

**KENDALL COUNTY BOARD AGENDA
REGULAR SEPTEMBER MEETING**

Kendall County Historic Courthouse, 109 W Ridge St, Yorkville IL 60560

Tuesday, September 15, 2020 at 9:00 a.m.

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
6. Public Comment
7. Consent Agenda
 - A. Approval of County Board Minutes from August 18, 2020
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$2,385,443.13
 - D. Approve the 5-Year Surface Transportation Program 2021-2025
 - E. Approval of contract with Brite Computers for a term of 5 years for a total amount not to exceed \$171,422.00 for the purchase and maintenance of Body Worn Cameras for the Kendall County Sheriff's Office
 - F. Approval of Petition 20-22-Request from the Kendall County Historic Preservation Commission for Approval to Authorize the Kendall County Board Chairman to Sign and Submit an Application for Certified Local Government Status to the Illinois State Historic Preservation Officer
8. Old Business
9. New Business
 1. Approval of a Resolution Declaring September National Suicide Prevention Awareness Month in Kendall County
 2. Approval of a Resolution Establishing Constitution Week 2020
10. Elected Official Reports & Other Department Reports
 - A. Sheriff
 - B. County Clerk and Recorder
 - C. Treasurer
 - D. Clerk of the Court
 - E. State's Attorney
 - F. Coroner
 - G. Health Department
 - H. Supervisor of Assessments
11. Standing Committee Reports
 - A. Highway
 1. Authorize County Board Chairman and County Clerk to execute Local Public Agency Agreement for Federal Participation for Eldamain Road Contract B construction
 2. Resolution appropriating funds for the improvement of Eldamain Road – Contract B
 3. Agreement between State of Illinois and Kendall County pertaining to the construction and maintenance of the intersection of Illinois Route 71 and Eldamain Road
 - B. Planning, Building & Zoning
 1. Approval of Petition 19-39 Request from John Dollinger on Behalf of Hansel Ridge, LLC (Owner at Time of Application Submittal) and Jason Shelley on Behalf of GoProBall, LLC (Current Owner) and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC (Current Owner) for Map Amendments Rezoning 4.01 Acres +/- to B-3 Highway Business District and Granting Special Use Permits for an Outdoor Storage Facility and a Self-Storage Facility and a Map Amendment Rezoning 4.67 +/- Acres to B-2 General Business District for the Northeastern Portion of the Parcel Located on the Northwest Corner of Route 52 and County Line Road also Known as 195 Route 52 and Identified by Parcel Identification Number 09-13-200-002 in Seward Township
 2. Approval of Petition 20-15-Request from Jason Shelley on Behalf of GoProBall, LLC and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC for Approval of Preliminary and Final Plats for the Go Pro Sports Subdivision and Exception to Section 7.03.A.7.c of the Kendall County Subdivision Control Ordinance Pertaining to Soil Maps and Surveys at the Northern 18.7 Acres of 195 Route 52 (PIN: 09-13-200-002) in Seward Township
 3. Approval of Petition 20-21-Request from the Kendall County Planning, Building and Zoning Committee for an Amendment to the Fee Schedule of the Kendall County Planning Building and Zoning Department Pertaining to Building Permit Fees for Solar Panels and Conditional Use Permit Fees for Beekeeping
 4. Approval of Petition 20-14 Request from the Kendall County Regional Planning Commission for Text Amendments to the Kendall County Zoning Ordinance Pertaining to Removing Typographical Errors, Confusing and Conflicting Language, and Related Updates as Outlined in the Packet
 - C. Facilities

1. Approve a three year seasonal snowplowing & salting contract with Winninger Excavating, Inc. with two one year extensions in the amount of \$39,500.00 per year for year one & year two, \$41,500.00 for year three and \$41,500.00 per year for optional year four & \$41,500.00 for optional year five

D. Admin/HR

1. Approval of Nutanix Hyperconverged System not to exceed \$135,819.02
2. Approval of Employee Handbook Update – County Administrator Direct Oversight of Department Heads
3. Approval of Resolution Requiring Employees and Visitors to Wear Masks While in Common Areas of any Kendall County Building

12. Special Committee Reports

13. Other Business

14. Chairman's Report

15. Public Comment

16. Questions from the Press

17. Executive Session

18. Adjournment

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

**KENDALL COUNTY BOARD
ADJOURNED JUNE MEETING
August 18, 2020**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Room 209, in the City of Yorkville on Tuesday, August 18, 2020 at 9:00 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Scott Gengler, Tony Giles (remote call in) Judy Gilmour, Audra Hendrix (remote call in), Matt Kellogg, Matt Prochaska and Robyn Vickers (remote call in). Members absent: Elizabeth Flowers.

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

THE AGENDA

Chairman Gryder asked to move Item L under consent agenda to under New Business and to remove Items I and J from the agenda.

Member Prochaska moved to approve the amended agenda. Member Kellogg seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting. **Motion carried.**

CONSENT AGENDA

Member Prochaska moved to approve the consent agenda of **A)** county board minutes from July 21, 2020; **B)** standing committee minutes; **C)** claims in an amount not to exceed \$1,093,049.45; **D)** Resolution granting the Kendall County Sheriff authority to enter into police service agreement on behalf of Kendall County for 2 years; **E)** COVID-19 Public Assistance Grant; **F)** Contract between Kendall County and the Executive Offices for US Trustees to Provide Meeting Space for the Office of the United States Trustee in Yorkville, IL to Conduct Section 341 Meetings of Debtors and Creditors in a total amount of \$4,200 for the period of October 1, 2020 through September 30, 2021; **G)** Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan and Stormwater Management within the Jurisdiction of the Village of Millbrook for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Millbrook to the County of Kendall; **H)** Stormwater Related Citation Letter; **K)** Transfer the use of a 2014 GMC Sierra ½ Ton 2WD Pickup Truck from the Highway Department to the Sheriff's Office; **M)** Local Coronavirus Urgent Remediation Emergency Support Program ("Local CURE Program") Financial Support Conditions and Certification # 20-491044; **N)** Set the County Administrator as the Primary Local Government Contact for the Local CURE Program; **O)** Resolution Granting the Kendall County Administrator Signature Authority for the Local CURE Program on Behalf of Kendall County, Illinois. Member Gengler seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

C) COMBINED CLAIMS: ADMIN \$1,018.17; ANML CNTRL WRDN \$3,678.97; ASSMTS \$819.43; BEHAV HLTH \$18,982.98; CAP EXP \$74.95; CIR CLK \$104.51; CIR CRT JDG \$14,350.53; COMB CRT SVS \$1,470.02; COMM ACTN SVS \$54,710.90; COMM HLTH \$2,612.70; AUDIT \$17,725.53; CRNR \$1,177.03; CORR \$23,449.38; CNTY ADMIN \$6,805.46; CNTY BRD \$3,269.44; CNTY CLK \$71,706.23; HIGHWAY \$661,978.23; ELCTN \$19,425.62; EMA \$582.52; EMPL BFITS \$4,826.50; ENVIRO HLTH; \$401.93; FCLT MGMT \$ 36,672.01; GIS \$2,801.63; JURY COMM \$368.95; MERIT \$155.00; PBZ SNR \$485.54; PBZ \$3,056.54; PRSDG JDGE \$3,397.81; PROB SVS \$20,664.08; PRGM SUPP \$389.94; PUB DEF \$100.00; ROE \$6,386.00; SHF \$32,343.20; STATES ATTY \$750.20; TECH \$5,214.54; TRSR \$274.87; UTIL \$87.74; VET \$421.52; FP \$21,546.00.; SHF \$41,558.81; SHF \$7,204.04;

D) A complete copy of Resolution 20-43 is available in the Office of the County Clerk.

G) A complete copy of IGAM 20-58 is available in the Office of the County Clerk.

O) A complete copy of Resolution 20-44 is available in the Office of the County Clerk.

NEW BUSINESS

Census Grant Award

Member Hendrix moved to approve the Kendall County Census Grant Award Round 2 in the amount of \$18,000. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting. **Motion carried.**

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird commended his detectives and Coroner's office on their assistance and handling of the incident in Boulder Hill. Sheriff informed the board on the policy for deputies wearing masks during traffic stops.

County Clerk

Revenue Report		7/1/20-7/31/20	7/1/19-7/31/19	7/1/18-7/31/18
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,154.50	\$893.50	\$814.00
MARFEE	County Clerk Fees - Marriage License	\$2,370.00	\$1,680.00	\$1,920.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$0.00
ASSUME	County Clerk Fees - Assumed Name	\$75.00		
CRTCOP	County Clerk Fees - Certified Copy	\$2,222.00		
NOTARY	County Clerk Fees - Notary	\$215.00		
MISINC	County Clerk Fees - Misc	\$42.50	\$2,248.50	\$2,301.00
	County Clerk Fees - Misc Total	\$6,079.00	\$4,822.00	\$5,035.00
RECFEE	County Clerk Fees - Recording	\$39,809.00	\$30,366.00	\$27,163.00
	Total County Clerk Fees	\$45,888.00	\$35,188.00	\$32,198.00
CTYREV	County Revenue	\$37,133.75	\$42,211.00	\$43,574.25
DCSTOR	Doc Storage	\$23,348.50	\$17,781.50	\$16,273.00
GISMAP	GIS Mapping	\$73,980.00	\$30,017.00	\$27,482.00
GISRCD	GIS Recording	\$4,932.00	\$3,753.00	\$3,436.00
INTRST	Interest	\$25.87	\$21.74	\$21.77
RECMIS	Recorder's Misc	\$11,208.75	\$919.00	\$875.50
RHSP	RHSP/Housing Surcharge	\$20,781.00	\$16,083.00	\$14,652.00
TAXCRT	Tax Certificate Fee	\$640.00	\$360.00	\$840.00
TAXFEE	Tax Sale Fees	\$60.00	\$0.00	\$40.00
PSTFEE	Postage Fees		\$ -	\$ -
CK #				
18992	To KC Treasurer	\$217,997.87	\$146,334.24	\$139,392.52

County Clerk Debbie Gillette updated the board on voting and elections.

Treasurer

Office of Jill Ferko

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

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR EIGHT MONTHS ENDED 07/31/2020

<u>REVENUES*</u>	Annual <u>Budget</u>	2020 YTD <u>Actual</u>	2020 YTD %	2019 YTD <u>Actual</u>	2019 YTD %
Personal Property Repl. Tax	\$390,000	\$236,005	60.51%	\$317,497	85.81%
State Income Tax	\$2,300,000	\$1,722,263	74.88%	\$1,890,013	85.08%
Local Use Tax	\$700,000	\$630,378	90.05%	\$544,449	79.48%
State Sales Tax	\$550,000	\$362,874	65.98%	\$334,962	60.90%
County Clerk Fees	\$325,000	\$278,897	85.81%	\$209,147	64.35%
Circuit Clerk Fees	\$1,350,000	\$686,401	50.84%	\$441,514	55.19%
Fines & Foreits/St Atty.	\$300,000	\$182,461	60.82%	\$152,490	46.92%
Building and Zoning	\$68,000	\$75,595	111.17%	\$56,922	83.71%
Interest Income	\$200,000	\$130,179	65.09%	\$205,563	137.04%
Health Insurance - Empl. Ded.	\$1,266,656	\$805,563	63.60%	\$798,647	63.11%
1/4 Cent Sales Tax	\$3,105,000	\$1,993,428	64.20%	\$2,005,808	64.60%
County Real Estate Transf Tax	\$425,000	\$330,358	77.73%	\$268,746	63.23%
Federal Inmate Revenue	\$2,044,000	\$1,508,800	73.82%	\$1,516,125	93.66%
Sheriff Fees	\$170,000	\$64,885	38.17%	\$111,345	62.79%
TOTAL S	\$13,193,656	\$9,008,088	68.28%	\$8,853,230	73.25%
Public Safety Sales Tax	\$5,324,000	\$3,433,751	64.50%	\$3,487,000	66.80%
Transportation Sales Tax	\$6,000,000	\$3,433,751	57.23%	\$3,487,000	69.74%

*Includes major revenue line items excluding real estate taxes which are to be collected later.

To be on Budget after 8 months the revenue and expense should at 63.66%

EXPENDITUR
ES

All General Fund Offices/Categories

\$29,562,287 **\$18,502,906** **62.59%** **\$16,953,361** **59.30%**

State's Attorney

No report.

Coroner

Description	**	July 2020	Fiscal Year-to-Date	July 2020
Total Deaths		37	270	28/193
Natural Deaths		35	250	25/180
Accidental Deaths		1	11	0/3
Pending		0	0	0/0
Suicidal Deaths		2	8	3/9
Homicidal Deaths		1	1	1/1
Undertermined		0	0	0/0
Toxicology		3	26	3/16
Autopsies		5	18	2/12
Cremation Authorizations		28	172	21/119

Scenes Responded to:	Transported by Coroner's Office:	External Examinations:
6	5	1

**

(S):

1. 07/07/2020 – Plainfield– 19yo, Male, Gunshot Wound to the Neck
2. 07/22/2020 – Plainfield - 33yo, Male, Gunshot Wound to the Head

(A):

1. 07/11/2020 – Yorkville – 41yo, Male, Overdose Death

(H):

1. 07/02/2020 – Montgomery – 6yo, Olanzapine Toxicity

PERSONNEL/OFFICE ACTIVITY:

1. Intern, Maggie Klemm, finished her time with the office on 07/10/2020. Maggie is studying Forensic Anthropology at Western Carolina University in North Carolina.
2. On July 1, Coroner Purcell facilitated the "Lights of Hope" support group for families and friends who have been impacted by an overdose related death.
3. A total of 35.5 community service hours were served in July.

Health Department

Executive Director RaeAnn VanGundy reported the number of COVID cases 1,514, 969 in recovery, and 25 deaths and spoke about the risk metrics in the county and surrounding counties. Ms. VanGundy spoke about mask enforcement, education and properly wearing them.

Supervisor of Assessment

Supervisor of Assessment Andy Nicoletti stated that 7 township books are in and balanced. New construction is at \$30.9 million.

STANDING COMMITTEE REPORTS

Facilities

Contingency Budget

Member Kellogg moved to approve a contingency budget not to exceed \$50,000.00 for the remodeling of the Kendall County 111 W Fox St Campus. Member Prochaska seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Change Order

Member Prochaska moved to approve Change Orders for the Remodeling of the Kendall County 111 W Fox St Campus in an amount not to exceed \$5,000 to be made by a Consensus of Facilities Chairman, County Administrator, Facilities Management Director, and Technology Services Director and for Change Orders in an amount not to exceed \$29,000 made by a majority vote of the Facilities Committee. Member Hendrix seconded the motion.

Member Kellogg explained that this is to keep the project moving, the \$29,000 amount is in there because anything over that will need to go out to bid.

Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Administration/HR

Ordinance Intergovernmental Cooperation Agreement

Member Prochaska moved to approve an Ordinance of the County of Kendall Authorizing the Execution of an Intergovernmental Cooperation Agreement between the County and the Town of Normal, McLean County, Illinois ("Normal"), and Authorizing Normal to Exercise the Powers of the County of Kendall in Connection with an MCC Program and a Loan Finance Program. Member Hendrix seconded the motion.

County Administrator Scott Koeppel explained that this helps home buyers. The county needs to partner with a home rule community to accomplish this.

Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Intergovernmental Cooperation Agreement

Member Prochaska moved to approve an Intergovernmental Cooperation Agreement by and Between Town of Normal, McLean County, Illinois and County of Kendall, Illinois for the Approval of MMC Program and a Loan Finance Program. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Board Rules of Order

Member Prochaska moved to approve an Ordinance Amending Article III of the Kendall County Board Rules of Order Pertaining to Regular & Special Board Meetings. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. Members voting aye include Cesich, Gengler, Giles, Gilmour, Gryder, Hendrix, Prochaska and Vickers. Member voting nay includes Kellogg. **Motion carried 8-1.**

Chairman's Report

Member Prochaska moved to approve the appointment. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Appointment(s)

Stephanie Funkhouser (replacing Gabriella Shanahan) –708 Mental Health Board – expires September 2022

EXECUTIVE SESSION

Member Cesich made a motion to go into Executive Session for (2) collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees and (11) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ADJOURNMENT

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

Approved and submitted this 22nd day of August, 2020.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

HIGHWAY COMMITTEE MINUTES

DATE: September 8, 2020
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Scott Gryder, Amy Cesich, Judy Gilmour, Matt Kellogg, and Matt Prochaska
STAFF PRESENT: Ginger Gates, John Burscheid and Fran Klaas
ALSO PRESENT: Ryan Sikes from WBK Engineering

The committee meeting convened at 3:30 P.M. with roll call of committee members. All members present. Quorum established.

Motion Prochaska; second Gilmour, to approve the agenda as presented. Motion approved unanimously.

Motion Gilmour; second Prochaska, to approve the Highway Committee meeting minutes from August 11, 2020. Motion approved unanimously.

Motion Kellogg; second Prochaska, to recommend authorization of County Board Chairman and County Clerk to execute Local Public Agency Agreement for Federal Participation for Eldamain Road Contract B construction. Klaas reported that IDOT was supposed to send this agreement to Kendall County, but has not done so yet. This item may have to be scratched from Board agenda if it does not come in time. Gryder suggested that the County contact their lobbyist to see if they can help; but keep the item on the agenda just in case. Kellogg also suggested that the matter could be taken up at either of the C.O.W. Finance meetings on September 16th or 18th, if action would not be taken next Tuesday. By roll call vote, motion carried unanimously.

Motion Prochaska; second Kellogg to recommend approval of a resolution appropriating funds for the improvement of Eldamain Road – Contract B. This appropriation resolution is an addendum to the Joint Agreement discussed above. By roll call vote, motion carried unanimously.

Motion Kellogg; second Prochaska to recommend approval of an agreement between State of Illinois and Kendall County pertaining to the construction and maintenance of the intersection of Illinois Route 71 and Eldamain Road. By roll call vote, motion carried unanimously.

Klaas informed the Committee that Yorkville had made a request to have the County be a joint applicant for an ITEP project along Fox Road that would look at the installation of a sidewalk and/or multi-use trail between White Oaks Subdivision and Hoover Forest Preserve. The ITEP project would be a separate and distinct project from the widening and resurfacing of Fox Road that the County intends to complete in 2021. Klaas estimated the cost for engineering at approximately \$10,000. Gryder thought it was a great idea, especially considering that the Eldamain Bridge project would provide interconnection with all the Forest Preserves in the area. Committee agreed that this was a good project and should be pursued with City of Yorkville.

Motion Cesich; second Prochaska to recommend approval of the 5-Year Surface Transportation Program 2021-2025. Klaas indicated that some previous projects in the program have been pushed back or eliminated to allow room for the Eldamain Road project and Collins Road

Extension... two very large and expensive projects. The 5-Year Program is estimated to cost about \$93 million, with \$42 million coming from other sources besides Kendall County. Gryder asked about Township Bridge Program projects in latter years of the program. Klaas indicated that projects in the near term are identified, while projects in later years are earmarked but yet to be determined. He also discussed the years identified in the Program. They are the anticipated letting dates in the County's fiscal year. This does not necessarily mean that construction will begin that same year, as sometimes utility relocations delay the actual construction work.

Committee discussed the Ridge Road / Johnson Road intersection improvement. Gryder discussed recent meetings with the Village of Plainfield, and Plainfield's desire to extend 143rd Street westerly to intersection at Ridge Road. Said intersection would then be 2 legs County and 2 legs Village jurisdiction. Group had discussed the idea of Plainfield fronting the money with potential reimbursement from Kendall County. Klaas indicated that there were so many financial demands in the next 2 years of the program, that there probably was not room to fund anything until 2023. He also suggested that a limit of perhaps \$1 million would cover the County's share of the improvement. Prochaska expressed concern about the zoning in the area. He didn't want to put in a big improvement if the zoning was all residential. He was interested in more commercial, light industrial or mixed use; and he wanted that in writing if the County was going to invest any money in the intersection. After additional discussion about this location and future intersections along Ridge Road in the Village of Plainfield, the Committee agreed to keep a place holder in the 5-Year Plan, and reply back to the Village about some of the County's concerns. By voice vote, motion approved unanimously.

Chairman Gryder reported that he had already talked to the County lobbyist, and instructed County Engineer to talk to Mandy as soon as possible regarding the Eldamain Road Agreement.

Under Other Business, Klaas reported that the Highway Department is working with Soil and Water Conservation District and Army Corps of Engineers to perform a bank stabilization project on the Big Rock Creek, just upstream of the Fox River Drive Bridge, where flooding has created a large oxbow in the creek, threatening the north abutment of the bridge. He estimated that the County's share of the project would be about \$40,000, with the rest coming from Soil & Water Conservation. The project must get built this year, or funding from Soil & Water would be lost. Committee was not opposed to moving forward with the project.

Prochaska pulled up Plainfield's LRMP and reported that there was some commercially-zoned property along Ridge and Johnson Roads, but everything else was residentially-zoned. He was not in favor of spending money at this intersection, unless the LRMP was updated to show more commercial or mixed uses.

Motion Cesich; second Prochaska, to forward Highway Department bills for the month of September in the amount of \$1,825,164.62 to the Finance Committee for approval. By roll call vote, motion approved unanimously.

Prochaska asked when the County might need to go to bond issue for the Eldamain Road project, and how much that bond issue would be. Klaas did not think that the County would need to obtain bond funds until 2022, because Rebuild Illinois Bond Funds and Transportation Sales Tax funds should be able to cover Eldamain costs in 2021. The total bond issue will be dependent on the bid price; but he estimated that it will be \$11 million.

Motion Prochaska; second Cesich, to adjourn the meeting at 4:05 P.M. Motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis C. Klaas". The signature is fluid and cursive, with a long horizontal stroke at the end.

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

Action Items

1. Authorize County Board Chairman and County Clerk to execute Local Public Agency Agreement for Federal Participation for Eldamain Road Contract B construction.
2. Resolution appropriating funds for the improvement of Eldamain Road – Contract B.
3. Agreement between State of Illinois and Kendall County pertaining to the construction and maintenance of the intersection of Illinois Route 71 and Eldamain Road.
4. Approve the 5-Year Surface Transportation Program 2021-2025.

**COUNTY OF KENDALL, ILLINOIS
FACILITIES MANAGEMENT COMMITTEE
MEETING MINUTES
WEDNESDAY, SEPTEMBER 2, 2020**

Committee Chair Matt Kellogg called the meeting to order at 4:00 p.m.

Roll Call: Members Present: Judy Gilmour, Matt Kellogg, Amy Cesich,
Member Hendrix arrived at 4:07 pm
Members Absent: Tony Giles

With enough members present, a quorum was formed to conduct business.

Others Present: Facilities Management Director Jim Smiley

Approve the August 3, 2020 Facilities Committee Meeting Minutes – There were no changes to the August 3, 2020 minutes; Member Gilmour made a motion to approve the minutes, second by Member Cesich. **With enough present members voting aye, the minutes were approved.**

Approval of Agenda – Member Gilmour made a motion to amend the agenda to move item number two (2) under new business to be moved after Public Comment. Member Cesich second the motion. **All Aye. Motion approved.**

Public Comment – None

Old Business/Projects

1. *Historic Courthouse 2020 Window Replacements* – Director Smiley informed the Committee the installation started today. Mr. Smiley hopes the windows will be completed by September 10th before the first meeting at the Historic Courthouse.
2. *2020 Paving Projects* – Director Smiley stated D Construction confirmed the project will begin on September 9th and will bring the barrels to mark off the area on Tuesday afternoon. Mr. Smiley expects the paving to be complete by September 11th. Jim will contact the company that will restripe the parking lot to coordinate this portion of the project. Sidewalk replacement is scheduled to start on September 10th.
3. *Mail in Voting* – All the unneeded GIS furniture and equipment was moved out of the GIS Mapping Department. Director Smiley stated locks have been changed and keyed to a unique key. All keys have been given to Debbie Gillette, County Clerk and Recorder. Member Hendrix inquired about 24 hour video surveillance in the room where the ballots will be stored. Director Smiley informed Member Hendrix this room does not have cameras installed however there are cameras in the hallways. Member Hendrix prefers the hallway lights stay on for adequate video recording of the area. Member Hendrix also suggests 24 hour live surveillance of the ballot storage room. Chair Kellogg will speak with Ms. Gillette to see if this is needed.
4. *KCFM Truck Disposal* – Due to many Covid 19 related and other projects, Director Smiley hopes to have the bids on the vehicles by the next Facilities Committee meeting.
5. *Phone systems Replacement* – Director Smiley stated the Invitation to Bid (ITB) is written and will send to the State's Attorney this week for review. Jim stated Mr. Kinsey, Technology Director and Mr. Koepfel, County Administrator both reviewed the documents.

New Business/Projects

1. *Chair's Report*

- a. *Solar Project Update* – Chris Childress from Progressive Energy informed the Committee the effect of the solar field on the budget over the three (3) year period. Mr. Childress mentioned he would like to install a sign informing the public of the dollar and environmental savings the county is producing with the solar field. Mr. Childress is also working with GRNE Energy to have a link on the County's website that will show the current energy savings the solar field is producing. Mr. Childress also answered questions from the Members of the Committee about the Municipal Electric Aggregation program for county residents.
 - b. *COVID 19 Cure Funding Projects Discussion* – Scott Koeppel, County Administrator explained to the Committee Kendall County has been awarded slightly over one million dollars for Cures money, which is money for COVID related projects that were not planned or budgeted for. Mr. Koeppel explained how the disbursement of the money is handled and how a project qualifies. All projects need to be submitted to the State of Illinois for approval. All projects need to be completed on/before December 31, 2020. A number of projects have been discussed. Mr. Koeppel stated the South Jail project is a strong candidate to be approved under the Cures funding. Mr. Koeppel did stress that all projects need to be paid from the general funds and may or may not be reimbursed. Scott plans to inquire about projects being funded with the agency reviewing reimbursements, prior to going ahead with the projects.
 - c. *Facilities/Technology Project Manager Position* – Chair Kellogg feels there is a need for a Project Manager or Deputy FM Director considering the number of projects we have annually. This position would also alleviate a coverage deficit in the department when Director Smiley is away or sick. Mr. Koeppel, County Administrator discussed this option with Director Smiley and Technology Director Kinsey. Scott feels this position could also help manage Technology projects. The position will report to Director Smiley and be a management/salaried employee. The job description is being finalized to be brought before the HR/Admin Committee. Director Smiley budgeted a salary amount in the 2021 budget for this position.
 - d. *Housing Authority Request for Additional Space* – Chair Kellogg informed the Committee Mr. Prochaska spoke with Director Smiley and Chair Kellogg about building out the unused space at the Health and Human Services building. Chair Kellogg informed Mr. Prochaska they will need approval from the Health Department. Mr. Koeppel suggested they look at the Federal programs for funding options. Chair Kellogg will follow up with Mr. Prochaska on the project.
2. *Health Department Card Access Replacement* – RaeAnn VanGundy, Kendall County Health Department Executive Director and Matt Kinsey, Technology Director conveyed to the Committee the Health Department's Key Card access system is improperly working which can pose a security risk and requests replacement. Mr. Kinsey explained the system is currently on a 2003 server which is failing. Matt stated the desire is to add this to the new system being installed as part of the County Office Building project. The approximate replacement cost could be \$20,000 to \$26,000.00 according to the architect which in comparison to the cost for an independent system being near \$50,000.00 next year. Ms. VanGundy stated the Health Department may have a grant in 2021, that would be available that would be to pay for half the cost of the system replacement. Motion by Member Hendrix to move forward to obtain pricing from Lite Construction to install the new Key Card access system at the Health and Human Service Building. Second by Member Cesich. Member Hendrix amended the Motion to approve the change order if the pricing from Lite Construction is \$20,000.00 or less. Second by Member Gilmour. Roll Call: Member Gilmour: yes, Member Hendrix: yes, Member Kellogg: yes, Member Cesich: yes. **All members present voting aye, Motion Carried.**
3. *County Board Room Remodeling* – Director Smiley stated the mailroom has been relocated. Mr. Smiley is scheduled to meet on September 8th with Lite Construction to discuss the construction schedule. Jim stated the sound system is scheduled to be moved to the Historic Courthouse tomorrow September 3, 2020. Mr. Smiley stated the balance of the boardroom furniture will be moved tomorrow. Director

Smiley has all the information submitted to the City of Yorkville for the permit and hopes to have the permit tomorrow.

4. *County Board Move to Historic Courthouse* – Director Smiley stated platforms were added to the lower floor of the room. This allows for additional room to accommodate for social distancing. Mr. Smiley also stated the temporary space is almost complete; electrical will be ran tomorrow.
5. *County Office Building Board Room Window Replacements* – Director Smiley had money in the budget to replace windows at the County Office Building. The total price to replace eight (8) windows came in a little under the \$15,000.00 budgeted in 2020 and will take 6 – 8 weeks to receive them, which will be a November installation date.
6. *Snowplowing Contract Invitation to Bid* – Director Smiley scheduled the bid due to the Facilities Management office on September 10, 2020. The contract will be for an initial term of three years (3) with two (2) one (1) year options. Consensus of the Committee to send to the County Board agenda for the September 15, 2020 meeting for approval if the winning bid comes in around the same price it has been during the previous contract period.
7. *2021 KCFM Budget Update* – Director Smiley informed the Committee the budget for Facilities has been submitted. Mr. Smiley stated extra money has been added to continue the Covid cleaning and supply expenses. Director Smiley also stated the new position’s salary has been added. Director Smiley stated the budget overall with these increases will be 13 – 15% higher than 2020. Director Smiley also stated the request for replacement of the air conditioning systems for the South Jail has been submitted on the 2021 budget. The Facilities budget presentation is scheduled for Friday, September 18, 2020 at 10:30 am.

Staffing/Training/Safety

- *Reportable Labor Hours* – Reports were included in the packet.

Other Items of Business

- *CMMS Charts* – Reports were included in the packet for:
 - Reported versus Completed Work Orders, Reported by Building Current Month
 - Work Orders by Work Type Current month

Questions from the Media – None

Executive Session – None

Adjournment – Chair Kellogg asked if there was a motion to adjourn. Member Hendrix made a motion to adjourn the meeting, second by Member Cesich. Roll Call: Member Gilmour: yes, Member Hendrix: yes, Member Kellogg: yes, Member Cesich: yes. **With all members present voting aye, the meeting adjourned at 5:30 p.m.**

Respectfully submitted,

Christina Wald
Administrative Assistant

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Historic Courthouse
East Wing Conference Room
109 W. Ridge Street, Yorkville, Illinois
5:00 p.m.

Meeting Minutes of September 9, 2020 – Unofficial until approved

CALL TO ORDER

The meeting was called to order by Chairman Prochaska at 5:06 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers (Arrived at 5:18 p.m.), Judy Gilmour, Matt Kellogg (Vice-Chairman), and Matthew Prochaska (Chairman)

Committee Members Absent: Scott Gengler (Excused)

Also Present: Matt Asselmeier (Senior Planner), Dan Kramer, Jeff Wehrli, and Kate Finlon

APPROVAL OF AGENDA

Member Kellogg made a motion, seconded by Member Gilmour, to approve the agenda with an amendment of moving Petition 20-22 to ahead of Petition 20-14. With a voice vote of three (3) ayes, the motion carried.

APPROVAL OF MINUTES

Member Kellogg made a motion, seconded by Member Gilmour, to approve the minutes of the August 10, 2020, meeting and August 31, 2020 special meeting. With a voice vote of three (3) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report and the Planning, Building and Zoning Department's year-to-date expenditures.

Member Gilmour made a motion, seconded by Member Kellogg, to forward the expenditures to the Finance Committee. With a voice vote of three (3) ayes, the motion carried.

PETITIONS

19-39 John Dollinger on Behalf of Hansel Ridge, LLC (Owner at Time Application Submittal), Jason Shelley on Behalf of Goprobball, LLC (Current Owner), and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC (Current Owner)

Mr. Asselmeier summarized the request.

Goprobball, LLC would like to sell the northeastern portion of the subject property to James and Denise Maffeo for an indoor and outdoor storage business called Four Seasons Storage and market the frontage along County Line Road for future commercial development.

The site plan, landscaping plan, and lighting plan were provided.

In March 2020, the County Board approved Resolution 2020-18, reclassifying the subject property on the Future Land Use Map as Commercial. At the same meeting, the County Board approved Ordinance 2020-02 rezoning the northwestern portion of the subject property to B-4 Commercial Recreation District in order to facilitate the construction of an indoor athletic facility.

The Petitioners are working on preliminary and final plats for a four (4) lot commercial subdivision which is still under review.

The application materials were provided.

The adjacent land uses were agricultural or agricultural related. The adjacent zonings were agricultural, agricultural with a special use permit, or B-4 Commercial Recreation District. The Land Resource Management Plan calls for the area to be Commercial. The zonings within one half (1/2) mile were agricultural, agricultural with a special use permit, or B-4 Commercial Recreation District,

Pictures of the property were provided.

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 217 indicating a medium level of protection. The NRI Report was provided.

The original petition information was sent to Seward Township on October 25, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request. The minutes of this meeting were provided.

The Seward Township Board reviewed the original request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request. The minutes of this meeting were provided.

The original petition information was sent to the Village of Shorewood on October 25, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have further review at upcoming Village Zoning Commission meeting. This email was provided.

The Village of Shorewood held a public hearing for a proposed annexation agreement on July 14, 2020. The draft annexation agreement was provided.

The Troy Fire Protection District has no objections to commercial uses at this location.

ZPAC reviewed the original proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5th meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7th meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent. The minutes of these meetings were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 22, 2020. The Petitioners clarified that the storage buildings along the periphery of the site will be constructed in Phase I. The Petitioners provided updated signage information and indicated that they may seek a variance to the signage regulations. The Petitioners requested that the number vehicles allowed stored outdoors be increased from twelve (12) to twenty-five (25). The Kendall County Regional Planning Commission was in agreement with this request. The Kendall County Regional Planning Commission recommended approval of the map amendments and special use permits by a vote of nine (9) in favor and zero (0) in opposition. The minutes of this meeting were provided.

The Kendall County Zoning Board of Appeals initiated the public hearing on this request on January 27, 2020. The hearing was continued to March 2, 2020, June 29, 2020, and July 27, 2020. The minutes of the January 27th, March 2nd, and June 29th, hearings were provided. On July 27, 2020, the Kendall County Zoning Board of Appeals approved the Findings of Fact as presented by Staff, recommended approval of the maps amendments, and recommended approval of the special use permits with the conditions proposed by Staff by a vote of seven (7) in favor and zero (0) in opposition. The minutes of the hearing were provided.

Per State law, the rezoning portion of the request cannot be conditioned. However, the special use portion of the request could be conditioned.

According to the revised site plan, a strip of land would remain east of the proposed indoor and outdoor storage area that would be used for future commercial and/or retail development, which is the B-2 map amendment portion of the request.

According to the proposed site plan, Mr. and Mrs. Maffeo would like to construct one (1) three thousand two hundred sixty-four (3,264) square foot metal storage and office building, eight (8) four thousand eight hundred (4,800) square foot storage buildings, four (4) three thousand two hundred (3,200) square foot storage buildings, one (1) four thousand two hundred fifty (4,250) square foot storage building, and one (1) five thousand (5,000) square foot storage building.

The storage buildings on the periphery of the site are planned to face inward and substitute as part of the fencing.

The office building will contain offices, restrooms, and inside storage for vehicles. The facility will be used for general storage uses; no illegal or flammable materials will be stored or distributed out of the facility. No other active businesses will be operated out of the storage facility.

The renderings of the office building and other storage buildings were provided.

Originally, the Petitioners planned to develop the site in two phases. Phase I will commence in Summer 2020 and consists of the metal storage and office building, the storage buildings along the periphery, paved parking area, and the six foot (6') privacy fence. Phase II will commence in Spring 2023 and will consist of the remaining metal storage buildings.

The outdoor storage area would be placed where the Phase II structures are planned. The outdoor storage area would be removed upon construction the Phase II structures. The outdoor parking area would be asphalt. No site plan was provided for the site when the outdoor storage portion of the special use permit is operational.

Mr. and Mrs. Maffeo anticipate employing between one (1) and five (5) part-time employees. One (1) employee would be for maintenance and the remaining employees would staff the office on a shift-basis to ensure that at least one (1) employee was onsite during business hours.

Access to the facility would be twenty-four (24) hours via access through the security gate between the office building and southern most storage building. Hours of operation are 7:00 a.m. until 7:00 p.m. daily.

All structures constructed on the site will require building and occupancy permits.

The proposed facilities would be served by well and septic. The Petitioner provided septic plan information. According to the site plan, the septic area would be south and west of the proposed office building.

According to the proposed site plan, one (1) approximately ninety thousand, five hundred (90,500) square foot wet bottom stormwater detention pond is planned for the property. The pond would be approximately eleven feet (11') feet deep at its deepest area. The pond is sized to handle runoff from future commercial development on the proposed B-2 portion of the site. The pond will be located on Lot 3 of the proposed Go Pro Subdivision and not on the subject property.

