

**KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE**

*Kendall County Historic Court House*

*Court Room*

*110 W. Madison Street, Yorkville, Illinois*

**6:30 p.m.**

**Meeting Minutes of February 10, 2025**

**CALL TO ORDER**

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

**ROLL CALL**

Committee Members Present: Brian DeBolt, Dan Koukol, Ruben Rodriguez, and Seth Wormley

Committee Members Absent: Elizabeth Flowers

Also Present: Matthew H. Asselmeier, Director, Wanda A. Rolf, Office Assistant, Mike Krempski

**APPROVAL OF AGENDA**

Member DeBolt made a motion, seconded by Member Rodriguez, to approve the agenda as presented. With a voice vote of four (4) ayes, the motion carried.

**APPROVAL OF MINUTES**

Member Rodriguez made a motion, seconded by Member DeBolt, to approve the minutes of the January 13, 2025, meeting and February 1, 2025, special meeting. With a voice vote of four (4) ayes, the motion carried.

**PUBLIC COMMENT**

Mike Krempski, resident near a pending solar farm on Ament Road, did not favor the solar farm project. He stated that the variance did not have to be approved. He also stated that Kendall County will lose valuable farmland if the solar project was approved. Chairman Wormley stated that the Petition still has to go through the Zoning Board of Appeals on March 3, 2025, and a County Board meeting. Chairman Wormley stated that the Zoning Board of Appeals would be one (1) of the most important meetings to attend, if he would like to speak about the solar farm. Mr. Krempski also suggested that the County create a flag policy.

**Expenditure Report**

The Committee reviewed the Expenditure Report.

**PETITIONS**

None

**NEW BUSINESS:**

Approval of a Contract with Teska Associates, Inc to Update the Kendall County Land Resource Management Plan in its Entirety at a Cost Not to Exceed \$184,380; Related

Invoices to Be Paid from Line Item 131605-66500

Mr. Asselmeier summarized the issue.

Kendall County has not updated the Land Resource Management Plan, the County's equivalent of a municipal comprehensive plan, since the early 2000s.

The proposal provides a framework for updating the Land Resource Management Plan. Unlike previous versions of the Land Resource Management Plan and the original proposal that was used for the original budget proposal, this proposal envisions updating the Plan on a topical basis instead of on a township basis. Accordingly, the time necessary to update the document was truncated to between sixteen (16) and eighteen (18) months. Speeding up the process of updating the Plan also speeded up the time when invoices would be due, which is why the increase to the line item is necessary.

The proposal envisions the creation of a website, six (6) planning workshops, three (3) open houses, one (1) public hearing, and eight (8) Steering Committee at various stages of the process to gather public input.

The proposed contract was provided.

Member DeBolt asked why Teska was working on the Land Resource Management Plan. Member Koukol stated that Teska has worked on these types of projects before for Kendall County. Chairman Wormley stated that this will be Mike Hoffman from Teska last time working on the Land Resource Management Plan because he was retiring.

Member Rodriguez asked when the last time Kendall County updated the Land Resource Management Plan. Mr. Asselmeier stated the last time was in the 1990s and was completed in 2004. In the past, the Land Resource Management Plan was done township by township and it was a repetitive process which took longer to complete. This time, the Plan will be topical.

Member Rodriguez asked if a committee will go with Teska to the various public input meetings or will the consultant go by themselves. Mr. Asselmeier stated the answer to that question was is yet to be determined. There is the Comprehensive Land Plan Committee which would be the steering committee for the project. The Comprehensive Land Plan Committee will probably be invited to the meetings. Teska was proposing workshops and open houses.

Chairman Wormley stated that the cost was lower than previously proposed.

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

The votes were as follows:

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

The motion carried.

The proposal will go to the February 18, 2025, Kendall County Board meeting on the regular agenda.

*Approval of a Process for Approving Amendments to the County-Wide Stormwater Management Ordinance Division of the Kendall County Code*

Mr. Asselmeier summarized the issue.

In 2022, the State updated the Model Floodplain Ordinance. Shortly thereafter, the County decided to review the current Stormwater Management Ordinance against the new Model Floodplain Ordinance, but decided to wait with finalizing any proposals until after codification was completed.

WBK Engineering prepared a redlined version of the proposed amendment. The redlined version and a list of proposed amendments are attached.

The Stormwater Management Ordinance is unique in the following ways:

1. Municipalities have to use a county's stormwater ordinance as the minimum requirements for their stormwater ordinance. If a municipality is in more than one county, the municipality must select a county's ordinance to follow. The municipalities that follow Kendall County's ordinance are Lisbon, Millbrook, Millington, Newark, Oswego, Plano, Plattville, and Yorkville
2. Any amendments to the floodplain regulations have to be approved by FEMA. It's also good practice to run proposed amendments by IDNR.

