

**KENDALL COUNTY
COMPREHENSIVE LAND PLAN AND ORDINANCE COMMITTEE**

***Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
5:00 p.m.
Meeting Minutes of March 28, 2018***

Members Present: Larry Nelson (Chairman), Bill Ashton, Robert Davidson (arrived at 5:04 p.m.), Matthew Prochaska (on behalf of Scott Gryder), and Jeff Wehrli

Member Absent: John Shaw, Randy Mohr, and Megan Andrews

Others Present: Matt Asselmeier, Senior Planner, Paul Pope, Katy Pope, Joe Slivka, Roger Bledsoe, Budd Wormley, and Dan Bixby

Chairman Larry Nelson called the meeting to order at 5:01 p.m.

1. **APPROVAL OF AGENDA**

Mr. Wehrli made a motion to approve the agenda. Mr. Prochaska seconded the motion. With a voice vote of four ayes, the motion carried.

2. **APPROVAL OF MINUTES**

Mr. Prochaska made a motion to approve the minutes of the January 24, 2018 meeting. Mr. Wehrli seconded the motion. With a voice vote of four ayes, the motion carried.

Mr. Ashton made a motion to approve the minutes of the February 28, 2018 meeting. Mr. Prochaska seconded the motion. With a voice vote of four ayes, the motion carried.

Mr. Davidson arrived at this time (5:04 p.m.).

3. **NEW BUSINESS**

Update on the Sewer Situation in Lisbon Township

Village of Lisbon President Paul Pope provided an update on the Village's sewer situation. President Pope provided a timeline of the sewer project in the Village (see attachment). The project started in 2000. The bond was originally issued in January 2017. A loan occurred at the same time. The bond was a Nine Hundred Thousand Dollar (\$900,000) General Obligation (GO) Bond. The general note was Four Hundred Fifty Thousand Dollars (\$450,000). If the Village goes bankrupt, the residents will be responsible for repaying the bond. The Village thought the bond and note were payable for a twenty (20) year period. However, both the bond and note were to be repaid in five (5) years. After seven (7) months of work, the payment was negotiated back to a

twenty (20) year payment for the bond and note. As of March 27, 2018, the Village has a working system. President Pope announced that one (1) of the Village's sources of revenue will not materialize during this year because one (1) of the quarries will not be open this year. There are thirty (30) potential hook-ups to the system. The pipes are installed to the property line, but the houses have not connected to the system. The estimated cost to property owners to hook into the system is between Five Thousand and Seven Thousand Dollars (\$5,000-\$7,000). President Pope does not believe the Village can financial pay to hook residents onto the systems.

Joe Slivka, former Village President, explained the situation with the host fees from the quarry. The lost revenue is a host fee from the quarrying operations; sixteen (16) years of host fee left for one (1) quarry and nine (9) years for the other quarry. He believes that the Village will get paid in 2018, but not in 2019 from one (1) of the quarries.

President Pope provided a financial statement of investment in the project (see attachment). In total, the Village has invested approximately Three Million Dollars (\$3,000,000) in this project.

President Pope said that the Village is looking for financial assistance. The Village has been in contact with State Senator Sue Rezin and U.S. Representative Randy Hultgren. The Village will continue to pursue grants. The Village does not have enough money to start operations at the plant.

Chairman Nelson asked if the Village was going to attempt to sell the bond this year. President Pope responded that the bonds have been issued for twenty (20) years.

Mr. Davidson asked if the bond would be tax free. President Pope responded yes.

Mr. Davidson asked how many homes will be involved with the project. President Pope responded that, when the system is complete, approximately ninety-five (95) homes.

Mr. Davidson asked why the quarry was not operating. President Pope stated he received a letter stating that they were not operating this year. The Village is out approximately One Hundred Five Thousand Dollars (\$105,000).

President Pope said backup power systems need to be installed at two (2) lift stations and at the main plant. The repair of the streets needs to be budgeted.

Mr. Davidson asked if the Three Million Dollars (\$3,000,000) included hooking everyone up to the system. President Pope said that information was incorrect. The Three Million Dollars (\$3,000,000) is the money the Village has already invested in the project for twenty-eight (28) homes. Those homes are not hooked up to the system. President Pope did not know the hookup fee.

