



Kendall County Board Agenda
Adjourned September Meeting
Kendall County Office Building, 111 W. Fox Street
County Board Room 209, Yorkville, IL 60560
Tuesday November 26, 2024, at 5:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Determination of a Quorum
6. Approval of Agenda
7. Special Recognition
8. Public Comment
9. Consent Agenda
 - A. Approval of Claims not to exceed \$4,375,850
 - B. Approval of Standing Committee Minutes ([p.2](#))
 - C. Approval of the resolution granting the Kendall County Sheriff authority to enter into an Intergovernmental Agreement with Kane County for wellness coordinator services. This agreement will be for the sharing of services for one year from the time of signing ([p 34](#))
 - D. Approval of Service agreement between Kendall County and the Village of Millbrook for the Provision of Demand Response Transportation ([p.41](#))
 - E. Approval of an Ordinance Approving Budget Amendment Number Three for the Kendall County Fiscal Year 2023-24 Annual Budget and Appropriations ([p.46](#))
10. New Business
11. Standing Committee Reports
12. Special Committee Reports
13. Liaison Reports
14. Other Business
15. Chairman's Report
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 of 24-hours prior to the meeting time

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 October 7, 2024

CALL TO ORDER

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

ROLL CALL

Committee Members Present: Elizabeth Flowers Dan Koukol, Ruben Rodriguez, Brooke Shanley, and Seth Wormley

Committee Members Absent: None

Also Present: Matthew H. Asselmeier, Director, Wanda A. Rolf, Office Assistant, Dan Kramer, Leo Phillip, and Claire Wilson

APPROVAL OF AGENDA

Member Koukol made a motion, seconded by Member Flowers, to approve the agenda as presented. With a voice vote of five (5) ayes, the motion carried.

APPROVAL OF MINUTES

Member Rodriguez made a motion, seconded by Member Koukol, to approve the minutes of the September 9, 2024, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

Review of Expenditures from the Previous Month

The Committee reviewed the Expenditure Reports from September 2024.

PETITIONS

Petition 24-14 Tim O'Brien on Behalf of Seward Township

Mr. Asselmeier stated the Committee, at their June 10, 2024, meeting, gave Seward Township an extension to prepare an updated amendment. To date, Seward Township has not amended their original proposal.

The draft resolution was provided.

Member Koukol stated that the original extension was for sixty days (60) and became ninety (90) days; Member Koukol made the proposal to extend to ninety (90) days.

Chairman Wormley agreed with Member Koukol that Seward Township had a ninety (90) day extension to prepare an updated amendment. There was no updated amendment provided.

Chairman Wormley stated that Seward Township's proposal contradicts some of the most important infrastructure improvements the County has made over the last decade. The Ridge Road Corridor, entering in phase three (3), is a commercial corridor and part of Wikaduke Trail. Seward Township's plan did not make room for the advancement of the infrastructure improvements that have been made by the county.

Chairman Wormley would like the Committee to forward this petition to the County Board with a negative opinion.

Member Rodriguez stated that the County has given Seward Township the opportunity to come to a consensus with the County.

Member Koukol stated he would rather see Seward Township put their original proposal on hold or have it withdrawn than to receive a negative vote by the County Board.

Mr. Asselmeier stated that Seward Township voted to have this current proposal as their plan with the understanding that the County Board is going to reject Seward Township's proposal. Seward Township would have their plan and the County would have its plan. Seward Township would be able to use this plan to deny map amendments and variances that go before their board. Also, Seward Township can recommend denial on special use permits. In the case of map amendments and variances, Seward Township may file a formal legal objection based on their plan; it would take a super majority vote by the County Board to overrule Seward Township, which requires eight (8) votes out of (10) votes.

Member Flowers asked Mr. Asselmeier if he could go over the process that Seward Township had to go through to update their land use map. Mr. Asselmeier responded that townships can pass their own plan. The County can also have their own plan. Seward Township held meetings, open forums, and public hearings to make the residents aware of the proposal. At the County level, Seward Township held meetings with ZPAC, Regional Planning Commission, Zoning Board of Appeals and now with Planning, Building and Zoning Committee. Once those are completed, it will go to the County Board for a final vote.

Member Flowers asked if there were any objections prior to coming to the Planning, Building and Zoning Committee. Mr. Asselmeier stated that the Zoning Board of Appeals voted to forward the proposal without issuing a recommendation.

Member Shanley stated that she was not surprised that Seward Township did not have any representation at the Planning, Building and Zoning Committee meeting. The Township was following the proper procedures and received positive feedback until recently. Seward Township was being asked to do things that were not brought up in

prior meetings. Member Shanley stated she would not be in favor of forwarding the petition from Seward Township with a negative recommendation.

Member Flowers stated she would not be in favor of a negative recommendation for Seward Township.

Chairman Wormley spoke about how much the situation has changed since Seward Township's proposal was first proposed. The County instructed Seward Township to create their own map because Seward Township wanted something immediately. At that time, there was no funding available to update the County's plan.

Member Flowers spoke about projects being annexed into the municipalities.

Member Rodriguez made a motion, seconded by Member Koukol, to recommend to forward Seward Township's land use proposal to the County Board with a negative recommendation.

The votes were as follows:

Yeas (3): Koukol, Rodriguez, and Wormley

Nays (2): Flowers and Shanley

Abstain (0): None

Absent (0): None

The motion carried.

The proposal will go to the October 15, 2024, Kendall County Board meeting on the regular agenda.

Member Shanley stated that her purpose was to be an advocate for the county. Seward Township was following the instructions they were given, had several meetings, and until recently, received positive recommendations. The situation seems unfair and not transparent.

Member Koukol spoke about the amount of money spent on the roads. He would like to see more commercial land use classifications. Member Koukol stated that out of state companies look at the County's land use maps and, if they see mostly A-1 zoning, they will locate elsewhere. Member Koukol did not feel the proposal will pass the County Board. He would like to wait until the 2025 plan for the County to create their maps.

Petition 24-22 Leo M. Phillipp

Mr. Asselmeier summarized the request.

The Petitioners would like a map amendment rezoning approximately eleven point six more or less (11.6 +/-) acres of the approximately fifteen (15) acres located at the

northeast corner of Legion and East Highpoint Roads in order to construct approximately three (3) houses.

The application materials and zoning plat were provided.

The property is located at 10835 Legion Road.

In 1984, through Ordinance 84-06, the southwest corner of the property was rezoned to R-1.

In 1987, through Ordinance 87-27, the southwest corner of the property was rezoned back to A-1 and approximately three point three more or less (3.3 +/-) acres, where the current house, is placed was rezoned to R-1.

The total size of the property is approximately fifteen (15) acres.

The existing land use for the proposed rezoned portion of the property is Wooded.

The County's Land Resource Management Plan calls for the property to be Suburban Residential and Yorkville's Plan calls for the property to be Estate/Conservation Residential.

East Highpoint Road and Legion Road are Township maintained Minor Collectors.

Yorkville has a trail planned along East Highpoint Road.

There are no floodplains or wetlands on the property.

The current land uses of the adjacent properties are Agricultural and Single-Family Residential.

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

The County's Future Land Use Map calls for the area to be Suburban Residential (Max 1.0 DU/Acre) and Rural Residential (Max 0.65 DU/Acre). Yorkville's Future Land Use Map calls for the area to be Estate/Conservation Residential.

The properties within one half (1/2) mile are zoned A-1, A-1 SU, R-1, R-2, R-3, RPD-2, RPD-3, and B-4.

The A-1 special use permits to the east are for communication towers.

The A-1 special use permit to the west is for boarding horses.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on July 19, 2024. The LESA Score was 133 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Kendall Township on July 30, 2024. The Kendall Township Planning Commission reviewed the proposal at their meeting on September 16, 2024, and the Kendall Township Board reviewed the proposal at their meeting on September 17, 2024. Discussion occurred regarding the number of houses, the number

and location of driveway cuts, rights-of-way dedications, and the development of houses without doing a subdivision. The Kendall Township Planning Commission and Kendall Township Board recommended approval of the proposal with the caveats that driveway placements require prior approval by the Kendall Township Highway Commissioner and that right-of-way dedications forty feet (40') in depth from the centerlines of both Legion and East Highpoint Roads occur. An email outlining the Township's position was provided.

Petition information was sent to the United City of Yorkville on July 30, 2024. The Yorkville Planning and Zoning Commission reviewed the proposal at their meeting on September 11, 2024. The Yorkville Planning and Zoning Commission had no objections to the proposal. The Yorkville City Council reviewed the proposal on September 24, 2024, and expressed no objections to the proposal. An email from Yorkville was provided.

Petition information was sent to the Bristol-Kendall Fire Protection District on July 30, 2024. No comments received.