Accordingly, if proposed amendments are desired, Staff is proposing the following process for amending the Ordinance:

1. Obtain approval from either the Planning, Building and Zoning Committee, Committee of the Whole, or County Board that the amendments are desired.
2. Send the proposed amendments to all of the municipalities in Kendall County for review and comment.
3. Update the proposal based on the feedback received from the County and municipalities.
4. Send the proposal to FEMA and IDNR for comment.
5. Review comments from FEMA and IDNR.
6. Start the process of formally amending the Ordinance (i.e. schedule and hold a public hearing, etc.).

## 7. Final County Board action and action by municipalities.

Staff requested guidance as to how to proceed.

Mr. Asselmeier stated that they suggest the Committee reviewed the proposed amendments during February and early March and bring back any comments to the committee at the March meeting, if the committee wished to update this ordinance.

Member DeBolt asked, if someone was building or filling in a low area what were the requirements. Mr. Asselmeier stated that if someone was filling a floodplain, they would need a permit. If someone was piling three feet (3') of dirt or higher outside of the floodplain, they would have to obtain a stormwater permit. If they have disturbed more than one (1) acre of ground, whether they're in a floodplain or not, they would have to obtain a stormwater permit. Anything in the ordinance was open for discussion, but FEMA has to approve anything that the County proposed.

Chairman Wormley asked if the proposal had the pipeline adjustment. Mr. Asselmeier said the pipeline adjustments were in the zoning ordinance, but they would have to follow the stormwater regulations.

Member DeBolt asked if the amendments to the ordinance were updates or additions to the regulations. Mr. Asselmeier responded they are changes. Some of the changes were adding or amending regulations. Some were renumbering a section because the section had additions, deletions, or was otherwise reworded.

Chairman Wormley asked if there were significant changes. Mr. Asselmeier discussed the proposal related to "Critical Facilities". The Committee reviewed the definition of "Critical Facility". These include fire and police stations and ambulance houses. Mr. Asselmeier stated another example was, if someone decides to make a wedding venue out of a barn, FEMA would not consider that use as an agricultural use. Agricultural land is not exempt from floodplain regulations.

Chairman Wormley stated he would like to have the comments from the municipalities. Mr. Asselmeier stated he would send this information to the municipalities for their comments and ask them to respond prior to the March meeting.

No vote occurred, pending the outcome of the comments from municipalities.

*Approval of Publishing the Annual Noxious Weed Notice in the Kendall County Record at a Cost Not to Exceed \$125.00; Related Invoice(s) to Be Paid from the PBZ Legal Publications Line Item 11001902-62090*

Mr. Asselmeier summarized the issue.

Kendall County is required by Illinois law to publish a noxious weed notice at least one (1) time per year in a newspaper of general circulation within the County. Kendall County's Noxious Weed Work Plan, adopted in October 2024, called for the publication of the notice within the first quarter of 2025.

Member Koukol made a motion, seconded by Member DeBolt, to recommend approval of publishing the notice.

The votes were as follows:

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

The motion carried.

The proposal will go to the February 18, 2025, Kendall County Board meeting on the consent agenda.

*Approval of a Resolution Approving an Intergovernmental Agreement for Reciprocal Building Inspection Services between Kendall County, Illinois and the United City of Yorkville, Illinois*

Mr. Asselmeier summarized the issue.

The Intergovernmental Agreement between Kendall County and the United City of Yorkville for reciprocal building inspection services expires February 20, 2025.

A renewal proposal was provided. Other than dates, no other changes are proposed.

In 2024, Yorkville conducted twenty-eight (28) inspections for the County and the County conducted zero (0) inspections for Yorkville.

The United City of Yorkville will be reviewing the proposal during their meetings in February.

Member Koukol made a motion, seconded by Member DeBolt, to recommend approval of the Intergovernmental Agreement.

The votes were as follows:

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

The motion carried.

Member DeBolt asked if Kendall County works with the City of Yorkville on some of the permits. Mr. Asselmeier stated that the Agreement allows Brian Holdiman and Pete Ratos to back each other up in the event that, if one (1) or the other was not available,

the other will take care of the inspections. The Agreement only applies to these two (2) individuals. If either leaves their employer, the terms would have to be renegotiated.

The proposal will go to the February 18, 2025, Kendall County Board meeting on the consent agenda.

Approval of Proposal from WBK Engineering for Work Related to the Submittal of the Annual Report for the 2024 NPDES – MS 4 Requirements in an Amount of \$2,800 Plus Reimbursable Costs (Costs + 10 %)

Mr. Asselmeier summarized the issue.

Kendall County is required to submit an Annual Report to the State as part of the County's National Pollution Discharge Elimination Systems (NPDES) Permit by June 1<sup>st</sup> of each year.

Historically, WBK Engineering has prepared this document because they already possess most of the information needed to complete the report due to the inspections that they perform on the County's behalf at work sites.

The cost to prepare the 2023-2024 Report is Two Thousand Eight Hundred Dollars (\$2,800). The cost to prepare the 2023-2024 Report was Two Thousand Six Hundred Fifty Dollars (\$2,650).

The proposed contract was provided.

Member DeBolt made a motion, seconded by Member Koukol, to recommend approval of the proposal.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried.

Follow-Up on Kendall County Regional Planning Commission Annual Meeting

Member Koukol stated he thought the meeting was excellent. The County received a lot of information from the communities.

Member Rodriguez stated he felt the new Chairman Landovitz did an outstanding job.

2024 County-Wide Building Permit Memos

The Committee reviewed the memos.

## **OLD BUSINESS:**

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

Mr. Asselmeier stated that WBK was waiting for calculation information from the applicant's engineer. The applicant submitted their stormwater information but it referenced a project in Cook County, so WBK sent it back to their engineer asking for clarification.

### **Approval of a Policy for Historic Preservation Commission Review of Demolition and Alteration Permits on Structures Identified in Historic Structure Surveys**

Mr. Asselmeier presented the proposed policy.

The Historic Preservation Commission would like to review applications for demolition and alteration permits on properties identified as Contributing, Local Landmark Potential, or National Register Potential in an historic structure survey undertaken under the authority of Kendall County.

To date, structure surveys have only occurred in Kendall and Bristol Townships.

The proposed policy does not require the Historic Preservation Commission to meet. The proposed policy also does not supersede any regulations in the Kendall County Code. Finally, the proposed policy does not delay the Planning, Building and Zoning Department's process of issuing permits.

The Historic Preservation Commission recommended approval of the proposal by a vote of five (5) in favor and zero (0) in opposition at their meeting on January 16, 2025.

Chairman Wormley asked why the Historic Preservation Commission needed permission to review demolition and alteration permits. Mr. Asselmeier stated that, at this time, the Department does not send any building permits to the Historic Preservation Commission, unless the permits involved a locally designated landmark, which there was one (1), The Gaylord House, at 1542 Plainfield Road, in the County. If someone has a house built before 1974 the structure could potentially be a historic landmark.

Member Koukol stated he was not in favor sending demolishing or alteration permit information to the Historic Preservation Commission.

Chairman Wormley was not in favor of voting on this at the present time.

### **Update on Planning, Building and Zoning Department Staffing**

Mr. Asselmeier reported that they tried to fill the vacant full time position of code official. One applicant backed out and the other did not pass the background check. Mr. Asselmeier and Brian Holdiman will meet this week to determine if they need someone part time or full time.

## **REVIEW VIOLATION REPORT:**

### **Review of Violation Report**

The Committee reviewed the report.

Member DeBolt asked how the Department was made aware of these violations. Mr. Asselmeier stated the Department was complaint based. However, if the inspector sees something while traveling to and from an inspection, he can report a violation. The Department does not patrol.

Member DeBolt asked who issues the violations. Technically, Mr. Asselmeier issues the citations, but Brian Holdiman will issue a thirty (30) day notice. If they don't comply, then a citation is issued. Brian Holdiman coordinates with the Circuit Clerk's Office to set the court date. Mr. Asselmeier stated that, under the law, the County has to serve the person who was violating the ordinance. The Sheriff's Department does the servicing.

Member DeBolt asked how the dollar amount was set for the violation. Mr. Asselmeier stated that the minimum and maximum dollar amounts were set by State law.

Member Koukol discussed a landscaping business that moved in next door to another landscaping business. The new landscaping business did not have proper zoning while the existing landscaping business did have proper zoning. A local attorney told the property owner that was operating without a permit to stop. This property was under investigation. Mr. Asselmeier stated the application deadline was February 18, 2025, and the County will take action, if no application was submitted by that date.

Chairman Wormley discussed an illegal business on Fox River Drive outside of Newark. The Department will investigate the matter.

## **REVIEW PRE-VIOLATION REPORT:**

The Committee reviewed the report.

## **UPDATE FROM HISTORIC PRESERVATION COMMISSION:**

### **Historic Preservation Organization Meeting-February 19, 2025, at 5:30 p.m., at the Plano Stone Church Community Center**

The Committee reviewed the save-the-date information. There will be a tour of the church and a discussion about the McCormick Experimental farm at Silver Springs State Park. There were twenty-two (22) people that have RSVP'd so far.

The historic preservation award window was open.

The County was still waiting on the State regarding the application for a Certified Local Government Grant for an historic structure survey of unincorporated Seward and Na-Au-Say Townships.



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

Chairman Wormley adjourned the meeting at 7:13 p.m.

Minutes prepared by Wanda A Rolf, Part-Time Office Assistant

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