The Petitioners have applied for a stormwater management permit.

The property fronts County Line Road. As noted at the ZPAC meeting, the Petitioners were agreeable to a right-of-way dedication.

As part of the subdivision, the Petitioners will create a private road connecting County Line Road to the entrance of the storage facility.

The site plan shows three (3) parking spaces, including one (1) handicapped accessible parking space.

Based on the original lighting plan, there will be lights on all of the buildings and lights between buildings. The total number of lights on buildings is sixty-three (63) with eleven (11) additional lights throughout the property. None of the lighting will leave the site.

One (1) monument sign was shown on the landscaping plan. Pictures of the signs similar to the Petitioners' proposal were presented. The sign would be ten feet (10') tall and twelve feet (12') wide. No information regarding the height of the supporting poles was provided. A variance to the sign height restrictions might be required. The sign would be illuminated with a message board at the bottom.

Access to the storage area will be through a gate with a key pad. No information was provided regarding the dimensions of the gate. The gate width was not provided. One (1) four foot (4') wide gate is located on the northeast corner of the site.

Some of the lighting will be for security purposes and security cameras will be provided.

The proposal calls for six foot (6') privacy fence around most of the perimeter of the property. A six foot (6') ornamental fence is shown on the site plan on the eastern side of the site. Pictures of the ornamental fence were provided.

The Petitioners' Attorney indicated that the fence will be installed as part of Phase I.

No fencing is planned along the detention ponds.

Based on the landscaping plan, twelve (12) shade trees, three (3) evergreen shrubs, seventeen (17) deciduous shrubs, and ten (10) perennials would be planted on the property. The trees would be between twelve feet and fifteen feet (12'-15') in height at the time of planting and would grow between thirty feet and sixty feet (30'-60') in height. Based on the information, no trees or bushes would be planted north of the storage area. The balance of the site would be covered in lawn.

Little noise is anticipated from the proposed operations.

The site plan called for dumpsters to be provided onsite.

If approved, this would be the second active special use permit for a storage facility on non A-1 zoned property in unincorporated Kendall County.

The Findings of Fact for the map amendment were:

Existing uses of property within the general area of the property in question. The surrounding properties are used agricultural or uses similar to agricultural uses such as farmsteads and fertilizer operations.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, A-1 with a special use, or B-4.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1 and can be used for farming.

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 stable with residential growth and special uses normally found in agricultural zoned areas.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map was amended earlier in 2020 to reclassify the subject property as Commercial. The property to the west is planned to be used for recreational purposes. Minooka School District #111 plans to construct a school in the area. The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional. The proposed map amendments are consistent with the purpose and objectives of the Land Resource Management Plan.

The Findings of Fact for the special use permit were:

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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan and landscaping plan, dedicates land for right-of-way, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.

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. Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. The proposed use will be a low utility user and adequate utilities are planned for the development of the site. A private road is planned from County Line Road to the subject use. A right-of-way dedication is planned along County Line Road. The Petitioners will have to secure a stormwater management permit.

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 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”

Staff recommended approval of the requested map amendments.

Staff also recommended approval of the requested special use permits for an outdoor storage business and a self-service storage facility subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and lighting plan.
2. The operator(s) of the businesses allowed by this special use permit shall plant the vegetation and install the fencing identified in the landscaping plan within ninety (90) days of the approval of the special use permit ordinance. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department. The trees shown on the landscaping plan shall be between twelve feet and fifteen feet (12'-15') in height at the time of planting.
3. One (1) two (2)-sided illuminated sign may be installed on the subject property in substantially the location shown on the landscaping plan. The owners of businesses allowed by this special use permit may pursue variances to Kendall County Zoning Ordinance regarding the height and dimensions of the sign through the variance application process without seeking an amendment to the special use permit.
4. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land along the entire length of County Line Road side of the property at a depth of sixty feet (60') as measured from the centerline of County Line Road to Seward Township for County Line Road right-of-way.
5. The owners of the business allowed by this special use permit shall construct all of the storage buildings shown on the attached site plan on or before December 31, 2023. Either December 31, 2023, or upon completion of the final self-service storage building, whichever occurs first, the special use permit for an outdoor storage business shall automatically cease. The final self-service storage building shall be considered complete when all occupancy permits for the self-service storage buildings are issued. The completion and expiration dates listed in this condition may be extended upon approval by the Kendall County Planning, Building and Zoning Committee.
6. A maximum of twenty-five (25) items, including, but not limited to, boats, trailers, and motor vehicles may be stored outdoors as part of the outdoor storage business special use permit.
7. None of the vehicles stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by these special use permits.
8. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. The hours of operation for the businesses allowed by these special use permits shall be daily from 7:00 a.m. until 7:00 p.m. The operator(s) of the businesses allowed by these

special use permit may reduce these hours of operation. Patrons may access the storage area at any time.

10. The total maximum number of employees combined for the businesses allowed by these special use permit shall be five (5), including the business owners.
11. The owners of the businesses allowed by these special use permits shall diligently monitor the property for leaks from items stored on the premises and shall promptly clean up the site if leaks occur.
12. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Troy Fire Protection District with passcodes to the gate upon the request of these agencies.
13. The operator(s) of the businesses allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the businesses allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Member Flowers arrived at this time (5:18 p.m.)

The draft ordinance was provided.

Member Kellogg made a motion, seconded by Member Gilmour, to recommend approval of the map amendments and special use permits with the conditions proposed by Staff.

Dan Kramer, Attorney for the Petitioners, provided a history of the review of the project and requested that condition #2 be modified because the original timeline for the project called for construction to start in the spring. Due to the approaching winter, Mr. Kramer requested that the Petitioners be given more than ninety (90) days to install the vegetation shown on the landscaping plan.

Member Kellogg made a motion, seconded by Gilmour, to amend condition #2 by changing the number of days from ninety (90) to two hundred and forty (240). With a voice vote of four (4) ayes, the motion carried.

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

The proposal goes to the Kendall County Board on September 15, 2020, on the regular meeting agenda.

20-15 Jason Shelley on Behalf of Goprobball, LLC, and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC

Mr. Asselmeier summarized the request.

The Petitioners would like to establish a four (4) lot commercial subdivision on the northern approximately nineteen (19) acres of the subject property. The Petitioners would also like relief from the requirements in the Kendall County Subdivision Control Ordinance pertaining to soil mapping for subdivisions utilizing septic systems for sewer service.

The preliminary plat application, variance request, proposed final plat, and the engineering plans were provided.

The proposed subdivision is located on the northern eighteen point seven plus or minus (18.7+/-) acres 195 Route 52 located at the northwest corner of Route 52 and County Line Road in Seward Township.

The Future Land Use Map calls for the property to be commercial. Lots 1 and 4 have already been rezoned to B-4 Commercial Recreation District. A petition is ongoing to rezone Lot 2 to B-3 Highway Commercial District and for special use permits for indoor and outdoor storage. The same petition also calls for Lot 3 to be rezoned to B-2 General Commercial District for future commercial uses.

County Line Road is a Township maintained arterial road. No trails are planned for the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are agricultural or agricultural related. The adjacent zone classifications are also Agricultural. The zoning classifications within one half (1/2) mile are also Agricultural. The Future Land Use Map calls for Residential and Public/Institutional uses around the property.

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

EcoCAT Report submitted and consultation was terminated.

The LESA Score was 217 indicating a medium level of protection. The NRI Report was provided.

Petition information was sent to Seward Township on July 28, 2020.

Petition information was sent to the Village of Shorewood on July 28, 2020. An annexation agreement is under review between the Petitioners and the Village.

Petition information was sent to the Troy Fire Protection District on July 28, 2020. The Troy Fire Protection submitted a response, which was provided. The Petitioners submitted comments on the response, which were provided.

ZPAC reviewed this proposal at their meeting on August 4, 2020. The traffic study was still unavailable. The Village of Shorewood requested that the setback lines not be shown on the final plat due to potential conflicts between the County's regulations and Shorewood's regulations. The Village of Shorewood also requested information regarding the long-term

maintenance of the stormwater detention pond on Lot 3, which serves Lots 2 and 3. The Health Department expressed their support for the requested exception to the Kendall County Subdivision Control Ordinance. The Petitioners' Attorney noted that the no parking would be permitted on Lot 4. The private road could be widened, if development occurred on the property south of the subject property. The private road could also be extended to the west if the Minooka School District constructed a school on the adjacent property. The Petitioners were agreeable with the conditions proposed by Staff and the removal of the setback lines on the final plat. By a vote of eight (8) in favor and zero (0) in opposition, ZPAC recommended approval of the proposal with the conditions proposed by Staff, the removal of the setback lines on the plat, and approval of the exception to the Kendall County Subdivision Control Ordinance. Two (2) members of ZPAC were absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission held a public hearing on this proposal on August 26, 2020. Zero (0) members of the public testified at the public hearing. The Kendall County Regional Planning Commission recommended approval of the proposal by a vote of five (5) in favor and zero in opposition (0); four (4) members of the Commission were absent. The minutes of the hearing were provided.

According to the information provided to the County in the application materials and the materials provided previously for Petitions 19-38 and 19-39, the proposed Go Pro Sports Subdivision would consist of four (4) lots as described as follows:

Lot 1 would be approximately eight point six-nine (8.69) acres in size. Per Ordinance 2020-02, the property is zoned B-4 Commercial Recreation District. Per Petition 20-16, the property owner, Goprobball, LLC plans to construct an approximately seventy thousand (70,000) square foot indoor athletic facility with parking and an approximately seven thousand five (7,500) square foot eating area. The property would also have one (1) approximately ninety thousand, five hundred (90,500) square foot wet bottom stormwater detention pond. The pond would be approximately eleven feet (11') feet deep at its deepest area.

Lot 2 would be approximately four point zero-one (4.01) acres in size. Per Petition 19-39, Four Seasons Storage, LLC plans to construct one (1) three thousand two hundred sixty-four (3,264) square foot metal storage and office building, eight (8) four thousand eight hundred (4,800) square foot storage buildings, four (4) three thousand two hundred (3,200) square foot storage buildings, one (1) four thousand two hundred fifty (4,250) square foot storage building, and one (1) five thousand (5,000) square foot storage building. The construction would occur in two (2) phases. The area without buildings in the first phase would be used for outdoor storage. If Petition 19-39 is approved, the property would be zoned B-3 Highway Business District with special use permits for indoor and outdoor storage.

Lot 3 would be four point six-seven (4.67) acres in size and would have one (1) approximately ninety thousand, five hundred (90,500) square foot wet bottom stormwater detention pond similar to the pond located on Lot 1. The balance of the site is reserved for future commercial development. Based on discussion with the Petitioner, development of this site is unlikely until public water and sewer service becomes available. If Petition 19-39 is approved, the property would be zoned B-2 General Business District. Per the Kendall County Zoning Ordinance, the site plan for any commercial development would be approved upon application for building permits or special use permits.

Lot 4 is approximately zero point five (0.5) acres and will be used as a private road maintained by the owners of Lots 1, 2, and 3. The road will be forty feet (40') wide and asphalt. The road will be named Go Pro Boulevard. Per Ordinance 2020-02, the property is zoned B-4 Commercial Recreation District.

In addition to the lots, land along the eastern side of the Subdivision will be dedicated to Seward Township for County Line Road Right-of-Way at a depth of sixty feet (60') as measured from the centerline of County Line Road. Also, a ten foot (10') public utility easement for Kendall County and Village of Shorewood is planned along County Line Road and Go Pro Boulevard. Maintenance of the private drive will be handled by an Illinois not-for-profit established by the property owners. The draft maintenance agreement was provided.

All structures constructed in the Subdivision will require building and occupancy permits.

Until public utilities from the Village of Shorewood are extended to the property, the athletic facility and storage businesses will be served by well and septic.

The engineering plans were provided.

The property fronts County Line Road. The draft traffic study was provided. As noted in the draft traffic study, no southbound right-turn lanes or center turn-lanes are required.

Parking facilities would be determined by individual site plans for the various lots.

Lighting would be determined by individual site plans for the various lots.

Signage would be determined by individual uses and site plans for the various lots.

Landscaping would be determined by individual site plans for the various lots. Other than the private road, no additional common areas are planned.

At their meeting on June 8, 2020, the Kendall County Planning, Building and Zoning Committee approved a ninety (90) day waiver on the payment of application fees. The Petitioners are current on all fees.

As noted in the variance request, due to the size of the proposed subdivision and related costs, the Petitioners do not believe the required soil map required in Section 7.03.A.7.c is necessary.

The Findings of Fact for the variance made by the Plat Officer are as follows:

Because of the particular physical surroundings, shape or topography conditions of the specific property involved a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.

The proposed subdivision consists of four (4) lots, one (1) of which is a private road. The maximum number of users will be two (2) until such time as public utilities are available.

The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable, generally to other property, and have not been created by any person having an interest in the property.

The conditions are unique in that the proposed subdivision is small, consisting of two (2) proposed users at the time of platting. The Petitioners did create the hardship by desiring to have a subdivision at this location.

The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

The purpose of the variation is based on the size of the development and number of proposed lots.

The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located. Provided the subdivision is developed as proposed and that reasonable restrictions are placed on special uses that could be placed inside the subdivision, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood.

Staff recommends approval of the requested plats and exception subject to the following:

1. A variance to Section 7.03.A.7.c of the Kendall County Subdivision Control Ordinance requiring a soil map and related soil studies be granted.
2. The final plat shall become effective upon the successful recording of Exhibit C in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

The draft ordinance was provided.

Member Gilmour asked about utilities. Mr. Asselmeier responded that the facilities will be on well and septic until the Village of Shorewood annexes the property. The timing for annexation is unknown. Mr. Kramer stated provided information on the soils for the septic system. Permits will be secured for the septic systems at the property.

Mr. Kramer indicated that road on Lot 4 will be constructed first at the property and will be built to County standards.

Member Kellogg made a motion, seconded by Member Gilmour, to recommend approval of the preliminary and final plats and exception to Section 7.03.A.7.c of the Kendall County Subdivision Control Ordinance with the conditions proposed by Staff. With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the Kendall County Board on September 15, 2020, on the regular meeting agenda.

20-22 Kendall County Historic Preservation Commission

Mr. Asselmeier provided the application for Certified Local Government status. In order for the application to be complete, the Chairman of the County Board is required to sign the application.

Member Kellogg asked what happens if the County does follow through with the requirements stated in the application letter. Mr. Asselmeier responded that the County could forfeit the status if the County does not meet its obligations.

Member Flowers made a motion, seconded by Member Gilmour, to recommend approval of the Certified Local Government application. With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the Kendall County Board on September 15, 2020, on the consent agenda.

20-14 Kendall County Regional Planning Commission
Approval to Add Language Recommended by the Kendall County Zoning Board of Appeals to
the Definitions of Hotel, Motel, or Inn and Short-Term Rental Pertaining to Occupancy Permits
Mr. Asselmeier summarized the request.

A summary of the proposed changes to the Zoning Ordinance incorporating the changes made at the June 29, 2020, special meeting of the advisory boards and the July 7, 2020 ZPAC meeting was provided.

Only those sections of the Zoning Ordinance with significant proposed changes were provided. Most of the sections with minor changes (i.e. typographical corrections, citation corrections, renumbering, adding of acronyms, etc.) that did not alter the meaning or intent of the regulations were not provided. Some sections with minor changes were provided for illustrative purposes. Section 14 was not provided because no changes were proposed to that Section.

Also, language was added allowing the Kendall County Regional Planning Commission to establish bylaws.

The townships were notified of this proposal on July 1, 2020, and the outcome of the Kendall County Zoning Board of Appeals hearing on July 28, 2020. To date, no township has provided comments.

The minutes of the June 29, 2020, combined meeting were provided.

At the July 7, 2020, ZPAC meeting, ZPAC added language to Section 13:09.C.1 pertaining to the 200 foot grid soil survey and soils classified as unsuitable for conventional septic systems when considering open space. The minutes from the July 7th ZPAC meeting were provided.

The Comprehensive Land Plan and Ordinance Committee reviewed this proposal at their meeting on July 22, 2020, and offered no changes to the proposal.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 22, 2020. The Kendall County Regional Planning Commission recommended approval by a vote of nine (9) in favor and zero (0) in opposition. The minutes of this meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on July 27, 2020. One (1) member of the public requested a change regarding short-term rentals. The Kendall County Zoning Board of Appeals, by a vote of seven (7) in favor and zero (0) in opposition recommended approval of the proposal with the following recommendation: Add the sentence "Accessory structures used for residential purposes prior to 1970 shall not be required to provide an occupancy permit" to the end of the definitions of Hotel, Motel, or Inn and Short-Term Rental. The minutes of the hearing were provided.

Member Kellogg made a motion, seconded by Member Flowers, to recommend approval of the proposed text amendments.

Discussion occurred about the need to have occupancy permits for trailers and other accessory structures. Trailer placements are limited presently, per the Zoning Ordinance.

Discussion occurred regarding the method prospective buyers would have identifying the location land reserved for open space. Mr. Asselmeier noted that easements and other open space reservations are identified on the plat and those locations are usually caught during the title research process. Enforcement consists of denial of permits and normal enforcement of regulations.

Member Kellogg made a motion, seconded by Gilmour, to delete the proposed language in new Section 13:09.C.1 pertaining to the two hundred foot (200') foot grid and reference to soils classified as unsuitable for conventional septic systems in the Kendall County Subdivision Control Ordinance in the Primary Conservation Area consideration. With a voice vote of four (4) ayes, the motion carried.

The Committee decided not to take action to add the proposed amendments related to the definitions of hotel, motel, or inn and short-term rental.

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

The proposal goes to the Kendall County Committee of the Whole on September 10, 2020.

20-21 Kendall County Planning, Building and Zoning Committee

Mr. Asselmeier summarized the request.

When the Comprehensive Land Plan and Ordinance Committee and the Kendall County Regional Planning Commission reviewed and proposed the text amendments to the Zoning Ordinance as part of the Zoning Ordinance Project, both boards felt that application fees should not be included in the Zoning Ordinance because a township could object to amending the fees in the future. Both boards believed that County Board should establish fees as part of the Planning, Building and Zoning Department's existing fee schedule ordinances. Accordingly, as part of the proposal, the application fee for beekeeping conditional use permits and solar panel permits were proposed for deletion in the Kendall County Zoning Ordinance.

Pursuant to Ordinance 2015-04, the application fee for conditional use permits for personal beekeeping was set at Fifty Dollars (\$50) with an annual renewal fee of Twenty-Five Dollars (\$25). The Comprehensive Land Plan and Ordinance Committee felt an annual renewal fee was unnecessary.

Staff has the following concerns regarding maintaining the Fifty Dollar (\$50) fee:

1. All other conditional use permit fees are One Hundred Dollars (\$100).
2. The County records conditional use permits; the cost to record a conditional use permit is Sixty-Seven (\$67).
3. Staff has to process and review applications.
4. Conditional use permits for beekeeping are only required on properties not zoned A-1.

Pursuant to Ordinance 2018-22, the application fee for building permits for solar panels was set as follows:

0-	10 kilowatts (kW)	\$150.00
11-	50 kilowatts (kW)	\$300.00
51-	100 kilowatts (kW)	\$600.00
101-	500 kilowatts (kW)	\$1,200.00
501-	1,000 kilowatts (kW)	\$2,750.00
1,001-	2,000 kilowatts (kW)	\$6,000.00
Over 2,000 kilowatts (kW)		\$6,000.00 + \$200.00 for each additional 0-100 kilowatts

Staff would like to incorporate language into the solar panel fees to address systems that do not produce energy to the nearest whole number. Accordingly, Staff would like the following language added to the fee schedule for solar panel permits, "For the purposes of calculating fees, kW shall be rounded up to nearest whole number."

Staff would also like to point out that the proposed fees for beekeeping and solar panels do NOT apply to those uses that meet the agricultural purposes threshold in State law. Beekeeping is a permitted use on A-1 zoned property and does not require a conditional use permit.

Discussion occurred regarding the fee for conditional use permits for beekeeping. Mr. Asselmeier read the requirements for conditional use permits for beekeeping. Mr. Asselmeier noted the cost for recording. At One Hundred Dollars (\$100), the County is losing money because the cost to record the conditional use and the cost to remove the conditional use is Sixty-Seven Dollars (\$67) individually.

Member Flowers made a motion, seconded by Member Gilmour, to recommend approval of the proposed fee schedule amendment as proposed by Staff. With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the Kendall County Board on September 15, 2020, on the regular meeting agenda.

NEW BUSINESS

NPDES Survey Results

The Committee reviewed the results. Mr. Asselmeier noted that fewer townships responded this year compared to 2019. Interest in composting increased slightly. No township utilizes the stormwater information on the County's website. Only one (1) township utilizes the volunteer opportunities page on the website. Electronics recycling was the most popular except in Oswego Township where river cleanups were more popular. No illicit discharges were reported. The townships wanted the County to do more visual inspections and grab samples. The results on training were mixed. All responding townships agreed that necessary steps to reduce flooding was occurring.

Mr. Asselmeier noted that the annual Stormwater Management Oversight Committee public hearing and meeting would be at the October 15th Committee of the Whole meeting. No changes to the Stormwater Management Ordinance are proposed.

OLD BUSINESS

Discussion of Special Planning, Building and Zoning Committee Meeting in Boulder Hill

The consensus of the Committee was to postpone the meeting Boulder Hill until the spring or summer of 2021.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report. The ability to have code enforcement has caused compliance to increase at a faster rate in some cases.

REVIEW PRE-VIOLATION REPORT

The Committee reviewed the pre-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Member Flowers noted that the Commission is waiting on Certified Local Government status. Mr. Asselmeier noted that the Commission recently approved their new officers and was researching cemeteries.

REVIEW PERMIT REPORT

The Committee reviewed the permit report.

REVIEW REVENUE REPORT

The Committee reviewed the revenue report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

Kate Finlon asked the reason for a having meeting Boulder Hill. Chairman Prochaska responded that the reasons were to go over zoning and building related regulations, putting faces with names with the enforcement officers, explaining some Oswego and Montgomery regulations, let people know the extent of County regulations compared to municipal regulations, and explain enforcement procedures.

EXECUTIVE SESSION

None

ADJOURNMENT

The consensus of the Committee was to schedule the next regular Committee meeting for Wednesday, October 14, 2020, at 5:30 p.m., in the third floor courtroom at the Historic Courthouse.

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

Chairman Prochaska adjourned the meeting at 6:18 p.m.

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

Enc.



KENDALL COUNTY HIGHWAY DEPARTMENT
5-YEAR SURFACE TRANSPORTATION PROGRAM
2021 - 2025

Revised 9/15/20

	ROAD	DESCRIPTION	LIMITS	TOTAL ESTIMATE	FUNDING	YEAR	STATUS
1	Eldamain Road	Construction-Contract B	W Highpoint to River Rd including Fox River Br	\$45,000,000	State / Federal / TST	2021	\$32 Others / \$13 Kendall
2	Ridge Road	Construction	Intersection Improvement at Rte. 52	\$1,500,000	State / MFT	2021	50% IDOT Funding
3	Galena Road	Construction	Intersection Improvement at Kennedy	\$1,000,000	Trans. Sales Tax	2021	
4	Fox River Drive	Bridge Replacement	Bridge over Clear Creek in Millington	\$900,000	TST / Co. Bridge	2021	Spring Letting 500 / 400
5	Orchard Road	Construction	Gates Creek Watershed Improvement	\$300,000	Trans. Sales Tax	2021	IGA w/ Oswego
6	Lisbon Road	Construction	Drainage-Sidewalk improvements in Lisbon	\$250,000	Trans. Sales Tax	2021	IGA w/ Lisbon
7	Plattville Road	Construction	Drainage Improvements near Pletcher Dr.	\$250,000	Trans. Sales Tax	2021	
8	Caton Farm Road	Bridge Replacement	Caton Farm Road over Aux Sable Creek	\$750,000	Co. Bridge	2021	Summer Construction
9	River Road	Bridge Replacement	Township Bridge Program	\$600,000	State / Co. / Twp.	2021	200 / 200 / 200
10	County Highways	HMA Resurfacing	Galena Road & Fox Road	\$2,000,000	Motor Fuel Tax	2021	Spring Letting
11	County Highways	Pavement Preservation	Various Locations	\$100,000	Trans. Sales Tax	2021	
12	Various	KC-TAP	Transportation Alternatives Program	\$50,000	Trans. Sales Tax	2021	
13	Orchard Road	Phase II Engineering	Intersection Improvement at U.S. Route 30	\$100,000	Trans. Sales Tax	2021	Multi-Agency IGA
14	Orchard Road	PE & Land Acquisition	Collins Road Extension	\$750,000	Trans. Sales Tax	2021	
15	Caton Farm Road	Preliminary Engineering	Caton Farm Road over Aux Sable Creek	\$100,000	Co. Bridge	2021	
16	Ridge Road	PE & Land Acquisition	Theodore Street to Caton Farm Road	\$300,000	Trans. Sales Tax	2021	
17	Fox River Drive	PE & Land Acquisition	Johnson Street Reconstruction	\$200,000	Trans. Sales Tax	2021	
18	Ridge Road	Pavement Widening	Theodore Street to Caton Farm Road	\$2,500,000	Trans. Sales Tax	2022	
19	Fox River Drive	Bridge Joint Repairs	Fox River Drive over Fox River	\$100,000	Co. Bridge	2022	Spring Letting
20	Fox River Drive	Construction	Johnson Street Reconstruction	\$1,500,000	Trans. Sales Tax	2022	
21	County Highways	HMA Resurfacing	Various Locations TBD	\$3,000,000	Motor Fuel Tax	2022	
22	County Highways	Pavement Preservation	Various Locations	\$100,000	Trans. Sales Tax	2022	
23	Various	KC-TAP	Transportation Alternatives Program	\$50,000	Trans. Sales Tax	2022	
24	Orchard Road	Land Acquisition	Collins Road Extension	\$250,000	Trans. Sales Tax	2022	
25	Fox Road	Preliminary Engineering	Intersection Improvement at Eldamain Rd.	\$100,000	Trans. Sales Tax	2022	
26	Galena Road	Preliminary Engineering	Intersection Improvement at Cannonball	\$100,000	Trans. Sales Tax	2022	IGA w/ Montgomery



KENDALL COUNTY HIGHWAY DEPARTMENT
5-YEAR SURFACE TRANSPORTATION PROGRAM
2021 - 2025

Revised 9/15/20

	ROAD	DESCRIPTION	LIMITS	TOTAL ESTIMATE	FUNDING	YEAR	STATUS
27	Caton Farm Road	PE & Land Acquisition	Caton Farm Road over Aux Sable Creek	\$75,000	Co. Bridge	2022	
28	Crimmins Road	Preliminary Engineering	Fox River Dr (N) to Fox River Dr (S)	\$100,000	Trans. Sales Tax	2022	
29	Orchard Road	Construction	Collins Road Extension	\$12,500,000	Fed / State / Local	2023	\$2.5 / \$5.0 / \$5.0
30	Caton Farm Road	Bridge Replacement	Caton Farm Road over Aux Sable Creek	\$800,000	TST / Co. Bridge	2023	
31	Ridge Road	Intersection Improvement	At Johnson Road (143rd Street)		Trans. Sales Tax	2023	IGA w/ Plainfield
32	County Highways	HMA Resurfacing	Various Locations TBD	\$1,000,000	Motor Fuel Tax	2023	Other MFT to Collins
33	County Highways	Pavement Preservation	Various Locations	\$100,000	Trans. Sales Tax	2023	
34	Various	KC-TAP	Transportation Alternatives Program	\$50,000	Trans. Sales Tax	2023	
35	Fox Road	PE & Land Acquisition	Intersection Improvement at Eldamain Rd.	\$250,000	Trans. Sales Tax	2023	
36	Crimmins Road	PE & Land Acquisition	Fox River Dr (N) to Fox River Dr (S)	\$100,000	Trans. Sales Tax	2023	
37	Galena Road	PE & Land Acquisition	Intersection Improvement at Cannonball	\$250,000	Trans. Sales Tax	2023	
38	Ridge Road	Preliminary Engineering	Bridge over Aux Sable Tributary	\$150,000	Co. Bridge	2023	
39	Grove Road	Preliminary Engineering	Intersection Improvement at Ill. Rte. 126	\$50,000	Trans. Sales Tax	2023	
40	Township Bridge	Preliminary Engineering	Township Bridge Program	\$50,000	State / Co. / Twp.	2023	80 / 10 / 10
41	Fox Road	Construction	Intersection Improvement at Eldamain Rd.	\$2,000,000	Trans. Sales Tax	2024	
42	Galena Road	Construction	Intersection Improvement at Cannonball	\$1,500,000	Trans. Sales Tax	2024	
43	Ridge Road	Bridge Replacement	Bridge over Aux Sable Tributary	\$1,250,000	TST / Co. Bridge	2024	
44	Grove Road	New Traffic Signal	Intersection Improvement at Ill. Rte. 126	\$300,000	Trans. Sales Tax	2024	
45	Township Bridge	Bridge Replacement	Township Bridge Program - Location TBD	\$300,000	State / Co. / Twp.	2024	80 / 10 / 10
46	County Highways	HMA Resurfacing	Various Locations TBD	\$3,000,000	Motor Fuel Tax	2024	
47	County Highways	Pavement Preservation	Various Locations	\$100,000	Trans. Sales Tax	2024	
48	Various	KC-TAP	Transportation Alternatives Program	\$50,000	Trans. Sales Tax	2024	
49	Crimmins Road	Land Acquisition	Fox River Dr (N) to Fox River Dr (S)	\$100,000	Trans. Sales Tax	2024	
50	Walker Road	Preliminary Engineering	Realignment east of Fox River Drive	\$100,000	Trans. Sales Tax	2024	
51	Grove Road	PE & Land Acquisition	Intersection Improvement at Reservation Rd.	\$100,000	Trans. Sales Tax	2024	
52	Crimmins Road	Construction	Fox River Dr (N) to Fox River Dr (S)	\$3,500,000	Trans. Sales Tax	2025	



KENDALL COUNTY HIGHWAY DEPARTMENT
5-YEAR SURFACE TRANSPORTATION PROGRAM
2021 - 2025

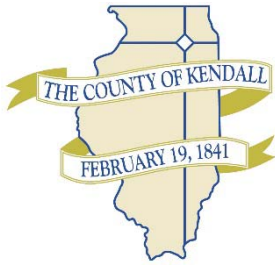
Revised 9/15/20

	ROAD	DESCRIPTION	LIMITS	TOTAL ESTIMATE	FUNDING	YEAR	STATUS
53	County Highways	HMA Resurfacing	Various Locations TBD	\$3,000,000	Motor Fuel Tax	2025	
54	County Highways	Pavement Preservation	Various Locations	\$100,000	Trans. Sales Tax	2025	
55	Various	KC-TAP	Transportation Alternatives Program	\$50,000	Trans. Sales Tax	2025	
56	Walker Road	PE & Land Acquisition	Realignment east of Fox River Drive	\$250,000	Trans. Sales Tax	2025	
57	Grove Road	PE & Land Acquisition	Intersection Improvement at Reservation Rd.	\$100,000	Trans. Sales Tax	2025	

5-Year Total: \$93,125,000

Estimated Grants & Funds by Others: \$42,000,000

Total Estimated County Funds: \$51,125,000



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 9, 2020

Amount: N/A

Budget: N/A

Issue: Petition 20-22-Request from the Kendall County Historic Preservation Commission for Approval to Authorize the Kendall County Board Chairman to Sign and Submit an Application for Certified Local Government Status to the Illinois State Historic Preservation Officer

Background and Discussion:

In June 2020, the County Board approved amendments to the Kendall County Historic Preservation Ordinance which would allow the County to apply for Certified Local Government status.

The application is attached.

Committee Action:

PBZ Committee-Approval (4-0-1)

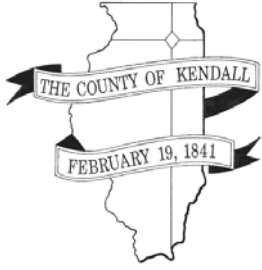
Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 10, 2020



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

September 15, 2020

Jon L. Pressley, MA
Certified Local Governments Program Coordinator
State Historic Preservation Office, IDNR
1 Old State Capitol Plaza
Springfield, Illinois, 62701

Dear Jon L. Pressley, MA:

On behalf of Kendall County, Illinois, I would like to request Certified Local Government status for Kendall County from the Illinois State Historic Preservation Officer. If granted Certified Local Government status, Kendall County pledges to undertake the following:

1. Enforcement of appropriate state and local legislation for the designation and protection of historic properties through the enforcement of the Kendall County Historic Preservation Ordinance.
2. Maintenance of an adequate and qualified historic preservation review commission, officially known as the Kendall County Historic Preservation Commission, which was established by local ordinance.
3. Maintenance of a system for the survey and inventory of historic properties.
4. Maintenance of a system to provide adequate public participation in the local historic preservation program, including the process of nominating properties to the National Register of Historic Places, and the following of the Illinois Open Meetings Act.
5. Performance of the responsibilities listed in Numbers 1-4 above and those responsibilities specifically designated to Kendall County by the State Historic Preservation Officer.

Enclosed please find a copy of the Kendall County Historic Preservation Ordinance, the Ordinance designating 1542 Plainfield Road as a local landmark, resumes of the members of the Kendall County Historic Preservation Commission, and a statement describing the local preservation program. Please note, there is presently one (1) vacancy

on the Kendall County Historic Preservation Commission and the Kendall County Senior Planner has been assigned as staff to the Kendall County Historic Preservation Commission.

If you have any questions regarding this request, please contact Matthew Asselmeier, Kendall County Senior Planner, at masselmeier@co.kendall.il.us or 630-553-4139.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

Encs.: Kendall County Historic Preservation Ordinance
Ordinance Designating 1542 Plainfield as Local Landmark
Kendall County Historic Preservation Commissioners' Resumes
State Describing Local Preservation Program

ARTICLE I

PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

1. PURPOSES & INTENT

The purposes and intent of this Ordinance are as follows:

- A) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historic, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or Kendall County or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;
- B) To safeguard the County's historic, aesthetic and cultural heritage as embodied and reflected in such structures and landscape features;
- C) To stabilize and improve the economic vitality and value of designated landmarks and historic districts in particular and of the County in general;
- D) To foster civic pride in the beauty and noble accomplishments of the past in order that both the pride and the accomplishments themselves may be passed on to future generations;
- E) To protect and enhance the County's attractions for tourists and visitors as well as to support and provide stimulus to business and industry;
- F) To strengthen the economy of the County;
- G) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Kendall County and;
- H) To educate the general public, government officials and real estate interests about the value of historic preservation to the economy, and long-term quality of life for those who live and work in the County.

2. DEFINITIONS

For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:

- A) *Alteration*: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities;

surface mining; and clearing, grading or other modification of an area, site or landscape that changes its current or natural condition.

B) *Architectural Significance*: Embodying the distinctive characteristics of a type, period, style or method of construction or use of indigenous materials, or representing the work of an important builder, designer, architect, engineer, or craftsman who has contributed to the development of the community, County, State or Nation.

C) *Archaeological Significance*: Importance as an area, site, place or landscape that has yielded or is likely to yield information concerning past patterns of human settlement, or artifacts or information concerning previous cultures in Illinois or previous periods of the present culture. Areas, sites or landscapes of archaeological significance may include, but are not limited to, aboriginal mounds, forts, earthworks, burial grounds, historic or prehistoric ruins, locations of villages, mine excavations or tailing.

D) *Building*: Any structure designed or constructed for residential, commercial, industrial, agricultural or other use.

E) *Certificate of Appropriateness*: A certificate issued by a Preservation Commission indicating its approval of plans for alteration, construction, demolition, or removal affecting a nominated or designated landmark or property within a nominated or designated historic district.

F) *Certificate of Economic Hardship*: A certificate issued by the Preservation Commission authorizing an alteration, construction, removal or demolition even though a Certificate of Appropriateness has previously been denied or may be denied.

G) *Commissioners*: Members of the Preservation Commission.

H) *Conservation Right*: A term that includes easements, covenants, deed restrictions or any other type of less than full fee simple interest as that term is defined in Illinois Revised Statutes, Section 1 of "An Act relating to conservation rights in real property," approved September 12, 1977, as amended.

I) *Construction*: The act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

J) *Demolition*: Any act or process which destroys in part or in whole a landmark or a building or structure within a historic district.

K) *Demolition by Neglect*: Neglect in the maintenance of any landmark and/or building or structure within a preservation district resulting in the deterioration of that building to the extent that it creates a hazardous or unsafe condition as determined by the Kendall County Building and Zoning Department or the

Kendall County Department of Health.

L) *Design Criteria*: Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or historic district.

M) *Development Rights*: The development rights of a landmark or of a property within a historic district as defined in Section 11-48.2-1A of the Illinois Municipal Code.

N) *Development Rights Bank*: A reserve for the deposit of development rights as defined in Section 11-48.2-1A of the Illinois Municipal Code.

O) *Exterior Architectural Appearance*: The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

P) *Historic Significance*: Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; or as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.

Q) *Landmark*: A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, scenic, or architectural significance.

R) *Landscape*: A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects, cultivated, fields, or orchards in a predominantly rural setting.

S) *Object*: Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.

T) *Owner*: The person or corporation or other legal entity in whose name or names the property appears on the records of the County Recorder of Deeds.

U) *Historic district*: An area designated as a "historic district" by ordinance of the County Board and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district. For the purposes of this definition,

“historic district” shall be the same as “preservation district” as defined by State law (Amended 6.16.20).

V) *Removal*: Any relocation of a structure, object or artifact on its site or to another site.

W) *Repair*: Any change that is not construction, alteration, demolition, or removal and is necessary or useful for continuing normal maintenance.

X) *Scenic Significance*: Importance as a result of appearance or character that remains relatively unchanged from and embodies the essential appearance related to a culture from an earlier historic or prehistoric period; or as a result of a unique location, appearance, or physical character that creates an established or familiar vista or visual feature; or as a geologic or natural feature associated with the development, heritage, or culture of the community, County, State, or Nation.

Y) *Site*: The traditional, documented or legendary location of an event, occurrence, action, or structure significant in the life or lives of a person, persons, group, or tribe, including but not limited to cemeteries, burial grounds, campsites, battlefields, settlements, estates, gardens, groves, river crossings, routes, trails, caves, quarries, mines, or significant trees or other plant life.

Z) *Structure*: Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including (but without limiting the generality of the foregoing) barns, smokehouses, advertising signs, billboards, backstops for tennis courts, bridges, fences, pergolas, gazebos, radio and television antennae, solar collectors, microwave antennae including supporting towers, roads, ruins or remnants (including foundations), swimming pools or walkways.

AA) *Super Majority Vote*: At least three-fourths approval of the vote of the entire Kendall County Board (Amended 6.16.20).

BB) *Survey*: The systematic gathering of information on the architectural, historic, scenic, and archaeological significance of buildings, sites, structures, areas, or landscapes through visual assessment in the field and historical research, for the purpose of identifying landmarks or districts worthy of preservation.

3. GENERAL PROVISIONS

The following are general provisions propounded to make more clear matters relative to scope and jurisdiction of this Ordinance.

A) No provision herein shall supersede the powers of other local legislative or regulatory bodies or relieve any property owner from complying with the requirements of any other state statute or code or ordinance of Kendall County or individual municipal ordinances or regulations, and any permit or license required

there under shall be required in addition to any Certificate of Appropriateness or Economic Hardship which may be required hereunder; provided, however, that where a Certificate of Appropriateness or Economic Hardship is required, no such other permit or license shall be issued by any other agency under the jurisdiction of the Kendall County Board before a certificate has been issued by the Commission as herein provided.

B) The use of property and improvements which have been designated under this Ordinance shall be governed by the Kendall County Zoning Ordinance, as amended.

C) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.

D) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.

E) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.

ARTICLE II

THE HISTORIC PRESERVATION COMMISSION

1. ORGANIZATION

A) *Appointment.* The Kendall County Board shall by ordinance appoint members to the Kendall County Preservation Commission from names submitted by the County Board Chair.

B) *Composition.* The Preservation Commission shall consist of five (5) members. All members shall be residents of Kendall County. The County Board Chair shall make a reasonable effort to nominate to the Preservation Commission at least one (1) attorney, one (1) historian or architectural historian, one (1) architect/engineer, and one (1) real estate professional knowledgeable in historic preservation; the other members shall be persons with a demonstrated interest in pre-history, history, or architecture. Commission vacancies shall be posted in a newspaper of general circulation within the county and on the county internet website. Included in the five (5) voting members, the County Board may appoint one of their members or staff to serve as a voting member of the Commission and liaison to the County Board (Amended 2.21.17).

C) *Terms.* Terms of the initial members shall be staggered so that at least five serve respectively for the following terms: one for one year; one for two years; one for three years; one for four years; and one for five years. Any additional initial members shall also serve terms staggered in the same sequence. Successors to initial members so appointed shall serve for five year terms. All ex officio members shall serve the term of their elected or appointed office. All members shall serve until their successors are appointed. Vacancies shall be filled by the Kendall County Board from names submitted by the County Board Chair. Any preservation commission member may be removed by the County Board for cause, after public hearing (Amended 6.16.20).

D) *Officers.* Officers shall consist of a Chair, Vice-Chair and a Secretary. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both the Chair and the Vice-Chair are absent, a temporary Chair shall be elected by those present. One (1) of the members so appointed by the County Board shall be named as chairman at the time of appointment and other officers may be elected by the Preservation Commission. The Vice-Chair and Secretary shall serve a term of one (1) year and shall be eligible for re-election. No member shall serve as a Vice-Chair or Secretary in the same capacity for more than three (3) consecutive years. Once the member has served in the same capacity for three (3) years, a one (1) year hiatus from that office must be followed. The Chair shall ensure that the following duties are performed (Amended 6.16.20):

- i) That minutes are taken of each Preservation Commission meeting;
- ii) That copies of the minutes, reports, and decisions of the Preservation Commission be published and distributed to the members of the Preservation Commission.
- iii) The Kendall County Board Chair is advised of vacancies on the Preservation Commission and expiring terms of members; and
- iv) That there be prepared and submitted to the Kendall County Board a complete record of the proceedings before the Preservation Commission on any matters requiring County Board consideration. The Kendall County Planning, Building & Zoning Department shall be the official keeper of the records.

E) *Rules and Procedures.* The Historic Preservation Commission shall have the authority to develop and adopt rules and procedures necessary to carry out its functions under the provisions of this Ordinance.

F) *Meetings.* Meetings of the Preservation Commission shall be held no less than monthly, except in those months when no business is pending, and shall be held at such times and places within the County as the Commission shall decide. Special

meetings may be called by the Chair or by the consent of two (2) members. All meetings of the Commission shall be open to the public, shall follow all provisions of the Open Meetings Act and shall adhere to Robert's Rules of Order. The Commission shall keep minutes of its proceedings, showing a vote of each member upon every question, or if absent or failing to vote, and shall also keep records of its official actions. Such minutes and records shall be open to the public for inspection at offices of the Kendall County Planning, Building & Zoning Department (Amended 2.21.17).

G) *Quorum*. A quorum shall consist of three (3) members. The transaction of business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of four (4) members (Amended 2.21.17).

H) *Compensation*. The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission's reserves.

I) *Annual Report*. The Commission shall submit an annual report of its activities to the Kendall County Board.

2. POWERS & AUTHORITIES

The Preservation Commission shall have the following powers and authority.

A) To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts;

B) To hold public hearings and recommend to the County Board the designation of landmarks or historic districts;

C) To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation;

D) To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts;

E) To keep a register of all designated landmarks and historic districts;

F) To establish an appropriate system of markers or plaques for all designated

landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers;

G) To nominate, landmarks and historic districts to any state or federal registers of historic places;

H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic places;

I) To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;

J) To hold public hearings and to review applications for construction, alteration, removal, or demolition affecting landmarks or property within historic districts and issue or deny Certificates of Appropriateness for such actions;

K) To consider applications for Certificates of Economic Hardship that would allow the performance of work for which a Certificate of Appropriateness has previously been denied;

L) To develop specific criteria and guidelines for the proper alteration, construction, demolition, or removal of landmarks, or of property within historic districts;

M) To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days (Amended 6.16.20);

N) To administer on behalf of the County Board any County owned property, or full or partial interest in real property, including a conservation right, by approval of the County Board (Amended 6.16.20);

O) To accept and administer on behalf of the County Board gifts, grants, money or other personal property as may be appropriate for the purpose of this Ordinance. Such money may be expended for publishing maps and brochures, for hiring staff or consultants or performing otherwise appropriate functions for the

purpose of carrying out the duties and powers of the Preservation Commission and the purposes of this Ordinance.

P) To administer any system established by the County Board for the transfer of development rights;

Q) To call upon available County agencies and staff as well as other experts for technical advice; costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

R) To retain specialists or consultants, or to appoint citizen, neighborhood or area advisory committees, as may be required, costs to be determined prior to activities and paid by petitioner except where included in the existing approved budget;

S) To testify before all boards, commissions, committees and municipalities on any matter affecting potential or designated landmarks or historic districts;

T) To periodically review any County Land resource management plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board;

U) To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts;

V) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purposes of this Ordinance.

W) To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article, and

X) To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

ARTICLE III

DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

1. INVESTIGATION & RESEARCH

The Preservation Commission shall undertake an ongoing investigation and research effort in the County to identify areas, sites, structures, and objects that have historic, cultural, community, architectural or aesthetic importance, interest, or value. As part of the investigation, the Commission shall review and evaluate any prior surveys and studies by any unit of government, private organization or individual and compile appropriate descriptions, facts, and photographs.

The Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them individually or in groups based upon the following criteria:

- a) The potential landmarks or districts in one township or distinct geographical area of the County;
- b) The potential landmarks associated with a particular person, event, or historical period;
- c) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman; or of a particular building material.
- d) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the County;

2. PRESERVATION PLAN

A) The Historic Preservation Commission shall, through the aforesaid surveys and research, so as to become thoroughly familiarized with buildings, structures, objects, sites, districts, areas and lands within the County which may be eligible for designation as historic landmarks or districts, prepare a "Historic Landmark and District Preservation Plan."

B) The Preservation Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for possible inclusion in the Kendall County Land Resource Management Plan as amended. From time to time, the Commission shall review the Plan and insert in the Historic Preservation Commission minutes a report of such review and take appropriate action on any amendments to the Plan deemed necessary.

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS

A.) Landmarks

The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for landmarks or historic districts shall include or be accompanied by the following information:

- a) The name and address of the applicant and owner of record.
- b) The legal description and Common Street address of the property.
- c) A written statement describing the structure, building, or site and setting forth reasons in support of the proposed designation, including a list of significant exterior architectural features that should be protected.
- d) If the applicant is not the current owner of record, written documentation and evidence establishing that the applicant notified the current owner of record of the nominated property and whether the owner of record consents or objects to the proposed landmark designation. Such documentation or evidence of record ownership shall include a recent title policy in the name of the applicant or other evidence of record ownership acceptable to the Historic Preservation Commission (Amended 6.16.20).
- e) An overall site plan and photographs of the landmark. The plan shall also include a front, side, and rear elevation drawing.
- f) Such other relevant information as requested by the Historic Preservation Commission.
- g) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts

The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the

geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

- a) The names and addresses of applicants.
- b) The names and addresses of all of the owners of record of buildings, structures, or sites in the area nominated for designation.
- c) A vicinity map delineating the boundaries of the area nominated for designation.
- d) A written statement describing the area and structures, buildings, or sites located in the area nominated for designation as an historic district and setting forth the reasons in support of the proposed designation, including a list and photographs of significant exterior architectural features of all structures, buildings, or sites in the district that should be protected.
- e) If the applicant is not the current owner of record, written documentation and evidence establishing that applicants notified the current owners of record of property in the area nominated for designation and that such owner comprise the owners of record of at least fifty-one percent (51%) of all sites contained in the nominated area. Such documentation or evidence of record ownership shall include recent title policies in the names of the applicants or other evidence of record ownership acceptable to the Historic Preservation Commission (Amended 6.16.20).
- f) The name, address, and telephone number of one of the applicants who shall be the designated contact person and liaison for the purposes of the application. The name, address, and telephone number of an additional applicant to serve as an alternative contact person shall also be provided.
- g) Such other relevant information as requested by the Historic Preservation Commission.
- h) The County Board reserves the right to set appropriate fees for administering this ordinance.

4. CRITERIA FOR DESIGNATION

A.) Landmarks

The Commission may recommend to the County Board the designation of landmarks when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;

K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B.) Historic Districts

The Commission may recommend to the County Board the designation of Historic Districts. Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

- A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;
- B) Its location is a site of a significant local, County, State, or National event;
- C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;
- D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;
- F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
- G) It embodies design elements that make it structurally or architecturally innovative;
- H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
- I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
- J) It is suitable for preservation or restoration;
- K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.
- L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.
- M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

5. INITIAL REPORT & RECOMMENDATION OF PRESERVATION COMMISSION

The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark or historic district does or does not meet the criteria for designation as provided for in Article III, Section 4 herein. The report shall contain the following information (Amended 6.16.20):

- A) An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;
- B) A description of the integrity or lack of integrity of the nominated landmark or historic district;
- C) A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

In addition, in the case of a nominated landmark found to meet the criteria for designation, the report shall include:

- A) A description of the significant exterior architectural features of the nominated landmark that should be protected;

In the case of a nominated historic district found to meet the criteria for designation the report shall include:

- A) A list of addresses and Permanent Index Numbers showing which properties are contributing and which are non-contributing;
- B) A description of the types of significant exterior architectural features of the structures within the nominated district that should be protected;

In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.

6. NOTIFICATION OF NOMINATION

The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING

A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

8. RECOMMENDATION OF PRESERVATION COMMISSION

Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner's (owners') objection to a landmark designation or historic district, the nomination would require the affirmative vote of a super majority of the full County Board.

9. DESIGNATION

The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks or historic district applications, the County Board, after reviewing the report and recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

- A) Designate the landmark or historic district by ordinance; or
(In the case of the property owner(s) objection to a landmark designation or historic district, the nomination would require the affirmative vote of a super majority of the full County Board.)
- B) Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.
- C) Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall

review and prepare new findings within forty-five (45) days of the County Board's original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.

10. RESUBMISSION OF APPLICATION

Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

11. NOTICE OF DESIGNATION

Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

12. PUBLICATION OF MAP

A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the Kendall County website, and the same location and in the same manner as any County zoning map (Amended 6.16.20).

13. APPEALS

Adoption of an ordinance designating a landmark or historic district by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

14. INTERIM CODE

No building, zoning, site development, access, utility or other permit shall be issued by the Planning, Building & Zoning Department, the Highway Department or other County department without a Certificate of Appropriateness being issued in accordance with Article IV Section 2 for alteration, construction, demolition, or removal of a nominated landmark or the alteration of any physical feature of a property or structure within a nominated historic district from the date the nomination form is received by the County office until the final disposition of the nomination by the County Board unless such alteration, removal, or demolition is necessary for public health, welfare, or safety.

15. MARKING BY ATTACHMENT OF A PLAQUE

Each designated landmark or historic district may be marked by an appropriate plaque carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County at the expense of the property owner.

16. AMENDMENT & RESCISSION OF DESIGNATION

The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner's consent.

17. TRANSFER OF JURISDICTIONAL CONTROL

Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.

18. APPLICATION FEE

All applicants for landmark or historic district designation shall pay a fee of Five Hundred Dollars (\$500) at the time of application submittal. Said fee shall be waived upon approval by a majority vote of the Kendall County Historic Preservation Commission, if requested by the property owner or property owners (Amended 6.16.20).

ARTICLE IV

ALTERATION, CONSTRUCTION, DEMOLITION, AND MAINTENANCE

1. SCOPE

Work on property and improvements so designated pursuant to this ordinance shall be regulated as follows:

A) *Landmarks*: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures which have been designated under this ordinance as landmarks, except as shall be approved by a Certificate of Appropriateness.

B) *Historic districts*: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures located within an area which is designated under this ordinance as a historic district, except as shall be approved by a Certificate of Appropriateness.

2. CERTIFICATE OF APPROPRIATENESS

A) A Certificate of Appropriateness from the Preservation Commission established pursuant to this Ordinance shall be required before any significant alteration, construction, demolition or removal that affects pending or designated landmarks or historic districts is undertaken. Such a certificate is required for all such actions from the date a nomination form is submitted to the Preservation

Commission.

B) Applications for Certificates of Appropriateness.

i) Every application submitted to the Kendall County Planning, Building & Zoning Department for a permit wherein the applicant represents and/or delineates plans to commence any action as immediately described above in subsection (A) affecting any such property, improvements or areas therein described, shall be forwarded by the Director of Planning, Building and Zoning to a representative or representatives of the Preservation Commission, within five (5) business days following the receipt of said application by the Planning, Building & Zoning Department.

The Planning, Building & Zoning Department shall not issue the building or demolition permit until a Certificate of Appropriateness has been issued by the Preservation Commission. Any applicant may request a meeting with the Preservation Commission before the application is sent by the Director of Planning, Building and Zoning to the Preservation Commission or during the review of the application.

ii) Application for review of construction, alteration, demolition, or removal not requiring a building permit for which a Certificate of Appropriateness is required shall be made on a form prepared by the Preservation Commission and available at the office of Kendall County Planning, Building & Zoning Department. The Preservation Commission may schedule, provide notice and conduct a public hearing concerning the application in the manner previously described in Article III, Section 6 and 7.

iii) If a public hearing is not scheduled, the Commission may consider the completed application at its next regular meeting and may grant a Certificate of Appropriateness at that time. The Commission may further designate support staff to be responsible for reviewing routine applications for Certificates of Appropriateness when the proposed work is clearly appropriate and in accordance with the criteria set forth in Article IV, Sections 2(c) and (d) below, and the purposes of this Ordinance.

iv) The Commission may seek technical advice from outside its members on any application for a Certificate of Appropriateness. The applicant and each commissioner shall receive a copy of the consultant's written opinion at least seven (7) days before a determination is to be made on the application. The costs for this technical advice will be paid by petitioner unless included as part of the annual approved budget for the Commission.

v) The Commission shall act promptly and in a reasonable manner in its judgment of plans for new construction or for alteration, removal, or

demolition of structures in historic districts that have little historic value, except where such construction, alteration, removal, or demolition would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

C) Design Guidelines. The Commission shall consider the following factors in reviewing applications for Certificates of Appropriateness:

i) *Height*: The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

ii) *Proportions of Windows and Doors*: The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

iii) *Relationship of Building Masses and Spaces*: The relationship of a structure within a historic district to open space between it and adjoining structures should be compatible or similar to relationships commonly found between similar structures in the district.

iv) *Roof Shape*: The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures which are similar in design in a historic district.

v) *Landscaping*: Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.

vi) *Scale*: The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

vii) *Directional Expression*: Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures or of its stylistic design. The directional expression of a landmark after any alteration, construction, or partial demolition should be compatible with its original architectural style and character.

viii) *Architectural Details*: Architectural details, including materials and textures, should be treated so as to make a landmark compatible with its original architectural style or character.

D) Standards for Review. The Commission, in considering the appropriateness of any alteration, demolition, new construction, or removal to any property or structures designated or pending designation as a landmark, or any area designated or pending designation as a historic district, shall be guided by the following general standards and any design guidelines in the ordinance designating the landmark or historic district as well as conformance to applicable zoning classification, height, and area limitation:

- i) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose.
- ii) The distinguishing original qualities or character of a building, structure, site, and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided whenever possible.
- iii) All buildings, structures, and sites shall be recognized as products of their time. Alterations that have no historical basis or that seek to create an earlier/later appearance shall be discouraged.
- iv) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- v) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity.
- vi) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- vii) The surface cleaning of structures shall be undertaken with the utmost care and consideration. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- viii) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

ix) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

x) Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would not be impaired.

E) Determination by Preservation Commission. Within fifteen (15) business days after support staff review, or from the date of the regular meeting, or from the close of a public hearing concerning an application for a Certificate of Appropriateness, or within such further time as the applicant for said certificate (and/or permit) approves in writing, the Commission shall determine whether:

i) The proposed construction, alteration, demolition, removal or other modification will be appropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be issued; or

ii) Such proposed modification is inappropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be denied.

Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided the applicant, sent by certified mail with return receipt requested, and to the Kendall County Planning, Building & Zoning Department within seven (7) days (Saturdays, Sundays, and legal holidays excluded) following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval.

F) Denial of Certificate of Appropriateness. A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the difference(s) between the applicant and the Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission.

G) Decision Binding on Planning, Building & Zoning Department. The Director of the Kendall County Planning, Building & Zoning Department shall be bound by the determination of the Commission and approve, if in conformance with

other provisions of the Building Code, or disapprove any application for the proposed construction, alteration, removal of an exterior architectural feature, or demolition of any building or structure in a historic district or any landmark in accordance with said determination.

H) Failure of Commission to Review Application in a Timely Manner. Failure of the Commission to act upon an application for Certificate of Appropriateness within ninety (90) days shall constitute approval and no other evidence shall be needed. This time limit may be waived only by mutual consent of the applicant and the Commission.

I) Demolitions. Pursuant to Article IV, Sections 2(c) and (d) above, the Preservation Commission may deny any application for a Certificate of Appropriateness where demolition is proposed upon a finding that such proposed action will adversely affect the historic, archeological, architectural, or scenic significance of a landmark or historic district. Upon receipt of an application for a Certificate of Appropriateness for demolition, the Preservation Commission shall as soon as possible make a determination, supported by written findings, whether one or more of the following criteria are met:

- i) The structure or visual resource is of such interest or quality that it would reasonably meet national, state or local criteria for designation as an historic or architectural landmark.
- ii) The structure or visual resource is of such unusual or uncommon design, texture or materials that it could not be reproduced, or could be reproduced only with great difficulty and expense.
- iii) Retention of the structure or visual resource would aid substantially in preserving and protecting another structure or visual resource which meets criteria (i) or (ii) hereinabove.

Where the Preservation Commission determines that one or more of these criteria are met, no Certificate of Appropriateness shall be issued and the application shall be denied.

In cases of historic districts or if structures remain a landmark, if a demolition permit is issued, the Preservation Commission shall require the applicant to submit for review and consideration post-demolition plans which shall include drawings and sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of any and all improvements incorporated in such plans (Amended 6.16.20).

J) Compliance with Certificate. A Certificate of Appropriateness will become void if:

- i) If there is any change in the scope of work pursuant to the approved application subsequent to the issuance of the Certificate; or
- ii) If twelve (12) months have elapsed after issuance of the Certificate and no building permit has been issued.

K) Appeals. A denial of a Certificate of Appropriateness is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto.

3. ECONOMIC HARDSHIP

A) The Preservation Commission may issue a Certificate of Economic Hardship upon determination that the failure to issue a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of, or return on, the property. Application for a Certificate of Economic Hardship shall be made on a form and in the manner as prescribed by the Preservation Commission. The Preservation Commission may schedule a public hearing concerning the application and provide notice in the same manner as prescribed in Article III, Section 6, of this Ordinance and conduct the hearing in the same manner as prescribed in Article III, Section 7, of this Ordinance.

B) The Preservation Commission may solicit expert testimony (Amended 6.16.20).

C) The applicant for a Certificate of Economic Hardship shall submit the following information if requested by the Planning, Building and Zoning Department or the Preservation Commission in order to assist the Preservation Commission in its determination on the application:

- i) An estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;
- ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

- iii) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;
- iv) In the case of a proposed demolition, an estimate from a person or entity experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
- v) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, of any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;
- vi) If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
- vii) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;
- viii) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;
- ix) Assessed value of the property according to the two (2) most recent assessments;
- x) Real estate taxes for the previous two (2) years;
- xi) Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.
- xii) Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property considered necessary by the Preservation Commission to make a determination as to whether the property does yield or may yield a reasonable return to the owners (Amended 6.16.20)

D) Determination of Economic Hardship. Within sixty (60) days from receiving a request for a Certificate of Economic Hardship, the Commission, upon a determination that the denial of a Certificate of Appropriateness has denied, or

will deny the owner of a landmark or of a property within a historic district all reasonable use of or return on the property, may undertake one of the following actions:

- i) Offer the owner of the property reasonable financing, tax or other incentives sufficient to allow a reasonable use of, or return on, the property; or
- ii) Issue a Certificate of Appropriateness for the proposed construction, alteration, demolition or removal.

Written notice of the determination shall be provided in the same manner as required by Article IV, Section 2(e) of this Ordinance. This time limit may be waived only by mutual consent of the applicant and the Commission (Amended 6.16.20).

E) Appeals. A denial of a Certificate of Economic Hardship is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said law and all amendments and modifications thereof, and the rules adopted thereto (Amended 6.16.20).

4. MAINTENANCE OF HISTORIC PROPERTIES

Nothing in this Article shall be construed to prevent the ordinary maintenance of any exterior elements of a property or structures designated or nominated as a landmark or located within a designated or nominated historic district.

5. PUBLIC SAFETY EXCLUSION

None of the provisions of this ordinance shall be construed to prevent any measures of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Director, Kendall County Planning, Building & Zoning Department, the Kendall County Health Department or any Fire Protection District and where the proposed measures have been declared necessary, by such department or departments to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section.

In the event any structure or other feature shall be damaged by fire or other calamity, or by Act of Nature or by the public enemy, to such an extent that, in the opinion of the aforesaid department or departments, it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

6. DEMOLITION BY NEGLIGENCE

It is the intent of this section to preserve from deliberate or inadvertent neglect the features of landmarks and contributing buildings and structures within designated historic

districts.

Periodically, the Commission shall, in conjunction with its ongoing survey operations, survey the exterior of each designated landmark and each property within a historic district to ensure that the property is not suffering from demolition by neglect, as defined in the ordinance. The Commission's Secretary shall document the performance of each annual neglect survey.

Any owner who fails to maintain their building or structure in compliance with this section shall be subject to remedial procedures. Upon a finding by the Commission that a historic landmark or a contributing building or structure within a historic district is threatened by demolition by neglect, the Commission shall:

- (a) Notify the County Board so that they or the appropriate county agency will require the owner to repair all conditions contributing to demolition by neglect.
- (b) If the owner does not make repairs within a reasonable period of time the County Board or their agents may make such repairs as are necessary to prevent demolition by neglect. The costs of such work shall be charged to the owner, and may be levied as a special assessment or lien against the property.

ARTICLE V

ENFORCEMENT, PENALTIES AND EQUITABLE RELIEF

1. ENFORCEMENT

The Kendall County Planning, Building & Zoning Department shall give written notification, sent by certified mail, return receipt, postage prepaid requested, of any violation of this Ordinance to the owner of record, lessor, the trustee, or other legally responsible party for such property, stating in such notification that they have inspected the property and have found it in violation of this Ordinance. They shall state in the notification, in clear precise terms, a description or explanation of the violation. The property owner of record, trustee, lessor, or legally responsible party shall have thirty (30) days from the date he receives the notice in which to correct such violation or to give satisfactory evidence that he has taken steps that will lead to correcting such violation within a stated period of time, which time must be agreeable to the Planning, Building & Zoning Department as being fair and reasonable.

Upon petition of the Preservation Commission, the Circuit Court for Kendall County may restrain and/or enjoin any construction, removal, alteration, or demolition in violation of this Act and may order the removal in whole or part of any exterior architectural feature existing in violation of this Ordinance and may further order such reconstruction as may be necessary or desirable to redress any alteration or demolition in said violation.

2. PENALTIES

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provisions of this Ordinance, shall be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred

dollars (\$500.00) for each offense. Each day a violation is permitted to exist after notification thereof shall constitute a separate offense.

In addition to the fine listed in the previous paragraph, a court of competent jurisdiction or a hearing officer in cases of administrative adjudication may direct the Kendall County Planning, Building and Zoning Department to withhold the issuance of a building property for period not to exceed five (5) years after the date of demolition in cases of unauthorized demolition of a landmark or any property within a designated preservation district at the property where the unauthorized demolition occurred (Amended 6.16.20).

The owner or tenant of any building, structure, or land, and any architect, planner, surveyor, engineer, realtor, attorney, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

3. EQUITABLE RELIEF

In addition to other remedies provided by law, Kendall County may institute any appropriate action or proceeding to prevent, restrain, abate or correct a violation of this Ordinance, including, but not limited to, requiring the restoration of property and improvements to its appearance prior to the violation.

ORDINANCE # 2020- 11

**AMENDMENTS TO THE KENDALL COUNTY HISTORIC PRESERVATION
ORDINANCE PERTAINING TO DEFINITIONS, HISTORIC PRESERVATION
COMMISSION POWERS AND AUTHORITIES, NOMINATION PROCEDURES OF
LANDMARKS AND HISTORIC DISTRICTS, ALTERATION, CONSTRUCTION,
DEMOLITION AND MAINTENANCE PROVISIONS, AND PENALTIES**

WHEREAS, 55 ILCS 5/Div. 5-30 allows counties to establish Historic Preservation Ordinances; and

WHEREAS, the Kendall County Board established the Kendall County Historic Preservation Ordinance through Ordinance 2006-67; and

WHEREAS, Article II, Section 2, of the Kendall County Historic Preservation Ordinance grants the Kendall County Historic Preservation Commission the authority to recommend changes to the Kendall County Historic Preservation Ordinance; and

WHEREAS, the Kendall County Historic Preservation Commission reviewed the provisions of the Kendall County Historic Preservation Ordinance at several of its meetings during 2019; and

WHEREAS, on January 21, 2020, the Kendall County Historic Preservation Commission recommended several amendments to the Kendall County Historic Preservation Ordinance to the Kendall County Board; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the amendments proposed to the Kendall County Historic Preservation Ordinance by the Kendall County Historic Preservation Commission at its meeting on February 10, 2020, and recommended approval with of these proposed amendments with the addition of a fee amendment; and

WHEREAS, the Kendall County Board has considered the recommendations of the Planning, Building and Zoning Committee and the Kendall County Historic Preservation Commission and has determined that said petition is in conformance with the provisions and intent of the Kendall County Historic Preservation Ordinance; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, that the Kendall County Historic Preservation Ordinance be amended as follows:

- I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.
- II. Amended Text: Article I.2.U is amended by adding the following sentence to the end of the definition of *Historic District*:

“For the purposes of this definition, “historic district” shall be the same as “preservation district” as defined by State law.”

III. Amended Text: Article I.2 is amended by adding the following definition in the appropriate place alphabetically in the list of definitions:

“BB) *Super Majority Vote*: At least three-fourths approval of the vote of the entire Kendall County Board.”

IV. Amended Text: Article II.1.C is amended by deleting the present text and replacing it with the following:

“C) *Terms*. Terms of the initial members shall be staggered so that at least five serve respectively for the following terms: one for one year; one for two years; one for three years; one for four years; and one for five years. Any additional initial members shall also serve terms staggered in the same sequence. Successors to initial members so appointed shall serve for five year terms. All ex officio members shall serve the term of their elected or appointed office. All members shall serve until their successors are appointed. Vacancies shall be filled by the Kendall County Board from names submitted by the County Board Chair. Any preservation commission member may be removed by the County Board for cause, after public hearing.”

V. Amended Text: Article II.1.D is amended by deleting the present text of the first paragraph and replacing it with the following:

“D) *Officers*. Officers shall consist of a Chair, Vice-Chair and a Secretary. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both the Chair and the Vice-Chair are absent, a temporary Chair shall be elected by those present. One (1) of the members so appointed by the County Board shall be named as chairman at the time of appointment and other officers may be elected by the Preservation Commission. The Vice-Chair and Secretary shall serve a term of one (1) year and shall be eligible for re-election. No member shall serve as a Vice-Chair or Secretary in the same capacity for more than three (3) consecutive years. Once the member has served in the same capacity for three (3) years, a one (1) year hiatus from that office must be followed. The Chair shall ensure that the following duties are performed:”

VI. Amended Text: Article II.2.M is amended by deleting the present text and replacing it with the following:

“M) To review proposed amendments to zoning regulations and map amendments, applications for special uses or applications for zoning variations that affect any and all landmarks or historic districts. Proposed zoning amendments, applications for special use, or zoning variations that affect any landmark or historic district as defined in this ordinance shall be reviewed by support staff and forwarded to the Preservation Commission for review within seven (7) working days.”

VII. Amended Text: Article II.2.N is amended by deleting the present text and replacing it with the following:

“N) To administer on behalf of the County Board any County owned property, or full or partial interest in real property, including a conservation right, by approval of the County Board.”

VIII. Amended Text: Article III.3.A.d is amended by deleting the present text and replacing it with the following:

“d) If the applicant is not the current owner of record, written documentation and evidence establishing that the applicant notified the current owner of record of the nominated property and whether the owner of record consents or objects to the proposed landmark designation. Such documentation or evidence of record ownership shall include a recent title policy in the name of the applicant or other evidence of record ownership acceptable to the Historic Preservation Commission.”

VII. Amended Text: Article III.3.B.e is amended by deleting the present text and replacing it with the following:

“e) If the applicant is not the current owner of record, written documentation and evidence establishing that applicants notified the current owners of record of property in the area nominated for designation and that such owner comprise the owners of record of at least fifty-one percent (51%) of all sites contained in the nominated area. Such documentation or evidence of record ownership shall include recent title policies in the names of the applicants or other evidence of record ownership acceptable to the Historic Preservation Commission.”

VIII. Amended Text: Article III.5 is amended by deleting the present text of the first paragraph and replacing it with the following:

“The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark or historic district does or does not meet the criteria for designation as provided for in Article III, Section 4 herein. The report shall contain the following information:”

IX. Amended Text: Article III.12 is amended by deleting the present text and replacing it with the following:

“12. PUBLICATION OF MAP

A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the Kendall County website, and the same location and in the same manner as any County zoning map.”

X. Amended Text: Article III.18 is amended by adding the following:

“18. APPLICATION FEE

All applicants for landmark or historic district designation shall pay a fee of Five Hundred Dollars (\$500) at the time of application submittal. Said fee shall be waived upon approval by a majority vote of the Kendall County Historic Preservation Commission, if requested by the property owner or property owners.”

XI. Amended Text: Article IV.2.I is amended by deleting the present text in the final paragraph and replacing it with the following:

“In cases of historic districts or if structures remain a landmark, if a demolition permit is issued, the Preservation Commission shall require the applicant to submit for review and consideration post-demolition plans which shall include drawings and sketches with sufficient detail to show, as far as they relate to exterior appearance, the architectural design of any and all improvements incorporated in such plans.”

XII. Amended Text: Article IV.3.B is amended by deleting the present text and replacing it with the following:

“B) The Preservation Commission may solicit expert testimony.”

XIII. Amended Text: Article IV.3.C is amended by deleting the present text and replacing it with the following:

“C) The applicant for a Certificate of Economic Hardship shall submit the following information if requested by the Planning, Building and Zoning Department or the Preservation Commission in order to assist the Preservation Commission in its determination on the application:

i) An estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;

ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

iii) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;

iv) In the case of a proposed demolition, an estimate from a person or entity experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;

- v) Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, of any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer;
- vi) If the property is income-producing, the annual gross income from the property for the previous two (2) years; itemized operating and maintenance expenses for the previous two (2) years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
- vii) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two (2) years;
- viii) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two (2) years;
- ix) Assessed value of the property according to the two (2) most recent assessments;
- x) Real estate taxes for the previous two (2) years;
- xi) Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other.
- xii) Any other information, including the income tax bracket of the owner, applicant, or principal investors in the property considered necessary by the Preservation Commission to make a determination as to whether the property does yield or may yield a reasonable return to the owners.”

XIV. Amended Text: Article IV.3.D is amended by deleting the present text and replacing it with the following:

“D) Determination of Economic Hardship. Within sixty (60) days from receiving a request for a Certificate of Economic Hardship, the Commission, upon a determination that the denial of a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of or return on the property, may undertake one of the following actions:

- i) Offer the owner of the property reasonable financing, tax or other incentives sufficient to allow a reasonable use of, or return on, the property; or
- ii) Issue a Certificate of Appropriateness for the proposed construction, alteration, demolition or removal.

Written notice of the determination shall be provided in the same manner as required by Article IV, Section 2(e) of this Ordinance. This time limit may be waived only by mutual consent of the applicant and the Commission.”

XV. Amended Text: Article IV.3.E is amended by adding the following:

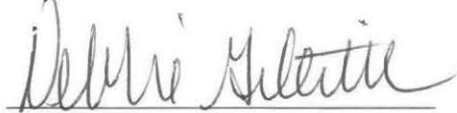
“E) Appeals. A denial of a Certificate of Economic Hardship is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said law and all amendments and modifications thereof, and the rules adopted thereto.”

XVI. Amended Text: Article V.2 is amended by deleting the second paragraph and replacing it with the following:

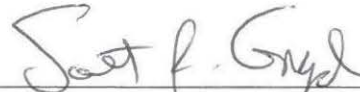
“In addition to the fine listed in the previous paragraph, a court of competent jurisdiction or a hearing officer in cases of administrative adjudication may direct the Kendall County Planning, Building and Zoning Department to withhold the issuance of a building property for period not to exceed five (5) years after the date of demolition in cases of unauthorized demolition of a landmark or any property within a designated preservation district at the property where the unauthorized demolition occurred.”

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of June, 2020.

Attest:



Debbie Gillette
Kendall County Clerk



Scott R. Gryder
Kendall County Board Chairman



ORDINANCE # 2017- 04

**AMENDMENT TO THE KENDALL COUNTY HISTORIC PRESERVATION
ORDINANCE: ARTICLE II "Organization"**

WHEREAS, the Kendall County Board established the Kendall County Historic Preservation Ordinance through Ordinance 2006-67; and

WHEREAS, the Kendall County Historic Preservation Commission, an agency of the Kendall County Board is invested with certain powers and duties pursuant to the Ordinance; and

WHEREAS, the Kendall County Historic Preservation Ordinance may propose landmarks & historic districts for designation by the County Board; and

WHEREAS, the Kendall County Board amends this Ordinances from time to time in the public interest.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends ARTICLE II. "Organization" of the Kendall County Historic Preservation Ordinance as presented in Exhibit "A", attached hereto and made a part hereof.

NOW, THEREFORE, BE IT FURTHER ORDAINED, this Amendment to the Kendall County Historic Preservation Ordinance shall be effective upon approval by the Kendall County Board.

IN WITNESS OF, this Amendment to the Kendall County Historic Preservation Ordinance was approved by the Kendall County Board on February 21, 2017.

Attest:



Debbie Gillette
Kendall County Clerk



Scott Gryder
Kendall County Board Chairman

Exhibit A

ARTICLE II

THE HISTORIC PRESERVATION COMMISSION

1. ORGANIZATION

A) *Appointment.* The Kendall County Board shall by ordinance appoint members to the Kendall County Preservation Commission from names submitted by the County Board Chair.

B) *Composition.* The Preservation Commission shall consist of five (5) members. All members shall be residents of Kendall County. The County Board Chair shall make a reasonable effort to nominate to the Preservation Commission at least one (1) attorney, one (1) historian or architectural historian, one (1) architect/engineer, and one (1) real estate professional knowledgeable in historic preservation; the other members shall be persons with a demonstrated interest in pre-history, history, or architecture. Commission vacancies shall be posted in a newspaper of general circulation within the county and on the county internet website. Included in the five (5) voting members, the County Board may appoint one of their members or staff to serve as a voting member of the Commission and liaison to the County Board.

C) *Terms.* Members shall serve for three year terms. All ex officio members shall serve the term of their elected or appointed office. All members shall serve until their successors are appointed. Vacancies shall be filled by the Kendall County Board from names submitted by the County Board Chair.

D) *Officers.* Officers shall consist of a Chair, Vice-Chair and a Secretary elected by the Preservation Commission. The Chair shall preside over meetings. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair. If both the Chair and the Vice-Chair are absent, a temporary Chair shall be elected by those present. The Chair, Vice-Chair and secretary shall serve a term of one (1) year and shall be eligible for re-election. No member shall serve as an officer in the same capacity for more than three (3) consecutive years. Once the member has served in the same capacity for three (3) years a one (1) year hiatus from that office must be followed. The Chair shall ensure that the following duties are performed:

- i) That minutes are taken of each Preservation Commission meeting;
- ii) That copies of the minutes, reports, and decisions of the Preservation Commission be published and distributed to the members of the Preservation Commission.
- iii) The Kendall County Board Chair is advised of vacancies on the Preservation Commission and expiring terms of members; and

iv) That there be prepared and submitted to the Kendall County Board a complete record of the proceedings before the Preservation Commission on any matters requiring County Board consideration. The Kendall County Planning, Building & Zoning Department shall be the official keeper of the records.

E) *Rules and Procedures.* The Historic Preservation Commission shall have the authority to develop and adopt rules and procedures necessary to carry out its functions under the provisions of this Ordinance.

F) *Meetings.* Meetings of the Preservation Commission shall be held no less than monthly, except in those months when no business is pending, and shall be held at such times and places within the County as the Commission shall decide. Special meetings may be called by the Chair or by the consent of two (2) members. All meetings of the Commission shall be open to the public, shall follow all provisions of the Open Meetings Act and shall adhere to Robert's Rules of Order. The Commission shall keep minutes of its proceedings, showing a vote of each member upon every question, or if absent or failing to vote, and shall also keep records of its official actions. Such minutes and records shall be open to the public for inspection at offices of the Kendall County Planning, Building & Zoning Department.

G) *Quorum.* A quorum shall consist of three (3) members. The transaction of business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of four (4) members.

H) *Compensation.* The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission's reserves.

I) *Annual Report.* The Commission shall submit an annual report of its activities to the Kendall County Board.

KENDALL COUNTY)
)
STATE OF ILLINOIS)

ORDINANCE NO. 2006-67

KENDALL COUNTY HISTORIC PRESERVATION ORDINANCE

WHEREAS, the County of Kendall is empowered pursuant to Illinois Compiled Statutes Chapter 55, Division 5-30, to establish and appoint a preservation study committee to evaluate resources and recommend courses of action to protect them, and said committee was duly appointed by the Kendall County Board on September 20, 2005; and

WHEREAS, the Kendall County Historic Preservation Study Committee has reviewed and evaluated existing State, county or local surveys of incorporated and unincorporated portions of Kendall County and determined that a number of buildings, structures, areas, sites and landscapes identified in said surveys which were of historic, architectural, cultural, archaeological, educational and/or scenic significance, have since been destroyed; and

WHEREAS, movement and shifts of population and changes in residential, commercial, agricultural and industrial use and customs can and will adversely affect and threaten the survival of potential landmarks and historic districts without a coordinated effort and exercise of police power; and

WHEREAS, the Kendall County Study Committee has determined the need to conduct an ongoing survey of the county to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and therefore potential landmarks or preservation districts and to recommend a preservation plan to the Board; and

WHEREAS, the preservation and continued utilization of potential landmarks and historic districts is necessary and desirable for the enjoyment and beauty of the County of Kendall and for the health, safety, prosperity and general welfare of the citizens of the County; and

WHEREAS, the Kendall County Land Resources Management Plan states, "The County will establish and maintain an historic preservation program, working with state and municipal agencies to identify, protect and enhance historic buildings and sites within incorporated and unincorporated sections of the County"; and

WHEREAS, the Kendall County Historic Preservation Study Committee has conducted the required public hearings, presented its final report to the Kendall County Board and submitted a Kendall County Historic Preservation Ordinance, hereto attached, to the County Board for their consideration; and

WHEREAS, the Kendall County Historic Preservation Ordinance provides for the creation of the Kendall County Preservation Commission, an agency of the Kendall County Board invested with certain powers and duties pursuant to this Ordinance; and

WHEREAS, the Kendall County Historic Preservation Ordinance hereto attached includes all revisions requested by members of the Kendall County Board;

WHEREAS, the Kendall County Board recommended adoption of the Ordinance on August 15, 2006 as ordinance 06-67;

WHEREAS, a search of the Clerk's file revealed the necessary ordinance cover sheet was not included;

NOW, THEREFORE, BE IT ORDAINED by the Kendall County Board that the Kendall County Historic Preservation Ad Hoc Study Committee was terminated.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Kendall County Board that the Kendall County Historic Preservation Ordinance, which is attached hereto, is hereby adopted;

EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

ADOPTED BY THE COUNTY BOARD THIS 15th DAY OF August, 2006.



John Church
Kendall County Board Chairman



Paul Anderson
Kendall County Clerk

06-67

ARTICLE I

PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

1. PURPOSES & INTENT

The purposes and intent of this Ordinance are as follows:

- A) To identify, designate, protect, preserve, and encourage the restoration, rehabilitation, and adaptation for continued use of those properties and structures which represent or reflect the historic, cultural, artistic, social, economic, ethnic or political heritage of the United States of America, State of Illinois, or Kendall County or which may be representative of an architectural or engineering type inherently valuable for the study of style, period, craftsmanship, method of construction or use of indigenous materials;
- B) To safeguard the County's historic, aesthetic and cultural heritage as embodied and reflected in such structures and landscape features;
- C) To stabilize and improve the economic vitality and value of designated landmarks and historic districts in particular and of the County in general;
- D) To foster civic pride in the beauty and noble accomplishments of the past in order that both the pride and the accomplishments themselves may be passed on to future generations;
- E) To protect and enhance the County's attractions for tourists and visitors as well as to support and provide stimulus to business and industry;
- F) To strengthen the economy of the County;
- G) To promote the use of historic districts and landmarks for the education, pleasure, and welfare of the citizens of Kendall County and;
- H) To educate the general public, government officials and real estate interests about the value of historic preservation to the economy, and long-term quality of life for those who live and work in the County.

2. DEFINITIONS

For the purposes of this Ordinance, certain words, phrases, and terms shall have the following meanings:

- A) *Alteration*: Any act or process that changes one or more historic, architectural, or physical features of an area, site, landscape, place, and/or structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure; the expansion or significant modification of agricultural activities;

Kendall County Department of Health.

L) *Design Criteria*: Standards of appropriate activity that will preserve the historic, architectural, scenic or aesthetic character of a landmark or historic district.

M) *Development Rights*: The development rights of a landmark or of a property within a historic district as defined in Section 11-48.2-1A of the Illinois Municipal Code.

N) *Development Rights Bank*: A reserve for the deposit of development rights as defined in Section 11-48.2-1A of the Illinois Municipal Code.

O) *Exterior Architectural Appearance*: The architectural character and general composition of the exterior of a building or structure, including but not limited to the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

P) *Historic Significance*: Character, interest or value as part of the development, heritage, or culture of the community, County, State or Nation; or as the location of an important local, County, State or national event; or through identification with a person or persons who made important contributions to the development of the community, County, State or Nation.

Q) *Landmark*: A property or structure designated as a "Landmark" by ordinance of the County Board, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration, or preservation because of its historic, scenic, or architectural significance.

R) *Landscape*: A natural feature or group of natural features such as, but not limited to: valleys, rivers, lakes, marshes, swamps, forests, woods, or hills; or a combination of natural features and buildings, structures, objects, cultivated fields, or orchards in a predominantly rural setting.

S) *Object*: Any tangible items, including any items of personal property, including, but not limited to: wagons, boats, and farm machinery that may be easily moved or removed from real estate property.

T) *Owner*: The person or corporation or other legal entity in whose name or names the property appears on the records of the County Recorder of Deeds.

U) *Historic district*: An area designated as a "historic district" by ordinance of the County Board and which may contain within definable geographic boundaries one or more landmarks and which may have within its boundaries other properties, areas, sites, landscapes or structures, while not of such historic, architectural or scenic significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the district.

Commission as herein provided.

B) The use of property and improvements which have been designated under this Ordinance shall be governed by the Kendall County Zoning Ordinance, as amended.

G) If any particular section of this Ordinance is declared to be unconstitutional or void, only the particular section is affected, and all other sections of this Ordinance shall remain in full force and effect.

H) For purposes of remedying emergency conditions determined to be dangerous to life, health or property, the Commission may waive the procedures set forth herein and grant immediate approval for a Certificate of Appropriateness. The Commission shall state its reasons in writing for such approval.

I) No member of the Preservation Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member.

ARTICLE II

THE HISTORIC PRESERVATION COMMISSION

1. ORGANIZATION

A) *Appointment.* The Kendall County Board shall by ordinance appoint members to the Kendall County Preservation Commission from names submitted by the County Board Chair.

B) *Composition.* The Preservation Commission shall consist of nine (9) members. All members shall be residents of Kendall County. The County Board Chair shall nominate to the Preservation Commission at least one (1) attorney, one (1) historian or architectural historian, one (1) architect/engineer, and one (1) real estate professional knowledgeable in historic preservation; the other members shall be persons with a demonstrated interest in archaeology, Kendall County history, architecture, engineering, preservation and/or the preservation of community character. Commission vacancies shall be posted in a newspaper of general circulation within the county and on the county internet website. No more than three (3) members shall be from the same township. In addition to the nine (9) voting members, the County Board may appoint one of their members or staff to serve as an ex-officio, non-voting member of the Commission and liaison to the County Board.

C) *Terms.* Terms of the initial members shall be staggered so that three serve for one year; three for two years; and three for three years. Successors to initial members shall serve for three year terms. All ex officio members shall serve the

H) *Compensation.* The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission's reserves.

I) *Annual Report.* The Commission shall submit an annual report of its activities to the Kendall County Board.

2. POWERS & AUTHORITIES

The Preservation Commission shall have the following powers and authority.

A) To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts;

B) To hold public hearings and recommend to the County Board the designation of landmarks or historic districts;

C) To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation;

D) To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts;

E) To keep a register of all designated landmarks and historic districts;

F) To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers;

G) To nominate, with owners' consent, landmarks and historic districts to any state or federal registers of historic places;

H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic places;

I) To inform and educate the citizens of the County concerning the historic, archaeological, architectural, or scenic heritage of the County by publishing

any matter affecting potential or designated landmarks or historic districts;

T) To periodically review any County Land resource management plan and to develop a preservation component in any comprehensive plan of the County and to recommend it to the Regional Plan Commission, the Planning, Building & Zoning Committee and the County Board;

U) To periodically consult the County zoning administrator, review any County zoning ordinance and building code, and to recommend to the County Board any amendments appropriate for the protection and continued use of landmarks or property within historic districts;

V) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purposes of this Ordinance.

W) To recommend to the County Board the adoption of intergovernmental agreements between the County Board and Kendall County municipalities that allow for the nomination and designation by the County Board of individual landmarks and historic districts within incorporated areas and that afford the protection of landmarks and historic districts through the provisions of this Article, and

X) To periodically monitor designated landmarks and preservation districts for demolition by neglect and to refer negligent cases to the appropriate county agency for enforcement.

ARTICLE III

DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS

1. INVESTIGATION & RESEARCH

The Preservation Commission shall undertake an ongoing investigation and research effort in the County to identify areas, sites, structures, and objects that have historic, cultural, community, architectural or aesthetic importance, interest, or value. As part of the investigation, the Commission shall review and evaluate any prior surveys and studies by any unit of government, private organization or individual and compile appropriate descriptions, facts, and photographs.

The Commission shall make an effort to systematically identify potential landmarks and districts and adopt procedures to nominate them individually or in groups based upon the following criteria:

- a) The potential landmarks or districts in one township or distinct geographical area of the County;

street address of the property proposed for designation.

c) A map delineating the boundaries and location of the property proposed for designation.

d) A written statement describing the property and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts

The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination including written proof of owners' consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

a) The names and addresses, as shown on the tax assessor's rolls, of the owner of record of the property proposed for designation and a notarized signed statement of consent of 100% of the owners

b) The Permanent Index Numbers (PIN), legal descriptions, and common street addresses of the properties proposed for designation.

c) A map delineating the boundaries and location of the properties proposed for designation.

d) A written statement describing the properties and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B.) Historic Districts

The Commission may recommend to the County Board the designation of Historic Districts upon written proof of 100% of property owners' consent whose property is located within the boundaries of the proposed district. In addition to owners' consent, Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

6. NOTIFICATION OF NOMINATION

The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING

A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

8. RECOMMENDATION OF PRESERVATION COMMISSION

Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

9. DESIGNATION

The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks applications, the County Board, after reviewing the report and recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

A) Designate the landmark by ordinance; or

B) Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.

carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County at the expense of the property owner.

16. AMENDMENT & RESCISSION OF DESIGNATION

The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner's consent.

17. TRANSFER OF JURISDICTIONAL CONTROL

Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.

ARTICLE IV

ALTERATION, CONSTRUCTION, DEMOLITION, AND MAINTENANCE

1. SCOPE

Work on property and improvements so designated pursuant to this ordinance shall be regulated as follows:

A) Landmarks: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures which have been designated under this ordinance as landmarks, except as shall be approved by a Certificate of Appropriateness.

B) Historic districts: No significant alterations, exterior construction or exterior demolition or interior alteration which may affect the exterior appearance may be performed on property and structures located within an area which is designated under this ordinance as a historic district, except as shall be approved by a Certificate of Appropriateness.

2. CERTIFICATE OF APPROPRIATENESS

A) A Certificate of Appropriateness from the Preservation Commission established pursuant to this Ordinance shall be required before any significant alteration, construction, demolition or removal that affects pending or designated landmarks or historic districts is undertaken. Such a certificate is required for all such actions from the date a nomination form is submitted to the Preservation Commission.

seriously impair the historic or architectural value of surrounding structures or the surrounding area.

C) Design Guidelines. The Commission shall consider the following factors in reviewing applications for Certificates of Appropriateness:

i) *Height*: The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.

ii) *Proportions of Windows and Doors*: The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.

iii) *Relationship of Building Masses and Spaces*: The relationship of a structure within a historic district to open space between it and adjoining structures should be compatible or similar to relationships commonly found between similar structures in the district.

iv) *Roof Shape*: The design of the roof should be compatible with the architectural style and character of the landmark and surrounding structures which are similar in design in a historic district.

v) *Landscaping*: Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.

vi) *Scale*: The scale of the structure after alteration, construction, or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.

vii) *Directional Expression*: Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures or of its stylistic design. The directional expression of a landmark after any alteration, construction, or partial demolition should be compatible with its original architectural style and character.

viii) *Architectural Details*: Architectural details, including materials and textures, should be treated so as to make a landmark compatible with its original architectural style or character.

D) Standards for Review. The Commission, in considering the appropriateness of any alteration, demolition, new construction, or removal to any property or

not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

x) Wherever possible, new additions or alterations to structures should be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would not be impaired.

E) **Determination by Preservation Commission.** Within fifteen (15) business days after support staff review, or from the date of the regular meeting, or from the close of a public hearing concerning an application for a Certificate of Appropriateness, or within such further time as the applicant for said certificate (and/or permit) approves in writing, the Commission shall determine whether:

i) The proposed construction, alteration, demolition, removal or other modification will be appropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be issued; or

ii) Such proposed modification is inappropriate to the preservation of the particular landmark or historic district and a Certificate of Appropriateness may be denied.

Written notice of the approval or denial of the application for a Certificate of Appropriateness shall be provided the applicant, sent by certified mail with return receipt requested, and to the Kendall County Planning, Building & Zoning Department within seven (7) days (Saturdays, Sundays, and legal holidays excluded) following the determination and shall be accompanied by a Certificate of Appropriateness in the case of an approval.

F) **Denial of Certificate of Appropriateness.** A denial of a Certificate of Appropriateness shall be accompanied by a statement of the reasons for the denial. The Preservation Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Preservation Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the difference(s) between the applicant and the Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Preservation Commission.

G) **Decision Binding on Planning, Building & Zoning Department.** The Director of the Kendall County Planning, Building & Zoning Department shall be bound by the determination of the Commission and approve, if in conformance with other provisions of the Building Code, or disapprove any application for the proposed construction, alteration, removal of an exterior architectural feature, or

ii) If twelve (12) months have elapsed after issuance of the Certificate and no building permit has been issued.

K) Appeals. A denial of a Certificate of Appropriateness is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said Administrative Review Law and all amendments and modifications thereof, and the rules adopted thereto.

3. ECONOMIC HARDSHIP

A) The Preservation Commission may issue a Certificate of Economic Hardship upon determination that the failure to issue a Certificate of Appropriateness has denied, or will deny the owner of a landmark or of a property within a historic district all reasonable use of, or return on, the property. Application for a Certificate of Economic Hardship shall be made on a form and in the manner as prescribed by the Preservation Commission. The Preservation Commission may schedule a public hearing concerning the application and provide notice in the same manner as prescribed in Article III, Section 6, of this Ordinance and conduct the hearing in the same manner as prescribed in Article III, Section 7, of this Ordinance.

B) The Preservation Commission may solicit expert testimony and the applicant for a Certificate of Economic Hardship shall submit all of the following information in order to assist the Preservation Commission in its determination on the application:

- i) An estimate of the cost of the proposed construction, alteration, demolition, or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Preservation Commission for changes necessary for the issuance of a Certificate of Appropriateness;
- ii) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;
- iii) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Preservation Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;
- iv) In the case of a proposed demolition, an estimate from a person or entity experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;

iii) Issue a Certificate of Appropriateness for the proposed construction, alteration, demolition or removal.

Written notice of the determination shall be provided in the same manner as required by Article IV, Section 2(e) of this Ordinance. This time limit may be waived only by mutual consent of the applicant and the Commission.

D) Appeals. A denial of a Certificate of Economic Hardship is an administrative decision as defined in Section 3-101 of the Illinois Administrative Review Law, and it shall be subject to judicial review pursuant to provisions of said law and all amendments and modifications thereof, and the rules adopted thereto.

4. MAINTENANCE OF HISTORIC PROPERTIES

Nothing in this Article shall be construed to prevent the ordinary maintenance of any exterior elements of a property or structures designated or nominated as a landmark or located within a designated or nominated historic district.

5. PUBLIC SAFETY EXCLUSION

None of the provisions of this ordinance shall be construed to prevent any measures of construction, alteration, or demolition necessary to correct or abate the unsafe or dangerous condition of any structure, other feature or part thereof, where such condition has been declared unsafe or dangerous by the Director, Kendall County Planning, Building & Zoning Department, the Kendall County Health Department or any Fire Protection District and where the proposed measures have been declared necessary, by such department or departments to correct the said condition; provided, however, that only such work as is reasonably necessary to correct the unsafe or dangerous condition may be performed pursuant to this Section.

In the event any structure or other feature shall be damaged by fire or other calamity, or by Act of Nature or by the public enemy, to such an extent that, in the opinion of the aforesaid department or departments, it cannot reasonably be repaired and restored, it may be removed in conformity with normal permit procedures and applicable laws.

6. DEMOLITION BY NEGLIGENCE

It is the intent of this section to preserve from deliberate or inadvertent neglect the features of landmarks and contributing buildings and structures within designated historic districts.

Periodically, the Commission shall, in conjunction with its ongoing survey operations, survey the exterior of each designated landmark and each property within a historic district to ensure that the property is not suffering from demolition by neglect, as defined in the ordinance. The Commission's Secretary shall document the performance of each annual neglect survey.

Any owner who fails to maintain their building or structure in compliance with this section shall be subject to remedial procedures. Upon a finding by the Commission that a

surveyor, engineer, realtor, attorney, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

3. EQUITABLE RELIEF

In addition to other remedies provided by law, Kendall County may institute any appropriate action or proceeding to prevent, restrain, abate or correct a violation of this Ordinance, including, but not limited to, requiring the restoration of property and improvements to its appearance prior to the violation.

ORDINANCE NUMBER 2015 - 07

**DESIGNATING A HISTORIC LANDMARK TO
1542 PLAINFIELD ROAD, OSWEGO**

WHEREAS, the people of the County of Kendall take great pride in the historic buildings, structures, sites, and landscapes of the County that exemplify the heritage or culture of the County of Kendall, State of Illinois; and

WHEREAS, the County of Kendall is empowered pursuant to 55 ILCS 5/5 - 30001 (1992), to establish and appoint by ordinance a preservation commission and to designate by ordinance landmarks and preservation districts upon the recommendation of the preservation commission; and

WHEREAS, the Kendall County Board adopted the Kendall County Historic Preservation Ordinance establishing said Commission on August 15, 2006 as Ordinance 06-67; and

WHEREAS, Candice Hadley has filed a petition to landmark her home for property located on the south side of Plainfield Road about 1.1 miles west of Ridge Road, commonly known as 1542 Plainfield Road, (PIN # 03-35-377-003), in Oswego Township; and

WHEREAS, said petition is to obtain a Kendall County Historic Landmark Designation; and

WHEREAS, said property is legally described as:

LOT 107 OF THE COUNTY CLERK'S SUBDIVISION OF A PART OF THE NORTH HALF OF SECTION 2 AND PART OF THE NORTHWEST QUARTER OF SECTION 1 IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND A PART OF THE SOUTH HALF OF SECTION 35, IN TOWNSHIP 37 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 9, 1971, IN BOOK 13 OF PLATS, PAGE 59, AS DOCUMENT 71-2373; IN THE TOWNSHIPS OF OSWEGO AND NA-AU-SAY, KENDALL COUNTY, ILLINOIS

WHEREAS, all procedures required by the Kendall County Historic Preservation Ordinance were followed including notice for public hearing, preparation of the initial recommendation and report in accordance with Article III, Section 4 of the Historic Preservation Ordinance, and recommendation for approval by the Historic Preservation Commission on March 6, 2015; and

WHEREAS, the report contained the following information:

An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;

- ✓ It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;
- ✓ It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
- ✓ It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
- ✓ It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
- ✓ It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;
- ✓ It is suitable for preservation or restoration;
- ✓ It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

A description of the integrity or lack of integrity of the nominated landmark or historic district:

The home was built in 1865. The original main floor has four rooms: formal front parlor, family room (converted in early 1970's from two smaller rooms), dining room and kitchen. The original pine plank flooring is still intact in all rooms except the kitchen; as is all original woodwork and some doors.

- There is a staircase with the original curved banister inside the double doors (with a curved wall underneath). Another curved wall in the hallway is hidden behind a door that decades ago was installed for access to a half bath.
- The formal front parlor, currently a wheelchair accessible bedroom, has original crown molding.
- The dining room features a stone mantle fireplace recently installed to replace a circa 1970's inappropriate brick "Colonial" fireplace. A door leading to a "silverware closet" under the stairs has been walled over (decades ago a large radiator was installed in that space to heat the main hallway).
- The narrow staircase leading to the basement is still intact under the floor of the pantry.

The second floor of the original structure originally included five rooms, three bedrooms, a billiard room and probably a maid's room. Currently there are four bedrooms, one bathroom (top of main stairs) and the maid's room is now a master bath. There also is a rear staircase from the dining room (next to the fireplace) leading up to a small hallway to the master bath, bedroom and attic stairway.

The basement level originally included four rooms with access via the narrow kitchens staircase and an exterior cellar entrance.

The north-facing stately brick home resides on 5.27 acres in a rural setting, four miles southeast of Oswego. A 100+ year old barn, corn crib, hog house, machine shed and chicken coop remain on the property, in addition to a front yard with large maples along the curved brick drive, a field, two fenced horse pastures, gardens and an orchard.

A map showing the location of the nominated landmark or the boundaries of the nominated historic district.



In the case of a nominated landmark found to meet the criteria for designation, the report shall include a description of the significant exterior architectural features of the nominated landmark that should be protected.

The Italianate Gaylord two-story brick residence is a gabled ell sitting on a cut limestone, raised foundation. Tall, arched windows are delineated with cut stone sills and corbelled lintels; broad eaves are supported with massive, incised brackets. There are two front entrances; one with double doors. Ornate porches adorn the front and rear facades.

WHEREAS, the Kendall County Board has considered the initial recommendation and report of the Historic Preservation Commission and finds that said petition is in conformance with the provisions and intent of the Kendall County Historic Preservation Ordinance; and

WHEREAS, the owner, Candace Hadley as signed the owner affidavit stated that "We give our full consent to the Kendall County Board to designate said property as a Kendall County Landmark. We further attest that there are no other owners. We will perform no alterations, exterior construction, exterior demolition or interior alteration which may affect the exterior appearance of this property except as shall be approved by a Certificate of appropriateness unless the Kendall County Board shall deny the nomination for Landmark designation;" and

WHEREAS, this landmark shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a Kendall County Historic Landmark, placed on the Kendall County Register of Historic Places and afforded the protection of a historic landmark as provided through provisions in the Kendall County Historic Preservation Ordinance.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking

the Landmark Designation.

IN WITNESS OF, this ordinance has been enacted on April 21, 2015.

Attest:

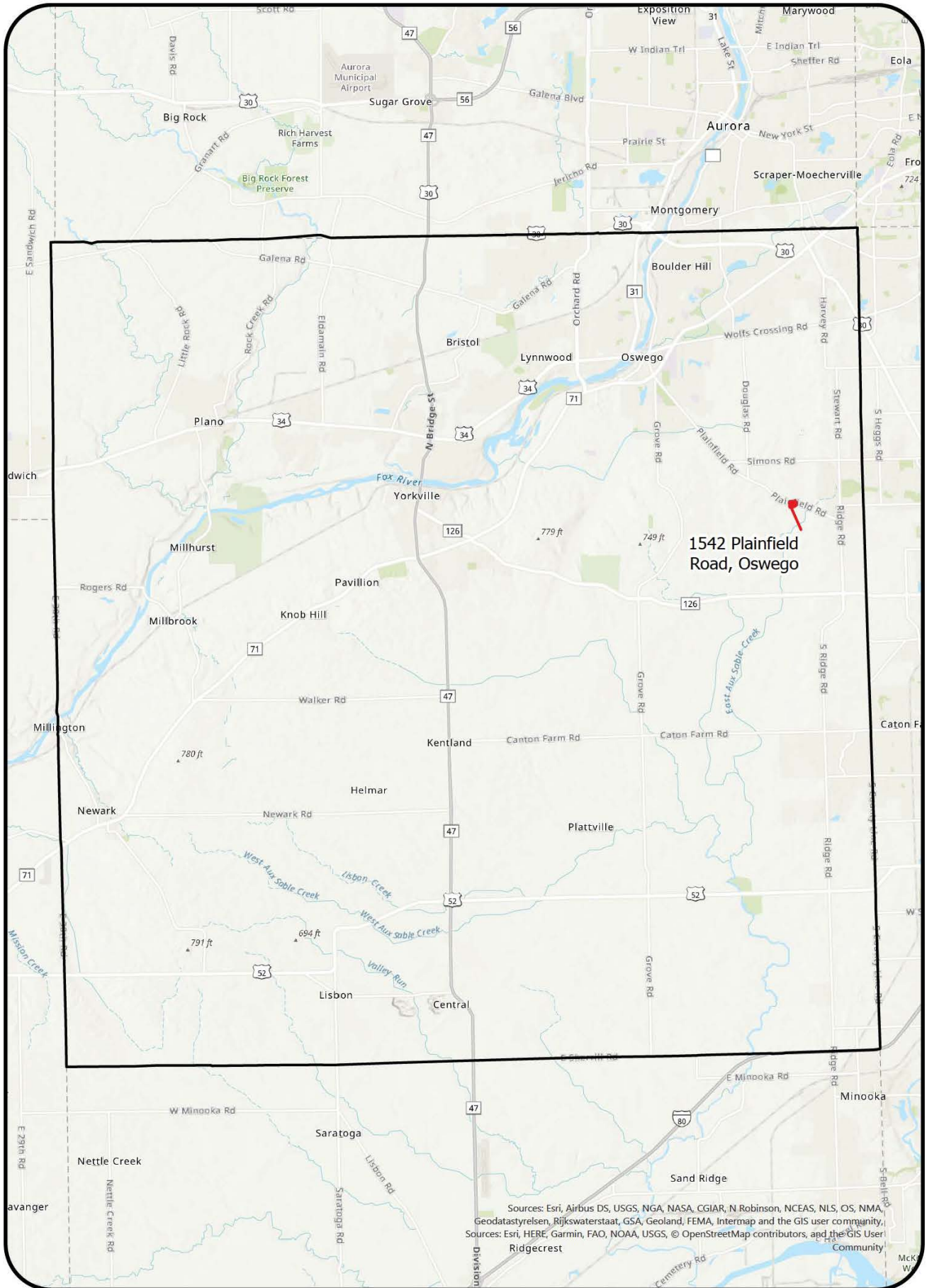


Debbie Gillette
Kendall County Clerk

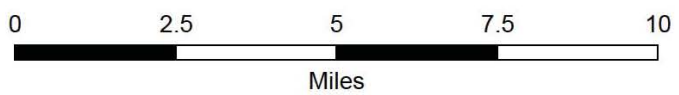


John Shaw
Kendall County Board Chairman

1542 Plainfield Road, Oswego



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212
Created: 8/12/2020

**HISTORIC PRESERVATION COMMISSION MEMBERS
RESUME**

Name of Local Government: Kendall County

Commissioner Name: Eric Bernacki

Mailing Address: [REDACTED]

Home Address: [REDACTED]

Telephone: *Home:* [REDACTED]

Term of Membership: Four Years

Date Term Expires: July 2024

Occupation: Pricing Analyst at Waste Management

Does your occupation satisfy a Membership Requirement? Yes

Education: B.S in Finance from Illinois State University

Please specify your knowledge, expertise and/or **demonstrated** interest in historic preservation (e.g. member of a preservation organization, hands-on experience, training, etc.):

I have an interest in historic preservation in our county and I am excited to explore all of our options available to us with future CLG status. I do have a background with construction that can aid in preservation guidelines.

If above information is not provided, the SHPO cannot process the application

**HISTORIC PRESERVATION COMMISSION MEMBERS
RESUME FORMAT**

Name of Local Government: Kendall County

Commissioner Name: Kristine Heiman

Mailing Address: [REDACTED]

Home Address: [REDACTED]

Telephone: *Business* 630-503-6555 ext 101 *Home* [REDACTED]

Term of Membership: 2020

Date Term Expires: 2022

Occupation:
REALTOR®

Does your occupation satisfy a Membership Requirement? Y X N

Education (Please include degree and major): REALTOR® Licensed 1981
Managing Broker license 2012

Please specify your knowledge, expertise and/or **demonstrated** interest in historic preservation (e.g. member of a preservation organization, hands-on experience, training, etc.):

Kendall County Historic Preservation Committee

If above information is not provided, the SHPO cannot process the application

**HISTORIC PRESERVATION COMMISSION MEMBERS
RESUME FORMAT**

Name of Local Government: Kendall County

Commissioner Name: Elizabeth Flowers

Mailing Address: [REDACTED]

Home Address: [REDACTED]

Telephone: *Business* _____ *Home* [REDACTED]

Term of Membership: 2 years

Date Term Expires:
2022

Occupation: Kendall County Board, Insurance Sales

Does your occupation satisfy a Membership Requirement? Y N

Education (Please include degree and major): BA History

Please specify your knowledge, expertise and/or **demonstrated** interest in historic preservation (e.g. member of a preservation organization, hands-on experience, training, etc.):

As a history major, I have always been interested in preserving our historic structures. As a Kendall County Board member I have been able to be appointed to this historic preservation committee to pursue those goals.

If above information is not provided, the SHPO cannot process the application

**HISTORIC PRESERVATION COMMISSION MEMBERS
RESUME FORMAT**

Name of Local Government: Kendall County

Commissioner Name: JEFF WEHRLI

Mailing Address: [REDACTED]

Home Address: SAME

Telephone: *Business* 630-851-8882 *Home* —

Term of Membership: 3 YRS

Date Term Expires: JULY 2023

Occupation: OWNER: JEFF WEHRLI EXCAVATING, INC.

Does your occupation satisfy a Membership Requirement? Y N

Education (Please include degree and major):
HIGH SCHOOL GRADUATE

Please specify your knowledge, expertise and/or **demonstrated** interest in historic preservation (e.g. member of a preservation organization, hands-on experience, training, etc.):

MEMBER OF THE HPC FOR ABOUT 15 YEARS, MY ORIGINAL
INTEREST CAME FROM MY FAMILY'S PRESENCE IN NAPERVILLE
SINCE THE 1930'S. WAS INVOLVED IN THE DUPLICATION
OF THE PRE-EMPTION HOUSE, WHERE MY FATHER WAS
RAISED.

If above information is not provided, the SHPO cannot process the application

***HISTORIC PRESERVATION COMMISSION MEMBERS
RESUME FORMAT***

Name of Local Government: Kendall County

Commissioner Name: Matt Asselmeier

Mailing Address: 111 W. Fox Street, Room 203, Yorkville, IL 60560

Home Address: [REDACTED]

Telephone: *Business* 630-553-4139 *Home* [REDACTED]

Term of Membership: Not a Member-Serve as Staff for the Commission

Date Term Expires: N/A

Occupation: Senior Planner

Does your occupation satisfy a Membership Requirement? Y N N/A

Education (Please include degree and major): Bachelor's of Science in Historical Studies with a Minor in Political Science; Master's Degree in Public Administration; both degrees are from Southern Illinois University at Edwardsville

Please specify your knowledge, expertise and/or **demonstrated** interest in historic preservation (e.g. member of a preservation organization, hands-on experience, training, etc.):

I possess a college degree in history. I have completed two municipal comprehensive plans (Waterloo, IL in 2006 and Godfrey, IL in 2008) and both of these plans had historical components. I am a member of the American Institute of Certified Planners since 2009. In 2012, I coordinated events surrounding Alton, Illinois' 175 anniversary celebration. I served on the Historic Preservation Commission in Alton from September 2014 until December 2016. I worked with the EPA and City of Alton to coordinate a program for property owners seeking to balance energy efficiency and historic preservation. In 2019 and 2020, I assisted with revising the Kendall County Historic Preservation Ordinance to make the Ordinance compatible with Certified Local Government standards. In 2018, 2019, and 2020, I organized meetings between the Kendall County Historic Preservation Commission and other groups interested in Historic Preservation in Kendall County.

If above information is not provided, the SHPO cannot process the application

The Kendall County Historic Preservation Commission works with property owners, County departments, other historic preservation groups, allied organizations, and the general public to promote the preservation of Kendall County's historic resources. The Commission reviews applications for landmark designations and provides recommendations of the same to the County Board. The Commission reviews permit applications for work on proposed and designated landmarks. The Commission maintains surveys of historic landmarks and districts and promotes the preservation of historic structures through incentive research assistance, preservation planning, public outreach, and technical assistance.

COUNTY OF KENDALL, ILLINOIS

Resolution 2020 - _____

National Suicide Prevention Awareness Month

WHEREAS; September is known around the United States as National Suicide Prevention Awareness Month and is intended to help promote awareness surrounding each of the Suicide Prevention resources available to us and our community. The simple goal is to learn how to help those around us and how to talk about suicide without increasing the risk of harm; and

WHEREAS; Suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and

WHEREAS; According to the CDC, each year more than 41,000 people die by suicide; and

WHEREAS; Suicide is the 10th leading cause of death among adults in the US, and the 2nd leading cause of death among people aged 10-24; and

WHEREAS; Kendall County is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, athletic coaches, pack leaders, police officers, and parents, as partners in supporting our community in simply being available to one another; and

WHEREAS; local organizations like Suicide Prevention Services (SPS) and national organizations like the National Alliance on Mental Illness (NAMI) are on the front lines of a battle that many still refuse to discuss in public, as suicide and mental illness remain too taboo a topic to speak on; and

WHEREAS, every member of our community should understand that throughout life's struggles we all need the occasional reminder that we are all silently fighting our own battles; and

WHEREAS, I encourage all residents to take the time to inquire as to the wellbeing of their family, friends, and neighbors over the next few days and to genuinely convey their appreciation for their existence by any gesture they deem appropriate. A simple phone call, message, handshake, or hug can go a long way towards helping someone realize that suicide is not the answer.

NOW, THEREFORE, be it resolved that the Kendall County Board does hereby proclaim the month of September 2020, as National Suicide Prevention Awareness Month in County of Kendall, Illinois.

PRESENTED and ADOPTED by the County Board, this 15th day of September 2020.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk



County of Kendall

Resolution 20-

A RESOLUTION ESTABLISHING CONSTITUTION WEEK 2020

WHEREAS: September 17, 2020 marks the two hundred thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebration which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the week of September 17 through 23 as **CONSTITUTION WEEK**

BE IT FURTHER RESOLVED, we ask our citizens to reaffirm the ideals that the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

PRESENTED and ADOPTED by the County Board, this 15th day of September 2020.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder



Kendall County Clerk				
Revenue Report		8/1/20-8/31/20	8/1/19-8/31/19	8/1/18-8/31/18
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,185.50	\$ 920.00	\$ 882.50
MARFEE	County Clerk Fees - Marriage License	\$2,520.00	\$ 2,250.00	\$ 2,730.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$ -	\$ -
ASSUME	County Clerk Fees - Assumed Name	\$75.00		
CRTCOP	County Clerk Fees - Certified Copy	\$2,108.00		
NOTARY	County Clerk Fees - Notary	\$205.00		
MISINC	County Clerk Fees - Misc	\$35.00	\$ 1,960.00	\$ 2,530.50
	County Clerk Fees - Misc Total	\$6,128.50	\$5,130.00	\$6,143.00
RECREE	County Clerk Fees - Recording	\$40,845.00	\$ 31,545.00	\$ 29,893.00
	Total County Clerk Fees	\$46,973.50	\$36,675.00	\$36,036.00
CTYREV	County Revenue	\$44,290.75	\$ 48,171.00	\$ 54,149.50
DCSTOR	Doc Storage	\$23,964.50	\$ 18,476.00	\$ 17,504.50
GISMAP	GIS Mapping	\$75,930.00	\$ 31,208.00	\$ 29,539.00
GISRCD	GIS Recording	\$5,062.00	\$ 3,904.00	\$ 3,693.00
INTRST	Interest	\$23.68	\$ 17.71	\$ 17.76
RECMIS	Recorder's Misc	\$833.00	\$ 6,731.50	\$ 5,910.25
RHSP	RHSP/Housing Surcharge	\$21,339.00	\$ 16,560.00	\$ 15,885.00
TAXCRT	Tax Certificate Fee	\$560.00	\$ 960.00	\$ 440.00
TAXFEE	Tax Sale Fees	\$35.00	\$ -	\$ 40.00
PSTFEE	Postage Fees		\$ -	
CK # 19012	To KC Treasurer	\$219,011.43	\$162,703.21	\$163,215.01
Death Certificate Surcharge sent from Clerk's office \$1712.00 ck # 19010				
Dom Viol Fund sent from Clerk's office \$420.00 ck 19011				

Office of Jill Ferko

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

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
FOR NINE MONTHS ENDED 08/31/2020

<u>REVENUES*</u>	Annual <u>Budget</u>	2020 YTD <u>Actual</u>	2020 YTD <u>%</u>	2019 YTD <u>Actual</u>	2019 YTD <u>%</u>
Personal Property Repl. Tax	\$390,000	\$336,587	86.30%	\$324,701	87.76%
State Income Tax	\$2,300,000	\$2,062,263	89.66%	\$2,058,603	92.67%
Local Use Tax	\$700,000	\$723,736	103.39%	\$609,898	89.04%
State Sales Tax	\$550,000	\$401,362	72.97%	\$386,575	70.29%
County Clerk Fees	\$325,000	\$324,785	99.93%	\$244,335	75.18%
Circuit Clerk Fees	\$1,350,000	\$783,523	58.04%	\$550,920	68.86%
Fines & Foreits/St Atty.	\$300,000	\$205,121	68.37%	\$173,011	53.23%
Building and Zoning	\$68,000	\$82,926	121.95%	\$61,340	90.21%
Interest Income	\$200,000	\$133,846	66.92%	\$250,863	167.24%
Health Insurance - Empl. Ded.	\$1,266,656	\$902,004	71.21%	\$897,463	70.92%
1/4 Cent Sales Tax	\$3,105,000	\$2,261,478	72.83%	\$2,289,164	73.73%
County Real Estate Transf Tax	\$425,000	\$367,492	86.47%	\$310,957	73.17%
Federal Inmate Revenue	\$2,044,000	\$1,697,280	83.04%	\$1,736,455	107.27%
Sheriff Fees	\$170,000	\$67,996	40.00%	\$125,803	70.94%
TOTALS	\$13,193,656	\$10,350,398	78.45%	\$10,020,089	82.91%
Public Safety Sales Tax	\$5,324,000	\$3,893,464	73.13%	\$3,978,427	76.22%
Transportation Sales Tax	\$6,000,000	\$3,893,464	64.89%	\$3,978,427	79.57%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 9 months the revenue and expense should at 75.00%

EXPENDITURES

All General Fund Offices/Categories

\$29,562,287 \$20,477,243 69.27% \$19,819,504 69.33%



KENDALL COUNTY CORONER
— JACQUIE PURCELL —

Description	**	August 2020	Fiscal Year-to-Date	August 2019
Total Deaths		29	299	28/193
Natural Deaths		26	275	25/180
Accidental Deaths		1	13	0/3
Pending		2	2	0/0
Suicidal Deaths		0	8	3/9
Homicidal Deaths		0	1	0/0
Undertermined		0	1	0/1
Toxicology		2	28	3/16
Autopsies		2	20	2/12
Cremation Authorizations		17	190	21/119
Scenes Responded to:		Transported by Coroner's Office:		External Examinations:
4		3		2

**

(A):

1. 08/14/2020 – Oswego/Nursing Home – 80yo, Female, Exsanguination due to Central Venous Dialysis Catheter Displacement

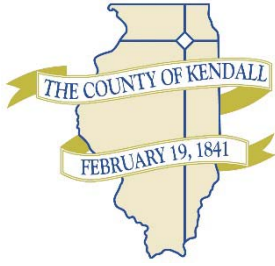
(P):

1. 08/10/2020 – Plano – 29yo, Female, Probable Overdose
2. 08/28/2020 – Oswego – 47yo, Female, Probable Overdose

PERSONNEL/OFFICE ACTIVITY:

1. Erika Blaszczyk began her internship with the office on 08/31/2020. Erika attends Xavier University where she is pursuing her Master's Degree in Forensic Nursing/Criminal Justice.
2. Chief Deputy Coroner Levi Gotte attended intermediate and advanced incident command courses (August 17 – 21); and received ICS-300 and ICS-400 certification.
3. A total of 23 community service hours were served in August.

CARORUM AD CURAM



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 9, 2020

Amount: N/A

Budget: N/A

Issue: Petition 19-39-Request from John Dollinger on Behalf of Hansel Ridge, LLC (Owner at Time of Application) and Jason Shelley on Behalf of GoProBall, LLC (Current Owner) and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC (Current Owner) for Map Amendment and Special Use Permits for Indoor/Outdoor Storage at the Northeastern 8.69 Acres of 195 Route 52 (PIN: 09-13-200-002) in Seward Township

Background and Discussion:

Petitioners wish to rezone the subject property from A-1 to B-3 Highway Business District with a special use permits for indoor and outdoor storage and B-2 General Business District for future commercial development on County Line Road.

Record for Petition - <https://www.co.kendall.il.us/home/showdocument?id=5563>.

Draft ordinance with conditions is attached.

Committee Action:

ZPAC-Forward (8-0-2); KCRPC-Approval (9-0); ZBA-Approval With Conditions (7-0); Seward Township Planning Commission-Approval; Seward Township- Approval; Village of Shorewood-No Formal Objection Filed; Troy Fire Protection District-No Objection; PBZ Committee-Approval (4-0-1)

Staff Recommendation:

Approval With Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 10, 2020

DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 203

Yorkville, IL • 60560

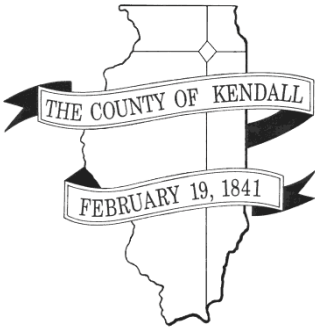
(630) 553-4141

Fax (630) 553-4179

Petition 19-39

**John Dollinger on Behalf of Hansel Ridge, LLC (Current Owner)
Jason Shelley on Behalf of Goprobball, LLC (Prospective Buyer)
and James and Denise Maffeo (Prospective Buyer)**

**Map Amendment Rezoning Property from A-1 to B-3 and
Special Use Permit for Indoor and Outdoor
Storage and to B-2**



INTRODUCTION

Goprobball, LLC would like to sell the northeastern portion of the subject property to James and Denise Maffeo for an indoor and outdoor storage business called Four Seasons Storage and market the frontage along County Line Road for future commercial development.

The site plan, landscaping plan, and lighting plan are included with the proposed ordinance.

In March 2020, the County Board approved Resolution 2020-18, reclassifying the subject property on the Future Land Use Map as Commercial. At the same meeting, the County Board approved Ordinance 2020-02 rezoning the northwestern portion of the subject property to B-4 Commercial Recreation District in order to facilitate the construction of an indoor athletic facility.

The Petitioners are working on preliminary and final plats for a four (4) lot commercial subdivision which is Petition 20-15.

FINDINGS OF FACT-MAP AMENDMENTS

§ 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on map amendment applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*Existing uses of property within the general area of the property in question. **The surrounding properties are used agricultural or uses similar to agricultural uses such as farmsteads and fertilizer operations.***

*The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1, A-1 with a special use, or B-4.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1 and can be used for farming.***

*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 stable with residential growth and special uses normally found in agricultural zoned areas.***

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map was amended earlier in 2020 to reclassify the subject property as Commercial. The property to the west is planned to be used for recreational purposes. Minooka School District #111 plans to construct a school in the area. The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and***

Government/Institutional. The proposed map amendments are consistent with the purpose and objectives of the Land Resource Management Plan.

FINDINGS OF FACT-SPECIAL USE PERMIT

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on special use permit applications. They are listed below in *italics*. Staff has provided findings in **bold** below based on the recommendation:

*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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan and landscaping plan, dedicates land for right-of-way, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.***

*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. **Provided that the business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The proposed use will be a low utility user and adequate utilities are planned for the development of the site. A private road is planned from County Line Road to the subject use. A right-of-way dedication is planned along County Line Road. The Petitioners will have to secure a stormwater management permit.***

*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 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”***

RECOMMENDATION

Staff recommends approval of the requested map amendments.

Staff also recommends approval of the requested special use permits for an outdoor storage business and a self-service storage facility subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the attached site plan, landscaping plan, and lighting plan.
2. The operator(s) of the businesses allowed by this special use permit shall plant the vegetation and install the fencing identified in the landscaping plan within two hundred (240) days of the approval of the special use permit ordinance. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department. The trees shown on the landscaping plan shall be between twelve feet and fifteen feet (12'-15') in height at the time of planting.
3. One (1) two (2)-sided illuminated sign may be installed on the subject property in substantially the

location shown on the landscaping plan. The owners of businesses allowed by this special use permit may pursue variances to Kendall County Zoning Ordinance regarding the height and dimensions of the sign through the variance application process without seeking an amendment to the special use permit.

4. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land along the entire length of County Line Road side of the property at a depth of sixty feet (60') as measured from the centerline of County Line Road to Seward Township for County Line Road right-of-way.
5. The owners of the business allowed by this special use permit shall construct all of the storage buildings shown on the attached site plan on or before December 31, 2023. Either December 31, 2023, or upon completion of the final self-service storage building, whichever occurs first, the special use permit for an outdoor storage business shall automatically cease. The final self-service storage building shall be considered complete when all occupancy permits for the self-service storage buildings are issued. The completion and expiration dates listed in this condition may be extended upon approval by the Kendall County Planning, Building and Zoning Committee.
6. A maximum of twenty-five (25) items, including, but not limited to, boats, trailers, and motor vehicles may be stored outdoors as part of the outdoor storage business special use permit.
7. None of the vehicles stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by these special use permits.
8. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. The hours of operation for the businesses allowed by these special use permits shall be daily from 7:00 a.m. until 7:00 p.m. The operator(s) of the businesses allowed by these special use permit may reduce these hours of operation. Patrons may access the storage area at any time.
10. The total maximum number of employees combined for the businesses allowed by these special use permit shall be five (5), including the business owners.
11. The owners of the businesses allowed by these special use permits shall diligently monitor the property for leaks from items stored on the premises and shall promptly clean up the site if leaks occur.
12. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Troy Fire Protection District with passcodes to the gate upon the request of these agencies.
13. The operator(s) of the businesses allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the businesses allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The proposed ordinance is provided.

ACTION SUMMARY

SEWARD TOWNSHIP

The original petition information was sent to Seward Township on October 25, 2019. The Seward Township Planning Commission reviewed this request at their meeting on January 14, 2020. Concerns were expressed regarding traffic congestion and the potential for increased vehicular accidents. Discussion also occurred regarding drainage. The property's proximity to Shorewood and its location were the reasons for seeking the change to the Land Resource Management Plan and for the requested map amendments and special use permits. The Seward Township Planning Commission recommended approval of the request.

The Seward Township Board reviewed the original request at their meeting on January 14, 2020. They echoed the concerns of the Seward Township Planning Commission regarding traffic and drainage. The Seward Township Board recommended approval of the request.

VILLAGE OF SHOREWOOD

The original petition information was sent to the Village of Shorewood on October 25, 2019. The Village of Shorewood submitted an email on January 6, 2020, stating that they were in discussions with the Petitioner and would have further review at upcoming Village Zoning Commission meeting.

The Village of Shorewood held a public hearing for a proposed annexation agreement on July 14, 2020.

TROY FIRE PROTECTION DISTRICT

The Troy Fire Protection District has no objections to commercial uses at this location.

ZPAC

ZPAC reviewed the original proposal at their meetings on November 5, 2019, and January 7, 2020. At the November 5th meeting, discussion occurred regarding well and septic service at the site. The Petitioner agreed to a right-of-way dedication along the County Line Road frontage. At the January 7th meeting, the Petitioner provided updated septic information and updated traffic information. The final size of the detention pond had yet been determined. The Petitioner was working on a pre-annexation agreement with Shorewood that would allow the Village to annex the property when the property becomes contiguous to the Village. It was noted that the Village of Shorewood would like the special use to apply to only the storage portion of the property and that the acreage between the storage units and County Line Road be zoned business without a special use permit and that a formal subdivision occur. The Petitioner agreed to a sixty foot (60') right-of-way dedication as measured from the centerline of County Line Road including a ten foot (10') dedication for utilities. It was also noted that the Village of Shorewood requested the removal of some fencing and the reorientation of some of the storage buildings. It was noted that the landscaping plan and signage plan required more definition. ZPAC recommended forwarding the proposal to the Kendall County Regional Planning Commission without objection; two (2) members were absent.

RPC

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 22, 2020. The Petitioners clarified that the storage buildings along the periphery of the site will be constructed in Phase I. The Petitioners provided updated signage information and indicated that they may seek a variance to the signage regulations. The Petitioners requested that the number vehicles allowed stored outdoors be increased from twelve (12) to twenty-five (25). The Kendall County Regional Planning Commission was in agreement with this request. The Kendall County Regional Planning Commission recommended approval of the map amendments and special use permits by a vote of nine (9) in favor and zero (0) in opposition.

ZBA

The Kendall County Zoning Board of Appeals initiated the public hearing on this request on January 27, 2020. The hearing was continued to March 2, 2020, June 29, 2020, and July 27, 2020. On July 27, 2020, the Kendall County Zoning Board of Appeals approved the Findings of Fact as presented by Staff, recommended approval of the maps amendments, and recommended approval of the special use permits with the conditions proposed by Staff by a vote of seven (7) in favor and zero (0) in opposition.

PBZ Committee

The PBZ Committee reviewed this proposal at their meeting on September 9, 2020. At the request of the Petitioner, the Committee agreed to allow the vegetation to be installed within two hundred forty (240) days of approval of the special use permit instead of the original ninety (90) days of approval of the special use permit. The Committee recommended approval of the proposal with four (4) in favor and zero (0) in opposition; one (1) member was absent.

SITE INFORMATION

PETITIONERS: John Dollinger on Behalf of Hansel Ridge, LLC (Current Owner), Jason Shelley on Behalf of Goprobball, LLC (Prospective Buyer), and James and Denise Maffeo (Prospective Buyer)

ADDRESS: Portion of the Northern 18.7 Acres of 195 Route 52

LOCATION: Northwest Corner of Route 52 and County Line Road



TOWNSHIP: Seward

PARCEL #: Northeastern Part of 09-13-200-002

LOT SIZE: 40 Acres (Total Existing Parcel) 4.01 +/- Acres for B-3 Special Use Area and 4.67 +/- Acres for B-2 Area

EXISTING LAND USE: Agricultural

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Commercial
Roads	County Line Road is a Township Maintained Arterial Road.
Trails	None
Floodplain/ Wetlands	None

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 Agricultural to B-3 Highway Business District and Special Use Permits for Indoor and Outdoor Storage and to B-2 General Business District

APPLICABLE Section 13.07 – Map Amendment Procedures

REGULATIONS:

Section 13.08 – Special Use Procedures

Section 9.04.C.20 (B-3 Special Uses) – Outdoor Storage Provided Such Storage is Screen from Adjacent and Surrounding Properties

Section 9.04.C.28 (B-3 Special Uses) – Self-Service Storage Facilities

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within 1/2 Mile
North	Agricultural	A-1	Public/Institutional and Suburban Residential (1 DU/Acre)	A-1 and A-1 SU
South	Agricultural/Farmstead/Fertilizer and Grain Operation	A-1 and B-4	Public/Institutional and Suburban Residential	A-1, A-1 SU, and B-4
East	Agricultural	A-1 (Will County)	Suburban Development	A-1 (Will County)
West	Agricultural	A-1 and B-4	Suburban Residential	A-1 and A-1 SU and B-4

Minooka School District 111 owns the adjacent properties to the north and west of the subject property.

The A-1 special use to the north is for a church. The A-1 special use to the south is for a fertilizer and grain storage operation. The A-1 special use to the west appears to be for an airstrip. The property at 276 Route 52 has a special use permit for a landscaping business.

Seven (7) existing houses are within one half (1/2) mile of the subject property.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and consultation was terminated

NATURAL RESOURCES INVENTORY

The LESA Score was 217 indicating a medium level of protection.

GENERAL

Per State law, the rezoning portion of the request cannot be conditioned. However, the special use portion of the request could be conditioned.

According to the revised site plan, a strip of land would remain east of the proposed indoor and outdoor storage area that would be used for future commercial and/or retail development, which is the B-2 map amendment portion of the request.

BUSINESS OPERATION

According to the proposed site plan, Mr. and Mrs. Maffeo would like to construct one (1) three thousand two hundred sixty-four (3,264) square foot metal storage and office building, eight (8) four thousand eight hundred (4,800) square foot storage buildings, four (4) three thousand two hundred (3,200) square foot storage buildings, one (1) four thousand two hundred fifty (4,250) square foot storage building, and one (1) five thousand (5,000) square foot storage building. The storage buildings on the periphery of the site are planned to face inward and substitute as part of the fencing.

The office building will contain offices, restrooms, and inside storage for vehicles. The facility will be used for general storage uses; no illegal or flammable materials will be stored or distributed out of the facility. No other active businesses will be operated out of the storage facility.

Originally, the Petitioners planned to develop the site in two phases. Phase I will commence in Summer 2020 and consists of the metal storage and office building, the storage buildings along the periphery, paved parking area, and the six foot (6') privacy fence. Phase II will commence in Spring 2023 and will consist of the remaining metal storage buildings.

The outdoor storage area would be placed where the Phase II structures are planned. The outdoor storage area would be removed upon construction the Phase II structures. The outdoor parking area would be asphalt. No site plan was provided for the site when the outdoor storage portion of the special use permit is operational.

Mr. and Mrs. Maffeo anticipate employing between one (1) and five (5) part-time employees. One (1) employee would be for maintenance and the remaining employees would staff the office on a shift-basis to ensure that at least one (1) employee was onsite during business hours.

Access to the facility would be twenty-four (24) hours via access through the security gate between the office building and southern most storage building. Hours of operation are 7:00 a.m. until 7:00 p.m. daily.

RELATION TO OTHER SPECIAL USES

If approved, this would be the second active special use permit for a storage facility on non A-1 zoned property in unincorporated Kendall County.

ORDINANCE NUMBER 2020-_____

MAP AMENDMENT REZONING 4.01 ACRES +/- TO B-3 HIGHWAY BUSINESS DISTRICT AND GRANTING SPECIAL USE PERMITS FOR AN OUTDOOR STORAGE FACILITY AND A SELF-SERVICE STORAGE FACILITY AND A MAP AMENDMENT REZONING 4.67 +/- ACRES TO B-2 GENERAL BUSINESS DISTRICT FOR THE NORTHEASTERN PORTION OF THE PARCEL LOCATED ON THE NORTHWEST CORNER ROUTE 52 AND COUNTY LINE ROAD ALSO KNOWN AS 195 ROUTE 52 AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-13-200-002 IN SEWARD TOWNSHIP

Rezone from A-1 to B-3 With Special Use Permits (4.01 Acres) and to B-2 (4.67 Acres)

WHEREAS, Section 13.07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 9.04.C.20 of the Kendall County Zoning Ordinance permits the operation of outdoor storage businesses as a special use with certain restrictions in the B-3 Highway Business Zoning District; and

WHEREAS, Section 9.04.C.28 of the Kendall County Zoning Ordinance permits the operation of self-service storage facility businesses as a special use with certain restriction in the B-3 Highway Business Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 8.68 +/- acres located at the northeastern corner of the parcel located at the northwest corner of Route 52 and County Line Road, also known as, 195 Route 52 (PINs: 09-13-200-002), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, at the time of original application the subject property was owned Hansel Ridge, LLC and is represented by John Dollinger; and

WHEREAS, Goprobball, LLC, as represented by Jason Shelley, purchased the subject property from Hansel Ridge, LLC; and

WHEREAS, James and Denise Maffeo, purchased the subject property from Goprobball, LLC and record title is held the in name of Four Season Storage, LLC, an Illinois Liability Company; and

WHEREAS, John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goprobball, LLC, and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC, an Illinois Limited Liability Company shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about September 30, 2019, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural to B-3 Highway Business District and for Special Use Permits to operate an outdoor storage business and a self-service storage facility business on the subject property; and

WHEREAS, on or about April 21, 2020, Petitioner's representative amended the petition to rezone 4.67 +/- acres of the subject property to B-2 General Business District and 4.01 +/- acres to B-3 Highway Business District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on January 9, 2020, the Kendall County Zoning Board of Appeals started a public hearing on January 27, 2020, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville and said hearing was continued to March 2, 2020, and continued to June 29, 2020, and continued to July 27, 2020, at the same time and location at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested Map Amendments and Special Use Permits and zero members of the public asked questions or testified in favor or testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their findings of fact and recommended approval of the Map Amendments and Special Use Permits with restrictions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 27, 2020, a true and correct copy of which is attached hereto as Exhibit B; and

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

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

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

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

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning 4.67 +/- acres of the subject property from A-1 Agricultural District to B-2 General Business District as outlined in the legal description attached hereto as Exhibit A.
3. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the 4.01 +/- acres of the subject property from A-1 Agricultural District to B-3 Highway Business District as outlined in the legal description attached hereto as Exhibit A.
4. The Kendall County Board hereby grants approval of Petitioner's petition for special use permits for an outdoor storage business and a self-service storage business on the portion of the subject property rezoned to B-3 Highway Business District subject to the following conditions:

- A. The site shall be developed substantially in accordance with the attached site plan attached hereto as Exhibit C, landscaping plan attached hereto as Exhibit D, and photometric plan attached hereto as Exhibit E.
- B. The operator(s) of the businesses allowed by this special use permit shall plant the vegetation and install the fencing identified in the landscaping plan (Exhibit D) within two hundred forty (240) days of the approval of the special use permit ordinance. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department. The trees shown on the landscaping plan shall be between twelve feet and fifteen feet (12'-15') in height at the time of planting.
- C. One (1) two (2)-sided illuminated sign may be installed on the subject property in substantially the location shown on the landscaping plan (Exhibit D). The owners of businesses allowed by this special use permit may pursue variances to Kendall County Zoning Ordinance regarding the height and dimensions of the sign through the variance application process without seeking an amendment to the special use permit.
- D. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land along the entire length of County Line Road side of the property at a depth of sixty feet (60') as measured from the centerline of County Line Road to Seward Township for County Line Road right-of-way.
- E. The owners of the business allowed by this special use permit shall construct all of the storage buildings shown on the site plan (Exhibit C) on or before December 31, 2023. Either December 31, 2023, or upon completion of the final self-service storage building, whichever occurs first, the special use permit for an outdoor storage business shall automatically cease. The final self-service storage building shall be considered complete when all occupancy permits for the self-service storage buildings are issued. The completion and expiration dates listed in this condition may be extended upon approval by the Kendall County Planning, Building and Zoning Committee.
- F. A maximum of twenty-five (25) items, including, but not limited to, boats, trailers, and motor vehicles may be stored outdoors as part of the outdoor storage business special use permit.
- G. None of the vehicles stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by these special use permits.
- H. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
- I. The hours of operation for the businesses allowed by these special use permits shall be daily from 7:00 a.m. until 7:00 p.m. The operator(s) of the businesses allowed by these special use permit may reduce these hours of operation. Patrons may access the storage area at any time.
- J. The total maximum number of employees combined for the businesses allowed by these special use permit shall be five (5), including the business owners.
- K. The owners of the businesses allowed by these special use permits shall diligently monitor the property for leaks from items stored on the premises and shall promptly clean up the site if leaks occur.
- L. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Troy Fire Protection District with passcodes to the gate upon the request of these agencies.

- M. The operator(s) of the businesses allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.
 - N. The operator(s) of the businesses allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
5. All ordinances in conflict with this ordinance are hereby repealed.
 6. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
 7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect these Map Amendments and Special Use Permits.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 15th day of September, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF TRACT 2 (B-3 Special Use Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet for the point of beginning; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 332.25 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 527.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT 3 (B2 Zoning Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 51.55 feet to a point hereinafter referred to as "Point A"; thence Southerly, along a line which forms an angle of 89°33'03" with the prolongation of the last described course, measured counter-clockwise therefrom, 692.32 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter for the point of beginning; thence Northerly, along the line of the last described course 692.32 feet to "Point A"; thence Westerly, parallel with said North Line, 547.51 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Easterly, parallel with said North Line, 213.85 feet to the point of beginning in Seward Township, Kendall County, Illinois.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on July 27, 2020, by a vote of seven (7) in favor and zero (0) in opposition.

FINDINGS OF FACT-MAP AMENDMENTS

§ 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on map amendment applications.

*Existing uses of property within the general area of the property in question. **The surrounding properties are used agricultural or uses similar to agricultural uses such as farmsteads and fertilizer operations.***

*The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1, A-1 with a special use, or B-4.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1 and can be used for farming.***

*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 stable with residential growth and special uses normally found in agricultural zoned areas.***

*Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map was amended earlier in 2020 to reclassify the subject property as Commercial. The property to the west is planned to be used for recreational purposes. Minooka School District #111 plans to construct a school in the area. The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional. The proposed map amendments are consistent with the purpose and objectives of the Land Resource Management Plan.***

FINDINGS OF FACT-SPECIAL USE PERMITS

§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

*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 operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan and landscaping plan, dedicates land for right-of-way, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.***

*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. **Provided that the***

business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The proposed use will be a low utility user and adequate utilities are planned for the development of the site. A private road is planned from County Line Road to the subject use. A right-of-way dedication is planned along County Line Road. The Petitioners will have to secure a stormwater management permit.***

*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 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents” through the encouragement “. . . of locally owned businesses.”***

RECOMMENDATIONS

Approval of the requested map amendments.

Approval of the special use permits with the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and lighting plan.
2. The operator(s) of the businesses allowed by this special use permit shall plant the vegetation and install the fencing identified in the landscaping plan within ninety (90) days of the approval of the special use permit ordinance. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department. The trees shown on the landscaping plan shall be between twelve feet and fifteen feet (12'-15') in height at the time of planting.
3. One (1) two (2)-sided illuminated sign may be installed on the subject property in substantially the location shown on the landscaping plan. The owners of businesses allowed by this special use permit may pursue variances to Kendall County Zoning Ordinance regarding the height and dimensions of the sign through the variance application process without seeking an amendment to the special use permit.
4. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land along the entire length of County Line Road side of the property at a depth of sixty feet (60') as measured from the centerline of County Line Road to Seward Township for County Line Road right-of-way.
5. The owners of the business allowed by this special use permit shall construct all of the storage buildings shown on the site plan on or before December 31, 2023. Either December 31, 2023, or upon completion of the final self-service storage building, whichever occurs first, the special use permit for an outdoor storage business shall automatically cease. The final self-service storage building shall be considered complete when all occupancy permits for the self-service storage buildings are issued. The completion and expiration dates listed in this condition may be extended upon approval by the Kendall County Planning, Building and Zoning Committee.
6. A maximum of twenty-five (25) items, including, but not limited to, boats, trailers, and motor vehicles may be stored outdoors as part of the outdoor storage business special use permit.
7. None of the vehicles stored on premises shall be considered agricultural equipment as they relate

to the businesses allowed by these special use permits.

8. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. The hours of operation for the businesses allowed by these special use permits shall be daily from 7:00 a.m. until 7:00 p.m. The operator(s) of the businesses allowed by these special use permit may reduce these hours of operation. Patrons may access the storage area at any time.
10. The total maximum number of employees combined for the businesses allowed by these special use permit shall be five (5), including the business owners.
11. The owners of the businesses allowed by these special use permits shall diligently monitor the property for leaks from items stored on the premises and shall promptly clean up the site if leaks occur.
12. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Troy Fire Protection District with passcodes to the gate upon the request of these agencies.
13. The operator(s) of the businesses allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the businesses allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ENGINEERING PLANS FOR FOUR SEASONS STORAGE FACILITY

SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST
COUNTY LINE RD & ROUTE 52
MINOOKA, IL 60447
KENDALL COUNTY
JULY, 2020

LEGEND	
---	PROPERTY BOUNDARY
---	EXISTING CONTOUR LINE
---	EXISTING STORM SEWER
---	EXISTING SANITARY SEWER LINE
---	EXISTING WATERMAIN
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING GAS SERVICE
---	EXISTING TELEPHONE
---	PROPOSED CONTOUR LINE
---	PROPOSED WATERMAIN
---	PROPOSED STORM SEWER
---	PROPOSED SANITARY SEWER LINE
---	PROPOSED GREASE SERVICE LINE
---	PROPOSED VENT LINE
---	EXISTING FENCE LINE
---	PROPOSED SILT FENCE
---	EXISTING SPOT SHOT
---	PROPOSED SPOT GRADE
---	EXIST PROP
---	WATER: B-BOX
---	HYDRANT
---	VALVE
---	VALVE VAULT
---	STORM: INLET-CURB
---	INLET OR MANHOLE
---	FLARED END SECTION
---	SANITARY: CLEANOUT
---	MANHOLE
---	R.O.M. MONUMENT
---	PROPERTY PIN
---	P.K. NAIL
---	CHEELED MARK
---	REINFORCEMENT
---	HUB & TACK
---	SOIL BORING
---	OVERLAND RELIEF
---	FLOW DIRECTION
---	UTILITY POLE
---	OUT WIRE LOC.
---	URL CABINET
---	URL PEDESTAL
---	LIGHT POLE
---	TRAFFIC SIGNAL
---	ELECTRIC VAULT
---	GAS VALVE

INDEX TO SHEETS

1. COVER SHEET
2. EXISTING CONDITIONS & DEMOLITION PLAN
3. STORMWATER POLLUTION & PREVENTION PLAN 1
4. STORMWATER POLLUTION & PREVENTION PLAN 2
5. OVERALL CIVIL SITE PLAN
6. CIVIL SITE PLANS
7. GENERAL NOTES & DETAILS
8. GENERAL NOTES & DETAILS II



BENCHMARKS:

BM01 - Nagrad in Pavement West of Utility Pole 85 feet North of the Northeast Corner of the Subject Property.
Elevation = 645.26 NAVD 29

BM02 - Nagrad in Pavement West of Utility Pole 72 feet North of the Southwest Corner of the Subject Property.
Elevation = 645.40 NAVD 29

PLANS PREPARED FOR:

JAMES & DENISE MAFFEO
1223 BUELL AVENUE
JOLIET, IL 60433
PHONE: (815) 955-9914

CIVIL ENGINEER:

TEBRUGGE ENGINEERING
410 E. CHURCH ST. SUITE A
SANDWICK, ILLINOIS 60548
(815) 786-0195

INFO@TEBRUGGEENGINEERING.COM
WWW.TEBRUGGEENGINEERING.COM



Know what's below.
Call before you dig.

Contractor and/or sub-contractors shall verify location of all underground utilities prior to digging. Contact 311 or I.E. (Joint Utility Locating for Emergency) at 1-800-800-0123 or 800-811.

UTILITY STATEMENT

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM VISUAL FIELD SURVEY AND EXISTING RECORDS. THESE ARE SUBJECT TO FIELD VERIFICATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION.

PROFESSIONAL ENGINEER'S CERTIFICATION
STATE OF ILLINOIS, COUNTY OF KENDALL

JOHN J. TEBRUGGE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY PERSONAL DIRECTION BASED ON AVAILABLE DOCUMENTS AND FIELD MEASUREMENTS FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

GIVEN UNDER MY HAND & SEAL THIS 21ST DAY OF JULY, 2020.

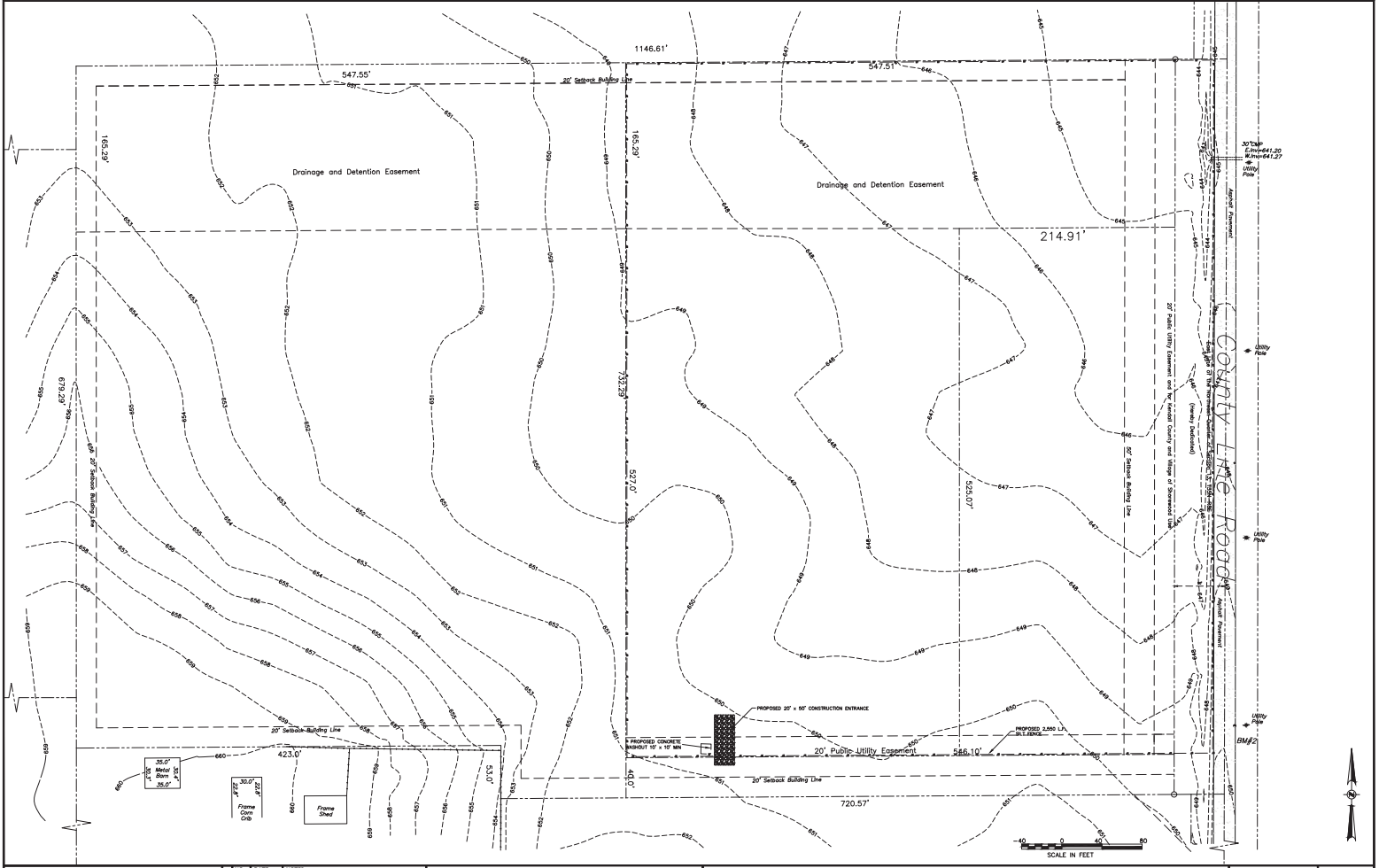


John J. Tebrugge
JOHN J. TEBRUGGE
REGISTERED PROFESSIONAL ENGINEER
NO. 0963-941928 EXPIRES NOV. 30, 2023

COPYRIGHT © 2020 BY TEBRUGGE ENGINEERING.
ALL RIGHTS RESERVED. NO PART OF THESE CIVIL ENGINEERING PLANS MAY BE REPRODUCED, DISTRIBUTED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, INCLUDING PHOTOCOPYING, RECORDING, OR OTHER ELECTRONIC OR MECHANICAL METHOD, WITHOUT THE PRIOR WRITTEN PERMISSION OF TEBRUGGE ENGINEERING.

NO.	DATE	NOTES
1	7/21/20	ISSUE FOR PERMIT
2	7/21/20	ISSUE TO SUBMITTER (REVISED 2/15/20)

Exhibit C



TEBRUGGE ENGINEERING
 400 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548
 PHONE: (815) 786-0195 • TEBRUGGEENGINEERING.COM

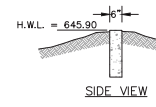
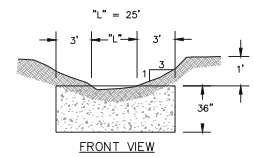
NO.	DATE	NOTES
1	1/15/20	ISSUED FOR PERMITS
2	1/15/20	REVISED PER COMMENTS
3	1/15/20	REVISED PER COMMENTS

PREPARED FOR:
JAMES & DENISE MAFFEO
 1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
 EXISTING CONDITIONS & DEMOLITION PLAN

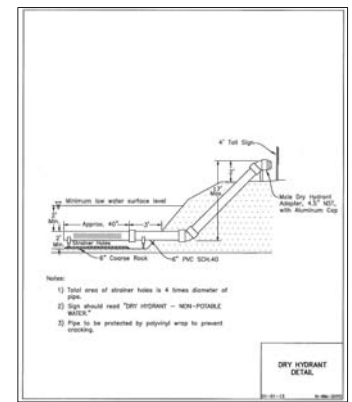
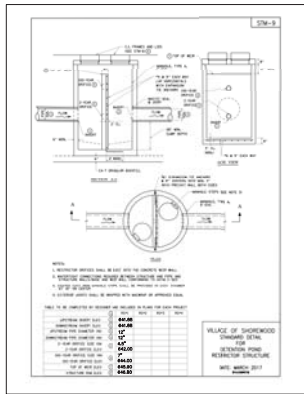
PROJECT NO. 19-447-02
 SCALE: 1" = 40'
 DATE: JAN 15, 2020
 SHEET NO. **2**
 OF 6 SHEETS

ENR61 C



NOTE:
"L" IS SIZED TO PASS
100 YR EVENT WITH
ONE FOOT DEPTH OF
WATER.

CONCRETE OVERFLOW DETAIL
N.T.S.



- Notes:
- Total area of strainer holes is 4 times diameter of pipe.
 - Sign should read "DRY HYDRANT - NON-POTABLE WATER"
 - Pipe to be protected by polypropylene wrap to prevent cracking.

DRY HYDRANT
DETAIL

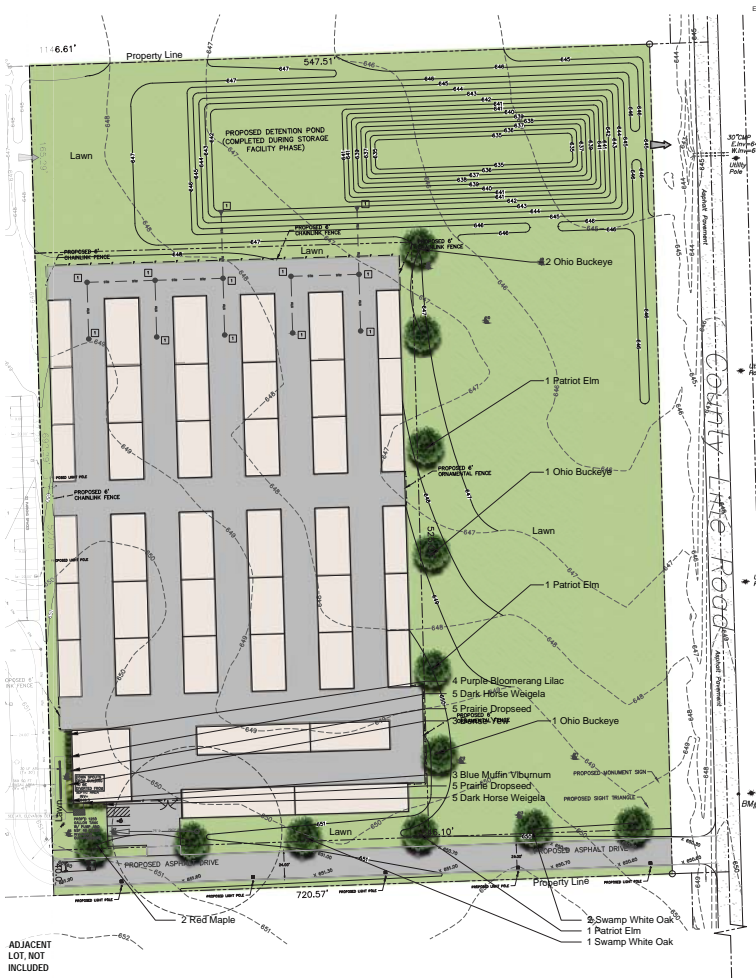
TEBRUGGE ENGINEERING
400 E. CHURCH STREET - SUITE A • SANDWICH, IL 60488
PHONE: (815) 786-0199 • TEBRUGGEENGINEERING.COM

NO.	DATE	NOTES
1	12/11/20	ISSUE FOR PERMIT
2	1/15/21	REVISIONS FOR PERMIT

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

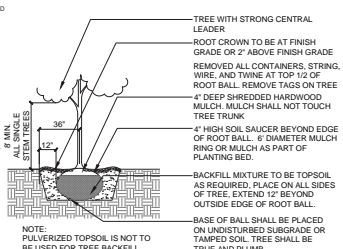
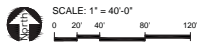
FOUR SEASONS STORAGE FACILITY
GENERAL NOTES & DETAILS II

PROJECT NO. 19-447-02
SCALE: 1" = 40'
DATE: JAN 16, 2020
SHEET NO. **8**
OF 8 SHEETS



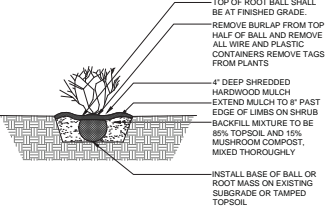
ADJACENT LOT, NOT INCLUDED

Storage Unit Facility



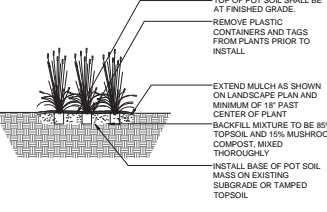
1 Tree Installation

SCALE: N.T.S.



2 Shrub Installation

SCALE: N.T.S.



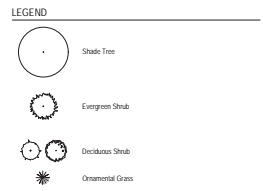
3 Perennial & Ornamental Grass Installation

SCALE: 1" = 1'-0"

PLANT LIST

Shade Trees - Balled and Burlap			
Qty	Size	Botanical Name	Common Name
2	12" cal	Aster rubrum	Red Maple
4	12" cal	Asteracis glabra	Ohio Buckeye
3	12" cal	Quercus bicolor	Swamp White Oak
3	12" cal	Ulmus parviflor	Patriot Elm
12	Total		
Evergreen Shrubs - Balled and Burlap or Container			
Qty	Size	Botanical Name	Common Name
3	12" H x 24" Sp	Taxus x media densiformis	Dense Yew
3	Total		
Deciduous Shrubs - Balled and Burlap or Container			
Qty	Size	Botanical Name	Common Name
3	12" H x 24" Sp	Viburnum dentatum 'Christner'	Black Mulberry Viburnum
4	12" H x 24" Sp	Syringa x Peleda	Purple Blooming Lilac
10	12" H x 24" Sp	Weigela x Dark Horse	Dark Horse Weigela
17	Total		
Perennials, Ornamental Grasses, and Groundcovers			
Qty	Size	Botanical Name	Common Name
10	12" cont	Sporobolus heterostachys	Prairie Dropseed
10	Total		

- #### GENERAL NOTES: LANDSCAPE
- Notes indicated on grading plans shall pertain to landscape plan. Final grade of planting beds shall be as per grading plan.
 - The landscape contractor shall be responsible for making themselves familiar with all underground utilities and structures.
 - All existing plant material and trees shall be saved and protected unless otherwise noted. Contractor to protect new and existing trees and landscaping from damage and shall restore all areas disturbed as a result of construction.
 - Plant material shall be supplied from Northern Illinois nursery stock, shall be dug the planting season it is installed, and shall conform to the American Association of Nurserymen's standards.
 - Plant material shall be size and type specified. Substitution of plant material shall be on a case by case basis and approved in writing by the Owner's Representative. In no case shall plant material be smaller than indicated in the plans.
 - Do not willfully proceed with plantings as designed when it is obvious that obstructions and/or grade differences exist that may not have been known during the design process. Such conditions shall be immediately brought to the attention of the Owner's Representative.
 - All plant material shall be inspected and approved by the Owner's Representative prior to the installation of any and all plant material.
 - Plant locations shall be tagged in field with Owner's Rep. Final location of all plant material shall be subject to approval of the Owner's Representative prior to digging any holes. The landscape contractor is responsible for providing Owner's Representative with all tree minimum substance notice prior to planting.
 - Plants shall be watered on the day they are planted and maintained with watering until final acceptance of the project.
 - Apply a pre-emergent as per manufacturer's specification prior to installing mulch. Bark and tree rings (6" diameter) shall have 7" of hardwood shredded mulch applied and a 4" deep grade-up at lawn. Trees that are not located in beds, shall have a tree ring.
 - Landscape plant material shall be guaranteed for 12 months from final acceptance. Any plant 1/3 dead or more shall be replaced under the guarantee.
 - Contractor to prepare landscape beds by installing 7" of Mushroom Compost into new beds. Do not add compost nor control within step 7 of existing trees.
 - Lawn Seeding shall be under favorable weather conditions, and shall follow dates in specification.
 - Turf mixes shall be installed and lawn established at all disturbed areas.
 - Do not overseed into mulch beds and paving.
 - Contractor shall restore all areas disturbed as a result of construction.



Go Pro Ball, LLC
6821 Sahara Drive
Plainfield, IL

PROJECT
Go Pro Ball Facility
NW Quadrant of Rt 52 & County Line Rd
Shorewood, Illinois

uplandDesign Ltd
Park Planning and Landscape Architecture
24042 Lockport St., Plainfield, Illinois 60544
815-254-0091 www.uplanddesign.com

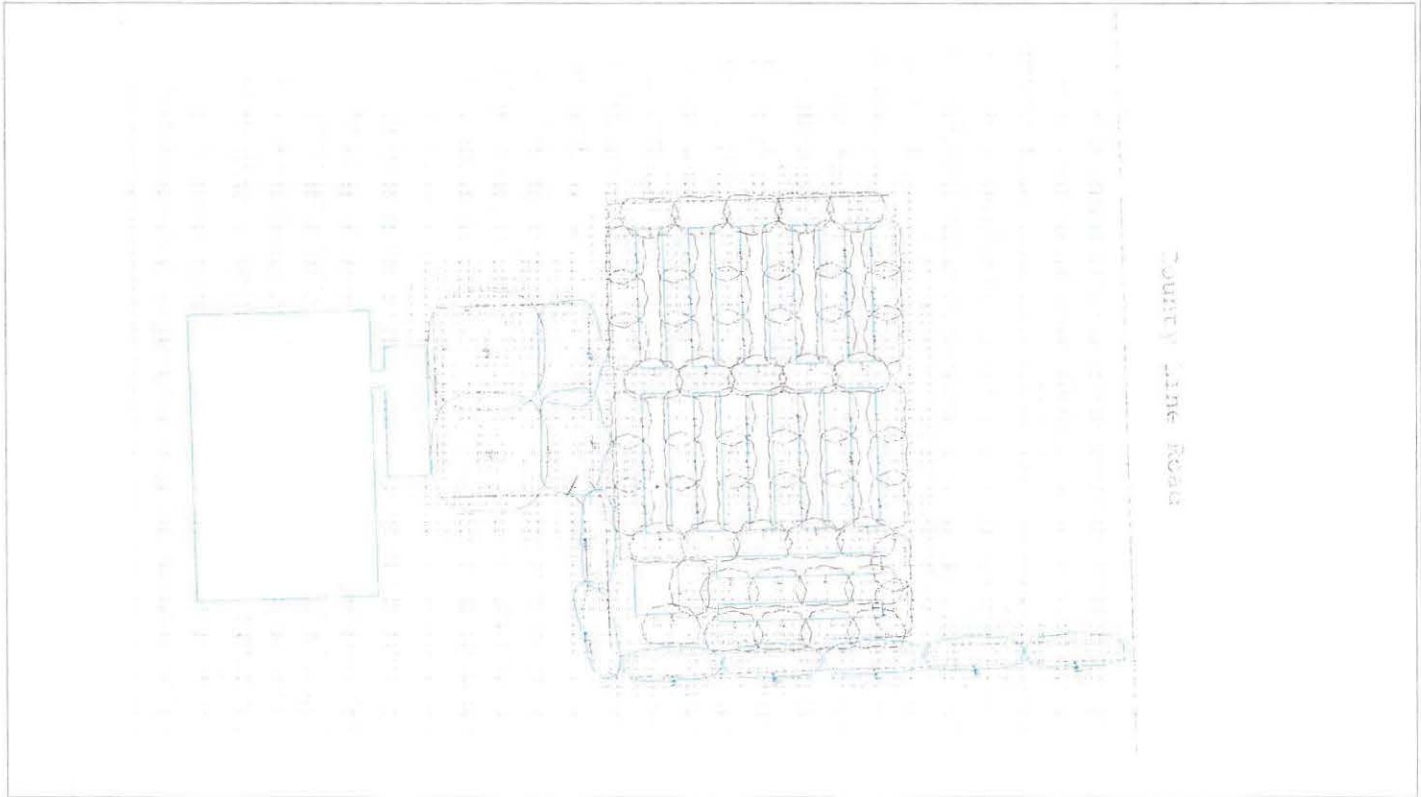
SHEET TITLE
Landscape Plan

SHEET NUMBER **L1.0**

DRAW / REVISION		
DATE	REVISION	BY
10/13/2020	Permit Submittal	HW/BD/MSD
08/06/2020	Revision 1/Regrading	MSM/MSD

Project Number: 811
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Exhibit E



Luminaire Schedule: Part numbers are provided by the manufacturer and are only intended to be used as a reference to output and optics used.

Symbol	Qty	Tag	Label	Arrangement	lum. lumens	Av. lum. lumens	lum. watts	Av. Watts	ELF	Description	Manufacturer
[Symbol]	2	A1	RAP2-320L-165-467-3-4W	SINGLE	21480	21480	153.6	153.6	0.900	RAP2-320L-165-467-3-4W	HUBBELL OUTDOOR
[Symbol]	2	A2	RAP2-320L-165-467-3-50W	3 @ 180 DEGREES	21976	43952	153.6	307.2	0.900	RAP2-320L-165-467-3-50W	HUBBELL OUTDOOR
[Symbol]	7	A3	RAP-2-320L-110-467-3-8C	SINGLE	9030	9030	106	106	0.900	RAP-2-320L-110-467-3-8C	HUBBELL OUTDOOR
[Symbol]	63	B	LNC3-244K-105-4	SINGLE	7402	7402	82.8	82.8	0.900	LNC3-244K-105-4	HUBBELL OUTDOOR

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
PICKUP/DROVE	Illuminance	Fc	0.65	3.1	0.0	N/A	N/A	READINGS @ GRADE
ENTER DRIVE	Illuminance	Fc	2.18	3.7	0.5	4.36	7.40	READINGS @ GRADE
PARKING LOT	Illuminance	Fc	2.38	6.3	0.5	5.16	12.60	READINGS @ GRADE
STORAGE AREA	Illuminance	Fc	2.98	7.1	0.3	9.93	23.67	READINGS @ GRADE

PG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

Reading of Design Guide	Score (50% to 100%)	Score (50% to 100%)	Score (50% to 100%)	Score (50% to 100%)
Minimum required lux level (measured on parking surface and/or any shadowing from the design)	3000	3000	100%	30.00 (30.00)
Maximum lux level	200	150	75%	7.50 (7.50)
Minimum required lux level (measured on parking surface of the entire project)	1000	1000	100%	10.00 (10.00)

Drawn By: Josh Collins
 Checked By: [blank]
 Scale: Not to Scale

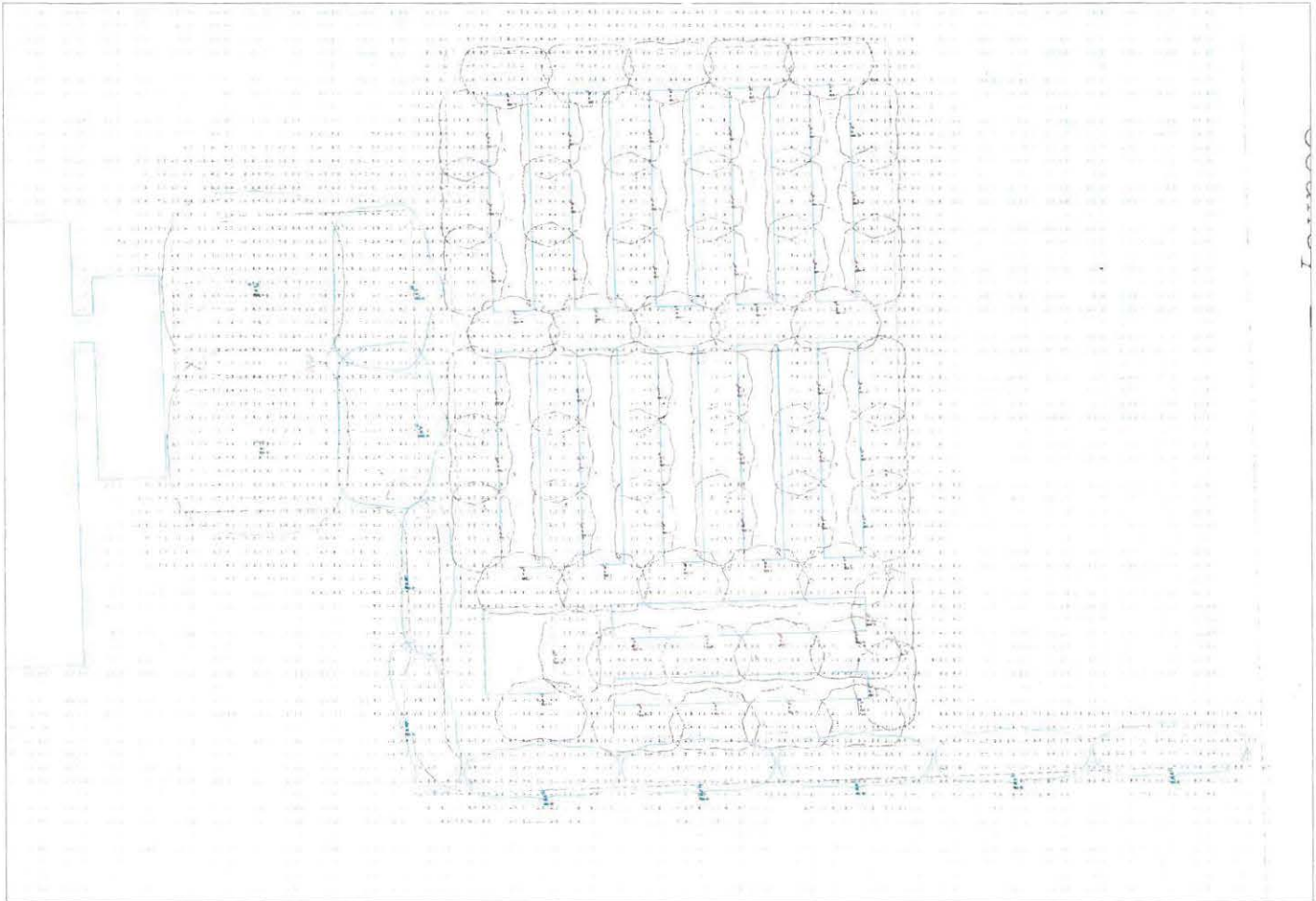
Date: _____
 Comments: _____

Revisions: _____

Project Name: **GO PRO BASEBALL SITE**
 Location: **KENDALL CO. IL**

Page 1 of 3

Exhibit E



PG-Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others.

enlighten
PG

Date	Comments

Revisions

Drawn By: Jared Collins
Checked By: Jared Collins
Date: 07/05/2011
Scale: 1" = 20'

Project Name:
GO PRO BASEBALL SITE

Location:
KENDALL CO. IL

Page 2 of 3

Exhibit E

Luminaire Location Summary						
LumNo	Tag (Qty)	Label	X	Y	Z	Orient
1	B (1)	LNC3-24.4r-105-4	11024.476	11145.501	11	180
2	B (1)	LNC3-24.4r-105-4	11025.925	11095.501	11	180
3	B (1)	LNC3-24.4r-105-4	11027.455	11045.501	11	180
4	B (1)	LNC3-24.4r-105-4	11044.45	11147.77	11	180
5	B (1)	LNC3-24.4r-105-4	11085.899	11097.77	11	180
6	B (1)	LNC3-24.4r-105-4	11087.429	11047.77	11	180
7	B (1)	LNC3-24.4r-105-4	11144.474	11149.039	11	180
8	B (1)	LNC3-24.4r-105-4	11145.873	11099.039	11	180
9	B (1)	LNC3-24.4r-105-4	11147.403	11049.039	11	180
10	B (1)	LNC3-24.4r-105-4	11204.398	11102.808	11	180
11	B (1)	LNC3-24.4r-105-4	11205.847	11100.808	11	180
12	B (1)	LNC3-24.4r-105-4	11207.377	11050.808	11	180
13	B (1)	LNC3-24.4r-105-4	11244.372	11123.574	11	180
14	B (1)	LNC3-24.4r-105-4	11245.821	11122.574	11	180
15	B (1)	LNC3-24.4r-105-4	11247.351	11072.574	11	180
16	B (1)	LNC3-24.4r-105-4	11284.375	11238.418	11	180
17	B (1)	LNC3-24.4r-105-4	11285.324	11286.418	11	180
18	B (1)	LNC3-24.4r-105-4	11271.854	11235.418	11	180
19	B (1)	LNC3-24.4r-105-4	11273.349	11337.187	11	180
20	B (1)	LNC3-24.4r-105-4	11240.398	11287.187	11	180
21	B (1)	LNC3-24.4r-105-4	11281.828	11237.187	11	180
22	B (1)	LNC3-24.4r-105-4	11138.823	11238.956	11	180
23	B (1)	LNC3-24.4r-105-4	11140.272	11288.956	11	180
24	B (1)	LNC3-24.4r-105-4	11141.802	11238.956	11	180
25	B (1)	LNC3-24.4r-105-4	11198.776	11340.725	11	180
26	B (1)	LNC3-24.4r-105-4	11200.245	11290.725	11	180
27	B (1)	LNC3-24.4r-105-4	11201.775	11240.725	11	180
28	B (1)	LNC3-24.4r-105-4	11248.77	11342.494	11	180
29	B (1)	LNC3-24.4r-105-4	11249.719	11292.494	11	180
30	B (1)	LNC3-24.4r-105-4	11241.749	11242.494	11	180
31	B (1)	LNC3-24.4r-105-4	11289.637	11343.278	11	0
32	B (1)	LNC3-24.4r-105-4	11291.064	11293.278	11	0
33	B (1)	LNC3-24.4r-105-4	11282.816	11243.278	11	0
34	B (1)	LNC3-24.4r-105-4	11295.238	11153.461	11	0
35	B (1)	LNC3-24.4r-105-4	11296.667	11103.461	11	0
36	B (1)	LNC3-24.4r-105-4	11288.117	11053.461	11	0
37	B (1)	LNC3-24.4r-105-4	11043.74	11015.576	11	270
38	B (1)	LNC3-24.4r-105-4	11103.734	11017.345	11	270
39	B (1)	LNC3-24.4r-105-4	11163.708	11019.114	11	270
40	B (1)	LNC3-24.4r-105-4	11223.682	11020.883	11	270
41	B (1)	LNC3-24.4r-105-4	11283.656	11022.651	11	270
42	B (1)	LNC3-24.4r-105-4	11038.147	11265.278	11	270
43	B (1)	LNC3-24.4r-105-4	11078.121	11267.047	11	270
44	B (1)	LNC3-24.4r-105-4	11158.095	11268.816	11	270
45	B (1)	LNC3-24.4r-105-4	11218.069	11210.585	11	270
46	B (1)	LNC3-24.4r-105-4	11278.043	11212.353	11	270
47	B (1)	LNC3-24.4r-105-4	11093.418	11367.917	11	90
48	B (1)	LNC3-24.4r-105-4	11213.364	11371.535	11	90
49	B (1)	LNC3-24.4r-105-4	11033.443	11366.208	11	90
50	B (1)	LNC3-24.4r-105-4	11133.39	11369.749	11	90
51	B (1)	LNC3-24.4r-105-4	11223.330	11373.304	11	90
52	B (1)	LNC3-24.4r-105-4	11067.082	10952.876	11	0
53	B (1)	LNC3-24.4r-105-4	11087.894	10971.868	11	270
54	B (1)	LNC3-24.4r-105-4	11124.312	10962.979	11	270
55	B (1)	LNC3-24.4r-105-4	11282.312	10967.73	11	270
56	B (1)	LNC3-24.4r-105-4	11235.312	10966.989	11	270
57	B (1)	LNC3-24.4r-105-4	11180.312	10964.209	11	270
58	B (1)	LNC3-24.4r-105-4	11129.924	10913.428	11	270
59	B (1)	LNC3-24.4r-105-4	11295.375	10917.54	11	270
60	B (1)	LNC3-24.4r-105-4	11241.375	10916.281	11	270
61	B (1)	LNC3-24.4r-105-4	11154.375	10914.898	11	270
62	AS (1)	RAP-3-300-110-4r-3-8C	11510.502	10864.268	20	93.022
63	AS (1)	RAP-3-300-110-4r-3-8C	11408.544	10860.337	20	93.022
64	AS (1)	RAP-3-300-110-4r-3-8C	11791.627	10855.967	20	93.022
65	AS (1)	RAP-3-300-110-4r-3-8C	11174.689	10851.935	20	93.022
66	AS (1)	RAP-3-300-110-4r-3-8C	11068.751	10848.03	20	93.022
67	AS (1)	RAP-3-300-110-4r-3-8C	10957.141	10899.811	20	18
68	AS (1)	RAP-3-300-110-4r-3-8C	10957.163	11008.474	20	0
69	A1 (1)	RAP2-300-165-4r-4W	10945.075	11273.181	20	180
70	A1 (1)	RAP2-300-165-4r-4W	10948.098	11171.065	20	180
71	AS (2)	RAP2-300-165-4r-5C/W	10848.208	11108.648	20	0
72	AS (2)	RAP2-300-165-4r-5C/W	10844.449	11225.897	20	0
73	B (1)	LNC3-24.4r-105-4	11300.453	10981.014	11	0
74	B (1)	LNC3-24.4r-105-4	11300.037	10928.536	11	0

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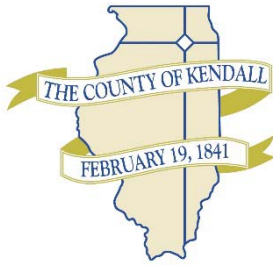



#	Date	Comments	Revisions

Drawn By: Janet Collins
 Drawn By: jcollins@pg-enlighten.com
 Date: 10/18/2019
 Scale: As to Equip
 Location: KENDALL CO. IL

Project Name:
GO PRO BASEBALL SITE
 Location:
KENDALL CO. IL

Page 3 of 3



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 9, 2020

Amount: N/A

Budget: N/A

Issue: Petition 20-15-Request from Jason Shelley on Behalf of GoProBall, LLC and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC for Approval of Preliminary and Final Plats for the Go Pro Sports Subdivision and Exception to Section 7.03.A.7.c of the Subdivision Control Ordinance Pertaining to Soil Maps and Surveys the Northern 18.7 Acres of 195 Route 52 (PIN: 09-13-200-002) in Seward Township

Background and Discussion:

Petitioners wish to create a 4 lot commercial subdivision.

Lot 1 would be approximately 8.69 acres in size and would have the indoor athletic facility and a stormwater detention pond.

Lot 2 would be approximately 4.01 acres in size and would have the indoor/outdoor storage facility.

Lot 3 would be approximately 4.67 acres in size and would have a stormwater detention pond similar to the pond located on Lot 1. The balance of the site is reserved for future commercial development.

Lot 4 is approximately 0.5 acres and will be used as a 40 foot wide private, asphalt road maintained by the owners of Lots 1, 2, and 3. The road will be named Go Pro Boulevard.

Record for Petition - <https://www.co.kendall.il.us/home/showdocument?id=17534>.

Draft ordinance with conditions is attached.

Committee Action:

ZPAC-Approval (8-0-2); KCRPC-Approval (5-0-4); Seward Township Planning Commission and Seward Township- No Comments; Village of Shorewood-No Comments; Troy Fire Protection District-Requested Additional Information, Petitioner Responded, No Additional Comments; PBZ Committee-Approval (4-0-1)

Staff Recommendation:

Approval With Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 10, 2020

ORDINANCE NUMBER 2020-_____

**GRANTING APPROVAL OF A PRELIMINARY AND FINAL PLAT OF THE GO PRO SPORTS
SUBDIVISION AND AN EXCEPTION TO SECTION 7.03.A.7.C OF THE KENDALL COUNTY
SUBDIVISION CONTROL ORDINANCE PERTAINING TO SOIL SURVEY INFORMATION
ON PROPERTY LOCATED ON THE NORTHERN 18.7 +/- ACRES OF 195 ROUTE 52 AND
IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-13-200-002 IN
SEWARD TOWNSHIP**

WHEREAS, Section 7 of the Kendall County Subdivision Control Ordinance permits the Kendall County Board to final plats and provides a procedure through which approval of preliminary and final plats are granted; and

WHEREAS, Section 11 of the Kendall County Subdivision Control Ordinance permits the Kendall County Board to issue exceptions to the requirement of the Kendall County Subdivision Control Ordinance and place conditions on such exceptions provides the procedure through which exceptions are granted; and

WHEREAS, Section 7.03.A.7.c of the Kendall County Subdivision Control Ordinance requires the submittal of a soil map and related soil information with applications for preliminary plats for subdivisions proposed to be served by individual septic sewage systems; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the B-4 Commercial Recreation District and a Petition exists to rezone the balance of the property from A-1 Agricultural Zoning District to B-3 Highway Business District and B-2 General Business District and consists of approximately 18.7 +/- acres located at the northern half of the parcel located at the northwest corner of Route 52 and County Line Road, also known as, 195 Route 52 (PINs: 09-13-200-002), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property.”; and

WHEREAS, Goprobball, LLC, as represented by Jason Shelley, and James and Denise Maffeo, on behalf of Four Season Storage, LLC, an Illinois Liability Company in February 2020 and March 2020 respectively and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about July 15, 2020, Petitioner’s representative filed a petition for approval of a preliminary and final plat of a four lot commercial subdivision on the subject property to be known as Go Pro Sports Subdivision; and

WHEREAS, on or about April 21, 2020, Petitioner’s representative filed a request for an exception to the soil mapping requirements contained in Section 7.03.A.7.c of the Kendall County Subdivision Control Ordinance; and

WHEREAS, the Plat Officer made a findings of fact, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 6, 2020, the Kendall County Regional Planning Commission held a public hearing on the proposed plats and exception at 7:00 p.m. on August 26, 2020 in the Kendall County Historic Courthouse at 110 W. Madison Street in Yorkville at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the

requested preliminary and final plat and exception and zero members of the public asked questions or testified in favor or testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Regional Planning Commission has recommended approval of the final plat and exception; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Plat Officer, and has forwarded to the Kendall County Board a recommendation of approval of the requested final plat and exception; and

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

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

1. The Findings of Fact and Recommendation of the Kendall County Plat Officer attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for an exception to the soil mapping requirements contained in Section 7.03.A.7.c with said soil mapping information to not be required as part of the application.
3. The Kendall County Board hereby grants approval of Petitioner's petition for a final plat of the Go Pro Sports Subdivision attached hereto as Exhibit C subject to the following condition:
 - A. The final plat shall become effective upon the successful recording of Exhibit C in the timeframe outlined in Section 7.06.H of the Kendall County Subdivision Control Ordinance unless an extension is granted by the Kendall County Board.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 15th day of September, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

LEGAL DESCRIPTION:

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet for the point of beginning; thence Westerly, parallel with the North Line of said Northeast Quarter, 1146.61 feet to a line which is 1500.0 feet (normally distant) Easterly of the West Line of said Northeast Quarter; thence Southerly, parallel with said West Line, 679.29 feet; thence Easterly, parallel with said North Line, 423.0 feet; thence Southerly, parallel with said West Line 53.0 feet; thence Easterly, parallel with said North Line, 720.57 feet to said East Line of the Northeast Quarter; thence Northerly, along said East Line, 732.32 feet to the point of beginning in Seward Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT 1 (B-4 Zoning Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet for the point of beginning; thence continuing Westerly, parallel with said North Line, 547.55 feet to a line which is 1500.0 feet (normally distant) Easterly of the West Line of said Northeast Quarter; thence Southerly, parallel with said West Line, 679.29 feet; thence Easterly, parallel with said North Line, 423.0 feet; thence Southerly, parallel with said West Line, 53.0 feet to a line which is 1874.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Easterly, parallel with said North Line, 124.55 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 732.29 feet to the point of beginning in Seward Township, Kendall County, Illinois;

AND ALSO that Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 692.29 to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter feet for the point of beginning; thence Easterly, parallel with said North Line, 546.10 feet; thence Southerly at an angle of $89^{\circ}33'03''$ measured counterclockwise from the last described course, 40.0 feet to a line which is 1874.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 546.02 feet to a line drawn Southerly from the point of beginning, parallel with the West Line of said Northeast Quarter; thence Northerly, parallel with said West Line, 40.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT 2 (B-3 Special Use Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet for the point of beginning; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 332.25 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 527.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT 3 (B2 Zoning Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 51.55 feet to a point hereinafter referred to as "Point A"; thence Southerly, along a line which forms an angle of 89°33'03" with the prolongation of the last described course, measured counter-clockwise therefrom, 692.32 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter for the point of beginning; thence Northerly, along the line of the last described course 692.32 feet to "Point A"; thence Westerly, parallel with said North Line, 547.51 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Easterly, parallel with said North Line, 213.85 feet to the point of beginning in Seward Township, Kendall County, Illinois.

Exhibit B

FINDINGS OF FACT-EXCEPTION

§ 11.00.A.2 of the Subdivision Control Ordinance outlines findings that the Plat Officer must make in order to recommend in favor of the applicant on variation applications. They are listed below in *italics*. Findings are listed in bold.

Because of the particular physical surroundings, shape or topography conditions of the specific property involved a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.

The proposed subdivision consists of four (4) lots, one (1) of which is a private road. The maximum number of users will be two (2) until such time as public utilities are available.

The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable, generally to other property, and have not been created by any person having an interest in the property.

The conditions are unique in that the proposed subdivision is small, consisting of two (2) proposed users at the time of platting. The Petitioners did create the hardship by desiring to have a subdivision at this location.

The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
The purpose of the variation is based on the size of the development and number of proposed lots.

The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

Provided the subdivision is developed as proposed and that reasonable restrictions are placed on special uses that could be placed inside the subdivision, the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood.

FINAL PLAT OF GO PRO SPORTS SUBDIVISION SEWARD TOWNSHIP KENDALL COUNTY ILLINOIS

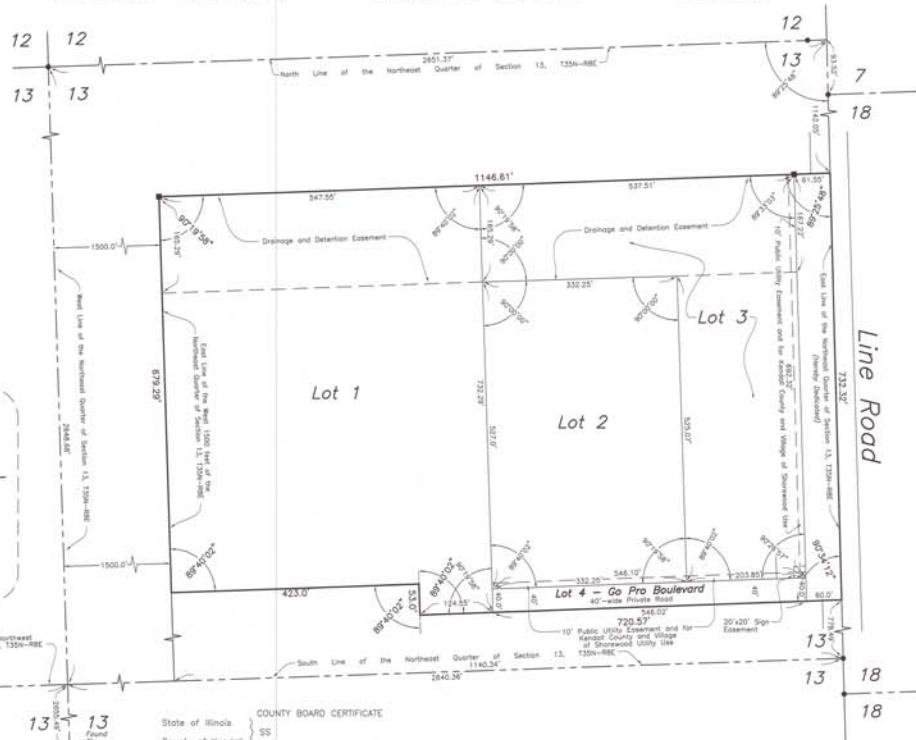
AREA TABLE	
Lot 1	378544 sq. ft. = 8.6903 acres
Lot 2	174775 sq. ft. = 4.0123 acres
Lot 3	196646 sq. ft. = 4.5150 acres
Lot 4	21442 sq. ft. = 0.4922 acres
Hereby Dedicated	44503 sq. ft. = 1.0216 acres
Total	816110 sq. ft. = 18.7353 acres

SCALE
1"=100'

■ Indicates Concrete Monument Set
3/4"x 24" Iron Pipe set at all other Lot Corners, Angle Points and Points of Curvature.

KENDALL COUNTY RIGHT-TO-FARM STATEMENT
Kendall County has a long, rich tradition in agriculture and respects the role that farming continues to play in shaping the economic viability of the county. Property that supports this industry is indicated by a zoning indicator — A-1 or Ag-Special Use. Anyone constructing a residence or other structure on such property should be aware that normal agricultural practices may result in occasional smells, dust, sights, noise and unique hours of operations that are not typical in other zoning areas.

NOTICE OF FEES
All Lots as delineated in the above Plat are subject to payments of fees pursuant to the Land Use Ordinance of Kendall County as administered by the Kendall County Building and Zoning Office, and a covenant running with the land. A recordable receipt will be issued upon payment of such fees. The building permit applicant shall pay the Land Cash contribution and the Kendall County Highway Fee at the time of applying for each building permit.



State of Illinois } SURVEYOR'S CERTIFICATE
County of Kendall } SS
Philip G. Young, Illinois Professional Land Surveyor No. 2678 (Expires 11/30/20)

This is to certify that I, Philip G. Young, an Illinois Professional Land Surveyor and officer of Philip G. Young and Associates, Inc., at the request of the administrator of the land shown herein, have surveyed, subdivided and plotted the land shown herein to be hereinafter known as "Go Pro Sports Subdivision, Seward Township, Kendall County, Illinois", being a Subdivision of Part of the Northwest Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian in Seward Township, Kendall County, Illinois, more particularly described as follows:

That Part of the Northwest Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northwest Quarter, thence Southerly, along the East Line of said Northwest Quarter, 1146.61 feet for the point of beginning; thence Westerly, parallel with the North Line of said Northwest Quarter, 1146.61 feet to a line which is 1500.0 feet (normally distant) Easterly of the West Line of said Northwest Quarter; thence Southerly, parallel with said West Line, 679.25 feet (thence Easterly, parallel with said North Line, 423.0 feet; thence Southerly, parallel with said West Line, 53.0 feet; thence Easterly, parallel with said North Line, 720.57 feet to said East Line of the Northwest Quarter, thence Northerly, along said East Line, 232.32 feet to the point of beginning in Seward Township, Kendall County, Illinois.

I also certify that the above described property lies within 1-1/2 miles of the corporate limits of the Village of Shorewood, who has adopted and properly filed an Official Plan and is exercising the special powers authorized by Division 12 of Article 11 of the Illinois Municipal Code as Amended.

I also certify that no part of the property above described lies within a special Flood hazard area as identified by the Federal Emergency Management Agency based on Flood Insurance Rate Map Panel No. 17093C0145H with an effective date of January 8, 2014.

I also certify that the attached plat is in compliance with Chapter 109 of the Illinois Revised Statutes, that all subdivision exterior monuments have been set, that all interior monuments will be set within 12 months of the recording of this plat, and that all dimensions are shown in feet and decimal parts thereof.

This professional service conforms to the current Illinois minimum standard for a boundary survey.

Dated _____ 20____ at Yorkville, Illinois
Philip G. Young
Illinois Professional Land Surveyor No. 2678 (Expires 11/30/20)

State of Illinois } COUNTY ENGINEER CERTIFICATE
County of Kendall } SS
I, _____ County Engineer of Kendall County, do hereby certify that the annexed plat has been examined by me and found to comply with the highway requirements as set forth in the regulations governing plats of subdivided land adopted by the County Board of Kendall County, Illinois.

Dated this _____ day of _____ 20____
Kendall County Engineer

State of Illinois } TOWNSHIP HIGHWAY COMMISSIONER CERTIFICATE
County of Kendall } SS
I, _____ do hereby certify that all matters pertaining to the highway requirements as described in the regulations governing plats adopted by the County Board of Kendall County, insofar as they pertain to the annexed plat, have been complied with.

Dated this _____ day of _____ 20____
Seward Township Highway Commissioner

State of Illinois } PLAT OFFICER CERTIFICATE
County of Kendall } SS
Approved this _____ day of _____ 20____
Plat Officer

State of Illinois } COUNTY BOARD CERTIFICATE
County of Kendall } SS
Approved by the County Board of Kendall County, Illinois, this _____ day of _____ 20____
Chairman of County Board County Clerk

State of Illinois } PLAN AND ZONING COMMITTEE CERTIFICATE
County of Kendall } SS
Approved by the Plat and Zoning Committee, this _____ day of _____ 20____
Plat and Zoning Committee, Chairman

State of Illinois } OWNER'S AND SCHOOL CERTIFICATE
County of Kendall } SS
This is to certify that Go Pro Baseball, LLC is the owner of the property described in the attached Surveyor's Certificate has caused the same to be surveyed and subdivided as indicated for the uses and purposes therein set forth and does hereby acknowledge and adopt the same under the title and name of "Go Pro Sports Subdivision, Seward Township, Kendall County, Illinois". All of the property herein described is located within the boundaries of Illinois Community Consolidated School District 201 and Illinois Community High School District 111.

Dated at _____ Illinois this _____ day of _____ 20____
Jason Shelly, manager
Go Pro Baseball, LLC
1068 Ronald Drive
Joliet, Illinois 60431

State of Illinois } NOTARY PUBLIC CERTIFICATE
County of Kendall } SS
I, _____ a Notary Public in and for the County and State aforesaid, to hereby certify that Jason Shelly, who is personally known to me to be the same person whose name is subscribed to the foregoing Owner's and School Certificate, appeared before me this day, in person, and acknowledged that he signed and delivered the annexed plat as his own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of _____ 20____
Notary Public
My commission expires _____

State of Illinois } PROFESSIONAL ENGINEER'S CERTIFICATE
County of Kendall } SS
We, John Taboruga, an Illinois Registered Professional Engineer and Go Pro Baseball, LLC, the owner of the property described in the attached Surveyor's Certificate submit the topographical and profile studies, and certify that, to the best of our knowledge and belief, the drainage of surface waters will not be changed by the construction of this Subdivision or any part thereof, or that if such surface water drainage will be changed, reasonable provisions have been made for the collection and diversion of such surface waters into public areas or drains which the subdivisor has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the Subdivision.

Dated at _____ Illinois this _____ day of _____ 20____
Go Pro Baseball, LLC - Jason Shelly, manager
Registered Professional Engineer No. _____

State of Illinois } COUNTY CLERK CERTIFICATE
County of Kendall } SS
This is to certify that I, _____ County Clerk for the County aforesaid, do hereby certify that there are no delinquent general taxes, no unpaid current taxes, no unpaid forfeiture taxes and no redeemable tax sales against any of the real estate described in the foregoing certificate.

Dated this _____ day of _____ 20____
County Clerk

State of Illinois } SHOREWOOD PLAN COMMISSION CERTIFICATE
County of Will } SS
Approved by the Plan Commission of the Village of Shorewood, Will County, Illinois this _____ day of _____ 20____
Chairman Secretary

State of Illinois } SHOREWOOD TRUSTEES CERTIFICATE
County of Will } SS
Approved by the Board of Trustees of the Village of Shorewood, Will County, Illinois this _____ day of _____ 20____
Village President Village Clerk

State of Illinois } COUNTY RECORDER CERTIFICATE
County of Kendall } SS
This Instrument No. _____ was filed for record in the Recorder's Office of Kendall County, aforesaid, on the _____ day of _____ 20____ at _____ o'clock _____ M.
Kendall County Recorder

State of Illinois } COUNTY HEALTH DEPARTMENT
County of Kendall } SS
Issuance of building permits shall be subject to lot soil testing and site evaluation, demonstrating the ability to construct and operate a sewage disposal system capable of meeting or exceeding all applicable state and local rules and regulations.

Approved this _____ day of _____ 20____
Kendall County Health Department

PUBLIC UTILITY EASEMENT PROVISIONS
An easement for serving the subdivision and other property with natural gas, electric and communications services is hereby reserved for and granted to COMCAST/NETCOM, SBC-NET/TECH, CABLE TELEVISION FRANCHISE, NCCOF AND GRANITE, their respective successors and assigns, jointly and severally, to install, operate, maintain and remove, from time to time, facilities used in conjunction with underground transmission and distribution of natural gas and electric, sound, fiber, or other services, including, but not limited to, the property shown within the dashed lines on the plat and marked "Public Utility Easement" and the property designated in the Declaration of Condominium and/or on the plat as "Common Elements" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install required service conduits and/or under the surface of such lot and common areas or areas to serve improvements, trackage, or an adjacent lot, and common areas or areas, the right to cut, over or remove trees and shrubs and other plants and trees, and the right to install, maintain and remove, from time to time, all necessary appurtenant structures, including, but not limited to, "open access", "open areas", "common areas", "parking and common areas". The terms "Common Elements" and "Common Areas" include real property, whether improved or unimproved, building, service business district or structures such as a pool or retention pond, or mechanical equipment.

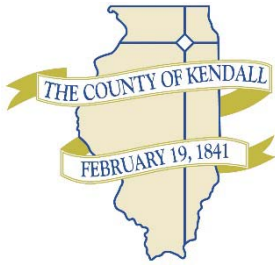
Recognition of facilities will be done by Grantee at cost of Grantor/Full Owner, upon written request.

DRAINAGE EASEMENT AND DETENTION EASEMENT PROVISIONS
An easement is hereby reserved for and granted to the County of Kendall, Illinois, and its successors and assigns over all of the areas marked "Drainage Easement" and "Detention Easement" on the plat herein shown for the perpetual right, priority and authority to construct, reconstruct, repair, inspect, maintain, and operate storm sewers and the storm water detention ponds, together with any and all necessary structures, including, but not limited to, ditches, swales and other structures and appurtenances as may be deemed necessary by the County of Kendall, Illinois, and its successors and assigns, for the purpose of collecting and conveying storm water management structures within the easement area shall be made within the easement area of said County, but the same may be used for the purposes that do not then or later interfere with the aforesaid rights. The owner of the property shall obtain reasonable care for the maintenance of the storm water detention ponds and appurtenances.

JOB NO.	19171
JOB NAME	GO PRO BASEBALL
DWG FILE	19171B
REVISION DATE	August 18, 2020

Phillip D. Young and Associates, Inc.
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775

11078 South Bridge Street
Yorkville, Illinois 60550
Telephone (630)553-1580



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 9, 2020

Amount: N/A

Budget: N/A

Issue: Petition 20-21-Request from the Kendall County Planning, Building and Zoning Committee for an Amendment to the Fee Schedule of the Kendall County Planning Building and Zoning Department Pertaining to Building Permit Fees for Solar Panels and Conditional Use Permit Fees for Beekeeping

Background and Discussion:

When the Comprehensive Land Plan and Ordinance Committee and the Kendall County Regional Planning Commission reviewed and proposed the text amendments to the Zoning Ordinance as part of the Zoning Ordinance Project, both boards felt that application fees should not be included in the Zoning Ordinance because a township could object to amending the fees in the future. Both boards believed that County Board should establish fees as part of the Planning, Building and Zoning Department's existing fee schedule ordinances. Accordingly, as part of the proposal, the application fee for beekeeping conditional use permits and solar panel permits were proposed for deletion in the Kendall County Zoning Ordinance.

The proposed fee for conditional use permits for beekeeping would be \$100, the same as other conditional use permits. The annual renewal fee would be dropped.

The fees for solar panels would be remain unchanged except that kW shall be rounded up to nearest whole number.

Draft ordinance is attached.

Committee Action:

PBZ Committee-Approval (4-0-1)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 10, 2020

State of Illinois
County of Kendall

ORDINANCE # 2020-_____
ORDINANCE AMENDING ORDINANCE 2019-39
PERTAINING TO BUILDING CODES BY ADDING
APPLICATION FEES FOR SOLAR PANEL BUILDING PERMITS

WHEREAS, on November 20, 2018, the Kendall County Board adopted Ordinance 2018-22 which established fees for solar panel building permits within the Kendall County Zoning Ordinance; and

WHEREAS, on December 17, 2019, the Kendall County Board adopted Ordinance 2019-39 which established fees for building permits issued by the Kendall County Planning, Building and Zoning Department; and

WHEREAS, on or about June 29, 2020, the Kendall County Regional Planning Commission initiated a text amendment to the Kendall County Zoning Ordinance which proposed removing the fees for solar panel building permits within the Kendall County Zoning Ordinance, with the intent that such fees be incorporated in the Planning, Building and Zoning Department's fee schedule outside of the Kendall County Zoning Ordinance;

WHEREAS, the County desires to incorporate the fees for solar panel building permit applications within the fee schedule of the other building permits issues by the Kendall County Planning, Building and Zoning Department; and

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

1. Ordinance 2019-39 is amended by establishing the following application fees for building permits for solar panels as follows:

0-	10 kilowatts (kW)	\$150.00
11-	50 kilowatts (kW)	\$300.00
51-	100 kilowatts (kW)	\$600.00
101-	500 kilowatts (kW)	\$1,200.00
501-	1,000 kilowatts (kW)	\$2,750.00
1,001-	2,000 kilowatts (kW)	\$6,000.00
Over 2,000 kilowatts (kW)		\$6,000.00 + \$200.00 for each additional 0-100 kilowatts

For the purposes of calculating fees, kW shall be rounded up to nearest whole number.

Any solar energy system where construction has started before a Building Permit has been issued will be charged double the permit fee. The above fees do not apply to solar energy systems used to generate energy for on-site consumption of energy for

agricultural purposes.

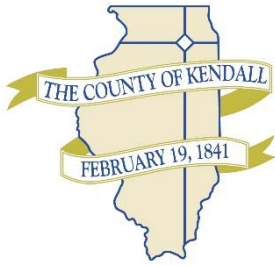
2. Any ordinances in conflict with this ordinance are hereby repealed.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 15th day of September, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 9, 2020

Amount: N/A

Budget: N/A

Issue: Petition 20-14-Request from the Kendall County Regional Planning Commission for Text Amendments to the Kendall County Zoning Ordinance Pertaining to Removing Typographical Errors, Confusing and Conflicting Language, and Related Updates as Outlined in the Packet

Background and Discussion:

Proposal Removes Typographical Errors, Confusing and Conflicting Language, and Related Updates

Record for Petition - <https://www.co.kendall.il.us/home/showdocument?id=16957>

Summary of changes is attached.

Draft ordinance is attached.

Committee Action:

ZPAC-Approval (6-0-4); KCRPC-Approval (9-0); ZBA-Approval (7-0); Townships-No Formal Objections or Comments; PBZ Committee-Approval (4-0-1)

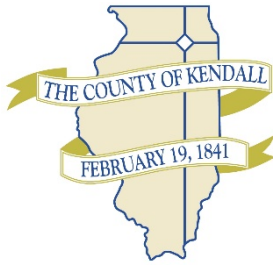
Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: September 10, 2020



Kendall County Agenda Briefing

Committee: HR Admin

Meeting Date: 8/19/2020

Amount: 135,819.02

Budget:

Issue: Implement Hyperconverged Infrastructure to replace current Host / SAN setup.

Background and Discussion:

Currently the County utilizes old technology to facilitate hosting of Servers and the storage that is attached. Technology has identified a next generation solution in Hyperconverged which will allow for a decrease in technology footprint and an increase in speed. This was approved as a Capital project for 2020 and the bid results were provided to the Committee on the 19th of August 2020. .

Committee Action:

The motion to forward to the board was approved pending review by the State's Attorney Office. Review was conducted and information was forwarded to Board from the SAO once the review was complete with conditions implemented into the revised contract.

Staff Recommendation:

Technology department recommends the purchase of Nutanix Hyperconverged solution for the listed amount.

Prepared by: Matthew Kinsey

Department: Technology

Date: 9/9/2020

ADDITIONAL TERMS

The following Additional Terms are incorporated into the Agreement between Kendall County, Illinois, ("Client") and Presidio Networked Solutions Group, LLC ("Presidio"). In the event of any conflict between the Agreement and these Additional Terms, the provisions of the Additional Terms shall control.

Non-Discrimination. Presidio, its officers, employees, and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations.

Certification. Presidio certifies that Presidio, its parent companies, subsidiaries, and affiliates are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging or bid rotating) or as a result of a violation of 820 ILCS 130/1 et seq. (the Illinois Prevailing Wage Act). Presidio further certifies by signing the Contract documents that Presidio, its parent companies, subsidiaries, and affiliates have not been convicted of, or are not barred for attempting to rig bids, price-fixing or attempting to fix prices as defined in the Sherman Anti-Trust Act and Clayton Act. 15 U.S.C. § 1 et seq.; and has not been convicted of or barred for bribery or attempting to bribe an officer or employee of a unit of state or local government or school district in the State of Illinois in that Officer's or employee's official capacity. Nor has Presidio made an admission of guilt of such conduct that is a matter of record, nor has any official, officer, agent, or employee of the company been so convicted nor made such an admission.

Conflict of Interest. Both parties affirm no Kendall County officer or elected official has a direct or indirect pecuniary interest in Presidio or this Agreement, or, if any Kendall County officer or elected official does have a direct or indirect pecuniary interest in Presidio or this Agreement, that interest, and the procedure followed to effectuate this Agreement has and will comply with 50 ILCS 105/3.

Compliance with State and Federal Laws. Presidio agrees to comply with all applicable federal, state and local laws and regulatory requirements and to secure such licenses as may be required for its employees and to conduct business in the state, municipality, county and location. Such obligation includes, but is not limited to, environmental laws, civil rights laws, prevailing wage and labor laws.

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.

Indemnification. Presidio shall indemnify, hold harmless and defend with counsel of ~~Client's Presidio's~~ own choosing who has also been approved by Client, Client, its past, present and future elected officials, department heads, employees, insurers, and agents (hereinafter collectively referred to as "Releasees") from and against all claims, suits, causes of action or demands brought by third parties and any and all resulting liability, ~~claims, suits, causes of action, demands, proceedings~~, set-offs, liens, attachments, debts, expenses, judgments, or other liabilities including costs, reasonable fees and expense of defense, to the extent arising from any loss, damage, injury, death, or loss or damage to property, of whatsoever kind or nature as well as for any breach of any covenant in the Agreement or ancillary documents and any breach

by Presidio of any representations or warranties made within the contract documents (collectively, the "Claims"), to the extent such Claims result from any act or omission, neglect, willful acts, errors, or misconduct of Presidio in its performance under this Agreement. Pursuant to 55 ILCS 5/3-9005, no attorney may be assigned to represent the Releasees pursuant to this Section of the Agreement unless the attorney has been approved in writing by the Kendall County State's Attorney. ~~Releasees' participation in its defense shall not remove Presidio's duty to indemnify, defend, and hold Releasees harmless, as set forth above.~~ Releasees do not waive their defenses or immunities under the Local Government and Governmental Employees Tort Immunity Act (745 ILCS 10/1 et seq.) by reason of this indemnification provision. Indemnification shall survive the termination of this Agreement.

Assignment. Neither party shall assign, sublet, sell, or transfer its interest in this Agreement without the prior written consent of the other.

Waiver. Client and/or Presidio's waiver of any term, condition, or covenant or breach of any term, condition, or covenant, shall not constitute a waiver of any other term, condition, or covenant, or the breach thereof.

Independent Contractor Relationship. It is understood and agreed that Presidio is an independent contractor and is not an employee of, partner of, agent of, or in a joint venture with Client. Presidio understands and agrees that Presidio is solely responsible for paying all wages, benefits and any other compensation due and owing to Presidio's officers, employees, and agents for the performance of services set forth in the Agreement. Presidio further understands and agrees that Presidio is solely responsible for making all required payroll deductions and other tax and wage withholdings pursuant to state and federal law for Presidio's officers, employees and/or agents who perform services as set forth in the Agreement. Presidio also acknowledges its obligation to obtain appropriate insurance coverage for the benefit of Presidio, Presidio's officers, employees and agents and agrees that Client is not responsible for providing any insurance coverage for the benefit of Presidio, Presidio's officers, employees and agents. Presidio hereby agrees to defend with counsel of Client's own choosing, indemnify and waive any right to recover alleged damages, penalties, interest, fees (including attorneys' fees), and/or costs from Client, its past, present and future board members, elected officials, employees, insurers, and agents for any alleged injuries that Presidio, its officers, employees and/or agents may sustain while performing services under the Agreement.

Entire Agreement. This Agreement represents the entire Agreement between the Parties regarding this subject matter and there are no other promises or conditions in any other Agreement whether oral or written regarding this subject matter. This Agreement supersedes any prior written or oral agreements between the Parties regarding this subject matter and may not be modified except in writing acknowledged by both Parties.

Counterparts. This Agreement may be executed in counterparts (including facsimile signatures), each of which shall be deemed to be an original and both of which shall constitute one and the same Agreement.

Authority to Execute Agreement. Client and Presidio each hereby warrant and represent that their respective signatures set forth below have been and are on the date of this Agreement duly authorized by all necessary and appropriate corporate and/or governmental action to execute this Agreement.

AGREED TO THIS _____ day of _____, 2020.

KENDALL COUNTY, ILLINOIS

Presidio Networked Solutions Group, LLC

By: Scott Gryder, County Board Chair

By:
Its:



QUOTE: 2003520033119-02

DATE: 07/10/2020

PAGE: 1 of 3

TO: Kendall County Technology Services
Matthew Kinsey
111 West Fox Street
Yorkville, IL 60560

mkinsey@co.kendall.il.us
(p) 630-553-8881

FROM: Presidio Networked Solutions Group, LLC
Robyn Slominski
3600 Minnesota Drive
Suite 150
Edina, MN 55435

rslominski@presidio.com
(p) 616.871.1563

BILL TO: Kendall County Technology Services

111 West Fox Street
Yorkville, IL 60560

Customer#: KENDA005
Account Manager: Joe Knoblauch
Inside Sales Rep: Robyn Slominski
Title: Veeam Backup and Replication Three Year Term

#	Part #	Description	Unit Price	Qty	Ext Price
Three Year Term					
1	P-VASVUL-0ISU3YP-00	Universal license, sold by bundles of 10. Includes VM, Server or Workstation Agents, Cloud VM or App Plug-In SAP/Oracle and NAS.** TRUSTED PRODUCT **	\$2,753.93	4	\$11,015.72
Total (Three Year Term):					\$11,015.72
			Sub Total:		\$11,015.72
			Grand Total:		\$11,015.72

Quote valid for 30 days. Invoices shall be paid in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 et seq.) Supply subject to availability. This Quote is subject to Presidio's Standard Terms and Conditions below. Any changes to the following Terms and Conditions must be accepted in writing by Presidio, otherwise, CLIENT agrees to be bound by the following Terms and Conditions and pricing contained herein:

Pricing

- Quoted prices exclude applicable taxes. Invoicing will include applicable taxes unless a valid tax exempt certificate is provided.
- The price included herein reflects a 3% discount for payment by cash, check or wire transfer. This discount will not apply in the event that CLIENT pays using a credit card or debit card.
- Prices exclude freight, handling or insurance (unless itemized in the quote).
- Pricing for Professional Services are best-effort estimates only. Actual pricing will be finalized as part of a mutually-agreeable Statement of Work.

Invoicing

- CLIENT is billed upon shipment from the manufacturer and shall accept and pay for partial shipment of products.
- Usage-Based Services Terms and Conditions. For Usage-Based Services purchased by CLIENT, Presidio shall invoice CLIENT once a month. Notwithstanding the amounts included on the applicable purchase order, the invoice for Usage-Based Services will vary from month to month based upon CLIENT's usage and CLIENT shall be obligated to pay all charges for the Usage-Based Services used by CLIENT in the previous month. If CLIENT is delinquent in its payment obligations for the Usage-Based Services, then, upon reasonable, prior notice, Presidio reserves the right to suspend or discontinue such services at its sole discretion. CLIENT acknowledges and agrees that such discontinuation or suspension by PRESIDIO will not constitute a breach of PRESIDIO'S obligations to CLIENT. CLIENT agrees CLIENT shall responsible for any resulting damages due to the suspension or discontinuation of the Usage-Based Services due to CLIENT's delinquent or non-payment.
- Enterprise Software, Licensing and Subscription Services ("Enterprise Agreement"). For Third-Party-provided, enterprise-based software licensing and services, Presidio shall invoice CLIENT according to the terms of the Enterprise Agreement between CLIENT and the Third Party. If CLIENT is delinquent in its payment obligations hereunder, then, upon reasonable, prior notice, Presidio reserves the right to suspend or discontinue such services at its sole discretion. CLIENT acknowledges and agrees that such discontinuation or suspension by PRESIDIO will not constitute a breach of PRESIDIO'S obligations to CLIENT. CLIENT agrees CLIENT shall responsible for any resulting damages due to the suspension or discontinuation of the Usage-Based Services due to CLIENT's delinquent or non-payment.

Freight, Handling, Shipping

- CLIENT will be billed for Presidio's and/or the manufacturer's freight charges.
- Title/Risk of loss passes to CLIENT Freight on Board (FOB) origin (FOB destination (CONUS) applicable to Federal Government CLIENTS only) unless otherwise agreed to in writing by Presidio. Orders shipped from a manufacturer to Presidio at CLIENT request for warehousing, configuration, storage or otherwise, shall be deemed to have been shipped to CLIENT FOB origin.
- Presidio accepts no responsibility / liability in connection with the shipment.
- International delivery services include (i) Consolidated billing in USD for all international deliveries (ii) Consolidated contracting with one entity, namely Presidio (iii) Single point of contact (iv) Freight forwarding including exportation permits, application of tariff headings, customs clearance (including import permits, licenses, certificates) (v) Asset Management, Tracking & Reporting.
- Goods held in a Presidio warehouse either a) at the CLIENT's request or b) in the event CLIENT refuses to accept delivery, may be subject to warehousing fees of 1% of the list price of such goods.

Warranty and Limitation of Liability

- Product is warranted by the Manufacturer, not by Presidio. Please consult Manufacturer for warranty terms. IN NO EVENT SHALL PRESIDIO BE LIABLE TO CLIENT FOR ANY INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL, EXEMPLARY, OR PUNITIVE DAMAGES OF ANY KIND WHATSOEVER, ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. PRESIDIO'S ENTIRE LIABILITY AND CLIENT'S EXCLUSIVE REMEDY FOR DAMAGES FROM ANY CAUSE WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, NONPERFORMANCE OR MISREPRESENTATION, AND REGARDLESS OF THE FORM OF ACTIONS, SHALL BE LIMITED TO TWO (2) TIMES THE AMOUNT PAID OR PAYABLE TO PRESIDIO BY CLIENT FOR PRODUCTS HEREUNDER.

Return Policy

- CLIENTS return rights are subject to the return policies (& fees including restocking) of the applicable manufacturer
- A Presidio-issued Return Material Authorization (RMA) is required & needs to accompany returned items before any credit is issued to a CLIENT. Presidio reserves the right to deny RMA requests in the event the Manufacturer will not provide for an authorized return. If integration of product is performed at a Presidio facility, transfer of ownership occurs as of inception of integration regardless of shipment terms as manufacturers will not accept return of open product.
- CLIENTS have 15 calendar days from original ship date to request a RMA (unless shorter period is required by manufacturer)
- Items returned must be in original shipping cartons, unopened, unused, undamaged and unaltered failing which Presidio is entitled to reject acceptance of items or charge further fees
- The CLIENT is responsible for shipping fees to the destination highlighted in the RMA
- Opened software cannot be returned

Cancellation Policy

- CLIENT's cancellation of purchase order rights are subject to the cancellation policies (& fees) of the applicable manufacturer

Leases

- In the event Presidio does not receive payment for leased goods purchased on the CLIENT's behalf from the applicable third-party financing entity, CLIENT is obligated to pay Presidio for all such goods as indicated in the applicable Presidio invoice.

Software terms

- Software is subject to the license terms that accompany it.
- License terms are established between the CLIENT & owner of the software
- Unless Presidio is the owner or licensor, Presidio makes no representations and/or warranties relating to its operation, ownership or use.

SmartNet (Third party Maintenance)

- CLIENTS rights are subject to the terms provided by the applicable manufacturer. (per website address)

Export Law Compliance.

- CLIENT has been advised that any hardware or software provided to CLIENT via this Quote and/or subsequent purchase order may be subject to the U.S. Export Administration Regulations. CLIENT agrees to comply with all applicable United States export control laws, and regulations, as from time to time amended, including without limitation, the laws and regulations administered by the United States Department of Commerce and the United States Department of State.

Miscellaneous Terms

- Preprinted terms appearing on CLIENT Purchase Orders must be accepted in writing by Presidio to be applicable. Presidio's performance of such purchase order shall not constitute Presidio's acceptance of new or different terms, including pre-printed terms on such order. In absence of a purchase order, CLIENT agrees that its signature below grants Presidio the right to invoice CLIENT and authorizes payment to Presidio for the amounts owed.

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Presidio the right to invoice CLIENT and authorizes payment to Presidio for the amounts owed.

Customer hereby authorizes and agrees to make timely payment for products delivered and services rendered, including payments for partial shipments

Customer Signature

Date

TO: Kendall County Technology Services
 Matthew Kinsey
 111 West Fox Street
 Yorkville, IL 60560

mkinsey@co.kendall.il.us
 (p) 630-553-8881

FROM: Presidio Networked Solutions Group, LLC
 Robyn Slominski
 3600 Minnesota Drive
 Suite 150
 Edina, MN 55435

rslominski@presidio.com
 (p) 616.871.1563

BILL TO: Kendall County Technology Services
 111 West Fox Street
 Yorkville, IL 60560

SHIP TO: Kendall County Technology Services
 111 West Fox Street
 Yorkville, IL 60560

Customer#: KENDA005
Account Manager: Joe Knoblauch
Inside Sales Rep: Robyn Slominski
Title: NUTANIX Larger Build

#	Part #	Description	Unit Price	Qty	Ext Price
Hardware					
1	C-HDD-6TB-A5-A-CM	6TB 3.5" HDD	\$194.44	8	\$1,555.52
2	NX-8135-G7-6226R-CM	NX-8135-G7, 1 Node with Intel Xeon Processor 6226R	\$7,834.44	1	\$7,834.44
3	C-MEM-32GB-2933-A-CM	32GB Memory Module (2933MHz DDR4 RDIMM)	\$170.00	12	\$2,040.00
4	C-MEM-32GB-2933-A-CM	32GB Memory Module (2933MHz DDR4 RDIMM)	\$170.00	24	\$4,080.00
5	C-NIC-10GSFP2-A-CM	10GbE, 2-port, SFP+ Network Adapter (Intel 82599ES)	\$178.89	4	\$715.56
6	C-HDD-6TB-A5-A-CM	6TB 3.5" HDD	\$194.44	4	\$777.76
7	NX-8235-G7-6226R-CM	NX-8235-G7, 2 Node with Intel Xeon Processor 6226R	\$12,494.44	1	\$12,494.44
8	C-SSD-3.84TB-A5-A-CM	3.84TB 3.5" SSD	\$775.56	2	\$1,551.12
9	C-NIC-10GSFP2-A-CM	10GbE, 2-port, SFP+ Network Adapter (Intel 82599ES)	\$89.44	2	\$178.88
10	C-SSD-3.84TB-A5-A-CM	3.84TB 3.5" SSD	\$775.56	4	\$3,102.24
Total (Hardware):					\$34,329.96
Software					
11	L-CORES-PRO-PRD-3YR	License, AOS PRO entitlement & Production 24/7 System support bundle for 1 CPU core for 3YR	\$0.00	96	\$0.00
12	SW-AOS-PRO-PRD-3YR	License, AOS PRO entitlement & Production 24/7 System support bundle for 3YR	\$72,018.89	1	\$72,018.89
13	L-FLASHTIB-PRO-PRD-3YR	License, AOS PRO entitlement & Production 24/7 System support bundle for 1 TiB of flash for 3YR	\$0.00	21	\$0.00
Total (Software):					\$72,018.89

Support					
14	SUPPORT-TERM	Support Term in Months	\$0.00	36 for 1 mo(s)	\$0.00
15	SUPPORT-TERM	Support Term in Months	\$0.00	36 for 1 mo(s)	\$0.00
16	S-HW-PRD	24/7 Production Level HW Support for Nutanix HCI appliance	\$1,871.11	2 for 36 mo(s)	\$3,742.22
17	S-HW-PRD	24/7 Production Level HW Support for Nutanix HCI appliance	\$2,112.22	1 for 36 mo(s)	\$2,112.22
Total (Support):					\$5,854.44
Training					
18	FLEX-CST-CR	Nutanix Services Pre-Paid Credit Units DELIVERY: Via Nutanix Services PRICING	\$0.00	8	\$0.00
Total (Training):					\$0.00
			Sub Total:		\$112,203.29
			Grand Total:		\$112,203.29

Quote valid for 30 days. Invoices shall be paid in accordance with the Illinois Local Government Prompt Payment Act, as amended (50 ILCS 505/1 et seq.) Supply subject to availability. This Quote is subject to Presidio's Standard Terms and Conditions below. Any changes to the following Terms and Conditions must be accepted in writing by Presidio, otherwise, CLIENT agrees to be bound by the following Terms and Conditions and pricing contained herein:

Pricing

- Quoted prices exclude applicable taxes. Invoicing will include applicable taxes unless a valid tax exempt certificate is provided.
- The price included herein reflects a 3% discount for payment by cash, check or wire transfer. This discount will not apply in the event that CLIENT pays using a credit card or debit card.
- Prices exclude freight, handling or insurance (unless itemized in the quote).
- Pricing for Professional Services are best-effort estimates only. Actual pricing will be finalized as part of a mutually-agreeable Statement of Work.

Invoicing

- CLIENT is billed upon shipment from the manufacturer and shall accept and pay for partial shipment of products.
- Usage-Based Services Terms and Conditions. For Usage-Based Services purchased by CLIENT, Presidio shall invoice CLIENT once a month. Notwithstanding the amounts included on the applicable purchase order, the invoice for Usage-Based Services will vary from month to month based upon CLIENT's usage and CLIENT shall be obligated to pay all charges for the Usage-Based Services used by CLIENT in the previous month. If CLIENT is delinquent in its payment obligations for the Usage-Based Services, then, upon reasonable, prior notice, Presidio reserves the right to suspend or discontinue such services at its sole discretion. CLIENT acknowledges and agrees that such discontinuation or suspension by PRESIDIO will not constitute a breach of PRESIDIO'S obligations to CLIENT. CLIENT agrees CLIENT shall responsible for any resulting damages due to the suspension or discontinuation of the Usage-Based Services due to CLIENT's delinquent or non-payment.
- Enterprise Software, Licensing and Subscription Services ("Enterprise Agreement"). For Third-Party-provided, enterprise-based software licensing and services, Presidio shall invoice CLIENT according to the terms of the Enterprise Agreement between CLIENT and the Third Party. If CLIENT is delinquent in its payment obligations hereunder, then, upon reasonable, prior notice, Presidio reserves the right to suspend or discontinue such services at its sole discretion. CLIENT acknowledges and agrees that such discontinuation or suspension by PRESIDIO will not constitute a breach of PRESIDIO'S obligations to CLIENT. CLIENT agrees CLIENT shall responsible for any resulting damages due to the suspension or discontinuation of the Usage-Based Services due to CLIENT's delinquent or non-payment.

Freight, Handling, Shipping

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- Presidio accepts no responsibility / liability in connection with the shipment.
- International delivery services include (i) Consolidated billing in USD for all international deliveries (ii) Consolidated contracting with one entity, namely Presidio (iii) Single point of contact (iv) Freight forwarding including exportation permits, application of tariff headings, customs clearance (including import permits, licenses, certificates) (v) Asset Management, Tracking & Reporting.
- Goods held in a Presidio warehouse either a) at the CLIENT's request or b) in the event CLIENT refuses to accept delivery, may be subject to warehousing fees of 1% of the list price of such goods.

Warranty and Limitation of Liability

- Product is warranted by the Manufacturer, not by Presidio. Please consult Manufacturer for warranty terms. IN NO EVENT SHALL PRESIDIO BE LIABLE TO CLIENT FOR ANY INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL, EXEMPLARY, OR PUNITIVE DAMAGES OF ANY KIND WHATSOEVER, ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. PRESIDIO'S ENTIRE LIABILITY AND CLIENT'S EXCLUSIVE REMEDY FOR DAMAGES FROM ANY CAUSE WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, NONPERFORMANCE OR MISREPRESENTATION, AND REGARDLESS OF THE FORM OF ACTIONS, SHALL BE LIMITED TO TWO (2) TIMES THE AMOUNT PAID OR PAYABLE TO PRESIDIO BY CLIENT FOR PRODUCTS HEREUNDER.

Return Policy

- CLIENTS return rights are subject to the return policies (& fees including restocking) of the applicable manufacturer
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- CLIENTS have 15 calendar days from original ship date to request a RMA (unless shorter period is required by manufacturer)
- Items returned must be in original shipping cartons, unopened, unused, undamaged and unaltered failing which Presidio is entitled to reject acceptance of items or charge further fees
- The CLIENT is responsible for shipping fees to the destination highlighted in the RMA
- Opened software cannot be returned

Cancellation Policy

- CLIENT's cancellation of purchase order rights are subject to the cancellation policies (& fees) of the applicable manufacturer

Leases

- In the event Presidio does not receive payment for leased goods purchased on the CLIENT's behalf from the applicable third-party financing entity, CLIENT is obligated to pay Presidio for all such goods as indicated in the applicable Presidio invoice.

Software terms

- Software is subject to the license terms that accompany it.
- License terms are established between the CLIENT & owner of the software
- Unless Presidio is the owner or licensor, Presidio makes no representations and/or warranties relating to its operation, ownership or use.

SmartNet (Third party Maintenance)

- CLIENTS rights are subject to the terms provided by the applicable manufacturer. (per website address)

Export Law Compliance.

- CLIENT has been advised that any hardware or software provided to CLIENT via this Quote and/or subsequent purchase order may be subject to the U.S. Export Administration Regulations. CLIENT agrees to comply with all applicable United States export control laws, and regulations, as from time to time amended, including without limitation, the laws and regulations administered by the United States Department of Commerce and the United States Department of State.

Miscellaneous Terms

- Preprinted terms appearing on CLIENT Purchase Orders must be accepted in writing by Presidio to be applicable. Presidio's performance of such purchase order shall not constitute Presidio's acceptance of new or different terms, including pre-printed terms on such order. In absence of a purchase order, CLIENT agrees that its signature below grants Presidio the right to invoice CLIENT and authorizes payment to Presidio for the amounts owed.

Export Law Compliance.

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Miscellaneous Terms

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Presidio the right to invoice CLIENT and authorizes payment to Presidio for the amounts owed.

Customer hereby authorizes and agrees to make timely payment for products delivered and services rendered, including payments for partial shipments

Customer Signature

Date

General Information			
Client Name	Kendall County	Account Manager	Joe Knoblauch
Contact Name	Matthew Kinsey	Solution Architect	Ryan Lindstedt
Contact Phone	630-553-8881	Opportunity #	0RQ-23348
Contact Address	811 W John Street Rm 232 Yorkville, IL 60560	Date	7/21/2020
Contact Email	mkinsey@co.kendall.il.us	Service Title	Nutanix and Veeam Implementation

Service Information	
Technology Area	<input type="checkbox"/> LAN/WAN <input type="checkbox"/> Wireless <input type="checkbox"/> Security <input type="checkbox"/> Data Center <input type="checkbox"/> Software <input type="checkbox"/> Collaboration <input type="checkbox"/> Cloud/Automation <input type="checkbox"/> Other: _____
Type of Request	Time and Materials

Presidio Networked Solutions Group LLC (“Presidio”) is pleased to provide the following services to Kendall County (“Client”). This Service Request defines the scope of work to be accomplished by Presidio. The tasks to be performed by Presidio are defined and the responsibilities of Presidio and Client are contained herein as well.

Design and Planning

Presidio will host a Design & Planning Workshop with both Presidio Professional Services Engineers and Client participating.

The purpose of this workshop is to decide on the specific engineering details and order of operations for the install and capture them in a System Engineering Report (SER), which is a document that Presidio project management will require both parties to this SOW to sign off on prior to engineers beginning any implementation work.

The Systems Engineering Report is the work product of the Design & Planning Workshop and it will record:

- o Outcomes of key migration or implementation planning decisions e.g. Layer 3 network migration tasks and dates
- o Remediation tasks that must be completed prior to implementation (if any), such as room readiness (electrical / cooling / physical space) or other out-of-scope installation prerequisites discovered during the Workshop,
- o Which specific software/firmware versions and builds will be deployed, based upon a Presidio-led analysis of all product interoperability and compatibility matrixes,
- o Software licenses to be used or applied, including a validation of any related support and maintenance contracts to ensure entitlements for upgrades/patching/support,
- o Subnets/VLANs/networks to which equipment will be connected, including required configurations of the same
- o Physical network ports to use, with a list of type (e.g. 1GbE), quantity, port type (access vs. trunk), and VLAN(s)/subnets that each port should have access to, and required configurations for the same,
- o IP Addresses to be used during the project, both public and private,
- o Physical placement of all equipment to be installed, e.g. rack elevations,
- o Which devices or servers will provide domain, DNS, NTP, and DHCP services at each site,
- o Any required supplies, tools, adapters, or cables not already included in hardware order.

Description of Services

1. Nutanix Implementation
 - o Physical install (Rack & Stack and cabling)
 - o Imaging Nutanix Cluster
 - o Cluster and Storage Configuration
 - o Adding hosts to vCenter and updating vCenter cluster settings
 - o Confirmation of vMotion of 1 VM
2. Veeam Backup and Replication
 - o Install 1 VEEAM server on a client provided Windows Server
 - o Install and configure 1 VEEAM Proxy Server on client provided Windows VM (3)
 - o Configure new VM backup job(s)
 - o Test image level backup (up to 10 VMs)
 - o Integrate with cloud backup provider
3. 1 day of knowledge transfer

Note: Network configuration is not in the scope of this Request. Client is expected to configure the network per requirements laid out in the SER session.

Assumptions

1. This service request supersedes all prior written or oral agreements, representations and understandings related to the subject matter hereof. Any purchase order submitted pursuant to this SOW shall be subject to the terms herein and shall not be subject to any new or different terms, including pre-printed terms on such order. All changes to this agreement must be executed in writing and accepted by both parties, as indicated by authorized signature, prior to the execution of work.
2. Modifications in project scope may necessitate a change order.
3. Client's acceptance of all deliverables described in this agreement and of the completion of the project shall be in writing. Deliverable acceptance shall be in the form of an email or signature (as applicable) and final project acceptance shall be in the "Project Completion Signoff" form, provided by the project manager. If acceptance is refused, the Client shall provide, in writing to Presidio, a reason for refusal. Presidio shall address the issue before subsequent work is undertaken.
4. Work shall be warrantied for 30 days after completion. Product is warrantied per manufacturer warranty policies. Presidio will hold no responsibility for any changes made "after" releasing the system to the Client. Presidio expressly disclaims any liability for non-performance or the delivery of poor quality of services resulting from errors or omissions in information provided to Presidio by Client, whether or not Presidio knew or should have known of any such errors or omissions, or whether Presidio was responsible for or participated in gathering of such information.
5. IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL, EXEMPLARY, OR PUNITIVE DAMAGES OF ANY KIND WHATSOEVER, ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. EACH PARTY'S ENTIRE LIABILITY AND EXCLUSIVE REMEDY FOR DAMAGES FROM ANY CAUSE WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, NONPERFORMANCE OR MISREPRESENTATION, AND REGARDLESS OF THE FORM OF ACTIONS, SHALL BE LIMITED TO TWO (2) TIMES THE AMOUNT PAID OR PAYABLE TO PRESIDIO BY CLIENT FOR PRODUCTS HEREUNDER.
6. During the term of this Agreement and for one (1) year following the completion of this project, neither party shall (a) solicit, offer to hire, or hire an employee, agent, or contractor of the other party, or (b) assist any third party who wishes to solicit, offer to hire, or hire an employee, agents, or contractor of the Other Party without a prior written consent of the Other Party.
7. Time and Material engagements do not provide defined deliverables. To the extent that documentation or other task-related materials or deliverables are required, time to prepare, deliver, and review those deliverables will accrue against the hours purchased.
8. Hours for Time and Material services are best effort estimates and may require additional hours in order to satisfy the request. If at the end of the allotted hours, Client's objectives are not met, a new Purchase Order and agreement must be submitted.
9. Client will be asked to authorize additional consultant hours should actual hours worked approach those authorized by this engagement.
10. For Time and Materials services, it is Client's responsibility is to direct the activities of the Presidio consultant through the creation of a prioritized Task List or similar documented instruction. It is recommended that this be provided to the Presidio Engineer 48 hours prior to the first day of services.
11. Time and Material Services will be invoiced monthly and will be based on actual hours incurred.
12. For hourly service, a 4-hour minimum applies for remote services. An 8-hour minimum applies for on-site services.
13. If scheduled work is canceled with less than 24 hours' notice, Client may be liable for a minimum 4-hour charge.

Client Responsibilities

1. The Client, with assistance from Presidio, shall verify operation of any installed/upgraded equipment per the predefined Verification Plan. Presidio will require the Client to witness the verification of the solution, as well as sign off on the completed verification plan.
2. Client will designate a single point of contact with authority to act on all aspects of the services provided and to coordinate the activities of internal personnel, Telco, and other circuit providers, and all non-Presidio third-party contractors as applicable.
3. Client resources and site access must be readily and/or continuously available over the engagement period.
4. The Client is responsible for having in place, active manufacturer support contracts on all devices that are the subject of this SOW.

Locations

Work will be done at the following locations. All work will be performed remotely unless otherwise specified:

Site Name	Address	On-Site / Remote Services
Kendall County Health Dept.	811 W John Street Rm 232, Yorkville, IL 60560	Remote

Price and Payment Terms

Client agrees to provide reasonable access to facilities, equipment, and personnel necessary to complete this effort. Unless otherwise noted, all work shall be performed during normal business hours (8:00 a.m. – 5:00 p.m. M-F, excluding holidays) at the location indicated. Travel expenses are estimated and include, but are not limited to, mileage, hotels, meals, airfare, rental car, parking fees, taxis, and tolls performed in accordance with the Presidio Advance Travel Policy. Client agrees to make timely payment for services rendered, including partial payments prior to final acceptance.

Services will be provided on a time, materials, and expense basis. The Client will be invoiced at the completion of the project and/or at the conclusion of each calendar month for actual hours worked, subject to applicable minimums plus expenses. Client will not be invoiced for hours that are unused. Presidio will invoice all hours consumed and expenses accrued at the end of the month regardless of engagement status on the final day of the month. This is an estimate only. Actual Hours will be billed. Additional hours may be required to complete outlined scoped work.

Resource Type	Hours	Hourly Rate	OT Hours	OT Hourly Rate
Data Center Engineer	56.00	\$225.00	0.00	\$337.50
Total			\$12,600.00	

Expenses

There are no anticipated travel or incidental expenses to be incurred by Presidio in association with the execution of this Statement of Work and therefore no expenses will be billed to Client.

Travel Time

Travel to and from the work site(s) by Presidio resources in association with the execution of this Statement of Work will not be charged to Client.

The scope and pricing are valid for 60 days unless otherwise noted.

Authorized Client Signature	Title	Date
Authorized Presidio Signature	Title	Date

Committee Chair and County Board Chair Vs. County Administrator Oversight HR Manual

Page 8 & 9 – Employment Policies

CHAPTER II EMPLOYMENT POLICIES

Section 2.1 DEFINITIONS OF EMPLOYMENT STATUS

A. FULL-TIME EMPLOYEES: A full-time employee shall be one who is employed full time on a minimum of thirty-four (34) hours per week basis for continuous service and who has completed a minimum of six (6) months of continuous work or service, interrupted only by absence with official permission. For employees hired prior to December 21, 1993, thirty

(30) hours per week shall be utilized to determine full-time status.

B. PROBATIONARY EMPLOYEES: Employees who have been employed on a full-time or part-time year-round basis for a period of less than six (6) months and who will become full-time employees at the successful conclusion of six (6) consecutive months employment. Successful completion of the probationary period will not alter the employee's at-will employment status.

C. PART-TIME EMPLOYEES: Any employee who is employed on a less than thirty-four (34) hours per week basis for continuous service and who has completed a minimum of six (6) months of continuous work or service, interrupted only by absence with official permission. For employees hired prior to December 21, 1993, less than thirty (30) hours per week shall be utilized to determine part-time status. Part-time employees are not eligible for employee health and dental coverage. Sick/personal days are earned proportionate to the anticipated number of hours worked per month.

D. TEMPORARY EMPLOYEES: Temporary continuous appointment (i.e., a position which is clearly understood to be six (6) months in duration at the maximum) may be made for specified positions.

Section 2.2 EMPLOYMENT PROCEDURES

A. RECRUITMENT AND BACKGROUND REFERENCE CHECKS AND

PREEMPLOYMENT INVESTIGATIONS: Department heads should post an open position on the County website to start recruitment efforts and promptly remove the posting at the time of application deadline. Elected Officials are encouraged to utilize the County website to post open positions in their offices.

All new employees of the County will be employed strictly on merit. When possible, references from the most recent employers must be received prior to hiring an individual.

Employment history and references should be verified prior to hiring new full time or part time employees including interns. Other pre-employment investigation may include criminal history and other matter when pertinent to performance of the position. If the department head determines questionable history during the pre-employment investigation of the preferred candidate, the department head shall seek advice of their respective [County Administrator Board Committee](#) prior to hiring the candidate. Convictions, if disclosed by the applicant, will not absolutely prohibit employment, but will be considered in relation to the specific job requirements. Consideration will be given to factors such as the age and time of the offense, the seriousness and nature of the violation, the relationship between the conviction and the job, the nature and number of convictions and rehabilitation. Hiring decision will follow applicable state and federal laws including American with Disabilities Act and Employee Polygraph Protection Act.

Section 2.3 SEPARATION PROCEDURES

- A. SENIORITY/WORK FORCE REDUCTIONS: Kendall County has historically offered its employees steady long-term employment. However, should general economic conditions or some phase of the County's operations change significantly, a reduction in work force may be necessary. This will only be done after careful analysis of the staffing required to provide essential services. Department heads, subject to approval by the County Board or other appropriate boards, will determine which job classification will be affected by lay-offs.

Every effort will be made to transfer employees to another department rather than lay them off. When this is impractical, the department head will consider seniority where skill, qualifications, ability and performance factors are substantially the same in determining who to lay off.

Seniority is the continuous length of time an individual has been a regular full-time employee of the County. A person whose continuous regular employment with the County has been broken by a period of more than ninety (90) calendar days where he was not employed by the County and where he was not on sick leave or other approved leave of absence shall not have his service with the County prior to his resumption of regular employment counted as part of his seniority.

A regular full-time employee who is laid off only as a result of the necessity to reduce the number of County employees (reduction in force) will be given preference in filling positions which subsequently open and for which the employee is qualified.

- B. RESIGNATION: A regular full-time or regular part-time employee resigning from a position should give sufficient notice of his intention to enable the County to make proper adjustments to procedure and staffing. Sufficient notice is two (2) weeks at a minimum. All regular full-time or regular part-time employee resignations shall be in writing and may contain the reasons for leaving. A resignation will be placed in the employee's personnel file. The department head or County Administrator ~~the appropriate County committee chairperson~~ is authorized to accept all resignations. Appropriate written notification should be initiated by the immediate supervisor and forwarded to the Treasurer's office and the Office of Administrative Services for resignations/terminations so all pertinent records and files can be updated.

CHAPTER III ADMINISTRATIVE POLICIES

Section 3.1 RULES OF CONDUCT

Kendall County expects its employees to exercise mature judgment and common sense in their employment, to give conscientious attention to their duties, to maintain a high level of efficiency and to conduct themselves in a manner that reflects well upon themselves, as well as on the County.

- A. **DRESS AND APPEARANCE:** The personal appearance of employees conveys to the public a general impression of the organization. The attire of the employee on the job should be in good taste, neat, clean, and appropriate for the duties performed. Each department head is responsible for establishing a reasonable dress code appropriate to the job the employee performs. Safety equipment and attire will be required for certain jobs. If required, uniforms and tools for specialized jobs will be provided.
- B. **EMPLOYEE COOPERATION:** As a part of a team providing services for the benefit of the public, each employee must cooperate with fellow workers and the public in order to set a high standard of work performance. Unwillingness or failure to cooperate shall be cause for disciplinary action.

The total staff of the county must function as a team, and each employee is required to make a positive contribution in the interest of reflective and efficient public service.

Section 3.2 HOURS OF WORK

- A. **WORK WEEK:** The standard work hours for County employees will be thirty-seven and one half (37 ½) hours per week. Most County offices are open from 8:00 a.m. to 4:30 p.m. Monday through Friday. The actual hours that an employee will work will be determined by the department head or County Administrator ~~elected official~~ in accordance with the office hours approved by the County Board or authorized by statute. An employee may have one (1) hour for lunch and two (2) rest periods (one in the morning and one in the afternoon) of fifteen (15) minutes each. All offices will be open during lunch and coffee breaks, unless designated otherwise by the County Administrator ~~departmental committee~~. Long term breaks in operations need to be approved by the appropriate departmental committee.
- B. **OVERTIME:** Each position authorized by the County Board shall be designated as exempt or non-exempt in accordance with the provisions of the Fair Labor Standards Act.

Exempt positions are not eligible for overtime compensation either in the form of additional pay or time off.

Non-exempt positions are eligible for straight time overtime compensation for hours worked beyond the normal work week up to and including 40 hours per week. At the employee's option, non-exempt positions may accumulate additional time off for hours worked beyond the normal work week up to and including 40 hours per week. All hours worked beyond 40 in a work week shall be compensated at the discretion

Questions Or Complaints About This Statement Of Purpose?

Please submit your questions or complaints in writing to: Kendall County, Illinois, Attention: [Administrative Services Jeff Wilkins, County Administrator](#), 111 West Fox Street, Yorkville, Illinois 60560.

CHAPTER IV COMPENSATION AND PERFORMANCE

Section 4.1 PAY AND CLASSIFICATION PLAN: The pay plan includes the minimum and maximum rate of pay for each position. It represents an orderly method of determining the salary of the position for the work performed.

Salary ranges shall be determined with regard to objective criteria:

- A. Ranges of pay for other County positions
- B. Relative difficulty and responsibility of positions
- C. Availability of employees in particular occupational categories
- D. Rates of pay in other jurisdictions
- E. The financial policies of the Counties

And such other considerations which may be appropriate.

Section 4.2 PAY PERIODS: The frequency of pay periods has been established for the maximum convenience of both the County and its employees

PROCEDURE: Employees are paid once every two weeks on Fridays (26 pay periods per year). When a payday falls on a holiday, the paycheck is distributed on the preceding workday.

Section 4.3 PERFORMANCE APPRAISAL

A. PURPOSE:

The County has developed a uniform performance appraisal system for all full-time employees. Pursuant to this system, an employee's performance is evaluated for the purpose of effective personnel control in matters including but not limited to the following: promotions, transfers, demotions, discipline, terminations and salary adjustments.

B. RESPONSIBILITY:

Performance appraisals are done by the immediate supervisor who is responsible for the work of the employee being evaluated. The immediate supervisor will discuss the performance appraisal with the employee. Performance appraisals become part of the employee's personnel records and a copy of each shall be contained in the employee's personnel file. Department heads' performance appraisals will be done by the County Administrator committee chairman to which they report.

C. FREQUENCY:

Immediate supervisors shall appraise regular full-time employees on the basis of performance, efficiency, dependability, adaptability and other relevant job-related criteria at the end of the sixth (6th) month of their probationary period and in the month of July of each subsequent year of employment.

D. FORM:

The County approved personnel appraisal form will be utilized for this review process.

A. UNSATISFACTORY EVALUATION:

Any employee receiving an unsatisfactory evaluation is ineligible for a pay increase. They will be subject to appropriate disciplinary action up to, and including, dismissal.

B. APPEAL:

If an employee is not in agreement with his performance appraisal, he may request another interview with his reviewing supervisor. If an agreement is not reached, the employee may appeal in writing within five (5) work days to the next level reporting authority, i.e. department head or [County Administrator](#) or committee ~~to which the department head reports~~ for an impartial review of his service appraisal. A written decision shall then be rendered sustaining or modifying the rating to the employee within five (5) work days.

C. PERFORMANCE APPRAISAL:

Non-bargaining unit employees short of completing their six months probationary period by the start of the new fiscal year (December 1) may be eligible for a salary increase after satisfactory completion of six months probation. The department head is required to plan such an increase and receive approval during the County's regular budget process. The department head has the discretion to give the increase, however, is not required to do so.

Section 5.4 — EDUCATIONAL REIMBURSEMENT

~~Qualified employees of the County and/or its elected offices may be eligible to apply for and receive up to a maximum of fifty percent (50%) reimbursement for qualified educational expenses. For purposes of this policy, "qualified educational expenses" include only the cost of the employee's tuition and required books for up to one (1) educational or training course per semester or quarter toward the employee's undergraduate or graduate degree. The course work must be directly related to the employee's job functions or proposed job functions.~~

~~To be eligible for educational reimbursement pursuant to this policy, the employee must be a full-time, active employee of the County and/or a County elected office who has completed at least one (1) year of continuous service immediately prior to the start of the course for which the employee is seeking reimbursement. For purposes of this policy, "full-time active employee" means an employee who is regularly scheduled to work a minimum of 37.5 or more hours per week and who is not on a leave of absence at the time of taking the course.~~

~~An employee's eligibility shall cease upon notice of termination of employment. No educational reimbursements will be made to former employees, to employees who have given notice of resignation, or who have been notified that they will be involuntarily terminated. This includes situations in which approval of such reimbursement was previously provided and/or the course was satisfactorily completed prior to the date of termination of employment.~~

~~An employee shall not be eligible to receive educational reimbursement from the County if the employee receives educational reimbursement from a third party (e.g., veterans' tuition assistance). If an employee receives educational reimbursement from the County and a third party, the employee shall promptly return all educational reimbursement payments received from the County. Failure to do so may result in disciplinary action up to and including termination of employment.~~

~~To qualify for educational reimbursement, the employee must seek approval in writing in advance from (a) the employee's department head/elected official and (b) the HR/Administration Committee Chairman or Chairman of the County Board. When educational reimbursement is approved by the employee's department head/elected official, the employee must submit a signed educational reimbursement agreement to the Office of Administrative Services no less than thirty (30) calendar days and no more than six (6) months prior to the start of the course. Failure to timely provide a completed, signed educational reimbursement agreement to the Office of Administrative Services may result in denial of the educational reimbursement.~~

CHAPTER VI PAID AND UNPAID LEAVES

Section 6.1 VACATIONS:

All regular full-time employees are eligible for paid vacation benefits. The length of eligible service is calculated on the employee's date of hire. Eligible employees shall earn vacation time in accordance with the following schedule:

0-6 Years of Service	10 paid vacation days
7-14 Years of Service	15 paid vacation days (the first day of the month following the employee's completion of their 6 th Anniversary).
15 or More Years of Service	20 paid vacation days (the first day of the month following the employee's completion of their 14 th Anniversary).

Vacation accrual is earned and credited at the conclusion of each month, as outlined in the following table:

YEARS OF SERVICE	DISTRIBUTION AT BEGINNING FIRST OF MONTH	ANNUAL TOTAL
0-6 years	6.25 hours or .83 days	10 days (75 hours)
7-14 years	9.375 hours or 1.25 days	15 days (112.5 hours)
15 or more years	12.5 hours or 1.67 days	20 days (150 hours)

A. VACATION AVAILABILITY: This vacation will be available to all employees as earned with distribution at the end of each month. Part-time employees working a minimum of one thousand forty (1,040) hours annually, twenty (20) hours per week, shall be entitled to vacation time on a pro rata basis.

B. VACATION SCHEDULES: Vacations will be scheduled with prime consideration given to the efficient operation of each department. While employee's requests will be honored whenever possible, final approval must be given by the department head, or [County Administrator](#) appropriate [County committee chairperson](#) to provide continuity of operations.

C. MAXIMUM ACCUMULATION: Employees shall be allowed to carry over from month to month no more than one-and-one half (1 ½) times an employee's annual accrual rate. For example, a second (2nd) year employee can carry over no more than fifteen (15) days of vacation leave from one month to the next.

D. VACATION/COMPENSATORY TIME PAYMENT UPON TERMINATION OF EMPLOYMENT:

Any employee leaving the County in good standing shall be compensated for vacation leave and compensatory time earned and unused at the date of termination of employment, at the employee's current pay rate.

E. HOLIDAYS DURING VACATION LEAVE: Whenever a paid holiday falls during an authorized vacation leave, the employee's leave on the date of the paid holiday shall be considered a holiday for payroll purposes, and shall not be charged to the employee's accumulated vacation leave.

For active employees, no salary payment shall be made in lieu of vacation not taken on a yearly basis.

Section 6.2 SICK/PERSONAL DAYS:

The personnel policy regarding sick leave and personal leave for Kendall County employees stipulate that:

A. Sick leave and personal leave are one and the same during the year they are earned. Unused sick/personal leave is carried over each year as accrued sick leave (not personal leave) and may be accumulated to a sum not to exceed two hundred forty (240) days. Upon termination with the County, the employee is not entitled to additional compensation for any unused sick/personal days in the current year or any accrued sick days from prior years.

Retiring IMRF members, 55 years and older, qualify for a maximum of one year of additional pension service credit for unpaid, unused sick leave accumulated at the rate of one month for every 20 days of unpaid, unused sick leave or fraction thereof.

B. All full-time County employees are granted twelve days of sick/personal leave on the first day of the fiscal year (December 1). Permanent part-time County employees earn sick/personal leave proportionate to their average number of hours worked per month.

Beginning December 1, 1999 new full-time employees will be granted sick/personal days as follows:

<u>Commencing Work</u>	<u>Days</u>
Dec., Jan., Feb.	12
March, April, May	9
June, July, August	6
Sept., Oct., Nov.	3

C. Each County employee has the option of trading up to twelve days of their current annual unused sick/personal leave benefit for one fourth (1/4) of their daily pay rate of the year of accrual. Application for this trade must be made in writing no later than October 31 of each fiscal year. Employees wishing to trade their unused sick/personal leave days must request this in writing from their immediate supervisor who will then submit this request to the County Administrator department head/elected official/County committee chairperson. That individual will certify the number of days which they are entitled to trade and submit this information in writing to the County Treasurer's office. If sick/personal days are taken after this trade and prior to the first day of the next fiscal year, they will be deducted from the next fiscal year's twelve days for sick/personal. Employees are not eligible to receive the sick/personal day payback before their six (6) month probationary period has been successfully completed.

D. Banked sick leave may only be used for an employee's illness. Sick leave is a privilege, not a right, extended to regularly scheduled employees and qualified part-time employees. Sick leave shall be allowed only when the employee is actually sick or disabled, or when there is an illness in the employee's family (i.e., spouse, child (birth, adopted step) or parent. A maximum of twelve (12) sick days may be used when there is an illness in the

jury duty pay will be written over to the County for the portion of the day normally worked by a part-time employee. Mileage will not be paid for those employees working at the Government Center unless called by a court outside Kendall County. Employees are expected to return to work whenever possible during jury time and carry out as many of their job responsibilities as time permits during regularly scheduled working hours.

Section 6.6 FAMILY MEDICAL LEAVE (FMLA) POLICY: The Family and Medical Leave Act (FMLA, 1993) mandates a maximum of twelve (12) weeks of unpaid leave to eligible employees under certain circumstances.

A. FMLA EFFECTIVE CONDITIONS

1. The arrival of a new child by birth, adoption or foster care placement for the purpose of bonding. If the biological, adoptive, or foster parent(s), the step parent, legal guardian(s) or parent(s) in loco parentis are both employees, the total combined leave is twelve (12) weeks, not twenty-four (24) weeks. This right to a “bonding” leave expires twelve (12) months from birth or placement for adoption or foster care.

2. The care of a child, parent or spouse who has a serious health condition if it is medically determined that the care given by an employee is necessary. The term “parent” does not include in-laws for the purpose of this policy. For purpose of these care-giving leaves, the child, parent or spouse must be either: (a) an overnight in-hospital patient; (b) in a hospice; (c) in a nursing home; (d) absent from work or school for more than three (3) days; (e) require active assistance with daily life activities; (f) be under continuing treatment by, or supervision of a health care provider; or (g) have either an incurable condition or one that if not cared for, would cause incapacity for more than three (3) days. The care-giving twelve (12) week leave is available to each of the employee parents of the child or the employee child of the parent.

3. An employee’s serious health condition, including (a) work related and non-work related illnesses or accidents, involving overnight in-hospital care, or (b) an absence from work for more than three (3) work days due to the need for continuing treatment by a health care provider and supported by a medical certification that states the employee cannot perform the essential function(s) of the position.

B. ELIGIBILITY:

To qualify for a FMLA leave, an employee must have accumulated twelve (12) months of employment by the date the requested leave is to start and must have worked one thousand two hundred and fifty (1,250) hours during the prior twelve (12) months. If an employee meets these qualifications, an employee will receive 12 weeks of leave in the 12-month period measured forward from the date an employee’s first FMLA leave begins.

C. NOTIFICATION REQUIREMENTS

1. The request for FMLA leave should be submitted in writing to the department head of the department in which the employee works. If a department head is requesting FMLA leave, then the request for leave should be submitted in writing to their immediate supervisor. appropriate committee chairman shall be the deciding authority.

CHAPTER VII DISCIPLINARY AND SEPARATION ACTION

- A. Causing damage to public property or waste of County supplies through negligence or willful misconduct, or failure to take reasonable care of County property;
- B. Absence from scheduled work without prior authorization;
- C. Claiming sick leave under false pretenses;
- D. Absence without leave for a period of three (3) days (an involuntary resignation), or a failure to report after leave of absence has expired or has been disapproved, revoked, or canceled by the employee's superior;
- E. Work history shows excessive or chronic absenteeism. Excessive or chronic absenteeism shall be defined as any absence from work that is not otherwise accounted for with the use of approved vacation, sick/person leave, bereavement leave, jury duty, Family Medical Leave, IMRF Disability Leave, military leave or a general leave of absence;
- F. Any other reason as determined by the employee's supervisor, department head or County Board member.

These grounds for discipline DO NOT constitute an exhaustive list of all the acts which will subject an employee to disciplinary action. No set of rules can cover all situations. The County reserves the right to discipline and discharge employees for unacceptable conduct other than those prescribed herein.

With respect to all employees, it is the policy of the County to apply progressive discipline in the forms prescribed below where appropriate. The County may forego lesser forms of discipline and proceed immediately to dismissal depending upon the nature of the employee's conduct.

In general, any action or attitude which adversely affects job performance or the reputation of Kendall County government may be cause of disciplinary action.

The following is a recommended procedure for employee discipline consistent with legal guidelines and good personnel management, and which may be utilized unless otherwise provided by Statute. While a system of progressive discipline may be followed, it is not always appropriate that each step be completed before moving to the next level or that any step be taken prior to discharge.

1. Documented Verbal Reprimand: The immediate supervisor may give a verbal reprimand and explanation to the employee of which he did wrong and why it is important that the episode not be repeated. The immediate supervisor will then make a short written record of their conversation. The supervisor and employee will both initial the written record, and both will retain a copy of it. This record will become part of the employee's departmental and County personnel file only if the conduct or performance did not become satisfactory after 90 days have elapsed.

2. Written Reprimand: If the employee continues to have difficulties in the same areas, or if the violation or infraction warrants, the immediate supervisor may prepare a written warning which contains a statement as to the date and nature of the infraction, and any other pertinent data including corrective measures to be taken. This record will be retained in the employee's personnel file.

3. Disciplinary Probations: Repetition of conduct otherwise meriting a lesser form of discipline, or commission of more serious misconduct, may result in an employee

being placed on probation for a period of from one to three months. This may be done simultaneously with or following a written reprimand.

4. Suspension: The department head may use suspension as a disciplinary action. The department head may order an employee absent from duties with or without pay for a period not to exceed 30 calendar days, only if there is evidence or reasonable suspicion that serious offense has been committed against the County or another employee. Prior to suspension, the department head must inform the employee in writing of the charges against him and the basis thereof allowing the employee to give his side of the story. However, if the presence of the employee poses a continuing threat or disruption to the department, the department head may order the suspension without notice. The department head shall, within 24 hours of such action, prepare a memorandum stating the grounds for such action, and submit it to the suspended employee, and the County Administrator, departmental committee chairperson. Such memorandum shall be held confidential.

Dismissal: Since all employees are at-will, the County retains the right to dismissal and that remains the right of the department head or elected official.

5. Removal of Department Heads: Department heads serve at the pleasure of the County Board. A department head may be removed by a majority vote of the members present at any regular or special meeting of the County Board. In situations where the County Board Chairman deems it necessary, the County Board Chairman shall have the power to order the immediate suspension of the department head with pay until acted upon by the Board. In such cases, the Board shall act on the suspension within ten days voting either to remove permanently or reinstate the department head. In cases of urgency, the County Board Chairman or in his/her absence, the County Board Vice Chairman, County Administrator and the State's Attorney, by unanimous agreement in writing will have the authority to terminate a department head. In the absence of the County Board Chairman, the County Board Vice Chairman shall serve as a replacement.

~~To be discussed and reviewed at a later date — Grievance Procedure~~

County of Kendall
Resolution 20 – _____

**RESOLUTION REQUIRING MASKS AND SOCIAL DISTANCING
IN KENDALL COUNTY BUILDINGS**

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and

WHEREAS, The Governor’s Executive Order 2020-32 and IDPH Emergency Rule requires that any person over the age of two wear a face-covering while in a public place and unable to maintain a six-foot social distance; and

WHEREAS, The Centers for Disease Control and Prevention recommends masks because they help prevent people who have COVID-19 from spreading the virus to others and masks reduce the spread of COVID-19 in public settings; and

WHEREAS, the Kendall County Health Department strongly recommends everyone follow the three W’s; **WEAR** a cloth mask over your nose and mouth, **WATCH** your physical distance and stay six feet apart, and **WASH** your hands frequently or use hand sanitizer; and

WHEREAS, the Kendall County Board wishes to protect the health and wellness of everyone who works at or may visit a Kendall County Building; and

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that all employees and visitors shall follow mask and social distancing guidelines while inside the Kendall County Office Building, Historic Courthouse, and Highway Building.

BE IT FURTHER RESOLVED, these guidelines will be implemented on the date the resolution is adopted and will remain in effect until Kendall County has reached Phase 5 of Restore Illinois.

PRESENTED and **ADOPTED** by the County Board, this 15th day of September 2020.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder