4.13" for ASQ arm, 3.5" to 4.13" OD pole, dark bronze finish
<input type="checkbox"/> RARA3UDB	Universal mount for square pole or round pole 3.5" to 4.13", dark bronze finish
<input type="checkbox"/> RARBC80L	Ratio blacklight control 80L
<input type="checkbox"/> RARBC160L	Ratio blacklight control 160L
<input type="checkbox"/> RARBC320L	Ratio blacklight control 320L
<input type="checkbox"/> RARBC480L	Ratio blacklight control 480L

ACCESSORIES AND REPLACEMENT PARTS - MADE TO ORDER

Catalog Number	Description
<input type="checkbox"/> RAR-ASQU-XX	Universal arm mount for square pole/flat surface ²
<input type="checkbox"/> RAR-A_U-XX	Universal arm mount for round poles ^{1,2}
<input type="checkbox"/> RAR-RPA_-XX	Round pole adapter ^{1,2}
<input type="checkbox"/> SETAVP-XX	4" square pole top tenon adapter, 2 3/8" OD slipfitter ²
<input type="checkbox"/> RETAVP-XX	4" round pole top tenon adapter; 2 3/8" OD slipfitter for max. Four fixtures (90o); order 4" round pole adapters separately ²
<input type="checkbox"/> BIRD-SPIKE-3	Ratio size 1 bird deterrent/spikes
<input type="checkbox"/> BIRD-SPIKE-4	Ratio size 2 bird deterrent/spikes
<input type="checkbox"/> RARWB-XX	Wall bracket - use with Mast Arm Fitter or Knuckle ²

1 Replace "-" with "3" for 3.5"-4.13" OD pole, "4" for 4.18"-5.25" OD pole, "5" for 5.5"-6.5" OD pole

2 Replace "XX" with desired color/paint finish

CONTROLS

Control Options

Standalone

SW7PR	SiteSync™ on fixture module via 7PR
SWUSB	SiteSync™ Software on USB
SWTAB	SiteSync™ Windows Tablet
SWBRG	SiteSync™ Wireless Bridge Node
SWFC	SiteSync™ Field Commission Serve
SCPREMOTE	Order at least one per project location to program and control

Networked – Wireless

WIR-RME-L	wiSCAPE External Fixture Module ^{1,2}
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NX Networked – Wireless

NXOFM-1R1D-UNV	NX Wireless, Daylight Harvesting, BLE, 7 pin twisted lock
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Notes:

- Works with external networked photosensor
- wiSCAPE Gateway required for system programming

RATIO SERIES

AREA/SITE LIGHTER

PERFORMANCE DATA

Description	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
RAR1	25	25.4	2	3438	135	1	0	1	3445	136	1	0	1	3240	128	1	0	1
			3	3460	136	1	0	1	3467	136	1	0	1	3260	128	1	0	1
			4W	3406	134	1	0	1	3412	134	1	0	1	3209	126	1	0	1
			5QW	3483	137	2	0	1	3490	137	2	0	1	3282	129	2	0	1
	39	39	2	5263	139	1	0	2	5273	139	1	0	2	4960	131	1	0	2
			3	5297	139	1	0	2	5308	140	1	0	2	4991	131	1	0	2
			4W	5200	137	1	0	2	5210	137	1	0	2	4900	129	1	0	2
			5QW	5333	140	3	0	1	5344	141	3	0	1	5025	132	3	0	1
	50	49.8	2	6310	127	1	0	2	6323	127	1	0	2	5946	120	1	0	2
			3	6349	128	1	0	2	6362	128	1	0	2	5983	120	1	0	2
			4W	6233	125	1	0	2	6245	126	1	0	2	5873	118	1	0	2
			5QW	6392	129	3	0	1	6405	129	3	0	1	6023	121	3	0	1
	70	68.4	2	9486	139	1	0	2	9505	139	1	0	2	8938	131	1	0	2
			3	9544	140	1	0	2	9563	140	1	0	2	8993	131	1	0	2
			4W	9395	137	1	0	2	9414	138	1	0	2	8853	129	1	0	2
			5QW	9608	140	4	0	2	9628	141	4	0	2	9054	132	4	0	2
	100	90.0	2	11976	133	2	0	2	12000	133	2	0	2	11285	125	2	0	2
			3	12050	134	2	0	2	12074	134	2	0	2	11354	126	2	0	2
			4W	11861	132	2	0	2	11885	132	2	0	2	11177	124	2	0	2
			5QW	12131	135	4	0	2	12155	135	4	0	2	11431	127	4	0	2
	115	109.7	2	15572	142	2	0	2	15494	141	2	0	2	14871	136	2	0	2
			3	15833	144	2	0	2	15754	144	2	0	2	15121	138	2	0	2
			4W	15281	139	2	0	3	15205	139	2	0	3	14623	133	2	0	3
			5QW	15732	143	4	0	2	15653	143	4	0	2	15024	137	4	0	2
	135	133.3	2	17971	135	3	0	3	17881	134	3	0	3	17163	129	3	0	3
			3	18272	137	2	0	2	18181	136	2	0	2	17450	131	2	0	2
			4W	17635	132	2	0	3	17547	132	2	0	3	16876	127	2	0	3
			5QW	18156	136	4	0	2	18065	136	4	0	2	17339	130	4	0	2
RAR2 Performance Data on next page																		

* Lumen values are from photometric test performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

RATIO SERIES

AREA/SITE LIGHTER

PERFORMANCE DATA

Description	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
RAR2	110	100.3	2	15326	153	2	0	3	15357	153	2	0	3	14442	144	2	0	3
			3	15421	154	2	0	3	15452	154	2	0	3	14531	145	2	0	3
			4W	15180	151	2	0	2	15210	152	2	0	2	14304	143	2	0	2
			5QW	15525	155	4	0	2	15556	155	4	0	2	14629	146	4	0	2
	140	133.2	2	19395	146	2	0	3	19434	146	2	0	3	18276	137	2	0	3
			3	19515	147	2	0	3	19554	147	2	0	3	18389	138	2	0	3
			4W	19210	144	2	0	3	19248	145	2	0	3	18101	136	2	0	3
			5QW	19647	148	5	0	3	19686	148	5	0	3	18513	139	5	0	3
	165	153.6	2	21651	141	3	0	3	21695	141	3	0	3	20402	133	3	0	3
			3	21785	142	3	0	3	21828	142	3	0	3	20527	134	3	0	3
			4W	21444	140	3	0	3	21487	140	3	0	3	20206	132	3	0	3
			5QW	21932	143	5	0	3	21976	143	5	0	3	20666	135	5	0	3
	185	174.5	2	26046	149	3	0	3	26098	150	3	0	3	24543	141	3	0	3
			3	26207	150	3	0	3	26259	150	3	0	3	24694	142	3	0	3
			4W	25797	148	3	0	4	25849	148	3	0	4	24308	139	3	0	4
			5QW	26384	151	5	0	3	26437	152	5	0	3	24861	143	5	0	3
	210	198.2	2	28848	145	3	0	4	28906	146	3	0	4	27184	137	3	0	4
			3	29027	146	3	0	4	29085	147	3	0	4	27351	138	3	0	4
			4W	28572	144	3	0	4	28630	144	3	0	4	26924	136	3	0	4
			5QW	29222	147	5	0	4	29281	148	5	0	4	27536	139	5	0	4
	240	226.9	2	32087	141	3	0	4	32151	142	3	0	4	30235	133	3	0	4
			3	32285	142	3	0	4	32350	143	3	0	4	30422	134	3	0	4
			4W	31780	140	3	0	4	31844	140	3	0	4	29946	132	3	0	4
			5QW	32503	143	5	0	4	32568	144	5	0	4	30627	135	5	0	4
	255	257.0	2	37040	144	3	0	4	36854	143	3	0	4	35373	138	3	0	4
			3	37660	147	3	0	4	37472	146	3	0	4	35966	140	3	0	4
			4W	36347	141	3	0	5	36166	140	3	0	5	34782	135	3	0	5
			5QW	37420	146	5	0	4	37233	145	5	0	4	35736	139	5	0	4
	295	294.0	2	41733	142	3	0	4	41524	141	3	0	4	39855	136	3	0	4
			3	42432	144	3	0	4	42220	144	3	0	4	40523	138	3	0	4
			4W	40953	139	3	0	5	40748	139	3	0	5	39190	133	3	0	5
			5QW	42162	143	5	0	4	41951	143	5	0	4	40264	137	5	0	4
	340	347.1	2	48392	139	4	0	5	48150	139	4	0	5	46215	133	4	0	5
			3	49203	142	3	0	4	48957	141	3	0	4	46989	135	3	0	4
			4W	47488	137	4	0	5	47261	136	4	0	5	45443	131	4	0	5
			5QW	48889	141	5	0	5	48645	140	5	0	5	46689	135	5	0	5

* Lumen values are from photometric test performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown. Actual performance may differ as a result of end-user environment and application.

RATIO SERIES

AREA/SITE LIGHTER

ELECTRICAL DATA

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RAR1	25	120	0.21	25.4
		208	0.12	
		240	0.11	
		277	0.09	
	39	120	0.32	38.0
		208	0.18	
		240	0.16	
		277	0.14	
	50	347	0.11	49.8
		480	0.08	
		120	0.42	
		208	0.24	
	70	240	0.21	68.4
		277	0.18	
		120	0.57	
		208	0.33	
	100	240	0.29	90.0
		277	0.25	
		120	0.75	
		208	0.43	
	115	240	0.38	109.7
		277	0.32	
		120	0.91	
		208	0.53	
	135	240	0.46	133.3
		277	0.40	
		347	0.32	
		480	0.23	

# OF LEDS	Nominal Wattage	Input Voltage	Oper. Current (Amps)	System Power (Watts)
RAR2	110	120	0.84	100.3
		208	0.48	
		240	0.42	
		277	0.36	
	140	120	1.11	133.2
		208	0.64	
		240	0.56	
		277	0.48	
	165	120	1.28	153.6
		208	0.74	
		240	0.64	
		277	0.55	
	185	120	1.45	174.5
		208	0.84	
		240	0.73	
		277	0.63	
	210	120	1.65	198.3
		208	0.95	
		240	0.83	
		277	0.72	
	240	120	1.89	226.9
		208	1.09	
		240	0.95	
		277	0.82	
	255	120	2.14	257.0
		208	1.24	
		240	1.07	
		277	0.93	
	295	347	0.74	294.0
		480	0.54	
		120	2.45	
		208	1.41	
	340	240	1.23	347.1
		277	1.06	
		347	0.85	
		480	0.61	

LUMINAIRE AMBIENT TEMPERATURE FACTOR (LATF)

Ambient Temperature		Lumen Multiplier
0° C	32° F	1.03
10° C	50° F	1.01
20° C	68° F	1.00
25° C	77° F	1.00
30° C	86° F	0.99
40° C	104° F	0.98
50° C	122° F	0.97

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

PROJECTED LUMEN MAINTENANCE

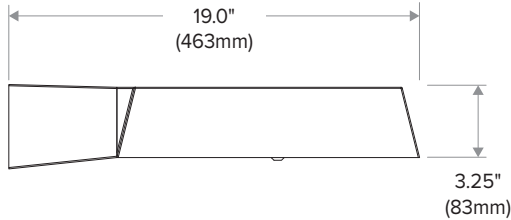
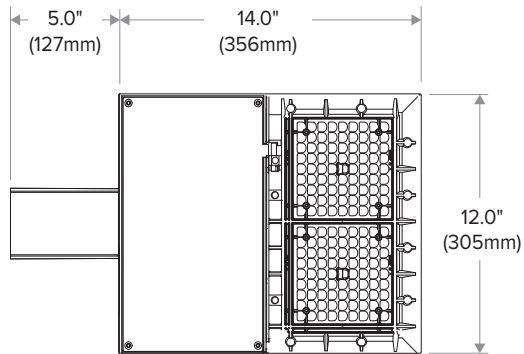
Ambient Temperature	OPERATING HOURS					
	0	25,000	TM-21-11 L90 36,000	50,000	100,000	L70 (Hours)
25°C / 77°F	1.00	0.97	0.95	0.93	0.86	238,000
40°C / 104°F	0.99	0.96	0.95	0.93	0.85	225,000

RATIO SERIES

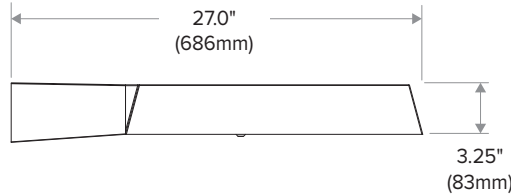
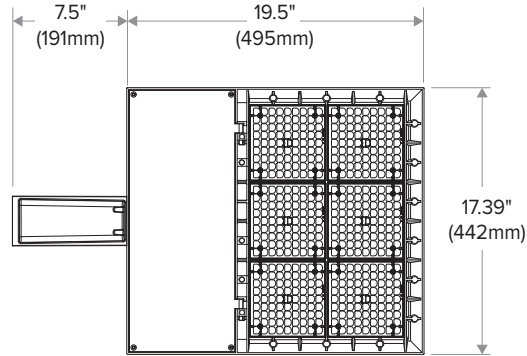
AREA/SITE LIGHTER

DIMENSIONS

RAR1

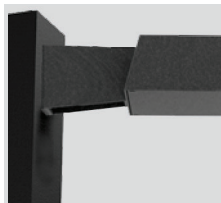


RAR2



ADDITIONAL INFORMATION

MOUNTING



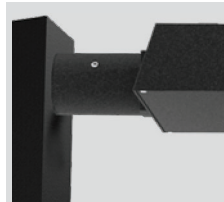
Arm Mount – Fixture ships with integral arm for ease of installation. Compatible with Hubbell Outdoor B3 drill pattern.



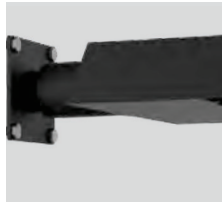
Knuckle – Knuckle mount 15° aiming angle increments for precise aiming and control, fits 2-3/8" tenons or pipes.



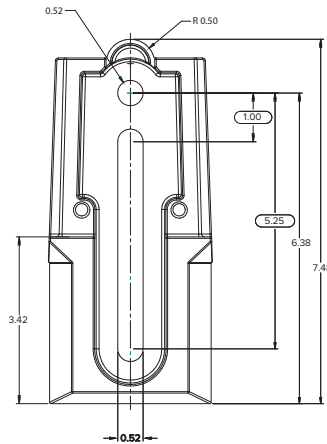
Universal Mounting – Universal mounting block for ease of installation. Compatible with drill patterns from 2.5" to 4.5"



MAF – Fits 2-3/8" OD arms Roadway applications.



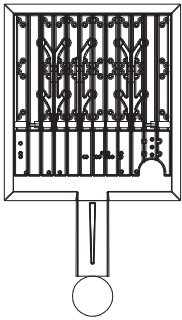
Wall Mount – Wall mount bracket designed for building mount applications.