Mr. Davidson asked about the interest of the bonds. President Pope responded that the interest rate is variable and is currently approximately three point one five percent (3.15%).

The Village does guarantee that it has the ability to make the payments on the bond. If the Village cannot pay, the payments are paid by the residents.

Mr. Davidson asked about the user fee. President Pope said that the user fee is not locked at this time. The user fee was planned to be approximately Fifty Dollars (\$50) per month, but President Pope does not believe this fee is realistic.

Mr. Asselmeier asked if the Village explored CDAP funds or the State loan program for sewer projects. President Pope responded that every avenue has been explored over the last eighteen (18) years. The only way to fund the project was through private funds.

Don Bixby, Chamlin & Associates, Inc., said that the minimum cost to run the plant was Twelve Thousand Dollars (\$12,000) per year. The plant could handle thirty thousand (30,000) gallons per day which could handle the full community, one hundred five (105) users. Stormwater must be separate from the sewer system.

Chairman Nelson asked about retail or commercial potential users along U.S. Route 52 near Route 47; could the Village's system support those types of users. Mr. Bixby saw no issues.

Mr. Bixby will supply the map of the sewer lines (see attachment).

Mr. Bixby believed that the system has more capacity than one hundred five (105) users. The calculations for usage per person changed because people do not use as much water as in previous years. The extension of the sewer lines for a business is a possibility.

Discussion occurred about getting economic development funds into the area around the Village. Discussion also occurred about making the Route 52 corridor commercial.

Chairman Nelson asked about the depth of the limestone. The response was approximately six to eight feet (6'-8'). The lift stations are around twenty to twenty-five feet (20'-25') deep. The overburden is roughly the same out to Route 52.

Mr. Slivka stated that the Village did not steal the quarry from the County. The Village could charge a host fee while the County could not charge a fee. The Village's mining ordinance was the same as the County's regulations (see attached articles).

Budd Wormley, Millbrook, said that he admired the work of the Village of Lisbon. He believed that Lisbon was in a good situation for economic development. He noted that President Trump is proposing funds to states for water, sewer, and transportation infrastructure.

Discussion of Proposed Amendments to the Land Resource Management Plan for Properties Along Route 47 in Lisbon Township

Mr. Asselmeier asked if the Committee wanted to make any changes to the proposed map to reflect the comments given at the February 28th meeting in Plattville. The maps were not previously changed based on the comments of the February 28th meeting.

Chairman Nelson stated he wanted the map to show that the County was open to development in the area. Discussion occurred regarding the comments from the February 28th meeting that residents did not want changes in the area along Route 47.

The suggestion was made to invite Audra Hendrix and Andrez Beltran to a future meeting.

Mr. Davidson suggested extending the mixed use business land use towards Lisbon on Route 52 to correspond to the Village's Comprehensive Plan. The corridor should be one half (1/2) mile wide around Route 52.

Grundy County did not allocate money to improve Brisbin Road.

Discussion occurred regarding using incentives to attract businesses to the area.

Mr. Wehrli made a motion to create a mixed use business designation one half (1/2) mile wide on Route 52 west of the commercial designated area at the intersection with Route 47 west to the Lisbon Village limits. Mr. Davidson seconded the motion. With a voice vote five ayes, the motion passed unanimously.

There were no additional comments from the public or press.

Adjournment:

The next meeting will be April 25, 2018. Mr. Davidson made a motion to adjourn the meeting. Mr. Ashton seconded the motion. With a voice vote of five ayes, the motion passed and the meeting adjourned at 6:20 p.m.

Respectfully submitted,
Matthew H. Asselmeier, AICP
Senior Planner

Encs: Contact Information

Timeline for Sewers
Expense Sheet
Sewer Line Map
Board Articles for Mining

Village of Lisbon

Paul Pope - President



v-lisbon@att.net

Katy Pope - Clerk



Joe Slivka -



FORMER MAYOR

Time line for Sewer

- 2000 - Village received a letter from the IEPA and County stating Lisbon may be in violation for pollution
 - 7/23/2000 - At a regular board meeting in Lisbon Kendall country stated "county will work with homeowners and village to resolve pollution problems"
 - 10/21/2008 - Village received an EPA grant for Chase Engineering to study a WWTP \$78535
 - 12/15/2010 - Violation Notice #W-2010-30294
 - 2/4/2011 - Village received an IEPA village received a Rejection of Compliance Permit
 - 4/7/2011 - IEPA request for additional information for loan request *IEPA turned down Lisbons grants request because it would have pushed village over debt limit.*
 - 8/3/2012 - Village received notice of "discharge violation w/ civil/criminal penalties"
 - 8/3/2012 - village received approval to contract, own, and operate a sewage plant
 - 9/25/14 - letter received stating need for financial sustainability
 - 2/26/2015 - EPA grant - on-site evaluation
 - 12/19/2016 - Lisbon Ordinance #2016-12-19.000 intent to issue bond
 - 12/29/2016 - Published ordinance & notice of intent to issue bond. & BINA Public Hearing
 - 1/16/2017 - Order and minutes of BINA public hearing
 - 1/30/2017 - certified copy of ordinance 2017-1.30.001 authorizing issuance of bond
 - 2/14/2017 - filing of certificate of county clerk RE: ordinance # 2017-1.30.001
 - 2/14/2017 - Equalized Assessed Valuation Certificate
 - 1/31/2017 - The bond is dated January 31, 2017
 - 1/31/2017 - Loan is dated January 31, 2017
- > Bond & Note were assumed to be 20 yr. ~~per~~ agreements, when paper work was gone over it turned out to be 5yr agreement!*

COPY

WWTTP Expenses Pd By Village

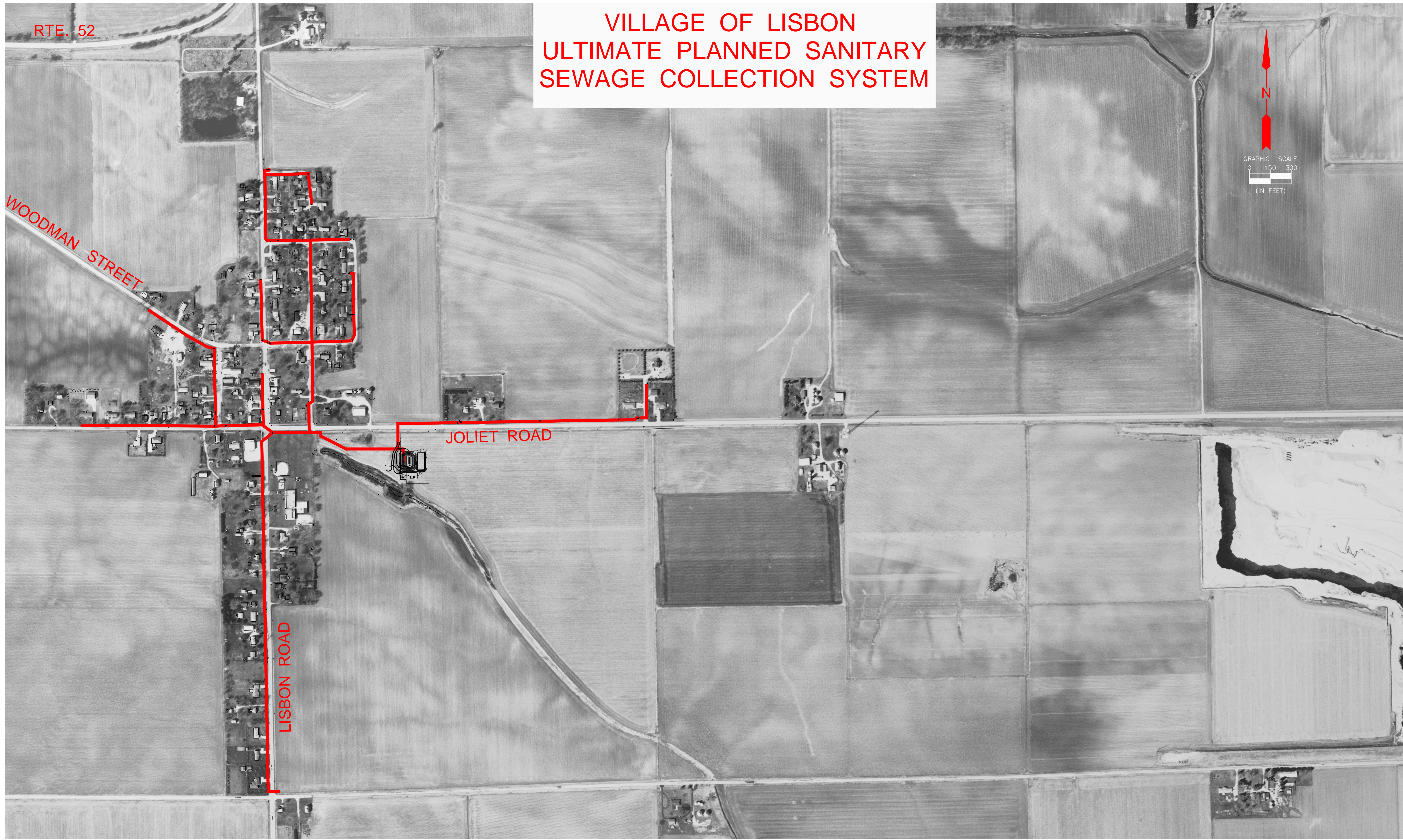
A	B	C	D	E	F	I	J	K
1	Year	Legal	Construction	Engineering	Payroll	Publications	Financing	
2	2018	1,855.00	41,751.80	20,306.30	0.00	0.00	22,753.96	Int
3	2017	1,814.63	56,856.47	46,666.00		117	8750	(ice Miller)
4							827.62	(int)
5							14,195.50	(BNYMellon)
6	2016	1,418.63	29,881.08	13,489.50			5,961.65	(int)
7	2015	18,221.66	773,929.74	175,151.85			1,655.00	Loan Proc
8							2,667.34	(int)
9	2014	113,425.09	46,328.85	10,000.00	4,041.50			
10	2013	1,700.88	8,904.50	21,950.38	957.00			
11	2012	1,902.63	84,931.19	66,046.50	8,708.50			
12	2011	881.13	2,007.20	54,161.82	660.00			
13	2010	420.00	11,640.00	75,110.20				
14	2009	791.00		16,943.00				
15	2008	1,504.00		8,811.53				
16	2007	4,000.00		4,606.25				
17	2006	275.00						
18		148,209.65	1,056,230.83	513,243.33	14367	117	56,811.07	
19								
20								
21				TOTAL COSTS				
22				148,209.65				
23				1,056,230.83				
24				513,243.33				
25				14,367.00				
26				117.00				
27				56,811.07				
				TOTAL COSTS PD BY VILLAGE:				
				1,788,978.88				