ZPAC reviewed this proposal at their meeting on August 6, 2024. Discussion occurred about rights-of-way dedications since the proposal would not involve a subdivision. The Petitioner's Attorney was agreeable to submitting a letter dedicating rights-of-way forty feet (40') in depth from the centerlines of East Highpoint and Legions Roads. ZPAC recommended approval of the 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.

On August 21, 2024, the Petitioner's Attorney submitted an email requesting this proposal be continued to the September 25, 2024, Kendall County Regional Planning Commission meeting. At their meeting on August 28, 2024, the Kendall County Regional Planning Commission voted to continue this proposal as requested by the Petitioner. The minutes of this meeting were provided.

At their meeting on September 25, 2024, the Kendall County Regional Planning Commission discussed the timing of the right-of-way dedication, the locations of future driveways, and the locations of future homes. It was noted that Maple Lane was a private road and there were seven (7) homes on Maple Lane on approximately three (3) acre sized lots. Discussion occurred regarding Plat Act exemptions for division of properties. Discussion occurred regarding increased tax revenues and an increase in the number of available houses if the proposal was approved. It was also noted that the proposal limits the number of new houses on the property. The Kendall County Regional Planning Commission recommended approval of the 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 Zoning Board of Appeals initiated a public hearing on this proposal on September 3, 2024. The Petition was continued to September 30, 2024, as requested.

by the Petitioner. The minutes of this hearing were provided. At the continued hearing on September 30, 2024, nobody from the public, other than the Petitioner's Attorney testified. He discussed the layout of driveways for new houses. The Petitioner was agreeable to the rights-of-way dedication. Discussion occurred regarding the classification of the property in the County's and Yorkville's plans. Discussion occurred regarding Plat Act exemptions. There could be a maximum of four (4) houses on the property; three (3) new houses and one (1) existing house. Discussion occurred regarding the history of the zoning property. Discussion occurred regarding the uses of the right-of-way as a bike trail and other utilities. The Kendall County Zoning Board of Appeals recommended approval of the map amendment, but they wanted to note that driveway placements should require prior approval by the Kendall Township Highway Commissioner and that the right-of-way dedications forty feet (40') in depth from the centerlines of both Legion and East Highpoint Roads should occur by a vote of seven (7) in favor and zero (0) in opposition. The minutes of the hearing were provided.

The Petitioners would like to rezone the property in order to build a maximum of three (3) houses on the rezoned portion of the property. Since the property already has frontage along East Highpoint and Legion Roads, a Plat Act Exemption may be used instead of doing a subdivision.

The site is currently mostly wooded with one (1) single-family home. Any future buildings would have to meet applicable building codes.

The wooded area is not presently served by utilities.

The property fronts East Highpoint and Legion Roads. Kendall Township has permitting authority over access at the property.

No information was provided regarding parking.

Based on the proposed uses, no new odors are foreseen.

Lighting would be for residential purposes and would have to follow applicable ordinances.

Landscaping would be for residential uses.

No non-residential signage is planned.

The owners of the property would have to follow applicable noise control regulations based on residential uses.

Stormwater control would be evaluated as part of the building permit.

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 and single-family residential purposes.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned agricultural and some form of single-family residential.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property consists of a large wooded area and, due to its size, it is not eligible for residential uses 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. The subject property would generate more in taxes if additional homes were constructed. The map amendment would increase the number of homes for people in the County. The proposed map amendment limits the number of homes that can be constructed on the subject property, if a traditional subdivision is not pursued.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Suburban Residential on the Future Land Use Map and the R-1 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

The draft ordinance was provided.

Member Koukol asked Dan Kramer, Attorney for the Petitioner, how long Mr. Phillipp owned the property. Mr. Kramer said that Mr. Phillipp owned the property for thirty-nine (39) years.

Member Koukol asked Mr. Kramer how many acres were on the property to sell. Mr. Kramer stated that the petitioner has approximately three (3) lots to sell. The reason Mr. Phillipp did not do a subdivision plat was because Mr. Phillipp did not know who will buy the land; it might be one (1) buyer or it might be (3) buyers.

Member Koukol asked Mr. Kramer how much Mr. Phillipp paid in property taxes. Mr. Phillipp pays approximately Fourteen Thousand Dollars (\$14,000) for the entire piece of property. Member Koukol stated that, once the land was sold and homes were built, there will be more tax revenue from that property.

At this time Member Rodriguez left the meeting. (7:09 p.m.)

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

The votes were as follows:

Yeas (4): Flowers, Koukol, Shanley and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Rodriguez

The motion carried.

The proposal will go to the October 15, 2024, Kendall County Board meeting on the consent agenda.

At this time Member Rodriguez returned to the meeting. (7:11 p.m.)

NEW BUSINESS:

Approval of a Request from Michael and Karen Webster to Refund a Fee for an Unused Building Permit at 15751 S. Stonewall Drive, Newark (PIN: 04-21-125-026) in Fox Township in the Amount of One Thousand Nine Hundred Dollars (\$1,900)

Mr. Asselmeier summarized the request.

The owners no longer want to construct a house on the property.

Member Koukol asked if the Department had expended any funds or time on this application. Mr. Asselmeier said no.

Member Flowers made a motion, seconded by Member Rodriguez, to approve the requested refund.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

Update on Planning, Building and Zoning Department Staffing

Mr. Asselmeier stated that the part time inspector resigned and Human Resources has three (3) applicants. Mr. Asselmeier would like to have someone on staff by November 1, 2025.

Follow-Up from September 11, 2024, Boulder Hill Neighborhood Watch Meeting

The Committee reviewed an email from Brian Holdiman regarding the meeting. There

were twenty-six (26) people in attendance. Vernon Fatima, former inspector, presented the new complaint dashboard and answered several questions.

November 14, 2024, Homeowners Association Training Event

The Committee reviewed the agenda for the event. There was a request for a training event for homeowners' associations who are responsible for stormwater maintenance and infrastructure. A representative from WBK will speak on stormwater maintenance matters and Brian Holdiman will speaking about code enforcement procedures.

Recommendation on 2025 Comprehensive Noxious Weed Work Plan

Mr. Asselmeier summarized the request.

Kendall County is required by Illinois law to submit an annual Noxious Weed Comprehensive Work Plan to the State by November 1st of each year. Attached please find the proposed 2025 Kendall County Noxious Weed Comprehensive Work Plan. Other than changing the year, this proposal is the same as the 2024 Noxious Weed Comprehensive Work Plan.

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

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal will go to the October 15, 2024, Kendall County Board meeting on the consent agenda.

Recommendation on Fiscal Year 2024-2025 Meeting Calendar

Member Shanley made a motion, seconded by Member Flowers, to recommend approval of the calendar.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The proposal will go to the October 15, 2024, Kendall County Board meeting on the consent agenda.

Approval to Change the November 2024 Planning, Building and Zoning Committee Meeting Date and Time

After some discussion on other meetings scheduled for November 12, 2024, Member Shanley made a motion, seconded by Member Flowers, to move meeting to November 12, 2024 at 4:30 p.m.

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

OLD BUSINESS:

Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township

Mr. Asselmeier stated that WBK is waiting for information from the applicant's engineer.

Approval to Extend or Revoke Building Permit 01-2020-146 for a Single-Family Home at 7782 Tanglewood Trails

Mr. Asselmeier provided an email from Brian Holdiman stating it must be completed by the end of the year or the permit will be revoked.

REVIEW VIOLATION REPORT:

The Committee reviewed the report.

REVIEW PRE-VIOLATION REPORT:

The Committee reviewed the report.

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

Mr. Asselmeier reported that the Commission elected its officers for 2024-2025. The CLG grant is open from October 1, 2024 to November 15, 2024. The maximum award is thirty thousand dollars (\$30,000) per project.

REVIEW PERMIT REPORT:

The Committee reviewed the report.

REVIEW REVENUE REPORT:

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS:

None

EXECUTIVE SESSION

Member Flowers made a motion, seconded by Member Rodriguez, to enter into executive session for the purposes of reviewing minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The votes were as follows:

Yeas (5): Flowers, Koukol, Rodriguez, Shanley, and Wormley

Nays (0): None

Abstain (0): None

Absent (0): None

The motion carried.

The Committee recessed at 7:27 p.m.

The Committee returned from Executive Session at 7:29 p.m.

NEW BUSINESS

Approval to Release Executive Session Minutes of October 7, 2024

The consensus was to release the minutes of the executive session of October 7, 2024.

ADJOURNMENT:

Member Shanley made a motion, seconded by Member Flowers, to adjourn. With a voice vote of five (5) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 7:29 p.m.

Minutes prepared by Wanda A. Rolf, Part-Time Administrative Assistant

Enc.



**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
OCTOBER 7, 2024**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Don Keom		

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Executive Session Minutes of October 7, 2024

CALL TO ORDER

The executive session was called to order by Chairman Seth Wormley at 7:28 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers, Dan Koukol, Ruben Rodriguez (Vice-Chairman), Brooke Shanley, and Seth Wormley (Chairman)

Committee Members Absent: None

Also Present: Matt Asselmeier (Director) and Wanda Rolf (Part-Time Administrative Assistant)

The purpose of this executive session was to review minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The Committee reviewed the minutes from the following meetings:

December 19, 2016

August 7, 2017

November 7, 2022

Member Flowers made a motion, seconded by Member Shanley, to release the minutes of October 7, 2024, and keep the other minutes confidential for personnel reasons and litigation reasons. With a voice vote of five (5) ayes, the motion carried.

Motion by Member Shanley, seconded by Member Rodriguez, to adjourn the executive session. With a voice vote of five (5) ayes, the motion carried.

Chairman Wormley adjourned the executive session at 7:29 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM, Director

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

4:30 p.m.

Meeting Minutes of November 12, 2024 – Unofficial until Approved

CALL TO ORDER

The meeting was called to order by Vice-Chairman Rodriguez at 5:00 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers (arrived at 5:19 p.m.), Dan Koukol, Ruben Rodriguez, and Brooke Shanley

Committee Members Absent: Seth Wormley

Also Present: Matthew H. Asselmeier, Director, Wanda A. Rolf, Office Assistant, Dan Kramer, and Cynthia Lucksinger

APPROVAL OF AGENDA

Member Shanley made a motion, seconded by Member Koukol, to approve the agenda as presented. With a voice vote of three (3) ayes, the motion carried.

APPROVAL OF MINUTES

Member Koukol made a motion, seconded by Member Shanley, to approve the minutes of the October 7, 2024, meeting. With a voice vote of three (3) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

Review of Expenditures from the Previous Month

The Committee reviewed the Expenditure Reports from October 2024.

Mr. Asselmeier stated that the project and the amount from the Diller family property was closed. Member Koukol asked why the fine wasn't put on the deed. Mr. Asselmeier responded that the State's Attorney's Office gave Mr. Diller a deadline to pay the fine. Mr. Diller passed away before the deadline was reached. According to the State's Attorney's office the fine was against Mr. Diller, not the property, which is why it was not recorded as a lien.

PETITIONS

Petition 24-26 Timothy A. Tremain

Mr. Asselmeier summarized the request.

The Petitioners would like a map amendment rezoning approximately three point six more or less (3.6 +/-) acres located on north side of River Road between 11327 and

11209 River Road from R-1 One Family Residential District to R-3 One Family Residential District in order to build two (2) houses at the property.

The property was rezoned in 2007 by Ordinance 2007-03 and is Lot 1 of the Glen Nelson Subdivision.

The property is less than ten (10) acres in size as is eligible for rezoning under Section 8:07.H of the Kendall County Zoning Ordinance.

To date, the Petitioner has not indicated if they will be dividing the land through a Plat Act Exemption or if they will be pursuing a re-subdivision of the property.

The application materials and zoning plat were provided.

The property is approximately three point six (3.6) acres in size.

The County's Future Land Use Map calls for the property to be Rural Residential. The United City of Yorkville's Future Land Use Map calls for the property to be Estate/Conservation Residential.

River Road is a Township maintained Minor Collector.

The zoning plat shows a fifteen foot (15') trail easement along the southern portion of the property.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural, Wooded, Single-Family Residential, and a Private Road.

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

The County's Future Land Use Map calls for the area to Rural Residential. The United City of Yorkville's Future Land Use Map calls for the area to be Estate/Conservation Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-3 in the County and Residential inside Yorkville south of the Fox River.

The A-1 special use permits to the east is for a campground (PNA Camp).

EcoCAT Report submitted and consultation was terminated; there were protected resources in the area, but adverse impacts were unlikely.

The application for NRI was submitted on August 20, 2024. The LESA Score was 141 indicating a low level of protection. The NRI was provided.

Petition information was sent to Bristol Township on August 23, 2024. Bristol Township had no concerns regarding the proposal. A letter from Bristol Township was provided.

Petition information was sent to the United City of Yorkville on August 23, 2024. The Yorkville Planning and Zoning Commission reviewed the proposal at their meeting on October 9, 2024, and recommended favorably of the proposal. An email to that effect

was provided. The Yorkville City Council issued a positive recommendation at their meeting on October 22, 2024. An email to that effect was provided.

Petition information was sent to the Bristol-Kendall Fire Protection District on August 23, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on September 3, 2024. The Petitioner's Attorney provided a history of the subdivision and the Petitioner's plan to build houses on the subject property. Any new houses would use the existing private road to access River Road; there would be no new cuts on River Road. Discussion occurred regarding the Estate/Conservation Residential classification in Yorkville's plan; this designation was placed on properties where Yorkville had not conducted a large amount of analysis of future land uses. Discussion also occurred regarding the trail easement. The earliest the Petitioner would construct houses would be 2025. ZPAC recommended approval of the proposal by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 23, 2024. The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 23, 2024. Discussion occurred regarding driveway locations; they would come off of Glen Nelson Drive and not River Road. Discussion also occurred regarding ownership responsibilities of Glen Nelson Drive. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of nine (9) 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 held a public hearing on this proposal on October 28, 2024. Other than the Petitioner's Attorney, nobody else from the public testified at the public hearing. Discussion occurred regarding maintenance responsibilities of Glen Nelson Drive; the property owners in the subdivision are responsible for maintaining the street. The Kendall County Zoning Board of Appeals recommended approval of the map amendment by a vote of five (5) in favor and zero (0) in opposition with two (2) members absent. The minutes of the hearing were provided.

The Petitioner would like to rezone the property in order to build a maximum of two (2) houses on the property.

The site is currently vacant. Any future buildings would have to meet applicable building codes.

No utility information was provided.

The property fronts Glen Nelson Drive, which is a private road. The zoning plat noted that the property cannot access River Road.

Any parking would be for residential purposes.

Based on the proposed uses, no new odors were foreseen.

Lighting would be for residential purposes and would have to follow applicable ordinances.

Landscaping would be for residential uses.

Signage would be for residential purposes and would have to meet applicable regulations.

The owners of the property would have to follow applicable noise control regulations based on residential uses.

Stormwater control would be evaluated as part of the building permit.

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 and single-family residential purposes.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-1, and R-3. In particular, the properties immediate south of the subject property are zoned R-3.

The suitability of the property in question for the uses permitted under the existing zoning classification. One (1) single-family home could be built on the subject property under the present R-1 zoning classification. If a property owner wanted to construct additional homes, a map amendment to a zoning district that allows for small lots, such as the R-3 zoning classification, would be needed.

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.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The subject property is classified as Rural Residential on the Future Land Use Map and the R-3 Zoning District is consistent with this land classification.

Staff recommended approval of the proposed map amendment.

The draft ordinance was provided.

Member Koukol stated he is in favor of a property owner splitting up their property to sell to individual buyers instead of building condos.

Member Koukal asked Mr. Asselmeier if there was a possibility that there was a trucking company to the east of the Tremain property. Mr. Asselmeier stated that he was not sure if it was specifically to the east but there was an alleged trucking company operating in the vicinity. Member Koukol stated that when the property owner to the east of Mr. Tremain's property first moved in, he had one (1) truck now there are many more trucks. Member Koukol feels the property to the east of Mr. Tremain's should be investigated. Member Koukol stated that there is a property, not far from him that has a trucking business. The trucks start leaving at 6:00 a.m.

Dan Kramer, Attorney for the Petitioner, spoke about Mr. Tremain's plans on building a home on Lot B, a two point one three (2.13) acre lot. The property is mostly bare and prospective buyers want smaller lots because of less lawn maintenance. There will be no access to River Road.

Member Rodriguez asked Mr. Kramer who will maintain Glen Nelson Road. Mr. Kramer explained that the lot owners in Glen Nelson Subdivision share responsibilities related to the maintenance of the road.

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

The votes were as follows:

Yeas (3): Koukol, Rodriguez, and Shanley
Nays (0): None
Abstain (0): None
Absent (2): Flowers and Wormley

The motion carried.

The proposal will go to the November 19, 2024, Kendall County Board meeting on the consent agenda.

Petition 24-28 Peter J. and Laurie Jo Pasteris on Behalf of the Peter J. Pasteris, Jr. Revocable Declaration of Living Trust

Mr. Asselmeier summarized the request.

On April 21, 2015, the County Board approved Ordinance 2015-06, granting a special use permit for a banquet facility at 1998 Johnson Road. The special use permit contained the following conditions and restrictions:

1. The facility was to be operated by a description and site plan attached to the ordinance.

2. The principal use of the property is for residential purposes and/or farming.
3. A maximum of two hundred (200) persons at any one time (with a 10% tolerance).
4. All events must be catered unless approved by the Health Department.
5. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing required permits associated with any proposed remodeling, alteration, construction or expansion of existing and structures on the premises.
6. Retail sales are permitted as long as the retail sales will be ancillary to the main operations.
7. 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 (60) 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.

8. Porta Johns (and other temporary bathroom facilities need to be removed within 2 business days after each event.
9. Events can run from May 1st through November 15th and the temporary tent can be erect from May 1st through November 15th.
10. Entities having jurisdiction may inspect the property annually including, but not limited to the Planning, Building and Zoning Department, Health Department, Sheriff's Office, and Fire Protection District in order to ensure the conditions of the special use permit are still being met and the permit is still applicable for the operation.

Ordinance 2015-06 was provided.

In 2019, a minor amendment to the special use permit was approved allowing the bathroom trailer and tent to be set up starting April 15th. Minor amendments were also approved in 2020, 2021, and 2022 allowing the bathroom trailer and tent to be set up from April 8th to November 30th for the next operating season.

The Petitioners submitted the following amendments to the special use permit which were revised at the October 9, 2024, ZPAC meeting:

1. Increase the capacity of people to three hundred (300) with a ten percent (10%) tolerance for a maximum capacity of three hundred thirty (330) people. The wait staff would not be included in these numbers (**Amended at ZPAC**).
2. Replace the existing tent with a permanent building that is approximately one hundred twenty-eight feet by sixty-four feet (128' X 64') in substantially the location shown on the site plan.
3. Install permanent restrooms in the facility with a septic permit from the Kendall County Health Department replacing the mobile trailer restroom.
4. Have events year-round.
5. Add the property identified by parcel identification number 06-10-200-001 to the special use permit.
6. Add the ability to add a business sign.

The proposed sign would be placed on top of a nine foot (9') high and fourteen foot (14') wide/long starting gate and would be eight feet (8') wide by two feet (2') high. The sign would not be illuminated.

No other changes to the site or business operations were proposed.

The application materials and the proposed site plan were provided.

The lot size will be approximately fourteen (14) acres following the addition of the parcel to the west of the original special use permit.

The Future Land Use Map calls for this property to be Suburban Residential. Plainfield's Future Land Use Map calls for this property to be Countryside Residential.

Johnson Road is a Township Road classified as a Minor Collector.

Plainfield has a trail planned along Johnson Road.

There were no floodplains or wetlands on the property.

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

The adjacent properties are zoned A-1 and R-2.

The County's Future Land Use Map calls for the area to be Suburban Residential and Rural Residential. Plainfield Future Land Use Map calls for the area to be Countryside Residential.

Properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-2 in the County and R-1 PUD and Industrial inside Plainfield.

The A-1 SU to the west is for a seasonal festival.

EcoCat submitted on September 13, 2024, and consultation was terminated.

The NRI application was submitted as on September 16, 2024. The LESA Score 190 indicating a low level of protection. The NRI is included as was provided.

Na-Au-Say Township was emailed information on September 23, 2024. The Na-Au-Say Township Board reviewed the proposal at their meeting on October 21, 2024. The Township recommended approval of the proposal. An email to that effect was provided.

The Plainfield Fire Protection District was emailed information on September 23, 2024. Prior to application submittal, the Plainfield Fire Protection District submitted an email outlining the District's sprinkler and alarm requirements. This email was provided.

The Village of Plainfield was emailed information on September 23, 2024. No comments received.

ZPAC reviewed the proposal at their meeting on October 9, 2024. Discussion occurred regarding maximum building height; no restriction would be placed in the special use permit regarding building height. Discussion also occurred regarding the location of the septic system; it would be away from the horse pasture. Discussion occurred regarding a movable sign; the Petitioners agreed to supply information about the sign and that information would be included in the special use permit. The wait staff would not be included in the capacity count. ZPAC recommended approval of the proposal with the conditions proposed by Staff, adding the ten percent (10%) tolerance to the capacity, and excluding wait staff from the capacity county by a vote of seven (7) in favor, zero (0) in opposition, and three (3) members absent. The minutes of the meeting were provided.

Elizabeth Flowers arrived at this time 5:19 p.m.

The Kendall County Regional Planning Commission reviewed the proposal at their meeting on October 23, 2024. The Kendall County Regional Planning Commission reviewed the proposal at their meeting on October 23, 2024. Discussion occurred regarding the timing of events; they mostly occur on Friday and Saturday nights with occasional Sunday events. Events start at 4:00 p.m. on Saturdays and 5:00 p.m. on Fridays. No songs start after 11:00 p.m. on Saturdays and 10:00 p.m. on Sundays. All guests are usually gone within thirty (30) minutes of the last song. Disc jockeys have to plug into the Petitioner's sound system and the Petitioner has driven around the area with a decimeter checking noise levels. There have not been any noise complaints in

recent years. It was noted that many attendees take buses or carpool to the site. As such, parking is not issue. Discussion occurred regarding sprinkling requirements. Discussion occurred regarding the proposed building; it will be steel with a concrete foundation. The design was inspired by a barn from Lexington, Kentucky. The proposed sign will be placed in the hayfield setback from the road. It was noted that the Health Department's permit for the well and septic system would ultimately dictate the maximum number of people at the property; the building is designed for more than three hundred (300) people. The Petitioner stated that they rarely get requests that reach the three hundred (300) guest mark. The Kendall County Regional Planning Commission recommended approval of the proposal with the conditions proposed by Staff, by a vote of nine (9) in favor, zero (0) in opposition, and one (1) member absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on October 28, 2024. One (1) person testified in opposition to the request. Discussion occurred regarding the lack of a photometric plan and an ADA accessible parking plan. Clarification was provided regarding the size of the sign. It was noted that the Petitioner was not requesting another access point off of Johnson Road and, to date, the Fire District did not have any issues with access to the property for health and safety. The Kendall County Zoning Board of Appeals recommended approval of the proposal with the conditions proposed by Staff, amending the condition clarifying the size of the sign, adding a requirement for the submittal of a photometric plan prior to the issuance of a building permit for the permanent building, and adding a requirement for the submittal of an ADA parking plan prior to the issuance of a building permit for the permanent building by a vote of five (5) in favor, zero (0) in opposition, and two (2) members absent. The minutes of the hearing were provided.

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. The original special use permit was established in 2015. The only complaints that were submitted since the establishment of the special use permit were noise related complaints and those complaints were addressed. The proposal still requires buildings to obtain applicable permits and the site may be subject to periodic inspections to confirm compliance with the special use permit. A Health Department approved septic system to replace temporary restroom facilities is proposed and the septic system would be better for public health than the temporary trailers.

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. The proposed amendments should not impact neighboring property owners. Restrictions are already in place regarding noise and public safety.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. No changes to the already approved ingress/egress or drainage are proposed. Utilities, other than the installation of a septic system approved by the County, shall remain unchanged.

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.

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 10-21 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commerce and industry that provides a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents."

Staff recommended approval of the requested amendments to the existing special use permit for a banquet facility subject to the following conditions and restrictions:

1. The Description and Site Plan attached to Ordinance 2015-06 are amended to incorporate the site plan attached hereto as Exhibit C. Further, if a conflict exists between the Description and Site Plan attached to Ordinance 2015-06 and the site plan attached hereto as Exhibit C, the site plan attached hereto as Exhibit C shall take precedent.
2. Condition 2 of Ordinance 2015-06 is hereby repealed in its entirety and is replaced with the following:

"A maximum of three hundred (300) persons with a ten percent (10%) tolerance at any one (1) time. Wait staff shall not be included in the capacity count."
(Amended at ZPAC)
3. Condition 7 of Ordinance 2015-06 is hereby repealed in its entirety.
4. Condition 8 of Ordinance 2015-06 is hereby repealed in its entirety and is replaced with the following:

"Events may be held year-round."
5. One (1) sign a maximum of eight feet (8') wide by two feet (2') high may be placed on top of starting gate that is a maximum nine feet (9') high and fourteen feet (14') wide. The sign shall be in the pasture. The sign shall not be illuminated.
(Amended at ZBA).

6. A photometric plan shall be submitted prior to the issuance of the building permit for the permanent building. **(Added at ZBA).**
7. An ADA parking plan shall be submitted prior to the issuance of the building permit for the permanent building. **(Added at ZBA).**
8. The remaining conditions and restrictions contained in Ordinance 2015-06 shall remain valid and effective.
9. 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.
10. If one or more of the above conditions or restrictions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
11. These major amendments to an existing special use permit shall be treated as covenants running with the land and are binding on the successors, heirs, and assigns as to the same special uses conducted on the property.

The draft ordinance was provided.

Member Koukol commended the Petitioner on always tending to the matters of his business and keeping the County informed of any changes. Member Koukol has attended events at the business. When Mr. Pasteris first started the banquet facility, there was a noise complaint and Mr. Pasteris attended the next meeting and told the Committee he was working on the noise issue and was able to solve it quickly. Mr. Pasteris has always addressed any issues in a timely manner. Member Koukol stated that anything Mr. Pasteris does is done properly and professionally.

Dan Kramer, Attorney for the Petitioner, said that Mr. Pasteris banquet facility had very nice bathrooms in trailers. They were air conditioned and kept very clean. The guests stated it would get hot in the trailer. A permanent building can be used all year and will have a normal indoor bathroom.

Mr. Kramer stated that in the event that the Petitioner may have three hundred (300) guests he did not want to violate the permit. Mr. Pasteris is asking for three hundred (300) with a ten percent (10%) tolerance for a maximum capacity of three hundred thirty (330) people. Mr. Kramer stated that most likely a maximum of two hundred seventy-five (275) people will be permitted because Mr. Pasteris may have to install a community well if he decides to go with three hundred (300) people.

Member Shanley made a motion, seconded by Member Flowers, to recommend approval of the amendment to an existing special use permit with the conditions proposed by Staff.

The votes were as follows:

Yeas (4): Flowers, Koukol, Rodriguez, and Shanley
Nays (0): None
Abstain (0): None
Absent (1): Wormley

The motion carried.

The proposal will go to the November 19, 2024, Kendall County Board meeting on the consent agenda.

Petition 24-36 Grant B. Mullen on Behalf of Newark Road Kendall Solar 1, LLC Nancy L. Harazin on Behalf of the Nancy L. Harazin Trust Number 101
Mr. Asselmeier summarized the request.

In 2018, by Ordinance 2018-15, the Kendall County Board approved a special use permit for a public or private utility other (solar panels) at the subject property.

On March 13, 2023, the Planning, Building and Zoning Committee approved a minor amendment to the special use permit extending the deadline for installing landscaping to August 21, 2024, and granting the Committee the ability to grant extensions to this deadline.

On July 8, 2024, the Planning, Building and Zoning Committee approved an extension until October 31, 2024, to install landscaping.

Condition 2.A of the original special use permit from 2018 required the site be developed in accordance with a site plan, which included a landscaping component. Condition 2.C. of the original special use from 2018 required the arborvitae to be at least seven feet (7') in height at the time of planting. The site plan required the installation of thirty-one (31) Wareana Siberian Arborvitaes, among other types of arborvitaes and vegetation.

On October 25, 2024, the Petitioner submitted an email requesting an amendment to the special use permit lowering the height of the Wareana Siberian Arborvitaes from seven feet (7') to six feet (6') and requesting an extension until May 1, 2025, for the installation of landscaping. The Petitioner claimed that the subject arborvitaes were not available at seven feet (7').

Planting of the other types of vegetation has occurred or is in process of occurring.

Since the original special use permit was granted, an address to the property has been assigned and the property has been assigned new parcel identification numbers.

Staff recommended approval of the request.

Member Koukol asked if the solar company has built a berm yet; one (1) of the neighbors wanted to make sure there was a berm installed. Mr. Asselmeier stated that there was

no berm mentioned in the special use permit. Mr. Asselmeier stated he would look into whether or not a berm was proposed.

Member Flowers made a motion, seconded by Member Shanley, to approve the requested amendment.

The votes were as follows:

Yeas (4): Flowers, Koukol, Rodriguez, and Shanley
Nays (0): None
Abstain (0): None
Absent (1): Wormley

The motion carried.

NEW BUSINESS:

Approval of a Request to Extend the Deadline for Installing Vegetation at the Property Identified by Parcel ID Numbers 07-05-400-010 and 07-05-400-011 in the 16000 Block of Newark Road in Big Grove Township; Property is Zoned A-1 with a Special Use Permit for a Public or Private Utility Other

Member Koukol made a motion, seconded by Member Flowers, to approve the requested extension to May 1, 2025.

The votes were as follows:

Yeas (4): Flowers, Koukol, Rodriguez, and Shanley
Nays (0): None
Abstain (0): None
Absent (1): Wormley

The motion carried.

Recommendation on 2024 Noxious Weed Annual Report

Mr. Asselmeier summarized the request.

Kendall County is required by Illinois law to submit a Noxious Weed Annual Report to the State by December 1st of each year.

During 2024, the Kendall County, Planning, Building and Zoning Department investigated one (1) complaint of noxious weeds which was received in 2023. Upon investigation, the complaint was closed for lack of evidence. In 2022, 2021, and 2020, the Department received zero (0) complaints.

Staff recommended approval of the report.

Member Koukol made a motion, seconded by Member Shanley, to recommend approval of the report.

The votes were as follows:

Yeas (4): Flowers, Koukol, Rodriguez, and Shanley
Nays (0): None
Abstain (0): None
Absent (1): Wormley

The motion carried.

The proposal will go to the November 19, 2024, Kendall County Board meeting on the consent agenda.

Update on Planning, Building and Zoning Department Staffing

Mr. Asselmeier reported that at the last Admin/HR meeting the staff approved an amendment to the job description for Code Enforcement Officer from part time to full time. This will go to the County Board and if approved, the budget will allow for a full time Code Enforcement Officer.

Approval to Reduce the Number of Paper Documents Submitted for Zoning and Subdivision Applications

Mr. Asselmeier summarized the request.

As part of the codification process, Staff is updating Planning, Building and Zoning related applications to reflect new code sections.

As part of this process, Staff would like to reduce the number of certain paper documents applicants for zoning and subdivisions approvals have to submit because most of these types of applications are submitted electronically or the applications are digitized. The immediate proposed reductions are as follows:

1. Map Amendments Reduce the Number of Plats from Fifteen (15) to Three (3).
2. Special Use Permits Reduce the Number of Plats and Site Plans from Fifteen (15) to Three (3).
3. Major Amendments to Special Use Permits Same as Special Use Permits.
4. Variances Reduce the Number of Plats from Twelve (12) to Three (3).
5. Other Plats Reduce the Number of Plats from Ten (10) to Three (3).
6. Preliminary Plats Reduce the Number of Plats from Fifteen (15) to Three (3) and Reduce the Number of Engineering Plans from Five (5) to Three (3).
7. Concept Plans Reduce the Number of Plats from Twenty (20) to Three (3).

8. RPD Preliminary Plat Reduce the Number of Plats from Twenty (20) to Three (3), Reduce the Number of Landscaping Plans from Twenty (20) to Three (3), and Reduce the Number of Engineering Plans from Five (5) to Three (3).

In addition to the above immediate reductions, Staff proposes the following text amendments:

1. Section 30-98(c) by reducing the number of plats submitted for final plat applications from ten (10) to three (3).
2. Section 30-98(d) by reducing the number of final engineering plans submitted as part of final plat applications from four (4) to three (3).
3. Section 30-197(b)(2) by reducing the number of landscaping restoration and plantings plans as part of final plat applications from five (5) to three (3).
4. Section 36-155(c) by reducing the number of plats submitted for final plats of residential planned developments from ten (10) to three (3).
5. Section 36-184(1) by reducing the number of site plans submitted for site plan approval from eight (8) to three (3).

The above changes would only apply to working/reviewing documents. In most cases, applicants would still be required to submit one (1) additional plat/site plan for display purposes.

Staff recommended approval of the reduction.

Member Shanley made a motion, seconded by Member Flowers, to approve the reduction.

The votes were as follows:

Yeas (4): Flowers, Koukol, Rodriguez, and Shanley
Nays (0): None
Abstain (0): None
Absent (1): Wormley

The motion carried.

Memo from WBK Engineering Regarding Investigation at 45 Settlers Lane

The Committee reviewed the memo from WBK Engineering. The recommendations from WBK Engineering were as follows:

“We recommend the County seek legal counsel related to the public obligation to maintain and repair drainage systems on the subject property.

Unless there is a legal obligation determined, we recommend the County not accept responsibility for maintenance, repair or replacement of drainage improvements on private property. We believe this precedent would create a significant obligation for the County from a financial and staff perspective.

Furthermore, it has been our experience that public agencies rarely accept maintenance of drainage systems on private property unless a clear legal obligation has been determined or public benefit has been demonstrated and confirmed.”

Cynthia Lucksinger, Property Owner, spoke about the report from WBK Engineering. Ms. Lucksinger was disputing the findings of WBK Engineering.