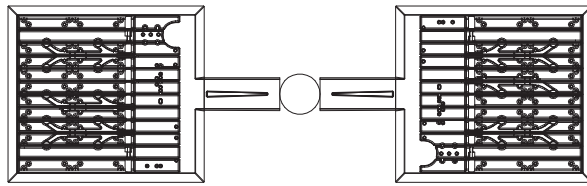
RATIO SERIES

AREA/SITE LIGHTER

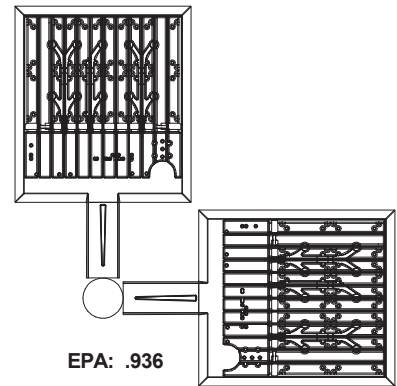
EPA



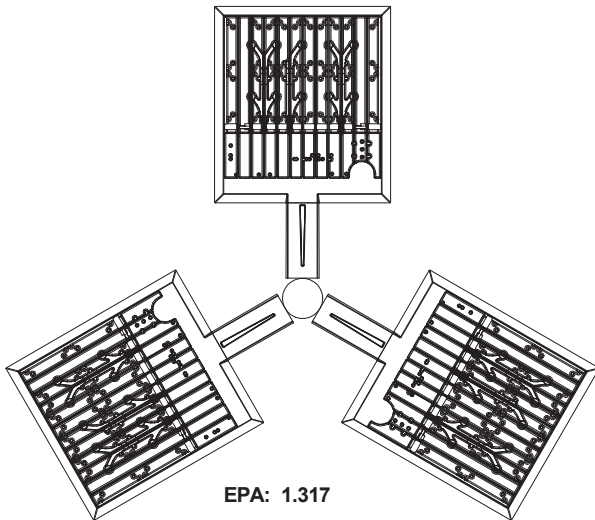
EPA: .607



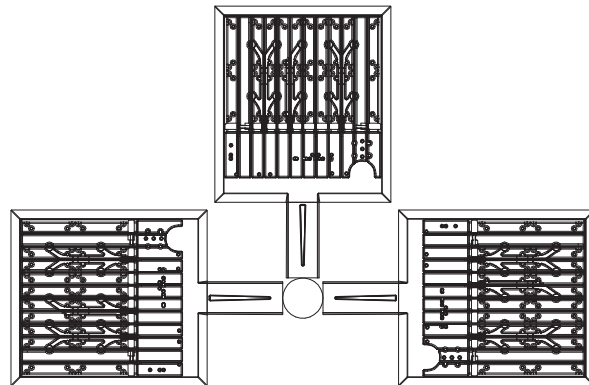
EPA: 1.214



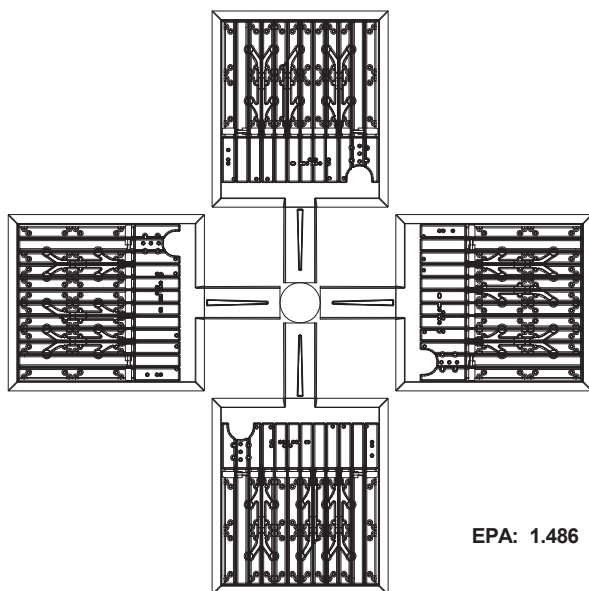
EPA: .936



EPA: 1.317



EPA: 1.486



EPA: 1.486

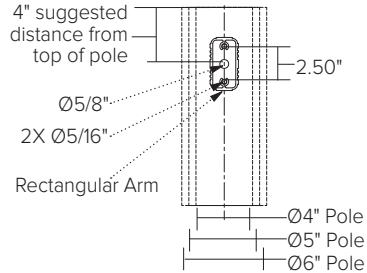
RATIO SERIES

AREA/SITE LIGHTER

ADDITIONAL INFORMATION (CONT'D)

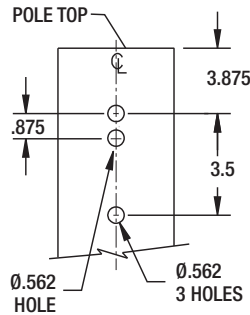
ARM MOUNT (ASQ)

Compatible with Pole drill pattern B3



UNIVERSAL MOUNTING (ASQU)

Compatible with pole drill pattern S2



SITESYNC 7-PIN MODULE



SW7PR



- SiteSync features in a new form
- Available as an accessory for new construction or retrofit applications (with existing 7-Pin receptacle)

PROGRAMMED CONTROLS

ADD-AutoDim Timer Based Options

- Light delay options from 1-9 hours after the light is turned on to dim the light by 10-100%. To return the luminaire to its original light level there are dim return options from 1-9 hours after the light has been dimmed previously.

EX: ADD-6-5-R6

ADD Control Options	Configurations Choices	Example Choice Picked
Auto-Dim Options	1-9 Hours	6
Auto-Dim Brightness	0-9% Brightness	5
Auto-Dim Return	Delay 0-9 Hours	R6

ADT-AutoDim Time of Day Based Option

- Light delay options from 1AM-9PM after the light is turned on to dim the light by 10-100%. To return the luminaire to its original light level there are dim return options from 1AM-9PM after the light has been dimmed previously.

EX: ADT-6-5-R6

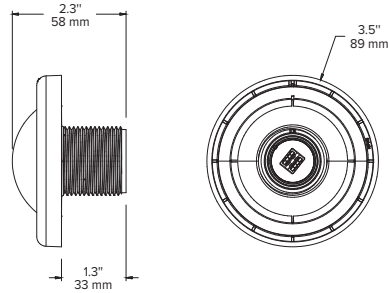
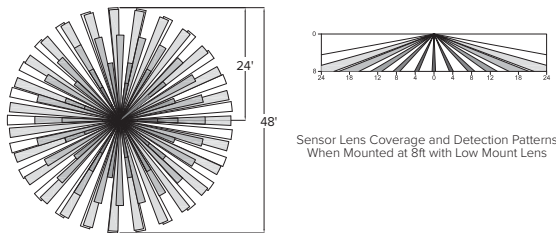
ADD Control Options	Configurations Choices	Example Choice Picked
Auto-Dim Options	12-3 AM and 6-11 PM	6
Auto-Dim Brightness	0-9% Brightness	5
Auto-Dim Return	12-6 AM and 9-11P	R6

RATIO SERIES

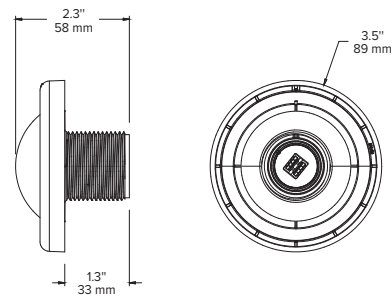
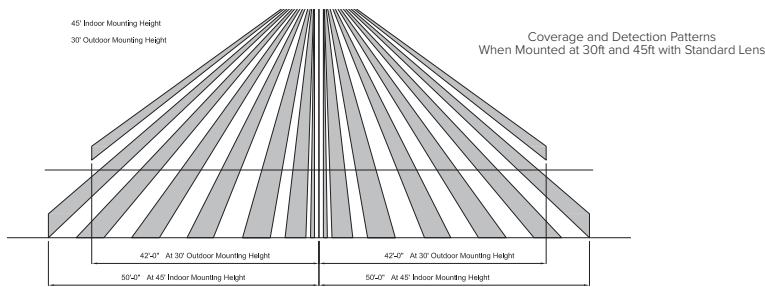
AREA/SITE LIGHTER

ADDITIONAL INFORMATION (CONT'D)

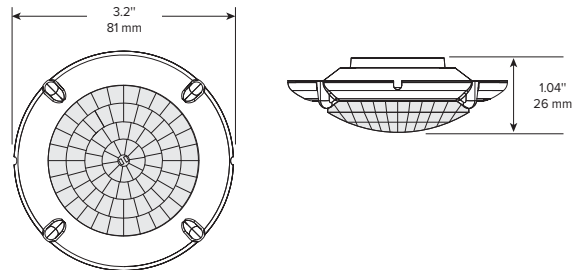
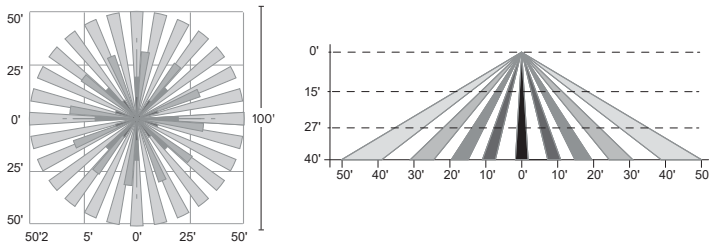
NXSP-14F



NXSP-30F



SCP-40F



RAR1 EPA

RAR-1	
EPA at 0°	EPA at 30°
.45ft. ² .13m ²	.56ft. ² .17m ²

RAR2 EPA

RAR-2	
EPA at 0°	EPA at 30°
.55ft. ² .17m ²	1.48ft. ² .45m ²

SHIPPING

Catalog Number	G.W(kg)/CTN	Carton Dimensions		
		Length Inch (cm)	Width Inch (cm)	Height Inch (cm)
RAR1	15 (6.8)	20.75 (52.7)	15.125 (38.4)	6.9375 (17.6)
RAR2	19 (8.6)	25 (63.5)	15.125 (38.4)	6.9375 (17.6)

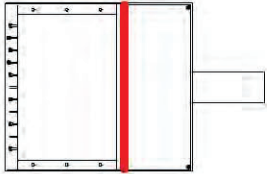
RATIO SERIES

AREA/SITE LIGHTER

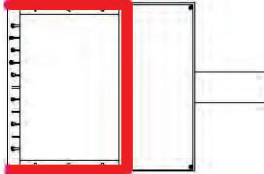
ADDITIONAL INFORMATION (CONT'D)

RATIO HOUSE SIDE SHIELD

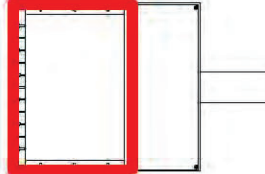
RARx HSS-90-B-xx



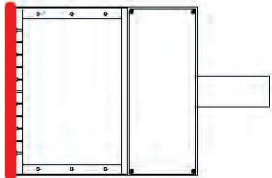
RARx HSS-270-BSS-xx



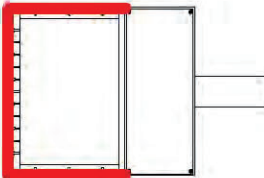
RARx HSS-360-xx



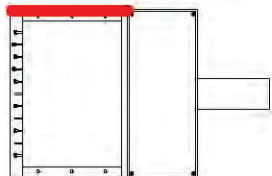
RARx HSS-90-F-xx



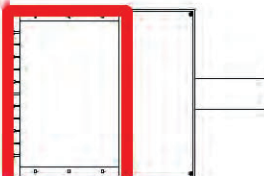
RARx HSS-270-FSS-xx



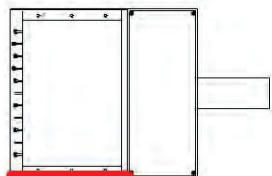
RARx HSS-90-S-xx



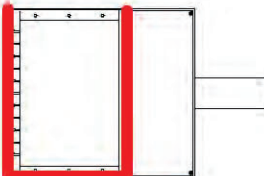
RARx HSS-270-FSB-xx



RARx HSS-90-S-xx



RARx HSS-270-FSB-xx



USE OF TRADEMARKS AND TRADE NAMES

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LNC3

MEDIUM LED LITEPAK

FEATURES

- Litepak LNC3 is a mid-sized wallpack in the popular Litepak series
- The LNC3 features luminaires with TIR optics and four different lumen packages, multiple distributions and CCT for maximum light level and mounting height flexibility
- Capable of replacing up to 250w HID solutions at over 70% energy savings
- Energy efficient LEDs provide 70%+ energy savings with little to no maintenance when compared to traditional light sources
- Typical mounting heights of 8-20"



CONTROL TECHNOLOGY



SPECIFICATIONS

CONSTRUCTION

- Die-cast aluminum housing protects components and provides an architectural appearance
- Casting thermally conducts LED heat to optimize performance and long life
- Powder paint finish provides durability in outdoor environments
- Four 1/2" conduit entries (top, bottom, and sides) provided for surface conduit
- Zero uplight distributions using individual acrylic LED optics provide IES type II, III and IV distributions
- CS - Frosted acrylic diffuser option for reduced glare
- CSU - Frosted acrylic diffuser for inverted "up" mounting applications (lens required)

OPTICS

- Ambient operating temperature -40°C to 40°C
- 3000K, 4000K and 5000K CCT nominal with 70 CRI
- Available in 4 or 24 LED configuration
- L70 at 60,000 hrs (Projected per IESNA TM-21-11), see table on page 3 for all values

INSTALLATION

- Quick-mount adapter with gasket seal provides easy installation to wall or to recessed junction box (4" square junction box)

INSTALLATION (CONTINUED)

- Fixture attaches by two Allen-head hidden fasteners for tamper resistance
- Designed for direct j-box mount or conduit feed on all four sides in single SKU

ELECTRICAL

- 120-277, 347 and 480 voltage, 50/60Hz, 0-10V dimming drivers
- Electronic driver
- 10kA surge protection

CONTROLS

- Button photocontrol for dusk to dawn energy savings
- 7-pin photo-receptacle available for twist lock photocell and controls by others
- Occupancy sensor options available for complete on/off and dimming control
- SiteSync pre-commissioned wireless controls (with or without sensor)
- In addition, LITEPAK can be specified with SiteSync™ wireless control system for reduction in energy and maintenance cost while optimizing light quality 24/7
- See ordering information or visit www.hubbellighting.com/sitesync for more details



RELATED PRODUCTS

- [LNC](#)
[INC2](#)
[LNC4](#)

CERTIFICATIONS

- DLC® DesignLights Consortium Qualified, with some Premium Qualified configurations. Please refer to the DLC website for specific product qualifications at www.designlights.org
- Listed to UL1598 and CSAC22.2#250.0-24 for wet locations
- Listed to UL1598 and CSAC22.2#250.0-24 for wet locations
- IP65 Assembly
- IDA Approved (3000K configurations)

WARRANTY

- 5 year limited warranty
- See [HLI Standard Warranty](#) for additional information

KEY DATA	
Lumen Range	2,991–7,603
Wattage Range	28–83
Efficacy Range (LPW)	84–115
Fixture Projected Life (Hours)	L70>60K
Weights lbs. (kg)	18.0 (8.2)

LNC3

MEDIUM LED LITEPAK

ORDERING GUIDE

Example: LNC3-24L-3K-035-2-U-DBT-PCU

CATALOG #

ORDERING INFORMATION

Series	# LEDs	CCT/CRI	Drive Current	IES Distribution	Voltage
LNC3 Medium Litepak Wallpack	24L 24LEDs	3K 3000K nominal, 70 CRI 4K 4000K nominal, 70 CRI 5K 5000K nominal, 70 CRI	035 350mA 050 500mA 075 750mA 105 1050mA	2 Type II ¹ 3 Type III ¹ 4 Type IV ¹	U 120-277V 1 120V ¹ 2 208V ¹ 3 240V ¹ 4 277V ¹ 5 480V ¹ F 347V ¹

Finish	Control Options	Options	Notes:
BLT Black Matte Textured BLS Black Gloss Smooth DBT Dark Bronze Matte Textured DBS Dark Bronze Gloss Smooth GTT Graphite Matte Textured LGS Light Grey Gloss Smooth PSS Platinum Silver Smooth WHT White Matte Textured WHS White Gloss Smooth VGT Verde Green Textured Color Option CC Custom Color	PCU Universal Button Photocontrol 7PR 7pin PCR ⁶ SCP Programmable occupancy sensor ^{3,4} SWP SiteSync Pre-Commission ^{7,10} SWPM SiteSync Pre-commission w/ OCC Sensor ^{4,7,8,10}	F Fusing (must specify voltage per footnote) CS Frosted acrylic diffuser CSU Inverted/Up mounting frosted acrylic diffuser (required for up/inverted fixture installations, factory install only see page 3) ² E Integral battery backup rated for 0°C ^{1,5} EH Integral battery backup with heater rated for -30°C ^{1,5} 2DR Dual Driver ⁹	1 Must specify voltage (120 or 277 only for E & EH) 2 Factory install only. Not available with SCP or SWPM sensor/control options 3 Must order minimum of one remote control to program dimming settings, 0-10V fully adjustable dimming with automatic daylight calibration and different time delay settings, 120-277V only 4 PCU option not applicable, included in sensor (8F = up to 8ft, 20F = up to 20ft) 5 350mA, 500mA & 750mA versions only. Not available with F, SWP or SWPM options 6 Accepts standard 3, 5, and 7-Pin ANSI controls (by others). Not available with PCU, SWP or SWPM control options 7 Must specify group and zone information at time or order. See www.HubbellLighting.com/products/sitesync for future details 8 Specify time delay; dimming level and mounting height 9 750mA and 1050mA versions only, not available with 347/480V 10 1050mA only, not available with 347V or 480V