+ 1,300,000.00 - \$900,000 G.O.B. \$400,000.00 Banknote
 3,000,000.00 + ???

Check on Numbers 2017 & 2018 No numbers from Fisher

Village has paid out \$1,788,978
 Village is liable for additional \$1,300,000.00
 3,000,000.00 + is what the Village has invested in project.

VILLAGE OF LISBON ULTIMATE PLANNED SANITARY SEWAGE COLLECTION SYSTEM



Lisbon Board Meeting

Lisbon Village Board held its monthly meeting November 17, 2003, 7 p.m. in the Village Hall. Present were Village President Jim Morris and trustees Joe Slivka, Bill Rehberg, Landy Walker, Dennis Davidson, Terri Nichols and treasurer Beverly Horsley.

Minutes of the October meeting were read and corrections made. Rehberg made motion to accept minutes. Nichols seconded, all present voted in favor, motion carried.

Monthly bills were reviewed. Nichols made motion to pay first 3 bills as stated. Waste Management \$1,242.24, SBC \$40, UTI \$20, Nicor Gas \$40 and Gerad Friesteid \$1000 also needed to be paid not to exceed amounts given. Davidson seconded, all present voted in favor, motion carried.

Slivka stated he had received a fax from Paul Chase stating that we had to revise a page of the grant, it was corrected and resent. Were waiting to hear from them. We should have a decision by mid December.

Horsely stated we have received a tax employee number. You will need take the letter with when using tax employee number.

Horsley also stated that a \$10,000 check for consulting fee was received from Valley Run Stone and it was deposited in general fund. Slivka made motion that if it's acceptable to our attorney, Valley Run Stone's letter dated August 1, 2003 will provide an additional one time fee of \$10,000 to the Village of Lisbon to hire a zoning consultant to review existing Kendall County mining quarry operations ordinances to insure that it would be sufficient for the Village of Lisbon and if it meets with his approval we will proceed. Walker seconded, Rehberg and Davidson voted in favor, Nichols voted no.

Walker gave report. Truck is fueled and ready for snow. Junk cars on streets still need to be removed. Tree on west Joliet St. still needs to be cut down.

Davison made motion to adjourn meeting, Nichols seconded, motion carried, meeting adjourned.

Marilyn Burnett, Village Clerk

18

2005

Lisbon Village Board

The Lisbon Village Board met July 18. Present were Mayor Joe Slivka and Trustees Adam Burnett, Bill Rehberg, Jim Morris, Virgil Stacy and Treasurer Beverly Horsley.

Bill Rehberg made a motion to appoint Rick Tollefson to take Landy Walker's trustee position and the motion was carried.

The treasurer's report was looked over. The sewer fund was in the hole by \$812.75 Slivka suggested taking \$1,000 out of the general fund to cover it as matching funds. The budget will be discussed at the next workshop. Joe Slivka read a report from Paul Chase concerning the sewer project. It was stated that if the village doesn't have any results by fall, a disconnect ordinance would be passed.

It was stated that some property hasn't been cleaned up. Dallas Ingemunson has been informed to take the next step concerning the junk letter that was sent. Garbage men will not pick up 42 gallon containers, only 30 gallon containers.

Slivka stated that Ingemunson informed him that the county will update their mining ordinance on Aug. 16. Slivka said he is hopeful that Lisbon will be adopting Kendall County Zoning ordinances in September. It was decided that the board would discuss this further at their next workshop. Avery is questioning if the village is interested. They were told that yes and the village wants a five percent host fee. Rehberg made a motion for the workshop meeting to be changed to the second Monday of the month and the motion was carried. Pictures had to be taken of the property that the village wants condemned. Ingemunson is investigating and taking further steps. Chamlin and Assoc engineering firm was hired for street and maintenance repairs. Paperwork has been done for the tarring and chipping for I.D.O.T. People have volunteered to help with the Labor Day activities.

Lisbon Village Board Meeting

Lisbon Village Board held its monthly meeting Sept. 20, 2004, 7 p.m. in the Village Hall. Present were President Jim Morris, trustees Terri Nichols, Joe Slivka, Landy Walker, Dennis Davidson, Bill Rehberg, Adam Burnett and treasurer Beverly Horsley.

Minutes of the August meeting were read. Davidson made motion to accept, Nichols seconded, motion carried.

Treasurer's report was given by treasurer Horsley. Rehberg made motion to accept, Walker seconded, motion carried.

Current bills were read. Nichols made motion pay bills. Davidson seconded, motion carried.

Slivka stated Mining Ordinance still on hold because states atty. is looking at language that was added to ordinance.

Walker gave his report, tree work was done, more ditch work for drainage needs to be taken care of.

Kenneth & Art Frewalt from Jas Venture Partners want to build a spec home. Rehberg made motion for building permit pending approval from Kendall Co. Health Dept. for well and septic. Adam Burnett seconded, motion carried.

Walker state he received past ordinance that we might use as an outline to dictate letter concerning junk vehicles. Slivka handed copies of letter for board members to look over and

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Lisbon Village Board Meeting

Lisbon Village Board held its monthly meeting March 15, 2004, 7 pm in the Village Hall. Present were Pres. Jim Morris, acting Village Pres. Joe Slivka, and Trustees Terri Nichols, Bill Rehberg, Landy Walker, Dennis Davidson and Treasurer Beverly Horsley.

Minutes of the January meeting were read. Davidson made motion to accept minutes, Rehberg seconded, all present voted in favor, motion carried.

Treasurer's report was given by treasurer Beverly Horsley.

Current bills were read. Davidson made motion to pay bills. Nichols seconded, all present voted in favor, motion carried.

Slivka stated at our next workshop, April 6, 2004, we'll have a draft for Smith Engineering. After village attorney has reviewed it board will look it over.

Slivka also stated that design of sewage treatment should be done in week and a half. Discussed what property we could buy for sewage field.

Morris stated our insurance policy with Bliss McKnight of Illinois needs to be looked over when we receive it. If any changes need to be made we need to let Terry Larson know.

Need for lawn mowing at the park was discussed. Proof of insurance needs to be kept on file.

It was questioned whether Ron Shorkey's job at village hall had been completed.

Walker's report was given. He stated need for patching to be completed and air conditioner needs to be installed in village hall. Snow posts needs to be purchased, also discussed need for impact fees.

Lisbon Grade school wants to be included in Labor Day activities.

Davidson made motion to adjourn meeting. Rehberg seconded; motion carried and meeting was adjourned.

Marilyn Burnett - Village Clerk

2003

Lisbon Village Board meets

The Lisbon Village Board met May 19 in the Village Hall. The meeting began with swearing in of the elected trustees, Adam Barnett, Terri Nichols, and Landy Walker.

Grant Avery presented the Board with the current proposal for annexation of Valley Run Stone to the village.

Jim Morris, Village President, stated he would like to meet with other nearby small villages to discuss annexations and other matters relevant to small communities.

It was noted that the Village Treasurer has moved out of the Village, and discussion was held regarding appointing a new Treasurer. Village resident Beverly Horsley offered to assume the treasurer's position, and the Board voted to appoint her.

Landy Walker stated that paint for the Village Hall has been purchased. Cold patch work was done on streets, and storm sewer pipes that were broken have been repaired. There are still sewer pipes needing repair that will have to be contracted.

The Village Board thanked Bill and Randy Rehberg and William Eisenbrandt for equipment donated to the village.

It was stated that consultant Paul Chase is working on a disconnect ordinance for the village. The ordinance will have to be reviewed by the Village Board and the Village Attorney.

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Quarry offers help with sewer woes if it is annexed to Lisbon

By Tony Scott

A stone quarry firm near Lisbon has requested to be annexed into the village. However, village officials are still considering the idea before putting it to a vote.

Valley Run Stone is seeking to expand their operation, and annex 356 acres of land owned by the Avery family, who owns the company, into the village.

In a letter to Lisbon residents dated Aug. 1, the owners of Valley Run Stone outline an offer made to the Lisbon Village Board if the board decides to annex the land.

The letter states the firm will contribute a \$250,000 "host community fee" to the village, which guarantees the village \$50,000 a year for five years. This would be in addition to the \$8,000 to \$15,000 the firm states it will bring the village in annual sales and property tax revenue.

The firm also states annexing the land will help alleviate the village's existing antiquated wastewater collection system. The letter says the firm will donate a two-acre site dedicated to the village for a sewer or lagoon system.

Village Board member Joe Slivka, who has spearheaded efforts to improve the village's wastewater collection system, said Monday the village needs to do "a lot of research" into the issue before a vote can be taken.

"It sounds like it's too good to be true," Slivka said. "We just have to investigate it."

Regarding Valley Run Stone's offer,

Slivka said rather than accepting the firm's proposed "host community fee" for five years, he prefers to charge the firm for a percentage of their stone sold "as long as [the facilities] operate." Slivka also said cities such as Morris may get sales tax revenue from the firm if trucking firms that are out of the area use the firm's proposed operation.

Slivka said the village would also have to adopt a mining ordinance. The firm's letter states that the company would provide \$10,000 to the village for a zoning consultant to review Kendall County's zoning and mining ordinances. Slivka said the amount is "not enough."

But Grant Avery, one of the firm's four owners, said the village would simply need to adopt the county's ordinance as its own. Avery said the company has been discussing the issue with village officials for the past five years, and that it's "dragging its feet," and voiced frustration that the village hasn't accepted the firm's offer.

"I've gotten no response [from the village], other than 'No, we don't want you here,'" he said. "That's basically what I've been told."

He added, "I thought the offer we gave them was more than generous. It's a win-win for them. We continue, they continue, it solves their sewer problem, for the most part."

Avery said Tuesday that if the village doesn't make a decision on the issue soon, he will instead go through the county to get the approval of the expansion.

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