Member Koukol asked Ms. Lucksinger if she recently had rain in her area. Ms. Lucksinger stated she had rain in her area. Member Koukol asked if the water was running through the pipe while it was raining. Ms. Lucksinger stated that the rain water was running through the pipe. She stated the pipe was rotted out and the water runs under her property and moves to her neighbor’s property and back to her property. Member Koukol asked Ms. Lucksinger if she received any quotes on a pipe. Ms. Lucksinger stated she had received quotes ranging from Thirty Thousand Dollars (\$30,000) to Seventy Thousand Dollars (\$70,000). Ms. Lucksinger also stated that the easement verbiage states that she needs permission from the County to perform any work because the easement belongs to the County.

Member Shanley asked Ms. Lucksinger, if the legal description from her plat states otherwise, was there a process Ms. Lucksinger could facilitate. Mr. Asselmeier stated that, if the County did not want to take action, Ms. Lucksinger can sue the County for the interpretation of the easement. Member Shanley asked what the next steps would be either by Ms. Lucksinger or by the County. Ms. Shanley stated that the item under new business was to review a memo from WBK Engineering and not provide any action to be taken. Mr. Asselmeier stated the Committee could request a legal review or to solicit price quotes or take other action a future meeting.

Member Rodriguez asked Mr. Asselmeier if he has seen the same verbiage in other areas of Kendall County. Mr. Asselmeier stated that he has seen the same verbiage on other plats. Ms. Lucksinger asked Mr. Asselmeier if he could email her other examples of the same document and verbiage that is on her document.

Member Koukol stated that he regrets that the issue was not resolved in Ms. Lucksinger’s favor and does not want to pursue this matter any further. Ms. Lucksinger stated that she is an attorney and does not want to take the matter to court but she will if necessary. Ms. Lucksinger stated the memo from WBK Engineering was not clear.

Ms. Flowers asked Ms. Lucksinger if she received any answer from James Webb, Kendall County Assistant State’s Attorney, regarding the County’s responsibility. Ms.

Lucksinger stated that Mr. Webb stated that it would be up to the Planning, Building, and Zoning Committee.

Member Koukol and Member Rodriguez stated that the County would not be able to repair or replace Ms. Lucksinger's pipe.

OLD BUSINESS:

Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township

Mr. Asselmeier stated that WBK is waiting for calculation information from the applicant's engineer.

November 14, 2024, Homeowners Association Training Event

The Committee reviewed the agenda for the event.

REVIEW VIOLATION REPORT:

The Committee reviewed the report.

REVIEW PRE-VIOLATION REPORT:

The Committee reviewed the report.

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

Mr. Asselmeier reported the Certified Local Grant application for the historic structure survey in unincorporated Na-Au-Say and Seward Townships had been submitted.

REVIEW PERMIT REPORT:

The Committee reviewed the report.

REVIEW REVENUE REPORT:

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS:

None

EXECUTIVE SESSION

None

ADJOURNMENT:

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

Vice-Chairman Rodriguez adjourned the meeting at 6:00 p.m.

Minutes prepared by Wanda A. Rolf, Part-Time Administrative Assistant

Enc.

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**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
NOVEMBER 12, 2024**

IF YOU WOULD LIKE TO BE CONTACTED ON FUTURE MEETINGS REGARDING THIS TOPIC, PLEASE PROVIDE YOUR ADDRESS OR EMAIL ADDRESS

NAME	ADDRESS (OPTIONAL)	EMAIL ADDRESS (OPTIONAL)
Cyler Lucas Pan Kramer		

INTERGOVERNMENTAL SERVICES AGREEMENT
BETWEEN THE COUNTY OF KANE, ILLINOIS
and THE COUNTY OF KENDALL, ILLINOIS
FOR SHARING THE SERVICES OF A WELLNESS PROGRAM COORDINATOR

This intergovernmental agreement is made this ____ day of _____, 2024, by and between the County of Kane, Illinois, a unit of local government organized and existing under the laws of the State of Illinois, the Sheriff of Kane County, and the Kane County State's Attorney; and the County of Kendall, Illinois, a unit of local government organized and existing under the laws of the State of Illinois, and the Sheriff of Kendall County. For purposes of this Agreement, the County of Kane, the Sheriff of Kane County, the Kane County State's Attorney, the County of Kendall, and the Sheriff of Kendall County shall collectively be referred to hereinafter as "the Parties".

RECITALS

WHEREAS, the Parties are units of local government within the meaning of Section 10 of Article 7 of the Constitution of the State of Illinois; and

WHEREAS, the Parties are also public agencies within the meaning of the Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*); and

WHEREAS, the Parties are authorized to contract among themselves to obtain or share services, or exercise, combine, or transfer any power or function in any manner not prohibited by law (5 ILCS 220/3); and

WHEREAS, the Sheriffs of Kane County and Kendall County are required to provide mental health resources to their respective employees (55 ILCS 5/3-6012.2; 50 ILCS 705/6(f); and

WHEREAS, the Sheriff of Kane County desires to employ a Wellness Program Coordinator to implement the provision of said required mental health resources; and

WHEREAS, the Parties agree to share the cost of the Wellness Program Coordinator in exchange for sharing the services of the Wellness Program Coordinator.

NOW THEREFORE, for and in consideration of the mutual covenants herein the Parties agree as follows:

1. **RECITALS:** The recitals set forth above are incorporated in this Agreement by reference and made a part of this Agreement.
2. **EMPLOYMENT:** The Sheriff of Kane County desires to employ a Wellness Program Coordinator for the purposes of providing mental health resources as

mandated by statute. The Sheriff of Kane County shall be the sole employer of the Wellness Program Coordinator, and the Sheriff of Kane County shall be solely responsible for all employment related matters including paying all wages, benefits and any other compensation due and owing for the performance of services set forth in this Agreement. The Sheriff of Kane County is solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for the Wellness Program Coordinator as set forth in this Agreement. The Sheriff of Kane County also acknowledges its obligation to obtain appropriate insurance coverage for the benefit of the Wellness Program Coordinator and that Kendall County is not responsible for providing any insurance coverage for the benefit of the Sheriff of Kane County's officers, employees and agents. The employer-employee relationship will not be affected by any terms of this Agreement.

3. **SERVICES:** The Sheriff of Kane County has agreed that the employees of the Sheriff of Kendall County may also utilize the Wellness Program Coordinator for the purposes of the mandated mental health services. The Sheriff of Kane County has also agreed that employees of the Kane County State's Attorney may, on a voluntary basis, utilize the Wellness Program Coordinator for the purposes of mental health services. The Wellness Coordinator will be available to the employees of the Sheriff of Kane County two (2) days a week, available to the employees of the Sheriff of Kendall County two (2) days a week, and available on call to all employees.
4. **CONSIDERATION:** The Parties agree to share the cost of the Wellness Program Coordinator's salary (not including insurance or other benefits) in the following manner: 2/5 provided by the Sheriff of Kane County, 2/5 provided by the Sheriff of Kendall County, and 1/5 provided by the Kane County State's Attorney. The Sheriff of Kendall County and the Kane County State's Attorney shall submit their shares of the salary in one payment upon execution of the contract to the Sheriff of Kane County for appropriate distribution.
5. **AGREEMENT TERM:** The term of this Agreement shall commence on the date of this Agreement and shall continue for one (1) year ("Term"). This Agreement will automatically renew for additional one (1) year terms, unless any party provides notice within 30 days of such renewal that the party no longer wishes to continue the agreement.
6. **CONFIDENTIALITY:** The Parties shall not disclose to any third party or use, except in connection with the performance of services hereunder, any confidential information of any party in the possession of any other party, unless otherwise required by law or court order.

7. **INDEMNITY:** The Parties agree to save, hold harmless, defend and indemnify each other, from any and all liability or loss incurred by one party resulting from another party's noncompliance with any laws or regulations of any governmental authority having jurisdiction over the Parties and/or a party's performance of this contract and the party's violation of any of the terms and conditions of this Agreement, and from the party's negligence arising from, in any manner and in any way connected with, the terms and conditions of this Agreement and arising from the party's performance thereunder.
8. **TERMINATION:** Any party may terminate this Agreement at any time with thirty (30) days written notice to the other. No additional payments, penalties, and/or early termination charges shall be required upon termination of the Agreement.
9. **NOTICE:** Any notice required or permitted to be given hereunder shall be in writing and shall be deemed given:
- (i) When delivered personally to the individual designated below; or
 - (ii) On the third business day after sent by registered or certified mail, postage prepaid, addressed as follows:

TO SHERIFF OF KANE COUNTY:

Contact:

Address:

Phone:

E-mail:

TO KANE COUNTY STATE'S ATTORNEY:

Contact:

Address:

Phone:

E-mail:

TO KENDALL COUNTY:

Contact: Chairman of the Kendall County Board

Address: 111 W. Fox Street, Yorkville, Illinois 60560

Phone: 630-553-4171

E-mail: kcboard@kendallcountyil.gov

TO SHERIFF OF KENDALL COUNTY:

Contact: Kendall County Sheriff's Office Attn: Sheriff

Address: 1102 Cornell Lane, Yorkville, IL 60560

Phone: 630-553-5856

E-mail: SheriffOffice@kendallcountyil.gov

WITH COPY SENT TO:

Contact: Kendall County State's Attorney

Address: 807 John Street, Yorkville, IL 60560

Phone: 630-553-4157

Email: states_attorney_web_email@kendallcountyil.gov

10. **SEVERABILITY**: In the event any portion of this Agreement is deemed to be invalid or unenforceable, such portion shall be deemed severed and the Parties agree that the remaining portions of this Agreement shall remain in full force and effect.
11. **ASSIGNMENT**: None of the Parties may assign or otherwise transfer this Agreement without the written consent of the other parties. This Agreement shall inure to the benefit of and bind the Parties hereto and their respective legal representatives, successors and assigns.
12. **NON-DISCRIMINATION**: The Parties, their, officers, employees, subcontractors, and agents agree not to commit unlawful discrimination/unlawful harassment and further 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, the Illinois Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq., as amended, the Equal Pay Act of 2003, as amended, and all applicable rules and regulations. The Parties, their officers, employees, subcontractors, and agents shall maintain a written sexual harassment policy that complies with the requirements of 775 ILCS 5/2-105 and shall comply with all fair employment practices and equal employment opportunity/affirmative action requirements set forth in applicable state and federal laws and regulations.
13. **GOVERNING LAW**: This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois and the County of Kane.
14. **ENTIRE AGREEMENT**: This Agreement, including the recitals and schedules, set forth the entire agreement between the Parties with respect to the subject matter hereof and the Agreement shall be amended only in writing signed by the Parties. This Agreement supersedes any prior written or oral agreement between the Parties regarding the subject matter of this Agreement.
15. **COUNTERPARTS**: This Agreement may be executed in counterparts in the same form and such parts so executed shall together form one original document and be read and construed as if one copy of the Agreement had been executed.

16. **NO THIRD-PARTY BENEFICIARIES:** This Agreement is entered into solely for the benefit of the contracting parties, and nothing in this Agreement is intended, either expressly or impliedly, to provide any right or benefit of any kind whatsoever to any person or entity who is not a party to this Agreement, or to acknowledge, establish or impose any legal duty to any third party.

17. **AUTHORIZATION:** The Parties represent that all necessary acts have been taken to authorize and approve this agreement in accordance with applicable law, and this Agreement, when executed by the Parties hereto, shall constitute a binding obligation of the Parties, legally and enforceable at law and equity against both.

N WITNESS WHEREOF, the Parties have executed this Agreement effective this ____ day of _____, 2024.

SHERIFF OF KANE COUNTY, ILLINOIS

By: _____

KANE COUNTY STATE’S ATTORNEY

By: _____

KENDALL COUNTY

By: _____

SHERIFF OF KENDALL COUNTY, ILLINOIS

By: _____

COUNTY OF KENDALL, ILLINOIS

RESOLUTION 2024-

**RESOLUTION GRANTING THE KENDALL COUNTY SHERIFF AUTHORITY
TO ENTER INTO IGA WITH KANE COUNTY FOR WELLNESS
COORDINATOR SERVICES ON BEHALF OF KENDALL COUNTY, ILLINOIS**

WHEREAS, the Constitution of the State of Illinois of 1970, Article VII, Section 10, provides that “units of local government and school districts may contract or otherwise associate among themselves . . . [and] with individuals, associations, and corporations in any manner not prohibited by law or by ordinance”; and

WHEREAS, Kendall County, in order to promote the public’s safety and welfare, wishes to assist its law enforcement agencies in accessing mental health resources, including counselors or therapists; and

WHEREAS, the Sheriff of Kendall County is required to provide mental health resources to its employees by statute (55 ILCS 5/3-6012.2; 50 ILCS 705/6(f)); and

WHEREAS, the Kendall County Board has received, reviewed, and now approves of the Intergovernmental Services Agreement Between the County of Kane, Illinois and the County of Kendall, Illinois for Sharing the Services of a Wellness Program Coordinator, attached as exhibit A, which details how the Sheriffs of Kane and Kendall County will jointly provide for the services of a wellness program coordinator for their employees; and

WHEREAS, the Kendall County Board has the authority to delegate certain powers and duties to county officers, and 55 ILCS 5/5-1087 provides the Kendall County Board with the authority to “impose additional duties, powers and functions upon county officers”; and

WHEREAS, the Kendall County Board recognizes that the Sheriff of Kendall County, as the elected official responsible for the operation of the Kendall County Sheriff’s Office, is the county officer best situated to determine if and when it is appropriate for the Kendall County Sheriff’s Office to enter into an agreement whereby it shares the services of a wellness program coordinator.

NOW, THEREFORE, BE IT RESOLVED that the Kendall County Board hereby grants the Kendall County Sheriff the authority to enter into agreements with the Kane County Sheriff’s Office for the shared services of a wellness program coordinator without further action by the Kendall County Board, and the authority to bind the County, provided the agreement executed by the Kendall County Sheriff substantially complies with the Intergovernmental Services Agreement Between the County of Kane, Illinois and the County of Kendall, Illinois for Sharing the Services of a Wellness Program Coordinator, attached as exhibit A, and the term of any such

agreement does not exceed one (1) calendar year.

The authority herein granted to the Kendall County Sheriff will continue for two years after the date of adoption (“Termination Date”). The County Board may extend the authority every two years thereafter, by a majority vote. The County Board may revoke the authority granted to the Kendall County Sheriff at any time, with a majority vote of the County Board.

Approved and adopted by the County Board of Kendall County, Illinois, this _____ day of _____, 2024.

Board Chairman Signature:

Attest:

Matt Kellogg, Chairman
County Board

Debbie Gillette
County Clerk



Kendall County Agenda Briefing

Meeting Type: County Board

Meeting Date: Meeting 11/26/2024

Subject: Approval of Service agreement between Kendall County and the Village of Millbrook for the Provision of Demand Response Transportation

Prepared by: Jennifer Breault, PCOM

Department: Administration

Action Requested:

Approval of Service agreement between Kendall County and the Village of Millbrook for the Provision of Demand Response Transportation

Board/Committee Review:

N/A

Fiscal impact:

\$623 to Kendall Area Transit

Background and Discussion:

This document constitutes an agreement between Kendall County and the Village of Millbrook for the provision of public transportation services by Kendall Area Transit within the boundaries of the Village of Millbrook. This contract is effective for a three-year period, commencing on January 1, 2025, and concluding on December 31, 2027. The Village of Millbrook agrees to remit an annual payment of \$623 to Kendall County for the services rendered by Kendall Area Transit pertaining to public transportation.

Staff Recommendation:

Approval of Service agreement between Kendall County and the Village of Millbrook for the Provision of Demand Response Transportation

Attachments:

Service agreement between Kendall County and the Village of Millbrook

Service Agreement between Kendall County and Village of Millbrook for the Provision of Demand-Response Transportation

WHEREAS, this Service Agreement, hereinafter referred to as the “Agreement,” is made by and between Kendall County, Illinois, hereinafter referred to as the “County,” and Village of Millbrook hereinafter referred to as “Village of Millbrook”; and

WHEREAS, it is the mutual concern of the parties hereto that the transportation services provided hereunder be of high professional quality; and

WHEREAS, the County agrees to provide community and public transportation services in Kendall County (hereinafter referred to as the “Service Area”).

WITNESSETH

For and in consideration of the mutual covenants, and benefits hereinafter set forth, the County and Village of Millbrook agree as follows:

Section A. Effective Date, Service Area, Term, Termination

1. **Effective Date.** This Agreement shall be effective January 1st, 2025, upon execution by County and Village of Millbrook. The County hereby agrees to operate a demand-response transit system commonly known as Kendall Area Transit, hereinafter referred to as “KAT”.
2. **Service Area.** Village of Millbrook authorizes the County to provide community and public transportation services within the limits of Village of Millbrook hereinafter referred to as “Service Area.”
3. **Term; Termination.**
 - a. This Agreement shall remain in effect until December 31st, 2027. However, this Agreement may be terminated before December 31st, 2027, if Village of Millbrook provides sixty (60) days advance written notice to the County of its intent to terminate this Agreement.
 - b. The County shall have the right to terminate this Agreement before December 31st, 2027, upon giving sixty (60) days written notice to Village of Millbrook.
 - c. This Agreement may, if agreed to in writing by all parties prior to termination date, be extended by an additional two-year term. Any such extensions shall be executed by all parties no later than thirty (30) days prior to the termination date.

Section B. Description of Service

1. The County shall provide demand-response (dial-a-ride, paratransit) transportation service to the residents of Village of Millbrook in the same manner provided to residents of other communities within the County of Kendall that annually contribute funding towards the KAT program.
2. **Dial-a-ride Service.** KAT is the community and public transportation program of Kendall County. KAT transportation services are generally known as demand-response, also known as dial-a-ride and paratransit. KAT is operated for the general public, with special emphasis on service for senior citizens and persons with disabilities. KAT is administered by the County of Kendall. KAT demand-response service is available Monday through Friday from 6:00 a.m. to 7:00 p.m., except holidays. Fares range from \$2-\$5 for a one-way trip. All rides are pre-arranged by calling the KAT dispatch center, and all rides are based on vehicle space and availability. Service will be provided to Kendall County locations, with designated out-of-county locations, restricted mostly to medical, social services, and educational facilities. All fares and routes are subject to change at KAT's sole discretion.
3. **Changes to Service.** The County reserves the right to adjust the demand-response transportation services provided under the terms of this Agreement. Where appropriate, the County will consider input provided by Village of Millbrook before implementing changes. However, both parties understand and agree that the County reserves final decision-making authority regarding adjustments in the dial-a-ride transportation service.

Section C. General Requirements

1. **Personnel.** The County shall employ and furnish such personnel as shall be reasonably required for the efficient and economical operation of the transit system for Village of Millbrook residents. The County agrees that all services to be undertaken by the County shall be carried out by competent and properly trained personnel. The City of Aurora understands and agrees that the County may contract with an outside vendor to operate the KAT system.
2. **Operation.** The County shall operate the transportation system for Village of Millbrook residents on the days, during the hours and over the routes with such scheduling, and at such fares as in accordance with Section B of this Agreement.

Section D. Payment

1. Beginning January 1st, 2025, Village of Millbrook will provide \$623 annually to the County in bi-annual payments. This compensation will be used as local match funding for various State and Federal transportation grants. Issuance of payment will adhere to the following schedule:

- a. Fiscal Year 2025: \$623
 - Due May 15th, 2025: \$311.5
 - Due November 15th, 2025: \$311.5
 - b. Fiscal Year 2026: \$623
 - Due May 15th, 2026: \$311.5
 - Due November 15th, 2026: \$311.5
 - c. Fiscal Year 2026: \$623
 - Due May 15th, 2026: \$311.5
 - Due November 15th, 2026: \$311.5
2. Payment shall be remitted to Kendall County's address: Kendall Area Transit 111 West Fox Street, Aurora, IL 60560
 3. In the event the Agreement is terminated as described in Section A.3, Village of Millbrook will reimburse all expenses incurred by the County in the provision of services, including any eligible expenses that may be incurred after the termination date.

Section E. Notices

1. Any notices directed to the County shall be sent to:

Kendall County Administration
 111 W. Fox Street
 Yorkville, IL 60560
 Fax (630) 553-4171

c.c. Kendall County State's Attorney
 807 John Street
 Yorkville, IL 60560
 fax (630) 553-4204

Section F. Miscellaneous

1. **Grant Funds.** Compensation under this Agreement is considered funding of last resort and is not intended to replace other State and Federal program obligations.
2. **Force Majeure.** The County shall not be liable for any failure, delay or interruption of service nor for failure or delay in performance of any obligations under this Agreement due to strikes, lockouts, acts of God, governmental restrictions, enemy action, civil commotion, unavoidable casualty, unavailability of fuel supplies or parts, and any similar acts beyond the control of the County.
3. **Modifications.** No modification, additions, or deletion of this Agreement shall be effective unless and until such changes are approved in writing by all parties to the Agreement.
4. **Non-Discrimination.** Village of Millbrook its officers, employees, subcontractors, and agents agree not to commit unlawful discrimination/ unlawful harassment and further 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, the Illinois Public Works Employment Discrimination Act, 775 ILCS 10/0.01 et seq., as amended, the Equal Pay Act of 2003, as amended, and all applicable rules and regulations. Village of Millbrook its officers, employees, subcontractors, and agents shall maintain a written sexual harassment policy that complies with the requirements of 775 ILCS 5/2-105 and shall comply with all fair employment practices and equal employment opportunity/affirmative action requirements set forth in applicable state and federal laws and regulations. The Village of Millbrook shall comply with any applicable reporting requirements of Section 11 of the Equal Pay Act of 2003.

5. **Choice of Law and Venue.** 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.

Entire Agreement. The Agreement and any addenda constitute the entire agreement between Village of Millbrook and the County. If any provision of the Agreement is in conflict with the laws of the State of Illinois or the States of America, said provision shall be considered invalid and the remaining provisions shall remain in force. This Agreement supersedes all prior agreements and understandings, whether written, or oral, between Village of Millbrook and the County with respect to the subject matter hereof.

IN WITNESS WHEREOF, the said County has approved this Agreement and authorized it to be signed, sealed, and attested by the County Clerk and said Village of Millbrook has approved the Agreement and authorized to be signed by Jackie Kowalski and to be sealed and attested to by Jay Schell on this 22nd day of October, 2024.

KENDALL COUNTY

BY: _____

WITNESS: _____

Village of Millbrook

BY: Jackie Kowalski, President

ATTEST: Jay Schell, Clerk



Kendall County Agenda Briefing

Meeting Type: County Board
Meeting Date: 11/26/2024
Subject: FY 2024 Budget Amendment
Prepared by: Jennifer Breault
Department: Administration

Action Requested:

Approval of Fiscal Year 2024 Budget Amendment #3

Fiscal impact:

General Fund Increase \$152,230

Background and Discussion:

The purpose of this third budget revision is to finalize all financial allocations for the end of the fiscal year. The adjustments included in this revision are as follows: an increase in General Fund Salaries resulting from the resolution of union negotiations, increase of gas due to increased fuel consumption and cost increase, as well as, modifications to the Facilities Department due to the increase of projects into FY24.

Staff Recommendation:

Approval of Fiscal Year 2024 Budget Amendment #3

Attachments:

Ordinance Authorizing Budget Amendment to the Kendall County Fiscal Year 2024 Budget and Exhibit A

COUNTY OF KENDALL, ILLINOIS

ORDINANCE 2024-__

**ORDINANCE AUTHORIZING A BUDGET AMENDMENT TO THE
KENDALL COUNTY FISCAL YEAR 2024 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 2024 Budget did not include the increase expense of \$30,860 to the Sheriff Deputy Line in the Corporate General Fund Budget; and

WHEREAS, the Fiscal Year 2024 Budget did not include the increase expense of \$18,000 to the Gasoline in the Corporate General Fund Budget; and

WHEREAS, the Fiscal Year 2024 Budget did not include the increase expense of \$6,000 to the Union Contract Expense Line in the Corporate General Fund Budget; and

WHEREAS, the Fiscal Year 2024 Budget did not include the increase expense of \$34,430 to the Annual Contract Line in the Corporate General Fund Budget; and

WHEREAS, the Fiscal Year 2024 Budget did not include the increase expense of \$22,290 to the Equipment Line in the Corporate General Fund Budget; and

WHEREAS, the Fiscal Year 2024 Budget did not include the increase expense of \$20,650 to the County Supplies Line in the Corporate General Fund Budget; and

WHEREAS, the Fiscal Year 2024 Budget did not include the increase expense of \$20,000 to the Salaries-Overtime Line in the Corporate General 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 2024 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 _____ day of _____ 2024.

Board Chairman Signature:

Attest:

Matt Kellogg, Chairman
County Board

Debbie Gillette
County Clerk

_____ Ayes
_____ Nays
_____ Abstain

Exhibit A

No.	Fund	Org	Object Description	Increase or Decrease	Beginning Balance	Debit	Credit	New Number Should Be	Reason
1	Corporate General Fund	11002009	51060 Sheriff Deputy	Increase	3,945,116	30,860		3,975,976	Union Contract radification
2	Corporate General Fund	11002009	62180 Gasoline / Fuel / Oil	Increase	174,644	18,000		192,644	Fuel consumption and cost increase
3	Corporate General Fund	11002009	64380 Union Contract Expense	Increase	37,525	6,000		43,525	Union Contract redification and clothing/vest allowance increase
4	Corporate General Fund	11001001	62140 Annual Contracts	Increase	360,570	34,430		395,000	Allocation of Expense
5	Corporate General Fund	11001001	62160 Equiptment	Increase	71,710	22,290		94,000	Allocation of Expense
6	Corporate General Fund	11001001	62370 County Supplies	Increase	136,350	20,650		157,000	Allocation of Expense
7	Corporate General Fund	11001001	51540 Salaries Overtime	Increas	20,000	20,000		40,000	Extra Hours worked