ACCESSORIES AND SERVICES (ORDERED SEPARATELY)

Catalog Number	Description
<input type="checkbox"/> LNC3-CS	Frosted acrylic comfort shield/lens, reduces glare and improves uniformity with only 20% lumen reduction
<input type="checkbox"/> SCP-Remote	Remote Control for SCP/_F option. Order at least one per project to program and control the occupancy sensor
<input type="checkbox"/> SWUSB	SiteSync interface software loaded on USB flash drive for use with owner supplied PC (Windows based only). Includes SiteSync license, software and USB radio bridge node*
<input type="checkbox"/> SWTAB	Windows tablet and SiteSync interface software. Includes tablet with preloaded software, SiteSync license and USB radio bridge node*
<input type="checkbox"/> SWBRG	SiteSync USB radio bridge node only. Order if a replacement is required or if an extra bridge node is requested
<input type="checkbox"/> SW7PR	SiteSync 7 Pin on fixture module On/Off/Dim, Daylight Sensor 120-480VAC*

Notes:

* When ordering SiteSync at least one of these two interface options must be ordered per project

+ Available as a SiteSync retrofit solution for fixtures with an existing 7pin receptacle

Hubbell Control Solutions — Accessories (Sold Separately)

NX Distributed Intelligence™

☐ NXOFM-1R1D-UNV On-fixture Module (7-pin), On / Off / Dim, Daylight Sensor with HubbNET Radio and Bluetooth® Radio, 120–480VAC

wiSCAPE® Lighting Control

☐ WIR-RME-L On-fixture Module (7-pin or 5-pin), On / Off / Dim, Daylight Sensor with wiSCAPE Radio, 110–480VAC

For additional information related to these accessories please visit www.hubbellcontrolsolutions.com. Options provided for use with integrated sensor, please view specification sheet ordering information table for details.

LNC3

MEDIUM LED LITEPAK

CONTROLS

SiteSync — Precommissioned Ordering Information:

When ordering a fixture with the SiteSync lighting control option, additional information will be required to complete the order. The SiteSync Commissioning Form or alternate schedule information must be completed. This form includes Project location, Group information, and Operating schedules. For more detailed information please visit [the SiteSync family page on our website](#) or contact Hubbell Lighting tech support at 800-345-4928.



SiteSync fixtures with Motion control (SWPM) require the mounting height of the fixture for selection of the lens.

Examples: LNC3-24L-4K-075-3-U-BL-SWP

LNC3-24L-4K-075-3-U-BL-SWPM-20F

SiteSync only

SiteSync with Motion Control

SiteSync 7-Pin Module:

- SiteSync features in a new form
- Available as an accessory for new construction or retrofit applications (with existing 7-Pin receptacle)
- Does not interface with occupancy sensors



SW7PR

PERFORMANCE DATA

# Of LEDs	Nominal Wattage	System Watts	Dist. Type	5K (5000K NOMINAL 70 CRI)					4K (4000K NOMINAL 70 CRI)					3K (3000K NOMINAL 80 CRI)				
				Lumens	LPW*	B	U	G	Lumens	LPW*	B	U	G	Lumens	LPW*	B	U	G
4	N/A	N/A	E	671	-	-	-	-	657	-	-	-	-	591	-	-	-	-
24	350mA	28	2	3,212	115	1	0	1	3,145	113	1	0	1	2,991	107	1	0	1
			3	3,160	113	1	0	1	3,094	111	1	0	1	2,944	106	1	0	1
			4	3,182	114	1	0	1	3,116	112	1	0	1	2,964	106	1	0	1
	500mA	41	2	4,143	101	1	0	2	4,057	99	1	0	2	3,858	94	1	0	2
			3	4,076	99	1	0	1	3,991	97	1	0	1	3,797	93	1	0	1
			4	4,104	100	1	0	1	4,019	98	1	0	1	3,823	93	1	0	1
	750mA	60	2	5,918	99	1	0	2	5,795	97	1	0	2	5,512	92	1	0	2
			3	5,823	97	1	0	2	5,702	95	1	0	2	5,424	90	1	0	2
			4	5,863	98	1	0	2	5,741	96	1	0	2	5,461	91	1	0	2
	1050mA	83	2	7,630	92	2	0	2	7,472	90	2	0	2	7,107	86	2	0	2
			3	7,508	90	1	0	2	7,352	89	1	0	2	6,993	84	1	0	2
			4	7,559	91	1	0	2	7,402	89	1	0	2	7,041	85	1	0	2

ELECTRICAL DATA

# OF LEDs	Drive Current (mA)	Input Voltage (V)	Oper. Current (Amps)	System Power (W)
24	350mA	120	0.23	28
		277	0.10	28
		347	0.08	28
		480	0.06	28
	500mA	120	0.34	41
		277	0.15	41
		347	0.12	41
		480	0.09	41
	750mA	120	0.50	60
		277	0.22	60
		347	0.17	60
		480	0.13	60
	1050mA	120	0.69	83
		277	0.30	83
		347	0.24	83
		480	0.17	83

PROJECTED LUMEN MAINTENANCE

Ambient Temperature	OPERATING HOURS					
	0	25,000	50,000	TM-21-11* L96 60,000	100,000	L70 (Hours)
25°C / 77°F	1.00	0.97	0.94	0.93	0.89	>296,000
40°C / 104°F	1.00	0.95	0.91	0.89	0.83	>191,000

* Projected per IESNA TM-21-11 * (Nichia 219B, 700mA, 85°C Ts, 10,000hrs). Data references the extrapolated performance projections for the LNC-12LU-5K base model in a 40°C ambient, based on 10,000 hours of LED testing per IESNA LM-80-08.

LNC3

MEDIUM LED LITEPAK

LUMINAIRE AMBIENT TEMPERATURE FACTOR (LATF)

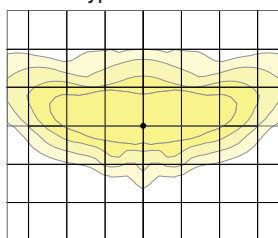
Ambient Temperature		Lumen Multiplier
0° C	32° F	1.02
10° C	50° F	1.01
20° C	68° F	1.00
25° C	77° F	1.00
30° C	86° F	1.00
40° C	104° F	0.99

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

PHOTOMETRY

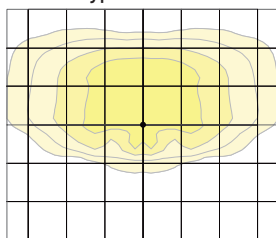
The following diagrams represent the general distribution options offered for this product. For detailed information on specific product configurations, see [website photometric test reports](#).

LNC3 – Type II



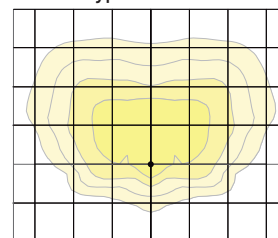
Mounting Height: 15'

LNC3 – Type III



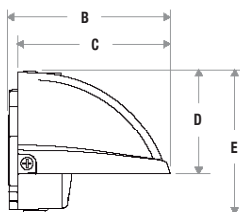
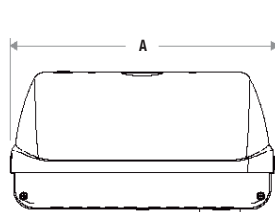
Mounting Height: 15'

LNC3 – Type IV



Mounting Height: 15'

DIMENSIONS



A	B	C	D	E	Weight
13" (330 mm)	10.5" (267 mm)	9.9" (251 mm)	5.8" (147 mm)	8.3" (211 mm)	25.0 lbs 11.3 kg

ADDITIONAL INFORMATION

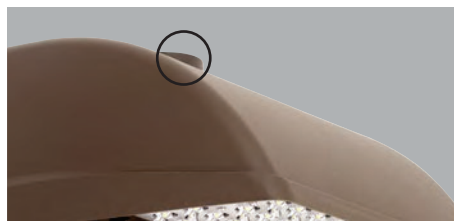
CSU – INVERTED MOUNTING OPTION



*Requires Factory Installed Lens Option

Inverted mounting capabilities for uplighting applications. Specially designed frosted acrylic diffuser option softens output, improves uniformity and protects LED lenses.

SCP – PROGRAMMABLE OCCUPANCY SENSOR



*Photocontrol and Wireless Controls by Others

Standard NEMA 7-Pin receptacle for twist lock photocell or wireless controls (by others).

SCP – PROGRAMMABLE OCCUPANCY SENSOR



Sensor offers greater control and energy savings with SCP programmable sensor with adjustable delay and dimming levels (Factory default is 10%)

Visit: <http://www.hubbelllighting.com/solutions/controls/> for control application information

SHIPPING INFORMATION

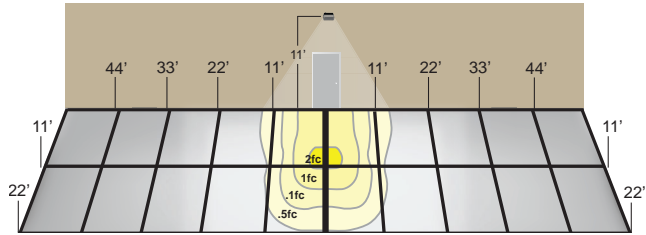
Catalog Number	G.W(kg)/CTN	Carton Dimensions			Carton Qty. per Master Pack
		Length Inch (cm)	Width Inch (cm)	Height Inch (cm)	
LNC3-24LU	18.0 (8.2)	15.8 (40)	11.0 (28)	13.0 (33)	1

LNC3

MEDIUM LED LITEPAK

ADDITIONAL INFORMATION (CONTINUED)

LNC2 - BATTERY BACK UP



11' Mounting Height

Provides Life Safety Code average illuminance of 1.0 fc. Assumes open space with no obstructions and mounting height of 11'.

Diagrams for illustration purposes only, please consult factory for application layout.

Battery backup units consume 6 watts when charging a dead battery and 2 watts during maintenance charging. EH (units with a heater) consume up to an additional 8 watts when charging if the battery temp is lower than 10°C

E & EH EMERGENCY BATTERY BACKUP

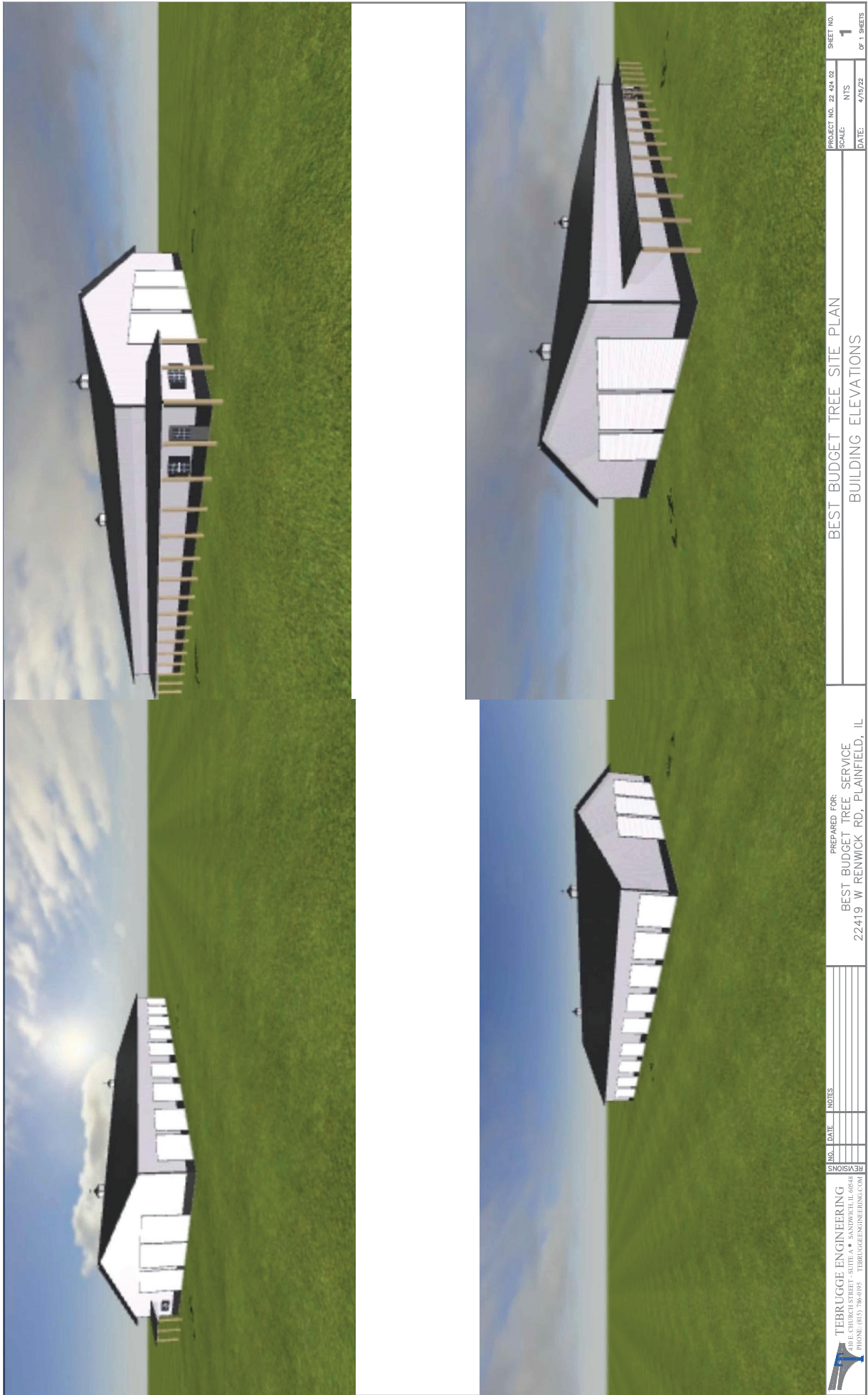


24 High Power LEDs generate up to 7,500 lumens in Normal Mode, and use 4 LEDs for up to 700 lumens in emergency.

USE OF TRADEMARKS AND TRADE NAMES

All product and company names, logos and product identifies are trademarks ™ or registered trademarks ® of Hubbell Lighting, Inc. or their respective owners. Use of them does not necessarily imply any affiliation with or endorsement by such respective owners.

Exhibit F



KENDALL COUNTY
Resolution No. _____

A Resolution authorizing the use of eminent domain to acquire certain parcels of land for roadway purposes for the Collins Road Extension project in Kendall County, Illinois

WHEREAS, Kendall County has determined that there is a need to provide improvements to Grove Road, Collins Road, and Minkler Road in Kendall County, Illinois, to address the growing need for north – south corridors in Kendall County, and provide access to residential and commercial properties along the corridor; and

WHEREAS, Kendall County believes it is imperative for all the residents of Kendall County that the aforementioned roadways in Kendall County, Illinois be improved for the safety of the motoring public; and

WHEREAS, Kendall County has determined that the work and improvements to Grove Road, Collins Road, and Minkler Road in Kendall County, Illinois, is for a public use, and constitutes a public purpose, namely, a public roadway; and it is necessary for Kendall County to have and acquire for the use of the People of the State of Illinois, County of Kendall, for roadway purposes, the land and rights of the real property described hereinafter; and

WHEREAS, Kendall County has conducted the necessary engineering and environmental studies to determine the right-of-way requirements for said project; and

WHEREAS, the necessary plats, legal descriptions, and title commitments have been prepared; and

WHEREAS, Kendall County has deemed that portions of parcel 02-24-476-001, 02-25-200-002, and 03-30-100-001, as further described within Exhibit “A”, should be acquired by negotiated purchase and/or, negotiation failing, by eminent domain proceedings for highway purposes.

WHEREAS, the compensation to each owner for each tract of real property to be acquired or for damages for the construction of the public roadway cannot be agreed on between the owners and Kendall County even though Kendall County has attempted to effect such an agreement.

NOW, THEREFORE BE IT RESOLVED, the above listed recitals are incorporated herein by reference; and

BE IT FURTHER RESOLVED, by the Kendall County Board, that construction of the aforementioned roadways be laid out, established, constructed and maintained as determined during the engineering work performed for said project; and that said improvements for the roadway be constructed, used, occupied, improved, and developed in a manner necessary and convenient for said use as a public highway; and

BE IT FURTHER RESOLVED, that it is hereby determined by the Kendall County Board that it is necessary and desirable that the County of Kendall acquire title to, and possession of, the real property as described; and that said real property is necessary and convenient for said highway purposes; and

BE IT FURTHER RESOLVED, that the Kendall County State’s Attorney is hereby authorized, empowered and directed by the Kendall County Board to condemn land necessary for the improvement, construction, and expansion of public roads pursuant to the Eminent Domain Act, 735 ILCS 30/1-1-15/7-101, et seq., described below and in Exhibit A:

Parcel No.	Permanent Index No(s).	Owner	Legal Description
0002	02-24-476-001 02-25-200-002 03-30-100-001	Lloyd D Boughton, as Trustee of the Walter P. Boughton Trust (Trust A), under Declaration of Trust dated January 18, 1991	See Exhibit A

Said Exhibit A, which sets forth the legal descriptions of the real property are attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED, that the County Board has previously appropriated monies to fund the acquisition of said properties and to cover all costs associated with the acquisition of said right-of-way by the approval of the FY 2022-2026 Annual Operating Budget and Transportation Sales Tax Fund and shall use said monies to compensate said property owners as determined by the Court for the fee-simple or lesser title to the properties sought to be acquired; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to distribute certified copies of this resolution to the County Board Chairman, the State’s Attorney, the County Engineer, and the County Administrator.

This resolution approved by the County Board of Kendall County, State of Illinois.

Scott Gryder - Kendall County Board Chair

I, Debbie Gillette, County Clerk in and for said County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the Kendall County Board, at its regularly scheduled meeting in Yorkville, Illinois, on the _____ day of _____, A.D. 2022.

Debbie Gillette – County Clerk

(SEAL)

PARCEL DESCRIPTION

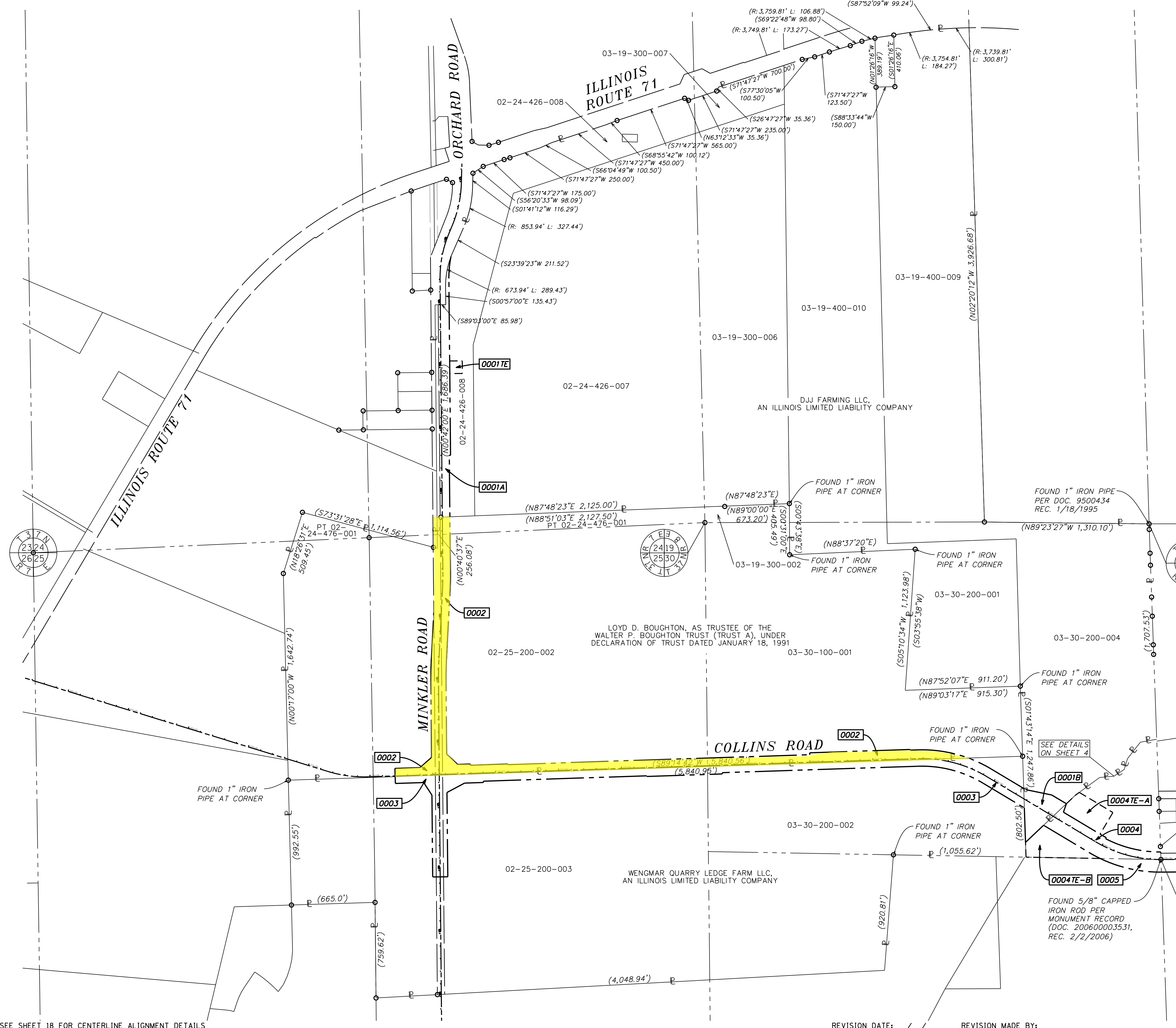
That part of the lands described in Document 200200014584, as recorded on June 25, 2002, in Section 24 and 25, Township 37 North, Range 7 East and Section 30 Township 37 North, Range 8 East of the Third Principal Meridian, in Oswego Township, Kendall County, Illinois, bearings and distances are based on the Illinois State Plane Coordinate System, East Zone, NAD83 (2011 Adjustment), with a combined factor of 0.999949036; described as follows:

Commencing at the Southwest corner of said lands described in Document 200200014584; thence along the south line of said lands, North 88 degrees 08 minutes 03 seconds East, 849.65 feet to the Point of Beginning; thence North 01 degree 53 minutes 24 seconds West, 65.88 feet; thence North 88 degrees 06 minutes 36 seconds East, 200.00 feet; thence North 48 degrees 35 minutes 58 seconds East, 122.50 feet; thence North 00 degrees 27 minutes 39 seconds West, 607.99 feet to a tangential curve to the right; thence 181.30 feet along said curve having a radius of 3,060.00 feet, a chord bearing of North 01 degree 14 minutes 12 seconds East and a chord distance of 181.27 feet to a point of tangency; thence North 02 degrees 56 minutes 02 seconds East, 361.68 feet to the west Right of Way line of Minkler Road, as occupied and monumented; thence along said West line, North 00 degrees 32 minutes 21 seconds West, 519.49 feet to a southerly line of the Parkhust Family Limited Partnership lands described in Document 970820, as recorded on August 20, 1997; thence along said southerly line, South 75 degrees 03 minutes 08 seconds East, 34.24 feet to the centerline of Minkler Road, as occupied and monumented; thence along said centerline, North 00 degrees 32 minutes 21 seconds West, 247.15 feet; to the north line of said lands described in Document 200200014584; thence along said north line, North 87 degrees 46 minutes 51 seconds East, 102.04 feet; thence South 00 degrees 32 minutes 21 seconds East, 424.19 feet to a tangential curve to the right; thence 185.48 feet along said curve having a radius of 3,060.00 feet, a chord bearing of South 01 degree 11 minutes 51 seconds West and a chord distance of 185.45 feet to a point of tangency; thence South 02 degrees 56 minutes 02 seconds West, 520.17 feet to a tangential curve to the left; thence 174.19 feet along said curve having a radius of 2,940.00 feet, a chord bearing of South 01 degree 14 minutes 12 seconds West and a chord distance of 174.16 feet to a point of tangency; thence South 00 degrees 27 minutes 39 seconds East, 582.99 feet; thence South 46 degrees 52 minutes 54 seconds East, 120.10 feet; thence North 88 degrees 06 minutes 36 seconds East, 100.00 feet; thence South 01 degree 53 minutes 24 seconds East, 10.00 feet; thence North 88 degrees 06 minutes 36 seconds East, 300.00 feet; thence South 01 degree 53 minutes 24 seconds East, 5.00 feet; thence North 88 degrees 06 minutes 36 seconds East, 2,400.00 feet; thence North 01 degree 53 minutes 24 seconds West, 15.00 feet; thence North 88 degrees 06 minutes 36 seconds East, 800.00 feet; thence South 01 degree 53 minutes 24 seconds East, 5.00 feet; thence North 88 degrees 06 minutes 36 seconds East, 57.49 feet to a tangential curve to the right; thence 410.55 feet along said curve having a radius of 1,070.00 feet, a chord bearing of South 80 degrees 53 minutes 53 seconds East and a chord distance of 408.04 feet to the south line of said lands described in Document 200200014584; thence along said south line, South 88 degrees 08 minutes 03 seconds West, 4,558.04 feet to the Point of Beginning.

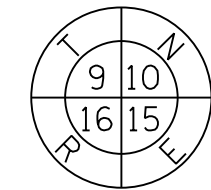
Said parcel containing 12.912 acres, more or less, of which 2.546 acres, more or less, has been previously used for Right of Way purposes.

EXHIBIT A

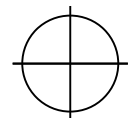
PART OF SECTIONS 24 & 25, TWP. 37 N., R. 7 E. OF THE 3RD P.M. AND PART OF SECTIONS 29 & 30, TWP. 37 N., R. 8 E. OF THE 3RD P.M. IN KENDALL COUNTY, ILLINOIS.



LEGEND




SECTION
CORNER



QUARTER
SECTION
CORNER

SECTION / QUARTER SECTION LINE
PLATTED LOT LINES
PROPERTY (DEED) LINE
APL APPARENT PROPERTY LINE
EXISTING CENTERLINE
PROPOSED CENTERLINE
EXISTING RIGHT OF WAY LINE
PROPOSED RIGHT OF WAY LINE
EXISTING EASEMENT
PROPOSED EASEMENT

S82°10'45"E 129.32'	MEASURED DIMENSION
129.32' (COMP)	COMPUTED DIMENSION
(129.32')	RECORDED DIMENSION
	EXISTING BUILDING

BEARINGS ARE REFERENCED TO THE ILLINOIS STATE PLANE
COORDINATE SYSTEM, NAD83 (2011 ADJUSTMENT), EAST ZONE.

○	IRON PIPE OR ROD FOUND	⊕	"MAG" NAIL SET
+	CUT CROSS FOUND OR SET	●	5/8" REBAR SET

SURVEY NOTES:

1. ALL DIMENSIONS WERE MEASURED UNLESS OTHERWISE SPECIFIED.
2. BEARING, DISTANCES, AND COORDINATES SHOWN HEREON REFERENCE THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT) "GRID".
3. ALL MEASURED AND CALCULATED DISTANCES ARE "GRID" NOT "GROUND". TO OBTAIN GROUND DISTANCES, DIVIDE GRID DISTANCES SHOWN BY THE COMBINATION FACTOR OF 0.999949036.
4. AREAS SHOWN ON THIS PLAT ARE "GROUND".
5. FIELD SURVEY COMPLETED ON JUNE 30, 2021.

STATE OF ILLINOIS
COUNTY OF KANE

THIS IS TO CERTIFY THAT I, RICHARD B. McCOMBS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, (WE, HR GREEN, INC, AN ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYING CORPORATION, NUMBER 184-001322) HAVE SURVEYED THE PLAT OF HIGHWAYS SHOWN HEREON IN SECTIONS 24 & 25, TOWNSHIP 37 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN AND SECTIONS 29 & 30, TOWNSHIP 37 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE PLAT CORRECTLY REPRESENTS SAID SURVEY, THAT ALL MONUMENTS FOUND AND ESTABLISHED ARE OF PERMANENT QUALITY AND OCCUPY THE POSITIONS SHOWN THEREON AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, MADE FOR THE KENDALL COUNTY HIGHWAY DEPARTMENT, KENDALL COUNTY, STATE OF ILLINOIS.

DATED AT AURORA, ILLINOIS THIS ____ DAY OF _____ 2021 A.D.

PRELIMINARY – FOR REVIEW

RICHARD B. McCOMBS, P.L.S.
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035.003847
LICENSE EXPIRATION DATE: 11/30/2022

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



2363 Sequoia Drive, Suite 101
Aurora, Illinois 60506
HRGreen.com
Illinois Professional Design Firm # 184-001322

PLAT OF HIGHWAYS
STATE OF ILLINOIS, KENDALL COUNTY
KENDALL CO. HIGHWAY DEPARTMENT
COLLINS ROAD EXTENSION (MINKLER TO GROVE)

LIMITS: -----	COUNTY: KENDALL
SECTION: 16X-00133-00-EG	JOB NO.: R-93-002-19
STA. TO STA.	
SCALE: 1"=400'	SHEET 2 OF 18 SHEETS

**KENDALL COUNTY HIGHWAY DEPARTMENT
6780 ILLINOIS ROUTE 47
YORKVILLE, ILLINOIS 60560**

SEE SHEET 18 FOR CENTERLINE ALIGNMENT DETAILS

REVISION DATE: / / REVISION MADE BY:

**COUNTY OF KENDALL
RESOLUTION 2022-_____**

**A RESOLUTION SUPPORTING LIGHT INDUSTRIAL DEVELOPMENT IN THE VILLAGE
OF PLAINFIELD WITHIN KENDALL COUNTY IN ALIGNMENT WITH THE KENDALL
COUNTY LAND RESOURCE MANAGEMENT PLAN**

WHEREAS, Kendall County has adopted a Land Resource Management Plan via Resolution No. 2021-19 to identify desired and appropriate land uses within the County; and

WHEREAS, a portion of the planning area for the Village of Plainfield, including territory already annexed into Plainfield's municipal boundary and territory that is unincorporated, is located within Kendall County; and

WHEREAS, in 2021, Kendall County adopted an Intergovernmental Agreement between the County of Kendall and the Village of Plainfield (Signalization of Intersection of 143rd Street and Ridge Road) IGAM 21-24 to encourage commercial and light industrial development; and

WHEREAS, as part of IGAM 21-24 Kendall County agreed to grant Plainfield \$1,000,000 to improve the signalization of the intersection of 143rd Street and Ridge Road; and

WHEREAS, Kendall County has identified parcels on the east side of Ridge Road south of Johnson Road as suitable and desirable for "Mixed Use Business" land uses, which are intended to provide for employment opportunities and a balanced tax base, allowing for Office and Research Park and manufacturing zoning districts; and

WHEREAS, DHL Supply Chain has submitted to the Village of Plainfield a petition for annexation and application for re-zoning to I-1 – Office, Research and Light Industrial zoning for parcels located east of Ridge Road, south of Johnson Road, for a development known as the "Plainfield Logistics Centre" in an area designated on the Kendall County Land Resource Management Plan as "Mixed Use Business".

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS as follows:

1. Kendall County supports the proposed Plainfield Logistics Centre as a development that is consistent with the Kendall County Land Resource Management Plan and a project that would help diversify the tax base and generated employment opportunities for residents of Kendall County and the surrounding area.
2. Kendall County encourages the Village of Plainfield to support and approve the Plainfield Logistics Centre upon satisfaction that the proposed plans comply with the requirements of the Village of Plainfield's codes and ordinances.
3. Kendall County further supports additional development of "Mixed Use Business" projects at appropriate locations, including in the vicinity of Ridge Road at Johnson Road and the future intersection of 143rd Street.

IN WITNESS OF, this resolution has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of June 2022.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder