

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560
Tuesday, November 16, 2021 at 9:00 a.m.**

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Special Recognition
 - A. Resolution Declaring December as Kendall County Food Pantry Awareness Month
 - B. Approval of a Resolution Supporting Operation Green Light for Active Military Service Members in Transition to Civilian Life (Veteran Status)
6. Public Comment
7. Consent Agenda
 - A. Approval of County Board Minutes from October 19, 2021
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$ 3,491,732.79
 - D. Approval of 2021 Noxious Weed Annual Report
 - E. Approval of the Food Protection Ordinance
 - F. Approval of the Public Health Nuisance Ordinance
 - G. Approval of the Onsite Wastewater Treatment System Ordinance
 - H. Approval of Contract with LIT Communities for Rural County Broadband Study not to exceed \$126,023
8. Old Business
9. New Business
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. Admin HR
 1. Approval of Property, Liability, and Worker Compensation Insurance with ICRMT for Fiscal Year 2022 in an Amount of \$696,707
 2. Approval of Cyber Liability Insurance with BCS for Fiscal Year 2022 in an amount of \$16,524
 3. Approval of Kennel Technician Job Description
 4. Approval of Part-time Office Assistant Job Description
 - B. Highway
 1. Approve Low bid from Grainco FS, Inc. in the amount of \$97,280; including 15,000 gallons of unleaded gas at \$2.648/gallon and 20,000 gallons of diesel fuel at 2.878/gallon
 2. Approve Intergovernmental agreement between Kendall County, the Village of Minooka, and Township of Seward Road District relating to the installation of traffic signal lights at Ridge Road and Holt Road Section 21-00163-00-TL
 3. Approve Kendall County Long Range Transportation Plan
 - C. Planning Building & Zoning
 1. Approval of Petition 21-32 Request from Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Revocable Trust Dated September 15, 2017 and Michael and Eryn Ruffatto for a Map Amendment Rezoning the Parcel East and South of 800 Route 126 in Na-Au-Say Township (PIN: 06-13-101-011) from A-1 Agricultural District to R-1 One Family Residential District
 2. Approval of Petition 21-36 Request from Brenda and Gary Zeiter and Devan and Brady Woolverton for a Special Use Permit for a Landscaping Business at 3549 and 3527 Bell Road (PIN: 09-21-100-009) in Seward Township; Property is Zoned A-1 Agricultural

3. Approval of Discussion of Petition 21 – 26 a Request from Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis for Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 by Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, Amending the Landscaping Plan, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music at 10978 Crimmin Road, Newark (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008) in Fox Township

D. Finance

1. Approval of agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Chapel on the Green for the amount of \$6,317
2. Approval of agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Hope Pantry, NFP for the amount of \$4,098.22
3. Approval of agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with CASA Kendall County for the amount of \$25,000
4. Approval of agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Yorkville Music Boosters for the amount of \$4,046

12. Special Committee Reports

13. Other Business

14. Chairman's Report

A. Presentation and Discussion of the 2021 Kendall County Board Reapportionment Plan

Appointments

Gary Bennett – Raymond Drainage District – 3-year term – Expires November 2024

Dan Nagle – Rob Roy Drainage District – 3-year term – Expires November 2024

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.

**A RESOLUTION DECLARING DECEMBER AS KENDALL
COUNTY FOOD PANTRY AWARENESS MONTH
Resolution No. 21 - ____**

WHEREAS, the problem of hunger is a world-wide problem; and

WHEREAS, the problem of hunger exists within Kendall County, Illinois; and

WHEREAS, the Kendall County Food Pantry was established in 1983, in order to provide food to residents of Kendall County that are unable to afford to purchase food for their families; and

WHEREAS, the Kendall County Food Pantry is operated by a volunteer staff, with no paid employees; and

WHEREAS, over fifty thousand families, consisting of over one hundred thousand people have been served by the Kendall County Food Pantry since its inception, and within the last year, the Kendall County Food Pantry has served over seven thousand families; and

WHEREAS, while national concerns and world-wide problems concern all Americans, the problem of hunger and inadequate food for local citizens of Kendall County remains and it is the right and obligation of all citizens of Kendall County to help alleviate hunger on a local basis; and

WHEREAS, it is the intention of the Kendall County Board to increase the awareness of Kendall County residents to the existence of the Kendall County Food Pantry, to recognize and support the Kendall County Food Pantry and its volunteers, and further to encourage the donation of food to the Kendall County Food Pantry by all residents of Kendall County that are able to contribute to said cause;

BE IT HEREBY RESOLVED The Kendall County Board does hereby declare that December shall be “Kendall County Food Pantry Month”.

BE IT FURTHER RESOLVED that all residents of Kendall County are asked to contribute non-perishable food items or make a monetary donations to the Kendall County Food Pantry.

BE IT FURTHER RESOLVED that residents of Kendall County may donate items at the Kendall County Courthouse, Public Safety Center, Health and Human Services Building, County Highway Building or County Office Building during normal business hours.

Passed and adopted by the County Board of Kendall County, Illinois this ____ day of November, 2021.

Scott R. Gryder, Kendall County Board Chairman

ATTEST:

Debbie Gillette, Kendall County Clerk & Recorder





COUNTY OF KENDALL, ILLINOIS

Resolution 21 - _____

Supporting Operation Green Light for Active Military Service Members in Transition to Civilian Life (Veteran Status)

WHEREAS, the residents of Kendall County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women that served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Kendall County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, New York States Veteran Population has decreased by 44% over the last 20 years; and

WHEREAS, Veterans continue to serve their community in the American Legion, Veterans of Foreign Wars, church groups, civil service; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20% increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44% to 72% of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the Kendall County appreciates the sacrifices our United State Military Personnel made while defending freedom and believes specific recognition be accorded them in appreciation of their service and to demonstrate the honor and support they have earned; therefore be it

RESOLVED, with designation as a Green Light for Military Service County, Kendall County hereby declares November 2021 as a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; therefore, be it further

RESOLVED, that in observance of Operation Green Light, the Kendall County Board encourages its citizens in patriotic tradition to recognize the importance of honoring all those whom the immeasurable sacrifices helped to preserve freedom by displaying a green light on their porch or in a window of their place of business or residence.

Approved this 16th day of November, 2021.

Scott R. Gryder
County Board Chair

Debbie Gillette
County Clerk & Recorder

**KENDALL COUNTY BOARD
ADJOURNED SEPTEMBER MEETING
October 19, 2021**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building 111 W Fox St, in the City of Yorkville on Tuesday, October 19, 2021 at 9:05 a.m. The Clerk called the roll. Members present: Chairman Scott Gryder, Amy Cesich, Brian DeBolt, Elizabeth Flowers, Scott Gengler, Judy Gilmour, Matt Kellogg, Dan Koukol, Ruben Rodriguez and Robyn Vickers. Members absent: None.

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

THE AGENDA

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

SPECIAL RECOGNITION

Thomas Holbrook

Member Koukol moved to approve the resolution honoring Thomas William Holbrook. Member Rodriguez seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of Resolution 21-37 is available in the Office of the County Clerk.

Lead Poisoning

Member DeBolt moved to approve the National Lead Poisoning Prevention Week Resolution. Member Gilmour seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of Resolution 21-38 is available in the Office of the County Clerk.

Breast Cancer

Member Flowers moved to approve the Resolution declaring October as Breast Cancer Awareness Month. Member Rodriguez seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. Motion carried.

A complete copy of Resolution 21-39 is available in the Office of the County Clerk.

PUBLIC HEARING

Downstate Small Business Stabilization

Chairman Gryder opened the public hearing for the Downstate Small Business Stabilization Grant funded by the Community Development Block Grant (CDBG) funds. Chairman Gryder stated that the purpose of the public hearing is to provide interested parties an opportunity to express their view on the grant use performance. Kendall County intends to close out approved grant for Top Notch Kennels. Chairman Gryder closed the public hearing.

PUBLIC COMMENT

Todd Milliron spoke about a rezoning letter received in his neighborhood. He asked the board to reconsider the rezoning.

CONSENT AGENDA

Member Cesich moved to approve the consent agenda of **A)** county board minutes from September 21, 2021; **B)** standing committee minutes; **C)** claims in an amount not to exceed \$2,519,404.21; **D)** 2022 Comprehensive Noxious Week Work Plan; and **E)** Release of the October 12, 2021, Planning, Building and Zoning Executive Session minutes. Member Vickers seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. Motion carried.

C) COMBINED CLAIMS: ADMIN \$54.00; ANML CNTRL WRDN \$3,508.60; ASSMT \$35,240.63; BEHAV HLTH \$3,409.78; CIR CLK \$622.23; CIR CRT JDG \$8,881.22; COMB CRT SVS \$357.23; COMM ACTN SVS \$99,735.75; COMM HLTH \$27.40; CORR \$308.56; CNTY BRD \$24,132.78; CNTY CLK \$11,664.70; HIGHWY \$1,253,212.98; TREASR \$475.00; EMA \$159.64; EMPLY BENFT \$3,517.00; ENVIRO HLTH; \$548.24; FCLT MGMT \$160,720.72; FRST PRSV DIR \$450.00; GIS \$2,740.18; JURY COMM \$1,302.91; MERIT \$2,950.00; PBZ \$2,421.73; PSTG \$1,492.98; PRSDG JDGE \$6,104.00; PROB SVS \$12,059.93; PRGM SUPP \$79.92; ROE \$6,513.76; SHF \$61,674.13; STATES ATTY \$2,805.09; TECH \$9,381.75; TREASR \$161.35; UTIL \$21,985.21; VET \$3,239.13; FP \$21,036.93; SHF \$24,709.65; SHF \$32,984.17; CIVL \$276,000.00; CIVL \$216,441.00; ARPA \$206,293.93

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

Sheriff Baird stated that they raised \$400 for Breast Cancer awareness.

County Clerk

Revenue Report		9/1/21-9/30/21	9/1/20-9/30/20	9/1/19-9/30/19
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,181.50	\$1,218.50	\$883.00
MARFEE	County Clerk Fees - Marriage License	\$2,790.00	\$3,090.00	\$1,920.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$30.00
ASSUME	County Clerk Fees - Assumed Name	\$30.00	\$70.00	
CRTCOP	County Clerk Fees - Certified Copy	\$2,328.00	\$2,025.00	
NOTARY	County Clerk Fees - Notary	\$265.00	\$275.00	
MISINC	County Clerk Fees - Misc	\$24.50	\$78.00	\$2,255.00
	County Clerk Fees - Misc Total	\$6,619.00	\$6,756.50	\$5,088.00
RECFEE	County Clerk Fees - Recording	\$40,543.00	\$41,261.00	\$30,459.00
	Total County Clerk Fees	\$47,162.00	\$48,017.50	\$35,547.00
CTYREV	County Revenue	\$57,006.75	\$44,241.00	\$34,389.25
DCSTOR	Doc Storage	\$23,874.50	\$24,222.50	\$17,770.00
GISMAP	GIS Mapping	\$75,632.00	\$76,680.00	\$30,021.00
GISRCD	GIS Recording	\$5,042.00	\$5,112.00	\$3,753.00
INTRST	Interest	\$27.98	\$26.67	\$12.64
RECMIS	Recorder's Misc	\$1,294.50	\$14,880.25	\$4,217.00
RHSP	RHSP/Housing Surcharge	\$21,267.00	\$21,933.00	\$15,894.00
TAXCRT	Tax Certificate Fee	\$400.00	\$600.00	\$560.00
TAXFEE	Tax Sale Fees	\$55.00		\$5.00
PSTFEE	Postage Fees	\$0.00		\$0.00
CK #				
19309	To KC Treasurer	\$231,761.73	\$235,712.92	\$142,168.89

Clerk of the Court

Circuit Clerk Matthew Prochaska reviewed the September 2021 report.

Coroner

Coroner Jacque Purcell spoke about the prescription drug take back on October 23, 2021.

Health Department

Executive Director RaeAnn VanGundy reminded everyone of the vaccination clinics on Thursday and Fridays. They are in the planning stage for 5 – 11-year-old vaccinations.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti stated that the final filing date has passed, they have 75 complaints so far.

STANDING COMMITTEE REPORTS

Admin HR

Deputy Director of Technology

Member Gilmour moved to approve the Deputy Director of Technology Services Job Description. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

GIS Intern

Member Gilmour moved to approve the second GIS intern with a focus on the transition to NG-911. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Wellness Plan

Member DeBolt moved to approve the 2022-2023 Kendall County Wellness Plan. Member Koukol seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Health Insurance

Member Kellogg moved to approve the renewal with Blue Cross Blue Shield of Illinois for Employee Health Insurance. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Life Insurance, Vision Insurance and Dental Insurance

Member Cesich moved to approve the renewal with Blue Cross Blue Shield of Illinois for Employee Life Insurance, EyeMed for Vision Insurance, and MetLife for Dental Insurance. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Highway

Eldamain Road Bridge

County Engineer Fran Klaas presented a video of the Eldamain Road construction progress.

Speed Zones

Member Cesich moved to approve an ordinance for the establishment of altered speed zones on various Oswego Township Roads. Member Flowers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 21-20 is available in the Office of the County Clerk.

Right of Way Consulting

Member Cesich moved to approve an agreement for right-of-way consulting services with Mathewson Land Services. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 21-25 is available in the Office of the County Clerk.

EMA

EMA Director Roger Bonuchi informed the board that they have been reaccredited for the Emergency Operation Plan by the State of Illinois for the next 2 years

Planning, Building & Zoning

Petition 21-29

Member Cesich moved to approve Petition 21-29 Request from Lorena and Jose DeJesus Gutierrez and Refugio and Etelvina Alvarez on Behalf of JJ Gutierrez Lawn Care, LLC for a Special Use Permit for a Landscaping Business and Variances to Sections 4:05.B and 7:01.G.2 of the Kendall County Zoning Ordinance Allowing Off-Street Parking in the Front Yard Setback at 12830 Ashley Road (PIN: 08-02-300-012) in Lisbon Township. Member Rodriguez seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 21-21 is available in the Office of the County Clerk.

Petition 21-30

Member Koukol moved to approve Petition 21-30 Request from Robert Velazquez on Behalf of Always Faithful Properties, LLC for a Map Amendment Rezoning 10744 Route 47 (PIN: 05-28-400-002) in Kendall Township from A-1 Agricultural District to B-3 Highway Business District. Member Rodriguez seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 21-22 is available in the Office of the County Clerk.

Petition 21-31

Member Cesich moved to approve Petition 21-31 Request from Robert Velazquez on Behalf of Always Faithful Properties, LLC for a Special Use Permit for a Landscaping Business at 10744 Route 47 (PIN: 05-28-400-002) in Kendall Township. Member Rodriguez seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 21-23 is available in the Office of the County Clerk.

Petition 21-33

Member Cesich moved to approve Petition 21-33 Request from Elizabeth Bowyer on Behalf of Doragon Properties, LLC for a Special Use Permit for the Sale of Agricultural Products, Pottery, Art, and Home Décor (a Craft Fair/Market) and Variance to Section 7:01.D.48 to Allow Said Uses on Land Designated as Agricultural in the Kendall County Land Resource Management Plan at 5681 Whitewillow Road (PIN: 09-31-100-005) in Seward Township. Member Gilmour seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye except Kellogg. **Motion carried 9-1.**

A complete copy of Ordinance 21-24 is available in the Office of the County Clerk.

Petition 21-26

Member DeBolt moved to approve Petition 21 – 26 a Request from Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis for Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 by Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, Amending the Landscaping Plan, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music at 10978 Crimmin Road, Newark (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008) in Fox Township. Member Koukol seconded the motion.

Members discussed the need for septic work.

Member Flowers moved to table the item to the Planning Building and Zoning Committee. Member Kellogg seconded the motion. Chairman Gryder asked for a roll call on the motion. All members present voting aye except Koukol. **Motion carried 9-1.**

Finance

Marketing Plan

Member Kellogg moved to approve an American Rescue Plan Act Marketing Plan with Pesola Media Group (PMG) in an amount not to exceed \$8,000. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Budget Amendment

Member Kellogg moved to approve an ordinance authorizing a budget amendment to the Kendall County Fiscal Year 2021 Budget. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 21-25 is available in the Office of the County Clerk,

Family Counseling Service

Member Kellogg moved to approve an agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Family Counseling Service in the amount of \$25,000. Member Flowers seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Yorkville Area Chamber of Commerce

Member Kellogg moved to approve an agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Yorkville Area Chamber of Commerce in the amount of \$25,000. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Parkview Christian Academy

Member Kellogg moved to approve an agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Parkview Christian Academy in the amount of \$25,000. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Facilities

Member DeBolt stated that the Hart home has been removed and the AC at the Courthouse is complete. Windows have been installed at the Historic Courthouse.

Chairman's Report

Chairman Gryder spoke about flags being lowered in honor of Colin Powell. Chairman Gryder commented that the Bristol Kendall Fire Department is its own entity and they board only handles appointments to that board.

Member DeBolt moved to approve the appointment(s). Member Gengler seconded the motion. Chairman Gryder asked for a voice vote on the motion. All members present voting aye. **Motion carried.**

Appointments

Mayor Mike Rennels – KenCom Executive Board – City of Plano

ADJOURNMENT

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

Approved and submitted this 3rd day of November, 2021.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

HIGHWAY COMMITTEE MINUTES

DATE: November 9, 2021
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Scott Gryder, Amy Cesich, Brian DeBolt & Scott Gengler
STAFF PRESENT: Michele Riley and Francis Klaas
ALSO PRESENT: Ryan Sikes

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

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

Motion Cesich; second DeBolt, to approve the Highway Committee meeting minutes from October 12, 2021. Motion approved unanimously.

Motion DeBolt; second Cesich, to recommend approval of the low bid from Grainco FS, Inc. in the amount of \$97,280; including 15,000 gallons of unleaded gas at \$2.648/gallon and 20,000 gallons of diesel fuel at \$2.878/gallon. Klaas provided a history of fuel bids at the Highway Department. The annual bid in November has typically provided very competitive pricing for the coming year. This is the first time in many years that Grainco FS, Inc. has been the low bidder. Klaas indicated that they have good fuels and great service; so he had no reservations about recommending their low bid for approval by the Board. Gryder asked about the bidder from Indiana. Klaas stated that this is the first time an out-of-state bidder has submitted a bid. They may have a local distribution point; but he suggested that next year's bid would include a requirement that bidders have an Illinois business office. Gryder asked if County Engineer could do a little more investigation on where the Indiana bidder has offices and distribution centers. Gengler asked if Feece Oil Company ever bids. Klaas stated that they have bid in the past, but have never been the low bidder. By roll call vote, motion approved unanimously.

Motion Cesich; second DeBolt, to recommend approval of an intergovernmental agreement between Kendall County, the Village of Minooka, and Township of Seward Road District relating to the installation of traffic signal lights at Ridge Road and Holt Road Section 21-00163-00-TL. This IGA identifies that the County will pay 50% of the cost, while both Village of Minooka and Seward Township will pay 25% each. Cesich asked if the State's Attorney Office had reviewed the agreement. Klaas stated that the SAO and Minooka's attorney had worked out all the details of the agreement. Other agencies have already signed the IGA, and it is awaiting approval by the County Board. By roll call vote, motion approved unanimously.

Motion DeBolt; second Cesich, to recommend approval of the Kendall County Long Range Transportation Plan. Committee members reviewed the plan. Cesich asked about changes to the Plan. Klaas indicated that both the Long Range Plan and 5-Year Plan had been updated to direct more money at the Ridge Road corridor, as previously directed by the Committee. The Draft Plan has been posted on the County's website. He also advised the Committee that a copy of the Plan has to be submitted to Illinois Department of Transportation before the end of the year.

Cesich and DeBolt asked about specific intersection improvements programmed for next year, which are identified on Exhibit 6 in the Plan. DeBolt also confirmed that all of Eldamain Road is under the jurisdiction of the County. Gengler asked about Ashe Road, at the north end of Eldamain; said road being under the jurisdiction of Bristol Township. Gryder noted that the Plan includes widening the Orchard Road Bridge to 4 lanes. Klaas stated that this will undoubtedly be required, as traffic numbers continue to rise over this structure. Gryder also pointed out that the Collins Road Extension will add to the future need for a 4-lane bridge. Gryder also asked about the bridge replacements on Caton Farm Road; and which ones had been built and which ones still needed to be built. Exhibit 6 in the plan accurately depicts structures that still need to be replaced. After consideration of the Plan, motion approved unanimously.

Under Chairman's Report, Gryder advised that he had a meeting with the CMAP Executive Director. They discussed the post-pandemic traffic issues. Metra ridership is way down. Bus ridership is back to near normal. When suburbanites do drive downtown, there is still a lot of congestion. CMAP continues to look for more paths and green spaces. Remote work will continue to be a big thing, so improved broadband availability will be important. Klaas asked if the decline in Metra ridership will have an impact on the idea of Metra rail in Kendall County. Gryder believes it matters to the Metra Board. They are having a hard time with the idea of any expansion. DeBolt asked if Kendall County was in line for any of the Federal infrastructure money. No one knew the answer to that question.

Klaas provided update on the recent TAP Grant to the KCFPD for multi-use path along Route 71. Recent changes to how State projects are funded will eliminate any local participation for paths and sidewalks, beginning in 2022. So the \$76,000 TAP Grant will not be needed for that project, and can be kept in the fund balance for future projects. Cesich asked if the Forest Preserve could apply for some other project. Klaas suggested that the multi-use path connecting Hoover Forest Preserve to Fox River Bluffs Preserve would be a great project. A new round of funding opportunity will be published soon, and all agencies in Kendall County will have an opportunity to apply for the approximate \$150,000 in available funds.

Eldamain Road Project is continuing. Project was started just 8 months ago, and is already 60% complete. DeBolt asked if they would get all the structural steel set across the Fox River this year. Klaas did not think that they would get it all done this year. Land acquisition efforts continue on Collins Road Extension Project. No parcels have been closed yet. The process is much more difficult on that project because of the federal money involved in the construction.

Motion Cesich; second Gengler, to forward Highway Department bills for the month of November in the amount of \$756,099.51 to the Finance Committee for approval. By roll call vote, motion approved unanimously.

Motion Cesich; second DeBolt, to adjourn the meeting at 4:00 P.M. Motion carried unanimously.

Respectfully submitted,



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

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of November 8, 2021 – Unofficial until Approved

CALL TO ORDER

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

ROLL CALL

Committee Members Present: Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), Dan Koukol, and Robyn Vickers

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Aaron Rybski, Boyd Ingemunson, Kurt Buhle, Jeanette Buhle, Steve Graves, Dan Kramer, and Brenda Zeiter

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Member Gilmour made a motion, seconded by Member Vickers, to approve the minutes of the October 12, 2021, meeting. With a voice vote of five (5) ayes, the motion carried.

Member Koukol made a motion, seconded by Member Vickers, to approve the minutes of the October 21, 2021, meeting in Boulder Hill. With a voice vote of five (5) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report from October 2021. Mr. Asselmeier noted invoices from WBK Engineering related to stormwater investigations in Fox River Gardens and Whitetail Ridge.

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

PETITIONS

Petition 21-26 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Mr. Asselmeier stated that two (2) issues needed to be addressed.

The first issue is the septic system has been installed.

The second issue is the Petitioners wanted to amend the landscaping plan by planting six (6) white pine trees and six (6) blue spruce trees instead of twelve (12) cedar trees. The trees

shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021.

Mr. Asselmeier noted that the Sheriff's Department received a complaint stating that an event occurred on November 6, 2021, which was beyond the operating season of the current special use permit. Mr. Asselmeier also provided information from Kurt Buhle regarding traffic issues on Crimmin Road, the barns doors being open, events occurring after 11:00 p.m., multiple events per weekend, loss of property values, and code enforcement.

Aaron Rybski, Kendall County Health Department, said the septic system is sized to support six (6) employees and two hundred eighty (280) guests per day. The system was installed in October.

Member Koukol noted how quickly the Petitioners installed the septic system.

The system was sized to meet the needs of the Petitioners proposed operations.

Kurt Buhle questioned the enforcement of the rules. He noted the closure of barn doors makes a difference.

Member Koukol requested clarifications regarding the pictures provided. Mr. Buhle explained the traffic jams on Crimmin Road.

Chairman Gengler asked about events running after hours. Mr. Asselmeier said the most recent complaints occurred after the special use permit amendment application occurred.

Mr. Asselmeier explained enforcement procedures, the process for fining in cases of violation, and revocation of special use permits. The Department, historically, has not prosecuted people for violations when they were pursuing zoning actions through the County Board.

Steven Graves and his wife stand behind the Buhles.

Jeannette Buhle said enforcement needed to be addressed; the Petitioners should follow the rules in place. She expressed concerns that the Petitioners will not follow the amended restrictions.

Member Koukol discussed the wedding venue on Walker Road and the neighboring property that sold for good money. He asked if the Buhles hired an appraisal. The response was no.

Member Flowers asked about the frequency of amendments to special use permits. Mr. Asselmeier responded there have been two (2) or three (3) minor amendments and approximately two (2) major amendments. Member Flowers asked, in those cases, were people following the rules of their special use permits. Mr. Asselmeier said yes.

It was noted that the existing season was from April 1st to November 1st. The Petitioners applied in June for the amendments to the special use permit.

Boyd Ingemunson, Attorney for the Petitioners, noted the disparity between his clients' special use permit and the special use permits for similar uses. He felt that his clients were not in a position to object to the conditions of their special use permit at the time the special use permit was originally issued. He noted that no noise violations have occurred. He also noted that every Committee, until the Planning, Building and Zoning Committee voted favorably for the project. He discussed the septic situation. He also discussed the need to reschedule events due to COVID. He felt the conditions were unreasonable.

Member Flowers asked about the septic system in relation to the original operations. Mr. Asselmeier said they had to follow all applicable laws. Mr. Ingemunson felt that the septic issue fell through the cracks and was not evaluated at the time the special use permit was issued.

Member Gilmour appreciated the Petitioners efforts to install the septic system. She noted safety concerns on Crimmin Road. Mr. Ingemunson noted that the Petitioners donated land for right-of-way. She encouraged the Petitioners to be good neighbors. She felt the noise ordinance should be corrected. Mr. Ingemunson said the Petitioners reached out the neighbors and the Petitioners are monitoring the noise levels.

Chairman Gengler expressed trust issues. He noted the trails on Forest Preserve property. The Petitioners had events before the special use permit was issued. He noted the balanced between peace and quiet and business growth. He expressed concerns about taxing the resources of the Planning, Building and Zoning Department and Sheriff's Department. Mr. Ingemunson said he clients were doing the County a favor with regards to access through his clients' property. The County has not any complaints on the other wedding venues for a couple years.

Mr. Buhle said the Petitioners have not tried to work with their neighbors.

Ms. Buhle said if the other venues were following their special use permits, then no call should be occurring. She would like to see the amendment be delayed until the Petitioners showed they were willing to comply with the existing rules.

Chairmen Gengler suggested placing a term limit on the special use permit.

Member Koukol made motion to recommend approval of the request and that the proposal go to the County Board. The motion died for lack of a second.

Member Gilmour made motion, seconded by Member Koukol, to send the proposal to the Committee of the Whole.

With a voice vote of five (5) ayes, the motion carried.

The proposal goes to the Committee of the Whole on November 10, 2021.

Member Koukol asked what the Petitioners need to do to obtain approval. He noted the septic issue. Member Flowers expressed concerns regarding the impact of the doors and sound on neighbors. Member Vickers wanted the other County Board members to review the proposal.

Member Koukol expressed concerns about the Petitioners ability to book their calendar while the County reviews the proposal.

Petitions 21-32 Gilbert Niznik on Behalf of the Gilbert L. Niznik Revocable Trust Dated September 15, 2017 and Michael and Eryn Ruffatto

Mr. Asselmeier summarized the request.

Michael and Eryn Ruffatto would like to purchase the subject property from the Gilbert L. Niznik Trust Dated September 15, 2017 and construct one (1) house.

The western one hundred feet (100') of the subject property was part of a landing strip per Ordinance 1992-6 and was not part of the rezoning request.

The application materials, aerial of the property, plat of survey, and Ordinance 1992-6 were provided.

The property was approximately twenty-seven (27) acres.

The Future Land Use Map called for the property to be Suburban Residential (Max 1.00 DU/Acre).

Route 126 was a State maintained Arterial.

The County had a trail planned along Route 126.

There is no floodplain on the property. There is a riverine wetland along the southeast corner of the property.

The adjacent land uses were Agricultural, Single-Family Residential, and an Airstrip.

The adjacent zoning districts were A-1, R-1 SU, and R-3.

The County's Future Land Use Map called for the area to be Suburban Residential (Max 1.00 DU/Acre) and Commercial. The Village of Plainfield's Future Land Use Map called for the area to be Medium Density Residential, Village Residential, and Low Density Residential.

The nearby zoning districts in the unincorporated area were A-1, A-1 SU, R-1 SU, and R-3. The nearby zoning districts in the Village of Plainfield were Low Density Single-Family Residential PUD.

The A-1 special use permit to the west was for professional offices. The R-1 special use to the west was for an airstrip.

EcoCAT Report submitted and consultation was terminated.

The application for NRI was submitted on August 12, 2021. The LESA Score was 185 indicating a low level of protection. The NRI Report was provided.

Petition information was sent to Na-Au-Say Township on August 27, 2021. The Na-Au-Say Township Planning Commission met on October 14, 2021, and unanimously recommended approval of the request.

Petition information was sent to the Village of Plainfield on August 27, 2021. The Village of Plainfield Planning Department submitted an email on November 4, 2021, stating that they had no objections to the request.

Petition information was sent to the Plainfield Fire Protection District on August 27, 2021, and they had no concerns about the request; their email was provided.

ZPAC reviewed this proposal at their meeting on September 7, 2021. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) members absent. The minutes of this meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on September 22, 2021. Neighbors David Cline, William Sales, Robert VanderBeek, and June Alice spoke in favor of the request. The Kendall County Regional Planning Commission recommended approval of the request by a vote of nine (9) in favor and zero (0) in opposition with one (1) member absent. The minutes of this meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on September 27, 2021. Other than the Petitioner's Attorney, no one testified at the public hearing regarding the proposed map amendment. The Kendall County Zoning Board of Appeals recommended approval of the request by a vote of five (5) in favor and zero (0) in opposition with two (2) members absent. The minutes of the hearing were provided.

The Petitioners desired to rezone the subject property in order to build one (1) house on the subject property.

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

No public or private utilities were onsite.

The property fronted Route 126. Staff had no concerns regarding the ability of Route 126 to support the proposed map amendment.

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

No new odors are foreseen.

Any new lighting would be for residential use only.

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

Any signage would be residential in nature.

No noise was anticipated.

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

The Findings of Fact were as follows:

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

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1, R-3, and R-1 with a special use permit. Nearby properties inside the Village of Plainfield also have residential zoning.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. Due to the property's size, a single-family home cannot be constructed on the property under A-1 zoning regulations.

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

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

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

The draft ordinance was provided.

The location of the proposed house was highlighted.

Dan Kramer, Attorney for the Petitioner, explained the eastern access would be used for a driveway. The western access is an airstrip. Mr. Kramer explained the reasons why the Petitioners pursued a map amendment; the property did not qualify for a house under the A-1 rules. The balance of the farm will remain in farming. There will not be any additional residential lots on the property.

Chairman Gengler made a motion, seconded by Member Vickers, to recommend approval of the map amendment.

With a voice vote of five (5) ayes, the motion carried.

The proposal goes to the County Board on November 16, 2021, on the regular agenda.

Petition 21-36 Brenda and Gary Zeiter and Devan and Brady Woolverton

Mr. Asselmeier summarized the request.

The Petitioners would like to operate a landscaping business, Zeiter Landscaping, Inc., at the subject property.

The application materials, NRI Report, site plan, topographic survey, pictures of the proposed landscaping and the aerial of the property were provided.

In 2000, Brenda and Gary Zeiter were awarded a special use permit at 16765 Hanson Road for their landscaping business. While they indicated their plans include moving the business from Hanson Road to the subject property, they would like to retain a special use permit at the Hanson Road property. The special use permit for the property on Hanson Road was provided. Since 2000, neither the Sheriff's Department nor the Planning, Building and Zoning Department have received any complaints regarding the landscaping business on Hanson Road.

If approved, the landscaping business would be addressed as 3549 Bell Road. A house for the owner/operator of the business is planned on the southern portion of the property and would be addressed as 3527 Bell Road.

The property was approximately ten (10) acres in size.

The County's Future Land Use Map called for the property to be Rural Residential (Max 0.65 DU/acre). Shorewood's Future Land Use Map called for the property to be Residential.

Bell Road is a Township maintained Minor Collector.

There were no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses were agricultural and farmstead.

The adjacent properties were zoned A-1.

Kendall County's Future Land Use Map called for the area to be Rural Residential.

Shorewood's Future Land Use Map called for the area to be Residential.

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

The A-1 special use permit to the north is horse related and the special use permit to west is for an agricultural helipad.

EcoCAT Report was submitted and consultation was terminated.

The NRI application was submitted and the LESA Score was 233 indicating a high level of protection. The NRI Report was provided.

The Seward Township Planning Commission reviewed this proposal on May 13, 2021, and recommended the project move forward. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on September 24, 2021. Since the property was greater than one point five (1.5) miles from the Village, Shorewood declined to comment on the proposal. The email stating their position was provided.

Petition information was sent to the Lisbon-Seward Fire Protection District on September 24, 2021. The Lisbon-Seward Fire Protection District submitted an email on October 6, 2021, requesting at least one (1) fire extinguisher and one (1) first aid kit on the property. The email was provided. The Petitioners were agreeable to this request.

ZPAC reviewed this proposal at their meeting on October 5, 2021. Discussion occurred regarding having landscaping businesses on minor collector roads. The Kendall County Soil and Water Conservation District requested a soil erosion and sediment control plan in place during construction and the need to secure a NPDES Permit if one (1) acre or more land was disturbed. The Petitioner has secured applicable building permits for the house from the Kendall County Planning, Building and Zoning Department and the Kendall County Health Department. The Kendall County ZPAC recommended approval of the proposal with the conditions proposed by Staff by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on October 27, 2021. Ron and Fran Miller were concerned about the lack of landscaping on the north side of the subject property. They noted that landscaping was planned on the west and east sides of the subject property. They were concerned about the storage of debris and equipment north of the metal building. They requested a berm and trees north of the metal building. They also provided pictures of tires laying in the field. The Petitioners were agreeable to the addition of a restriction stating that no storage of any materials or equipment related to the business allowed by this special use permit shall occur north of the northern "Proposed Limit of Landscaping Business" line as shown on the topographic survey and this same area shall be used for agricultural purposes only. This line was approximately five hundred fifty feet (550') south of the northern property line. The special use would run with the land and a future property could operate a landscaping business under the same conditions as approved by the County Board. No other business could go on the property without securing proper zoning; a trucking company could not locate on the property. Member Wilson noted that the Petitioners transformed the property on Hanson Road into a showcase. The Kendall County Regional Planning Commission recommended approval of the requested special use permit with the conditions proposed by Staff and the added condition that no storage of any materials or equipment related to the business allowed by this special use permit shall occur north of the northern "Proposed Limit of Landscaping Business" line as shown on the topographic survey and this same area shall be used for agricultural purposes only by vote of six (6) in favor and zero (0) in opposition with three (3) members absent. Member Wilson recused herself. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on the proposal on November 1, 2021. Discussion occurred regarding weight restrictions on Bell Road. The home on the site was properly permitted. The Kendall County Zoning Board of Appeals recommended approval with the conditions proposed by Staff by a vote of five (5) in favor and zero (0) in opposition with two (2) members absent. The minutes of the hearing were provided.

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

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

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

According to the submitted business plan, Zeiter Landscaping, Inc. has been in business over twenty-five (25) years. The business operates from March through November and employs ten (10) people. The business is operational Monday through Saturday. Employees arrive at the property between 6:15 a.m. and 7:00 a.m., gather supplies and equipment, and leave the property for job site by 7:30 a.m. Employees return to the property between 5:00 p.m. and 6:00 p.m., unload equipment and supplies, and leave the property.

All business related vehicles and equipment would be parked inside overnight and trailers would be parked in the rear of the property.

Employee's personal vehicles would remain on the property during business hours.

Deliveries of landscaping materials by semis would occur no more than two to three (2-3) times per week.

If approved, the Petitioners plan to start operations immediately.

According to the site plan and the topographic survey, one (1) approximately two thousand four hundred (2,400) square foot house for the operators of the landscaping business is planned on the south side of the property. One (1) approximately twelve thousand (12,000) square foot metal building would be also be placed on the property. This building will be one (1) story with two (2) canopies.

According to the site plan, four (4) storage bins for landscaping materials would be located northeast of the metal building. These bins would be approximately ten feet (10') west of the eastern property line. The bins would be a total of ninety-six feet (96') wide, eighteen feet (18') in depth, and materials as high as eight feet (8') in height.

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

Per the site plan and the topographic survey, the property is served by septic. The property also has a well. Electricity will be onsite.

Employees will be able to use the restroom inside the metal building.

There is also a propane tank on the premises located north of the metal building.

Though not shown on the site plan or topographic survey, a dumpster is planned north of the metal building.

There are three (3) natural gas pipelines going through the property.

The Petitioners plan to construct the metal building on one (1) of the highest points of the property. The northern portion of the property drains to the northwest and the southern portion of the property drains to the southeast.

The topographic survey shows several temporary dirt berms around the house. These berms will be removed when construction of the house is complete.

A stormwater management permit will be required.

WBK submitted a letter requesting additional information; the letter was provided.

Per the site plan and topographic survey, access from Bell Road to the business operation will be by a twenty foot (20') wide driveway located approximately twenty-five feet (25') off of the eastern property line. The driveway will be constructed of asphalt grindings. The new house will also utilize the driveway.

According to the site plan the Petitioners plan to install an area around the metal building with asphalt grindings. There are five (5) parking spaces available on the east side of the area for employee parking. Trailers would be parked north of the metal building.

No customers of the business would be invited onto the property.

No handicapped parking spaces were planned.

If there is a motor vehicle or equipment related leak, the area impacted would be cleaned.

The Petitioners indicated that they plan to install one (1) light in the middle of the metal building facing east, one (1) on the metal building facing north, and three (3) can lights under the office and garage area. Because the number of parking spaces was under thirty (30), a photometric plan was not required, but the Petitioners will be required to follow the applicable lighting regulations in the Kendall County Zoning Ordinance.

Though not shown on the site plan or the topographic survey, the Petitioners would like to install one (1) two (2)-faced sign on the east side of the driveway. The sign will not be illuminated.

No fencing is planned.

The topographic survey shows one (1) area south of the employee parking with mulch and evergreens. A second mulch and evergreen area is shown northwest of the metal building. Pictures of the type of vegetation that would be installed were provided. The plantings will consist of nine (9) eight foot (8') Colorado Blue Spruce and five (5) maple trees between two point five inches and three inches (2.5" and 3") caliber. The plantings would be installed by the end of 2021.

One (1) berm south of the metal building is shown on the topographic survey. The berm will have landscaping and evergreens. The berm shall be two point five feet (2.5') in height and five feet (5') wide.

One (1) gravel mound is shown on the topographic survey. The Petitioners plan to have it leveled by the end of November.

No information was provided regarding noise control.

No new odors are foreseen by the proposed use.

If approved, this would be the eighteenth (18th) special use permit for a landscaping business in unincorporated Kendall County.

The Findings of Fact were as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. Provided the site is developed in accordance with the submitted site plan and topographic plan and provided the business plan is followed regarding hours of operation and business related deliveries, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property. Only landscape related materials and equipment will be stored at the subject property.

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

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. If Seward Township approves the new access point, then adequate points of ingress and egress will be provided. No customers will be allowed on the property and employees will be able to use the restroom facilities inside the metal building. The owners of the business allowed by the special use permit have applied for the applicable stormwater 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. The special use shall conform to the applicable regulations of the district and no variances were requested.

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. True, the proposed use is consistent with an objective found on Page 9-21 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents".

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

1. The site shall be developed substantially in accordance with the site plan and topographic survey. A refuse area may be installed north of the metal building. One (1) two (2)-faced sign may be installed east of the driveway. The sign shall not be illuminated.

2. No storage of any materials or equipment related to the business allowed by this special use permit shall occur north of the northern "Proposed Limit of Landscaping Business" line as shown on the topographic survey and this same area shall be used for agricultural purposes only.
3. The owners of the business allowed by the special use permit shall maintain the parking area and driveway shown on the site plan and in substantially the same locations as depicted on the site plan and topographic survey. The parking area and driveway shall be asphalt grindings.
4. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and items stored on the subject property and shall promptly clean up the site if leaks occur.
5. Any new structures, signs, or lights constructed or installed on the property related to the operations of the business allowed by this special use permit shall not be considered for agricultural purposes and must secure applicable building permits.
6. Equipment and vehicles related to the business allowed by the special use permit must be stored indoors during non-operational business hours. This condition does not extend to trailers; they may be stored outdoors in the trailer parking area designated on the site plan.
7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be eight feet (8'), provided a Stormwater Management Permit is issued.
10. Nine (9) Colorado Blue Spruce, a minimum of eight feet (8') in height, and five (5) maple trees at least two point five inch (2.5") caliber at the time of planting shall be planted in the areas identified as landscaping and areas with mulch and evergreens and on the dirt berm as identified in the topographic survey and as visually depicted on the landscaping submitted images. Damaged or dead trees or Colorado Blue Spruces shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The landscaping shall be installed by December 31, 2021. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
11. No landscape waste generated off the property can be burned on the subject property.
12. A maximum of ten (10) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.

13. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
14. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
15. Deliveries of materials related to the business allowed by the special use permit by semis or tractor trailers shall be restricted to a maximum of three (3) in a seven (7) day period. There shall be no cap on the number of deliveries of materials related to the business allowed by the special use permit by non-semis or non-tractor trailers.
16. The noise regulations are as follows:

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

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

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
17. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
18. The owners or operators of the business allowed by this special use shall reside at the subject property as their primary place of residence.
19. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
21. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
22. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

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

The draft ordinance was provided.

Member Gilmour asked about the tires. Brenda Zeiter, Petitioner, said the tires were removed the following day. Prior to the Planning Commission meeting, she was unaware the tires were on the property.

Member Koukol thanked the Petitioner for working with her neighbors.

Member Koukol made a motion, seconded by Member Vickers, to recommend approval of the special use permit.

With a voice vote of five (5) ayes, the motion carried.

The proposal goes to the County Board on November 16, 2021, on the regular agenda.

NEW BUSINESS

Recommendation on 2021 Noxious Weed Annual Report

Mr. Asselmeier presented the report.

Kendall County is required by Illinois law to submit a Noxious Weed Annual Report to the State by December 1st of each year. Attached please find the proposed 2021 Noxious Weed Annual Report.

During 2021, the Kendall County, Planning, Building and Zoning Department received zero complaints of noxious weeds. In 2020, the Department also received zero complaints.

Chairman Gengler made a motion, seconded by Member Koukol, to forward the 2021 Noxious Weed Annual Report to the County Board.

With a voice vote of five (5) ayes, the motion carried.

The proposal goes to the County Board on November 16, 2021, on the consent agenda.

Approval to Change the December 2021 Planning, Building and Zoning Committee Meeting Date and Time

Mr. Asselmeier stated that the Zoning Board of Appeals will be holding a public hearing on December 13th.

The consensus of the Committee was to meet on December 14, 2021, at 5:30 p.m.

Member Gilmour asked about fines for special use permit violations. Mr. Asselmeier said no special use permit holder has been fined for violating a special use permit. Mr. Asselmeier explained the enforcement and fine mechanism through the court. She favored increased enforcement. She expressed concerns for the neighbors. Member Vickers noted the neighbors moved in before the business started.

OLD BUSINESS

Follow-Up Discussion of October 21, 2021, Kendall County Planning, Building Meeting in Boulder Hill

The consensus of the Committee was that residents like the meeting, but future meetings should be a more question and answer format.

The suggestion was made to use the Church of the Brethren, if they did not charge a large cleaning fee.

The consensus of the Committee was to have a town hall type meeting in April or May 2022 and invite the Sheriff's Department.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report and the report from Brian Holdiman regarding complaints in Boulder Hill.

REVIEW NON-VIOLATION REPORT

The Committee reviewed the non-violation report.

UPDATE FROM HISTORIC PRESERVATION COMMISSION

Mr. Asselmeier report that the Certified Local Government Grant has been submitted.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

Discussion occurred regarding setting up a Planning, Building and Zoning fund.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

None

ADJOURNMENT

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

Chairman Gengler adjourned the meeting at 8:31 p.m.

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

Enc.

**COUNTY OF KENDALL, ILLINOIS
SPECIAL COMMITTEE OF THE WHOLE/
FINANCE COMMITTEE
Thursday, October 28, 2021 at 5:00 PM
Special Meeting Minutes**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE - The meeting was called to order at 5:10p.m. by County Board Chair Scott R. Gryder, who led the Pledge of Allegiance to the American Flag.

ROLL CALL

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

Others Present: Sheriff Dwight Baird, Deputy County Administrator Latreese Caldwell, Highway Maintenance Technician Tim Karales, Financial Analyst Jennifer Karales, County Administrator Scott Koepfel, Health Department Executive Director, Rae VanGundy

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

APPROVAL OF CLAIMS – Motion by Member Gilmour, second by Member DeBolt.

ROLL CALL VOTE

Board Member	Vote
Scott Gryder	Yes
Matt Kellogg	Yes
Robyn Vickers	Yes
Elizabeth Flowers	Yes
Scott Gengler	Yes
Judy Gilmour	Yes
Dan Koukol	Yes
Brian DeBolt	Yes

With eight members present voting yes, the motion carried by a vote of 8-0.

DEPARTMENT HEADS AND ELECTED OFFICIAL REPORTS – None

NEW BUSINESS

- *Discussion of an On Call Stipend for Highway Department Personnel – Member Kellogg reported that the Highway Department has an on-call employee 24 hours/day 35 days per year for the traffic control signals. Highway Engineer Fran Klaas has asked for a stipend of \$2,500 be included in the Fiscal Year 22 Budget for Highway Maintenance Technician Tim Karales who is called out at off regular hours to repair signals throughout the County. Mr. Koeppel reported that funds would come from Highway fund and/or Transportation Sales Tax fund.*
- *Discussion and Approval of the American Rescue Plan Act Funds Non-Profit Grants – Mr. Koeppel said there are thirteen (13) grants in varying amounts with a total of \$159,854. This is the last round of non-profit grants. Jennifer Karales informed the committee of the list of Applicants, and their status. Member Kellogg stated that there might be another round of non-profit grants at this time. Mr. Koeppel stated there will be opportunities in Fiscal Year 22 for small businesses that didn't complete their application this year. There were 74 total applicants, with 27 applicants that either didn't qualify or didn't complete the application process.*
- *Discussion and Approval of the Kendall County Fiscal Year 2022 Tentative Budget – Mr. Koeppel reviewed the change log and the current status of the budget.*

Mr. Kellogg asked the Sheriff to discuss the new positions that he is requesting for the Sheriff's Office that were part of his original 2022 Fiscal Budget submission. New position requests included an Inspector General, Part Time Electronic Home Monitoring (EHM) Assistant Coordinator, and Administrative Assistant to Operations Command and Investigations.

Undersheriff Bobby Richardson reviewed the job descriptions, highlighting the importance of the position requests and the need in each area of the Sheriff's Office.

OLD BUSINESS – None

PUBLIC COMMENT - None

QUESTIONS FROM THE MEDIA – None

CHAIRMAN'S REPORT – No Report

EXECUTIVE SESSION – Not needed

REVIEW BOARD ACTION ITEMS

- *Approval of Claims*
- *Approval of On-Call Stipend for Highway Department Personnel*
- *Approval of the American Rescue Plan Act Funds Non-Profit Grants*

ADJOURNMENT – Member DeBolt made a motion to adjourn the meeting, second by Member Koukol. **With eight members present voting aye, the meeting adjourned at 6:52 p.m.**

Respectfully Submitted,

Valarie McClain
Administrative Assistant/Recording Secretary



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: November 9, 2021

Amount: N/A

Budget: N/A

Issue: Approval of 2021 Noxious Weed Annual Report

Background and Discussion:

Kendall County is required by Illinois law to submit a Noxious Weed Annual Report to the State by December 1st of each year. Attached please find the proposed 2021 Noxious Weed Annual Report.

During 2021, the Kendall County, Planning, Building and Zoning Department received zero complaints of noxious weeds. In 2020, the Department also received zero complaints.

Committee Action:

PBZ Committee-Forward (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: November 9, 2021



**KENDALL COUNTY
NOXIOUS WEED ANNUAL REPORT
2021**

As required by the Illinois Noxious Weed Law (505 ILCS 100), the County of Kendall submits the following Annual Report from November 1, 2020 to October 31, 2021.

During the reporting period:

1. Kendall County sent letters to each township and municipality located within Kendall County asking that they report noxious weed cases and investigations to the Kendall County Planning, Building and Zoning Department. A copy of the letter is attached.
2. Kendall County received zero (0) complaints of noxious weeds within the County.
3. Kendall County received (0) requests for assistance in the investigation of noxious weed infestations.
4. Kendall County eradicated zero (0) acres of noxious weeds.
5. Kendall County quarantined zero (0) acres of property.
6. Kendall County received zero (0) requests for advice from persons responsible for controlling and eradicating noxious weeds.
7. Kendall County published zero (0) notice to individuals regarding noxious weeds.
8. Kendall County published the General Notice in the Kendall County Record on February 25, 2021. A copy of the Certificate of Publication is attached.
9. Kendall County prepared and adopted a Comprehensive Work Plan for 2022.
10. Kendall County cooperated, when requested, with Federal, State and local authorities in carrying out the provisions of the Illinois Noxious Weed Law.

This Noxious Weed Annual Report was approved by the Kendall County Board on November 16, 2021.

Respectively Submitted,

Scott R. Gryder
Kendall County Board Chairman

Date

Encs: September 1, 2021 Letter to Municipalities and Townships
General Notice Certificate of Publication



DEPARTMENT OF PLANNING, BUILDING & ZONING

111 West Fox Street • Room 204

Yorkville, IL • 60560

(630) 553-4141

Fax (630) 553-4179

September 1, 2021

RE: Illinois Noxious Weed Law

Dear Township Supervisors and Mayors:

Kendall County is preparing to work on its annual report and comprehensive work plan as required by the Illinois Noxious Weed Law (505 ILCS 100). In order to comply with State law, we request that you inform us of any noxious weed cases that you received over the last twelve months, the location of the complaint and if the complaint was resolved. Please send this information to Matthew Asselmeier, Kendall County Senior Planner, 111 W. Fox Street, Yorkville, IL 60560 or masselmeier@co.kendall.il.us by **October 1, 2021**.

We do not request that you undertake any additional work related to the enforcement of the Illinois Noxious Weed Law or that you alter your procedures for processing noxious weed complaints except that you inform us of noxious weed complaints.

Kendall County hopes to partner with each township and municipality in order to comply with this law. A list of State of Illinois recognized noxious weeds is included with this letter.

If you have any questions, please contact Mr. Asselmeier at 630-553-4139.

Sincerely,

Scott R. Gryder, Chairman
Kendall County Board

Enc: List of Noxious Weeds

Section 220.60 Noxious Weeds

The following plants within the sovereign territory of the State of Illinois are designated and declared noxious weeds:

- a) Marihuana (*Cannabis sativa* L.);
- b) Giant Ragweed (*Ambrosia trifida* L.) within the corporate limits of cities, villages, and incorporated towns;
- c) Common Ragweed (*Ambrosia artemisiifolia* L.) within the corporate limits of cities, villages, and incorporated towns;
- d) Canada Thistle (*Cirsium arvense*);
- e) Perennial Sowthistle (*Sonchus arvensis*);
- f) Musk Thistle (*Carduus nutans*);
- g) Perennial members of the sorghum genus, including johnsongrass (*Sorghum halepense*), sorghum alnum, and other johnsongrass X sorghum crosses with rhizomes; and
- h) Kudzu (*Pueraria labata*).

(Source: Amended at 26 Ill. Reg. 14644, effective September 23, 2002)

Kendall County Clerk				
Revenue Report		10/1/21-10/31/21	10/1/20-10/31/20	10/1/19-10/31/19
Line Item	Fund	Revenue	Revenue	Revenue
CLKFEE	County Clerk Fees	\$1,230.00	\$1,358.50	\$ 984.00
MARFEE	County Clerk Fees - Marriage License	\$1,710.00	\$2,160.00	\$ 1,560.00
CIVFEE	County Clerk Fees - Civil Union	\$0.00	\$0.00	\$ -
ASSUME	County Clerk Fees - Assumed Name	\$30.00	\$70.00	
CRTCOP	County Clerk Fees - Certified Copy	\$2,332.00	\$2,060.00	
NOTARY	County Clerk Fees - Notary	\$315.00	\$440.00	
MISINC	County Clerk Fees - Misc	\$79.00	\$3,384.20	\$ 3,075.00
	County Clerk Fees - Misc Total	\$5,696.00	\$9,472.70	\$5,619.00
RECFFEE	County Clerk Fees - Recording	\$42,164.00	\$45,861.00	\$ 33,694.00
	Total County Clerk Fees	\$47,860.00	\$55,333.70	\$39,313.00
CTYREV	County Revenue	\$58,548.75	\$50,535.75	\$ 33,311.50
DCSTOR	Doc Storage	\$24,832.00	\$26,882.50	\$ 19,596.00
GISMAP	GIS Mapping	\$78,662.00	\$85,080.00	\$ 33,085.00
GISRCD	GIS Recording	\$5,244.00	\$5,672.00	\$ 4,139.00
INTRST	Interest	\$30.16	\$31.60	\$ 21.12
RECMIS	Recorder's Misc	\$5,374.50	\$587.00	\$ 3,742.25
RHSP	RHSP/Housing Surcharge	\$22,140.00	\$24,453.00	\$ 17,712.00
TAXCRT	Tax Certificate Fee	\$640.00	\$720.00	\$ 1,000.00
TAXFEE	Tax Sale Fees	\$45.00	\$45.00	\$ 15.00
PSTFEE	Postage Fees			\$ -
CK # 19323	To KC Treasurer	\$243,376.41	\$249,340.55	\$151,934.87
Death Certificate Surcharge sent from Clerk's office \$1384.00 ck # 19321				
Dom Viol Fund sent from Clerk's office \$285.00 ck 19322				

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 ELEVEN MONTHS ENDED 10/31/2021

<u>REVENUES*</u>	Annual <u>Budget</u>	2021 YTD <u>Actual</u>	2021 YTD % <u>%</u>	2020 YTD <u>Actual</u>	2020 YTD <u>%</u>
Personal Property Repl. Tax	\$390,000	\$644,124	165.16%	\$390,794	100.20%
State Income Tax	\$2,300,000	\$2,915,349	126.75%	\$2,533,834	110.17%
Local Use Tax	\$900,000	\$775,588	86.18%	\$913,294	130.47%
State Sales Tax	\$530,000	\$515,182	97.20%	\$482,690	87.76%
County Clerk Fees	\$325,000	\$502,309	154.56%	\$419,776	129.16%
Circuit Clerk Fees	\$1,220,000	\$1,081,808	88.67%	\$976,001	72.30%
Fines & Foreits/St Atty.	\$275,000	\$236,166	85.88%	\$250,646	83.55%
Building and Zoning	\$68,000	\$132,522	194.89%	\$104,097	153.08%
Interest Income	\$100,000	\$23,198	23.20%	\$142,165	71.08%
Health Insurance - Empl. Ded.	\$1,467,439	\$1,217,158	82.94%	\$1,142,375	90.19%
1/4 Cent Sales Tax	\$3,075,000	\$2,959,012	96.23%	\$2,835,262	91.31%
County Real Estate Transf Tax	\$450,000	\$582,499	129.44%	\$456,024	107.30%
Federal Inmate Revenue	\$2,044,000	\$1,371,200	67.08%	\$2,050,720	100.33%
Sheriff Fees	\$140,000	\$73,409	52.43%	\$72,405	42.59%
TOTALS	\$13,284,439	\$13,029,523	98.08%	\$12,770,081	96.79%
Public Safety Sales Tax	\$5,250,000	\$5,162,606	98.34%	\$4,879,159	91.64%
Transportation Sales Tax	\$5,250,000	\$5,162,606	98.34%	\$4,879,159	81.32%

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 11 months the revenue and expense should at 91.63%

****PLEASE NOTE, THE AMOUNTS BEING REPORTED NOW REFLECT ALL ACCRUALS NOTED IN THE AUDIT. THEREFORE COMPARING PRIOR YEAR REVENUES TO LAST YEAR REVENUES IS NOT A GOOD COMPARISON.**

EXPENDITURES

All General Fund Offices/Categories	\$31,020,242	\$26,262,289	84.66%	\$25,119,503	84.97%
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Kendall County Circuit Clerk Report

September Update: In the month of October, the Circuit Clerks Office is continuing training for the new Manual of Recordkeeping changes, and updates to eFile. We were working on hiring the replacements for vacancies. In addition, we are currently implementing the new state laws and mandates.

2021 Case Filings YTD

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	YTD
AD	Adoption	2	0	1	2	0	1	2	1	0	0	9
CC	Contempt of Court	3	4	3	0	5	2	4	4	7	4	36
CF	Criminal Felony	16	29	42	27	34	56	27	42	26	32	331
CH	Chancery	3	6	3	3	5	10	6	5	7	2	50
CL	Civil Law Violation	1	1	1	0	3	1	0	2	3	1	13
CM	Criminal Misdemeanor	45	33	34	51	38	55	46	46	55	47	450
CV	Conservation Violation	2	1	0	0	2	2	6	1	0	0	14
D	Divorce	41	30	38	35	31	26	42	38	35	28	344
DT	DUI	15	12	24	18	25	30	14	21	26	20	205
ED	Eminent Domain	0	0	0	0	0	0	0	0	0	0	0
F	Family	16	5	13	10	9	12	9	15	9	1	99
J	Juvenile	0	0	2	0	4	2	0	0	0	0	8
JA	Juvenile Abuse/Neglect	2	4	9	16	6	12	3	5	5	0	62
JD	Juvenile Delinquency	6	4	13	2	6	14	16	4	9	8	82
L	Law	10	11	11	6	9	6	7	10	5	14	89
LM	Law Magistrate	25	57	46	32	28	40	25	29	43	50	375
MH	Mental Health	0	0	2	3	1	2	0	1	1	0	10
MR	Misc. Remedy	22	27	30	24	28	28	20	26	32	26	263
OP	Order of Protection	21	22	27	35	37	32	27	39	41	34	315
OV	Ordinance Violation	0	4	4	2	4	1	4	0	1	0	20
P	Probate	15	24	20	14	6	17	20	11	7	11	145
SC	Small Claims	118	117	140	84	89	110	73	166	106	76	1079
TR	Traffic	286	267	465	491	354	472	432	488	430	428	4113
TX	Tax	1	0	0	18	1	5	1	0	0	0	26
WI	Wills	26	16	15	16	18	18	17	10	11	30	177
XX	Misc	7	1	6	4	6	2	0	1	0	0	27
		683	675	949	893	749	956	801	965	859	812	8342

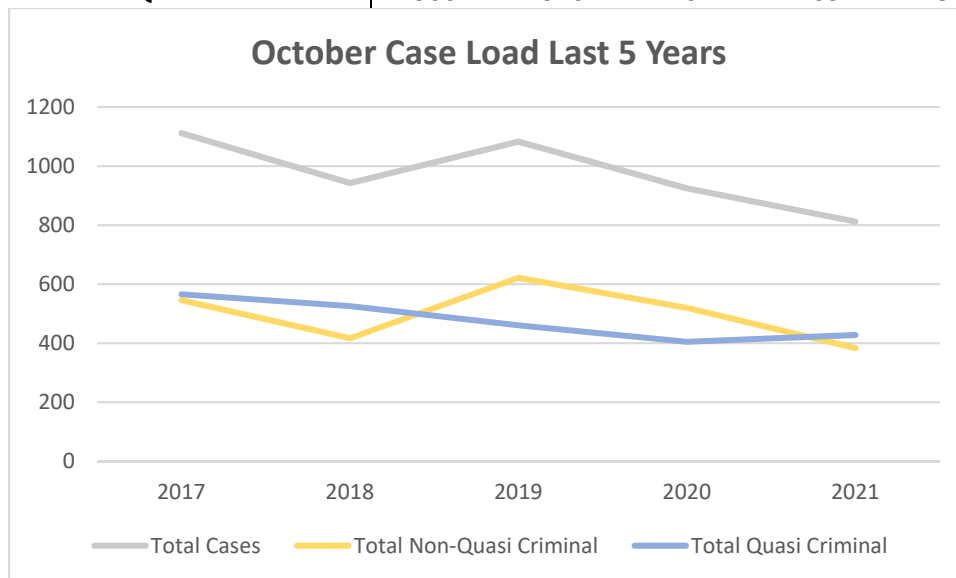
Totals for 2020

1025 1014 705 349 442 642 801 919 872 925 9694

Note: CH Foreclosures filings are at 1, LM Evictions are 35

CIRCUIT CLERK: 2017-21 OCTOBER CASELOAD NUMBERS

	2017	2018	2019	2020	2021
Adoption	2	1	3	3	0
Contempt of Court	5	2	4	1	4
Criminal Felony	47	27	34	41	32
Chancery	16	37	30	8	2
Civil Law Violation	21	9	6	0	1
Criminal Misdemeanor	75	55	45	46	47
Conservation Violation	7	0	7	0	0
Divorce	31	35	34	33	28
DUI	14	26	15	24	20
Eminent Domain	0	0	0	0	0
Family	5	16	10	14	1
Juvenile	0	1	0	0	0
Juvenile Abuse/Neglect	3	2	0	9	0
Juvenile Delinquency	18	28	21	5	8
Law	11	13	13	13	14
Law Magistrate	73	45	59	7	50
Mental Health	2	0	0	0	0
Misc. Remedy	30	13	24	30	26
Order of Protection	28	31	35	32	34
Ordinance Violation	4	1	2	4	0
Probate	22	10	18	17	11
Small Claims	122	53	255	225	76
Traffic	555	525	452	401	428
Tax	1	1	0	0	0
Wills	20	12	16	12	30
Misc	0	0	0	0	0
Total Cases	1112	943	1083	925	812
Total Non-Quasi Criminal	546	417	622	520	384
Total Quasi Criminal	566	526	461	405	428





KENDALL COUNTY CORONER
— JACQUIE PURCELL —

October, FY 2021 Monthly Report

Description	**	October 2021	Fiscal Year-to-Date	October 2020
Total Deaths		46	368	25/353
Natural Deaths		41	338	23/324
Accidental Deaths		1	17	1/16
Suicidal Deaths		2	7	1/12
Homicidal Deaths		0	0	0/1
Undetermined Death		0	0	0/0
Pending Death		2	6	0/0
Scenes Responded To		8	61	6/51
Bodies Transported		6	43	3/41
Autopsies		4	20	2/23
External Examinations		4	38	4/28
Toxicology		4	26	2/35
Cremation Authorizations		25	229	15/222

**

(A):

1. 10/13/2021 – Plano – 33yo, Female, Blunt Force Injuries due to Motor Vehicle Collision

(S):

1. 10/20/2021 – Oswego – 14yo, Female, Gunshot Wound to the Head
2. 10/20/2021 – Oswego – 18yo, Male, Gunshot Wound to the Head

(P):

1. 10/03/2021 – Yorkville – 37yo, Male, Pending
2. 10/14/2021 - Oswego – 39yo, Male, Pending

PERSONNEL/OFFICE ACTIVITY:

1. On October 18, 2021, Coroner Purcell provided a presentation to the Law Enforcement Class at Oswego East High School.
2. On October 20, 2021, Coroner Purcell provided a morgue tour for the Law Enforcement Class at Oswego East High School.
3. On October 23, 2021, the Coroner’s Office co-hosted a Take Back event through the DEA, partnered with Kendall County Sheriff’s Office, Oswego Police and Yorkville Police. We brought in over 500 pounds of unwanted medication, sharps, diabetic supplies, etc.
4. On October 8 & 26, 2021, Chief Deputy Gotte provided presentation for law enforcement.
5. There were a total of 8.75 community service hours served at the Kendall County Coroner’s Office during the month of September.

CARORUM AD CURAM



Kendall County

Insurance Proposal

Presented by:

Dane Mall, MPA, ARM, AIC, CEAS
Lead Public Entity Risk Advisor
Account Executive

Samantha Shock, CISR, AINS
Account Manager

Daniel Mackey
Senior Vice President

November 12, 2021

Services may be provided by Mesirow Insurance Services, Inc., an Alliant-owned company, and Alliant Insurance Services, Inc.
353 N Clark St 11th Floor
Chicago, IL 60654
O (312) 595-6200
CA License No. 0803093 | 0C36861

www.alliant.com

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Your Service Team

Michael J. Mackey Executive Vice President- Producer	Michael.Mackey@alliant.com	Phone: (312) 595-7900
Daniel Mackey Senior Vice President Producer	Daniel.Mackey@alliant.com	Phone: (312) 595-7905
Dane Mall Lead Public Entity Risk Advisor Account Executive	Dane.Mall@alliant.com	Phone: (312) 837-4415
Samantha Shock Account Manager	Samantha.Shock@alliant.com	Phone: (312) 837-4403
Larry Rosen Claims Advocate-Lead Risk Management Services	Larry.Rosen@alliant.com	Phone: (312) 595-8111
Jacqui Norstrom Senior Vice President- Surety	Jacquelyn.Norstrom@alliant.com	Phone: (312) 595-6976

Executive Summary

The Public Entity Professionals of Alliant Insurance Services, Inc. are thankful for the opportunity to present the December 1st, 2021 to 2022 property and casualty insurance renewal proposal to Kendall County. In 2021, the world experienced the highs and lows of the pandemic. While the widespread availability of COVID-19 vaccines in the U.S. resulted in swift loosening and reopening of businesses, government and economies, this has been coupled with the deflated expectations as a result of increased public health restrictions due to COVID-19 surges across the state of Illinois and country. That said public entities, like Kendall County, are achieving progress toward true normalcy through the continuation of county operations and services to the residents of the County.

State of the Insurance Marketplace

The impact of the COVID-19 pandemic, civil unrest and distrust of law enforcement, cyber threats and continued severe global weather-related property losses are having a prolonged impact on the insurance marketplace for public entities. Most directly, the intersection of societal influences, pandemic uncertainty, economic turmoil and claims experience has led to a shrinking appetite for public entity liability risks. The challenging market conditions that began in 2019 have grown progressively worse over the last couple of years and have resulted in arguably the hardest insurance market in history--- rivaled only by the insurance crisis of the mid-1980s.

Primary factors driving market conditions include:

- **Excess Liability** impacted by social inflation is driving costs (e.g., legal advertising, litigation funding, expanding class-action lawsuits, public distrust of defendants, millennial jury impact, etc.) and limited capacity of carriers that are willing to underwrite public entity liability exposures.
- **Law Enforcement Liability** claims continue to rise and settlements seem to increase as public trust in law enforcement seems to be at an all-time low. Police professional liability claims are increasingly difficult to win at trial. Continued pressure to erode and/or remove immunities are creating uncertainty.
- **Employment-Related Liability** the fluid pandemic employment landscape is creating additional challenges while also seeing an increase in misconduct lawsuits including the #MeToo movement, diversity in the workplace lawsuits and return-to-work challenges due to the pandemic.
- **Cyber Liability** marketplace wide, cybercrime has grown from a \$2 trillion annually in losses in 2019 to a projected \$6 trillion annually in losses by 2021. Of the cyber-type crime, ransomware is the fastest growing cause of loss in both frequency and severity of claims. Public Entity has been the most successfully targeted sector in terms of penetration by the

attackers and the frequency of attacks. COVID-19 pandemic has posed concerns for carriers as the work-from-home employees expanded and security of remote access.

- **Property** The challenging market conditions that began in 2018 have continued into the 2021. We do believe the market may be close to peaking (assuming no major catastrophe events). While the market has not experienced a single catastrophe event on par with Hurricane Katrina in 2005 over the past few years, natural catastrophe losses such as Hurricanes Harvey, Irma and Maria in 2017, California Wildfires in 2018, 2019 and 2020, Winter Storm Uri in 2021, and the Coronavirus Pandemic are key drivers of continuing rate pressure. These catastrophes along with increased attritional losses resulted in another unprofitable year for most property insurers. Lack of profitability has resulted in carriers continuing to re-evaluate their books of business and seeking increased pricing and reduced terms and conditions.

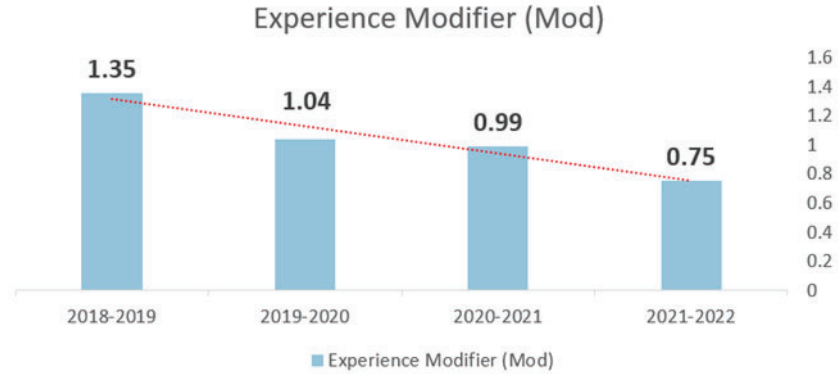
Insurance Renewal

Despite the above factors, the County's incumbent insurance carrier the Illinois Counties Risk Management Trust (ICRMT) provided a pre-renewal premium indication to be less than a 5% increase from the expiring premium. We communicated this projection to County staff on August 13. Unlike many other commercial public entity insurance carriers, ICRMT is well-positioned to weather this challenging insurance environment given their understanding of the Illinois public entity landscape (insuring over 50% of Illinois counties). In light of this commitment, insurance market conditions and the ICRMT's continued fairness and consistency of premium pricing and services, no additional insurance market alternatives were pursued. Alliant worked closely with the County's incumbent insurance carrier, Illinois Counties Risk Management Trust (ICRMT), to convey the needs of our ICRMT clients and the negative financial and operational impact that these challenging times are having on public entities, like Kendall County. Our open communication channels with ICRMT and market leverage resulted a positive renewal for the County.

As one of the largest intermediaries with ICRMT, we were successful in obtaining competitive pricing resulting in a slight increase of \$10,676.24 (1.6%) in total premium cost for the ICRMT property and liability coverage, in comparison to the 12/1/2020 to 12/1/2021 policy term. It is important to note that decreases in premium pricing in today's insurance marketplace are extremely rare. Overall loss experience remains favorable across all lines of coverage. Exposure-driven factors that influence the renewal, most notably, are the following.

- Property Values- flat building values and a 4% decrease in contents values due recent demolitions.
- Inland Marine- equipment values decreased by 4%
- Workers' Compensation- Payroll Increase of 4% (\$883,398)

- Workers' Compensation- The County's experience modification rate has decreased in consecutive years due to favorable employee injury experience and favorable claim development. (see below)



- Auto Liability- The County's fleet increased from 145 to 151 vehicles (4%).

Included is a summary of the renewal results with the proposal containing more detailed highlights of the County's insurance as well as the ICRMT renewal quotation.

- Tower illustration for recommend renewal program
- Premium summary and comparison
- ICRMT renewal proposal/quotation

Workers' Compensation

The 2020-2021 policy term provides insurances terms that are identical to the expiring program outlined in this proposal. Therefore, the self-insured retention (SIR) remains at \$250,000 for the workers' compensation coverage. The SIR of \$250,000 is the "out of pocket" amount that the Village pays on each loss/claim and expenses. If or when a claim's paid amount exceeds a \$250,000, the carrier pays the amount above the retention. ICRMT's Third Party Administrator Division, IPMG, manages and administers the claims and provides loss control services.

The County's estimated payroll is \$22,237,876 for 2021-2022. For the 2021-2022 term, the annual workers' compensation premium is \$121,947, representing a 10% decrease (\$14,034) and is subject to audit upon completion of the policy term. As stated, the County has recorded another year of a lower experience modification rate, decreasing from .99 to .75 due to favorable employee injuries and claim development.

Liability

This coverage category includes Automobile Liability, General and Products Liability, Employee Benefits Liability, Employment Practices Liability, Law Enforcement Liability, Public Officials Liability and Excess Liability.

The County maintains varying deductible levels for liability coverage as are illustrated in tower illustration of the proposal. Alternative deductible options were also quoted and presented to staff for the County's consideration. Options were provided at the \$25,000 and \$50,000 deductible levels across general liability, public officials' liability, employment practices liability, auto liability and property. It was determined by the County Administrator that the premium savings did not justify the County assuming higher retention levels.

For the 2021-2022 term, the annual combined property and liability premium is \$574,760.24. This amount represents a 4.5% increase (\$24,710.24) from the 2020-2021 policy period.

Of note, due to the COVID pandemic the 2021-2022 excess liability policy (\$10 million excess of \$1,000,000 primary) now excludes claims arising out of the actual or alleged transmission of a communicable disease or virus. Of note, ICRMT is still one of the few carriers that provides \$1,000,000 of communicable disease or virus coverage.

Property including Inland Marine, Equipment Breakdown and Business Income and Crime

This coverage category includes Property (Buildings/Contents), Inland Marine, Equipment Breakdown and Business Income and Crime. The building and contents (including EDP) values utilized for this renewal are \$111,691,072, which is essentially flat given recent County property demolitions. The deductible remains at \$10,000.

Cyber Liability Coverage

The County's expiring Cyber Liability insurance coverage is placed with BCS Insurance with a \$3,000,000 limit of liability and a \$25,000 deductible. In 2019, Alliant conducted a comprehensive assessment of the most competitive options at the time. The County

stayed with the incumbent carrier last year. However, with the challenging cyber marketplace County staff and Alliant agreed that it was prudent that we seek competitive alternatives for the 2021-2022 policy term. At this time, we are still waiting for pricing for the County's expiring cyber terms (\$3,000,000 limit / \$25,000 deductible) from BCS and other carriers. Contrary to previous years, obtaining quotations for a \$3,000,000 limit requires additional underwriting approval causing a slight delay in the pricing process. As a result, we cannot recommend a cyber liability option until the quotations are received. Pricing will be available within the next 7 days with ample time before the 12/1/2021 expiration date.

Conclusion

As always, County staff were very helpful in organizing and providing underwriting data to enable a quick and timely renewal proposal. Meetings throughout the year with staff and committee are collaborative and productive.

The County's continued insurance carrier partnership with ICRMT continues to be advantageous over the short and long-term with respect to coverage, services and pricing when most public entities, in Illinois and across the country, are experiencing significant increases and significant limitations of coverage.

Thank you so much for the opportunity to present the renewal results. We at Alliant Insurance Services, Inc. are very pleased with the renewal results in light of the extremely challenging and unprecedented economic and society times. We are very excited for the coming year to service Kendall County's property & casualty insurance needs, and look forward to our annual stewardship meeting to share the 2021 year-in-review.

We welcome discussion regarding this proposal and thank you for the privilege of partnering with Kendall County.

Premium Summary

Expiring Program Structure

	Expiring Annual Premium 12/1/2020 to 12/1/2021	Renewal Premium 12/1/2021 to 12/1/2022	Incr/Dec
--	--	--	----------

Premium - Annualized

Property & Liability Package Premium	\$ 550,050	\$ 574,760	4.492%
Workers Comp Premium	\$ 135,981	\$ 121,947	-10.32%
ICRMT- Sub-Total Premium	\$ 686,031	\$ 696,707	1.56%
Cyber Liability	\$ 9,332	\$ 16,524	77%
Total Program Premium	\$ 695,363	\$ 713,231	2.57%

* One Time COVID Credit 2019-2020 (53,981)

\$ 17,868

Exposure Changes

			Incr/Dec
Building Values	\$ 111,463,467	\$ 111,691,072	0.20%
Contents	\$ 8,715,300	\$ 8,357,600	-4%
Total Values	\$ 120,178,767	\$ 120,048,672	0%
Inland Marine (Equipment)	\$ 3,562,169	\$ 3,369,087	-5%
Payroll	\$ 21,354,478	\$ 22,237,876	4%
Vehicles	145	152	5%
Experience Modifier	0.99	0.75	-24%

Named Insureds

	ICRMT	Cyber
Kendall County	X	X

NAMED INSURED DISCLOSURE

- Named Insured(s) should match State of Incorporation filing. Inform Alliant if there is a difference or change.
- The First Named Insured policy status granted includes certain rights and responsibilities. These responsibilities do not apply to other Named Insureds on the policy. Some examples for First Named Insured status include; (1) being designated to act on behalf of all insureds for making policy changes, (2) receiving of correspondence, (3) distributing claim proceeds, and (4) making premium payments.
- **Are ALL entities listed as named insureds?** Coverage is **not** automatically afforded to all entities unless specifically named. Confirm with your producer and service team that all entities to be protected are on the correct policy. Not all entities may be listed on all policies based on coverage line.
- Additional named insured is (1) A person or organization, other than the first named insured, identified as an insured in the policy declarations or an addendum to the policy declarations. (2) A person or organization added to a policy after the policy is written with the status of named insured. This entity would have the same rights and responsibilities as an entity named as an insured in the policy declarations (other than those rights and responsibilities reserved to the first named insured).
- Applies to Professional Liability, Pollution Liability, Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability policies (this list not all inclusive). Check your Policy language for applicability. These policies provide protection to the Named Insured for claims made against it alleging a covered wrongful act.

Cyber Coverage

	Expiring (BCS Insurance) 12/1/2020 to 12/1/2021	Option 1 (BCS Insurance) 12/1/2021 to 12/1/2022	Option 2 (ICRMT) 12/1/2021 to 12/1/2022
Carrier	BCS Insurance Company 12/1/20 to 12/1/21	BCS Insurance Company 12/1/21 to 12/1/22	ICRMT (Beazley)
AM Best Rating	A (Excellent) VIII (\$100 Million to \$250	A (Excellent) VIII (\$100 Million to \$250	A (Excellent) XV (\$2 Billion or greater)
Retention	\$25,000 except \$5,000 for Cyber	\$25,000	\$25,000
Limits			
Policy Limit & Aggregate	\$3,000,000	\$2,000,000 Each	\$2,000,000 Each
Privacy Liability (including	\$3,000,000/\$3,000,000	\$2,000,000/\$2,000,000	\$2,000,000 Each
Privacy Regulatory Claims	\$3,000,000/\$3,000,000	\$2,000,000/\$2,000,000	\$2,000,000
Security Breach Response	\$3,000,000/None	\$2,000,000/None	\$1,000,000 (Beazley Vendor) / \$500,000 (Non-Beazley)
Security Liability	\$3,000,000/\$3,000,000	\$2,000,000/\$2,000,000	Included
Multimedia Liability	\$3,000,000/\$3,000,000	\$2,000,000/\$2,000,000	Included Media Liability Included Data & Network
Cyber Extortion	\$3,000,000/None	\$2,000,000/None	Included
Business Income Loss	\$3,000,000	\$2,000,000	Included Business Interruption Resulting from Security Breach \$500,000 Business Interruption Resulting from System Failure

Restoration Costs	\$3,000,000	\$2,000,000	Included Business Interruption Resulting from Security Breach \$500,000 Business Interruption Resulting from System Failure
Reputation Business Income Loss	\$3,000,000/None	\$2,000,000	\$50,000 Reputation Loss \$50,000 Claims Preparation Costs for Reputation Loss Only Claims
Systems Integrity Restoration Loss e.g. bricking	\$250,000	\$250,000	\$75,000
PCI DSS Assessment	\$3,000,000/\$3,000,000	\$2,000,000/\$2,000,000	Included Payment Card
Phishing Loss	\$50,000/None	\$50,000/None	\$75,000
Services Fraud Loss	\$100,000/None	\$100,000/None	\$75,000
Criminal Reward Fund Loss	\$50,000/None	\$50,000/None	\$25,000
Personal Financial Loss	\$250,000/None	\$250,000/None	\$75,000
Corporate Identify Theft	\$250,000/None	\$250,000/None	\$75,000
Telephone Hacking Loss	\$100,000/None	\$100,000/None	\$75,000 Telephone Fraud
Direct Financial Loss (Funds	\$100,000/None	\$100,000/None	\$75,000 Funds Transfer
Cyber Deception (Fraudulent Instruction)	N/A	\$250,000	\$75,000
Cryptojacking	\$100,000	\$100,000	\$25,000
Data Recovery Costs	Included	Included	Included
Dependent Business Loss Resulting from Dependent	\$3,000,000	\$2,000,000	\$750,000
Retroactive Date	Full Prior Acts	Full Prior Acts	Full Prior Acts
Waiting Period	12 hours	10 hours	10 hours
Period of Restoration		120 days	120 days
Annual Premium	\$9,332.00	\$16,261.30	\$16,214.00
Surplus Lines Taxes/Fees	<u>N/A</u>	\$262.61	<u>N/A</u>
Total Annual Cost	\$9,332.00	\$16,524	\$16,214.00

Market	Market Response
Crum & Forster	Quoted; \$3M/\$3M, (\$1.5M sublimit for Ransomware, \$100k submit for eCrime) \$50,000
Cowbell	Quoted; \$1M/\$1M Limit, \$25k Deductible for \$21,500
Corvus	Requires further underwriting
HCC	Requires further underwriting, Maximum limit is \$1M
Markel	Declined; Below Min. Threshold
HDI	Declined; Class of Business
Hartford	Declined; Class of Business
Miller	Declined; Class of Business
RLI	Declined; Class of Business
QBE	Declined; Class of Business
Ascot	Declined; Class of Business
Everest	Declined; Class of Business
Sompo	Declined; Class of Business
AXA XL	Declined; Class of Business
Celerity	Declined; Class of Business
CNA	Declined; Class of Business
Starr	Declined; Class of Business
Aspen	Declined; Class of Business
Admiral	Declined; Class of Business
Brit	Declined; Class of Business
AIG	Declined; Class of Business
Beazley	Declined; Class of Business
Zurich	Declined; Class of Business
E-Risk	Declined; Class of Business
Axis	Declined; Class of Business
CFC	Declined; Class of Business
Great American	Declined; External scan showed vulnerabilities that do not fit UW guidelines
Zurich	Declined; Class of Business
At-Bay	Declined; Class of Business
Resilience	Declined; Below Min. Threshold
Ascent	Declined; Class of Business
Canopus	Declined; Class of Business
CapSpecialty	Declined; Class of Business
Berkley Cyber	Pending; Unlikely to offer competitive terms
Crum & Forster	Pending; Unlikely to offer competitive terms
Coalition	Pending; Unlikely to offer competitive terms
Hiscox	Pending; Unlikely to offer competitive terms
RSUI	Pending; Unlikely to offer competitive terms
AWAC	Pending; Unlikely to offer competitive terms
Allianz	Pending; Unlikely to offer competitive terms
Dual	Pending; Unlikely to offer competitive terms
Intact	Pending; Unlikely to offer competitive terms

Request to Bind Coverage

Kendall County

We have reviewed the proposal and agree to the terms and conditions of the coverages presented. We are requesting coverage to be bound as outlined by coverage line below:

Coverage Line	Bind Coverage for:
ICRMT Package	<input type="checkbox"/>
Cyber Liability	<input type="checkbox"/>
- ICRMT (\$2 MIL Limit)	<input type="checkbox"/>
- BCS (\$2 MIL Limit)	<input type="checkbox"/>

This Authorization to Bind Coverage also acknowledges receipt and review of all disclaimers and disclosures, including exposures used to develop insurance terms, contained within this proposal.

Signature of Authorized Representative

Date

Title

Printed / Typed Name

This proposal does not constitute a binder of insurance. Binding is subject to final carrier approval. The actual terms and conditions of the policy will prevail.

Kendall County Job Description

TITLE: Kennel Technician
DEPARTMENT: Animal Control
SUPERVISED BY: Animal Control Director
FLSA STATUS: Non-Exempt
APPROVED: In Process

I. Position Summary and Primary Purpose:

Under the supervision of the Director, this position is responsible for maintaining the cleanliness and security of the Animal Control facility and for the care and handling of animals in the custody of the Kendall County Animal Control.

II. Essential Duties and Responsibilities:

The duties for this position shall include, but are not limited to the following:

- A. Cleans and maintains animal shelter.
- B. Performs routine maintenance of animals such as cleaning, feeding and watering.
- C. Handles and controls impounded animals including, but not limited to difficult to handle and potentially dangerous animals.
- D. Administers vaccines, medications, and microchips to animals.
- E. Assists with intake, adoptions and reclaiming of animals.
- F. Answers telephones and performs other customer service related activities such as replying to inquiries and questions concerning animal control adoptions, rabies tag orders, fees, and lost animals/pets.
- G. Performs behavioral assessments including temperament testing of animals.
- H. Reports to the Animal Control Director or veterinarian any potential health and/or behavioral problems involving the animals in Kendall County's care.
- I. Data entry.
- J. Prepares and maintains records regarding or relating to impounded animals.
- K. Drafts routine correspondence and other Animal Control documents.
- L. Assists with other duties and responsibilities as assigned.

III. Qualifications:

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

A. Skills, Knowledge and Abilities:

- Possess good verbal, written, and telephone skills and the ability to communicate effectively and interact with all levels of customers, employees, and volunteers.
- The ability to follow instructions and meet deadlines.
- The ability to work independently as well as a team.

B. Work Standards and Best Practice Guidelines:

- Display a positive, cooperative, and team oriented attitude, committed to working in a safe and quality environment.
- Comply with all applicable state and federal laws and regulations.
- Comply with all applicable State and County policies and procedures .
- Must be a team player committed to working in a quality environment.
- Maintains best practices for animal handling skills, animal behavior and animal care.

Kendall County Job Description

- Can work well under pressure and in stressful situations.

C. Education and Experience:

- High school diploma or GED equivalent.
- General computer knowledge.
- Minimum of one (1) year animal sheltering experience.
- Minimum of one (1) year animal medical experience.
- Thorough knowledge of animal handling skills, animal behavior and animal care.

D. Physical Demands:

While performing the essential duties of this position, the employee must be able to do the following:

- Frequently sit for more than two (2) hours;
- Reach with hands and arms;
- Stoop, kneel, crouch, and/or crawl;
- Bend over at the waist and reach with hands and arms;
- Use hands to finger, handle or feel;
- Talk and hear in person and via use of telephone;
- Operate County vehicles and safety equipment;
- Specific vision abilities include close and distance vision, depth perception;
- Occasionally lift and/or move up to 50 pounds.

VII. Work Environment:

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

- Inside and outside environmental conditions;
- Exposed to potentially volatile situations which can present risk of violence or injury;
- The noise level in the work environment varies from moderate to noisy inside.
- The Employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.
- The employee will be continuously exposed to animals, animal noises, hair/dander, and smells.

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

Employee Receipt Acknowledgement & Signature

Date

Signature of Supervisor
cc: personnel file, employee

Date

Kendall County Job Description

TITLE: Part-time Office Assistant
DEPARTMENT: Animal Control
SUPERVISED BY: Animal Control Director
FLSA STATUS: Non-Exempt
REVISED: November 16, 2021

I. Position Summary and Primary Purpose:

Under the direct supervision of the Animal Control Director, or designee assigned by the Director, this position provides administrative and accounts receivable support in the areas of financial record keeping, data entry, answering phones, greeting customers, and office procedures.

II. Essential Duties and Responsibilities:

- A. Serve as direct contact for and liaison between the Animal Control Department and the public, other agencies, and government offices or departments, with tasks including greeting customers and answering phone calls.
- B. Assist in maintaining files containing confidential financial and/or personnel records.
- C. Reply to inquiries and questions concerning animal control adoptions, rabies tag orders, fees, and lost animals/pets.
- D. Complete daily deposits and documentation for deposits and deliver deposit documentation including cash and checks to the Treasurer's Office by driving personal vehicle or County owned vehicle.
- E. Handle and appropriately use petty cash, and maintain adequate records of its use by all Animal Control Department employees.
- F. Record and deposit fees and donations; track receipts to appropriate account numbers; balance accounts, and, maintain spreadsheets for financial transactions.
- G. Create and maintain accounting records using Tyler Munis.
- H. Order and manage office supplies; process accounts payable vouchers; and track inventory.
- I. Maintain and update various Animal Control informational lists for public and organizational distribution.
- J. Draft routine correspondence and other Animal Control documents.
- K. Ensure employee timesheets are accurately completed and timely submitted to the payroll department, in the Treasurer's Office.
- L. Receive, send, distribute, and process all inter-office and outgoing mail.
- M. Assists Animal Control Department staff and department with other office support duties as needed or assigned by supervisor.
- N. Perform additional duties as assigned.

III. Qualifications:

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

Kendall County Job Description

A. Language Skills:

- Ability to research, read, and interpret documents, plans, statutes, regulations, and ordinances.
- Ability to prepare documents, presentations, reports, and correspondence.
- Ability to communicate effectively both orally and in writing with the public, employees, elected officials, and representatives of other offices, departments, or agencies.
- Ability to demonstrate a strong knowledge of the English language, spelling, and grammar.

B. Mathematical Skills:

- Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
- Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
- Ability to count money and make correct change.

C. Reasoning Ability:

- Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.
- Ability to deal with problems involving several concrete variables in standardized situations.

D. Certificates, Licenses, Registrations:

- Must have and maintain a valid driver's license.
- Any and all certificates and registrations as required for the specific duties performed.

E. Other Skills, Knowledge and Abilities:

- Strong organization skills.
- Ability to independently work to project completion and follow guidance.
- Proficient knowledge of MS Word, Excel, Outlook, and Tyler Munis (ERP System).
- Ability to multi-task and simultaneously manage several projects.
- Display a positive, cooperative, and team-oriented attitude.
- Comply with all State and County policies and standard operation procedures.
- Demonstrate excellent prioritization skills and the ability to stay focused.

F. Education and Experience:

- High school diploma or GED equivalent.
- At least two years of general office experience, including accounts receivables responsibilities.

Kendall County Job Description

VI. Physical Demands:

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

- Frequently sit for more than two hours;
- Occasionally lift and/or move more than 15 pounds;
- Frequently lift and/or move up to 5 pounds;
- Stoop, kneel, or crouch;
- Travel independently to other County office locations.

VII. Work Environment:

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

- Inside environmental conditions;
- Exposure to high-energy, anxious, or unfamiliar pets and animals, and all related hazards.
- The noise level in the work environment is noisy to moderately noisy.
- The employee will be continuously exposed to animal noises, hair/dander, and smells.
- The Employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours.
- Employee may be exposed to stressful situations while working with other employees, elected officials, and the general public.

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

Employee Receipt Acknowledgement & Signature

Date



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: November 8, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-32 Request from Gilbert L. Niznik on Behalf of the Gilbert L. Niznik Revocable Trust Dated September 15, 2017 and Michael and Eryn Ruffatto for a Map Amendment Rezoning the Parcel East and South of 800 Route 126 in Na-Au-Say Township (PIN: 06-13-101-011) from A-1 Agricultural District to R-1 One Family Residential District

Background and Discussion:

Petitioners wish to rezone the property in order to construct one house.

The record for the Petition can be found here,
<https://www.co.kendall.il.us/home/showpublisheddocument/21110/637686948757830000>

The draft ordinance and property aerial are attached.

Committee Action:

ZPAC-Approval (7-0-3), RPC-Approval (9-0-1), ZBA-Approval (5-0-2), Na-Au-Say Township Planning Commission-Approval, Na-Au-Say Township Board-No Comments, Village of Plainfield Planning Department-No Objections, Plainfield Fire Protection Dist-No Objections, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: November 9, 2021

ORDINANCE NUMBER 2021-_____

**MAP AMENDMENT FOR APPROXIMATELY TWENTY-SEVEN POINT ONE FIVE ACRES
OF LAND LOCATED EAST AND SOUTH OF 800 ROUTE 126 (PIN: 06-13-101-011) IN
NA-AU-SAY TOWNSHIP**
Rezone from A-1 to R-1

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

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 27.15 more or less acres located east and south of 800 Route 126 and identified by Parcel Identification Number 06-13-101-011, in Na-Au-Say Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is currently owned by the Gilbert L. Niznik Trust Dated September 15, 2017 as represented by Gilbert L. Niznik;

WHEREAS, Michael and Eryn Ruffatto wish to construct one single-family home on the subject property;

WHEREAS, the Gilbert L. Niznik Trust Dated September 15, 2017 and Michael and Eryn Ruffatto shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about August 24, 2021, Petitioner’s representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on September 2, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on September 27, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and their representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated September 27, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

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

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

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

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

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of November, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

LEGAL DESCRIPTION:

The West Half of the Northwest Quarter (EXCEPT the West 925 feet thereof) of Section 13, Township 36 North, Range 8 East of the Third Principal Meridian, AND ALSO EXCEPTING therefrom that Part of the West Half of the Northwest Quarter of Section 13, Township 36 North, Range 8 East of the Third Principal Meridian, Na-au-say Township, Kendall County, Illinois, described as follows:

Beginning on the North Line of said West Half of the Northwest Quarter at a point 70.00 feet West of the Northeast Corner of the West Half of said Northwest Quarter; thence South along a line 70.00 feet West of and parallel with the East Line of said West Half of the Northwest Quarter, 381.33 feet; thence West along a line parallel with said North Line of the West Half of the Northwest Quarter, 324.71 feet; thence North along a line which is 925.00 feet East of and parallel with the West Line of said West Half of the Northwest Quarter, 381.32 feet to said North Line of the West Half of the Northwest Quarter; thence East along said North Line, 325.55 feet to the point of beginning, in the Township of Na-au-say, Kendall County, Illinois.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on September 27, 2021, by a vote of five (5) in favor and zero (0) in opposition. Members Clementi and Whitfield were absent.

FINDINGS OF FACT

*Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. An airstrip is located on the subject property.***

*The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1, R-3, and R-1 with a special use permit. Nearby properties inside the Village of Plainfield also have residential zoning.***

*The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. Due to the property's size, a single-family home cannot be constructed on the property under A-1 zoning regulations.***

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

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

RECOMMENDATION

Approval

Kendall County Web GIS



August 25, 2021

-  Kendall County Address Points
-  Incorporated Areas
-  Plainfield
-  Ownership Parcel

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Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: November 8, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-36 Request from Brenda and Gary Zeiter and Devan and Brady Woolverton for a Special Use Permit for a Landscaping Business at 3549 and 3527 Bell Road (PIN: 09-21-100-009) in Seward Township; Property is Zoned A-1 Agricultural

Background and Discussion:

Petitioners wish to operate a landscaping business at the subject property. The property is zoned A-1.

The record for the Petition can be found here,
<https://www.co.kendall.il.us/home/showpublisheddocument/21334/637710235837700000>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval with Conditions (8-0-2), RPC-Approval with Conditions (6-0-3-1), ZBA-Approval with Conditions (5-0-2), Seward Township Planning Commission-Approval, Seward Township Board-No Comments, Lisbon-Seward Fire Protection Dist-Approval with Conditions, PBZ Committee-Approval (5-0)

Staff Recommendation:

Approval with Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: November 9, 2021

ORDINANCE NUMBER 2021-_____

GRANTING A SPECIAL USE PERMIT FOR A LANDSCAPING BUSINESS AT 3549 AND 3527 BELL ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-21-100-009 IN SEWARD TOWNSHIP

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

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

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 10.05 +/- acres located at 3549 and 3527 Bell Road (PIN: 09-21-100-009), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as “the subject property”; and

WHEREAS, the subject property is owned by Brenda and Gary Zeiter and Devan and Brady Woolverton and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, the Petitioner own and operate Zeiter Landscaping, Inc., a landscaping company; and

WHEREAS, on or about September 17, 2021, Petitioner filed a petition for a special use permit for the operation of a landscaping business at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on October 7, 2021, the Kendall County Zoning Board of Appeals held a public hearing on November 1, 2021, at 7:00 p.m., in the County Board Room of the Kendall County Office Building at 111 W. Fox Street in Yorkville at which the Petitioner’s representative presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor or in opposition to the request and one member of the public commented on 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 special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated November 1, 2021, 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 special use permit; and

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

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

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

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.
2. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit for the operation of a landscaping business on the subject property subject to the following conditions:
 - A. The site shall be developed substantially in accordance with the site plan attached hereto as Exhibit C and topographic survey attached hereto as Exhibit D. A refuse area may be installed north of the metal building. One (1) two (2)-faced sign may be installed east of the driveway. The sign shall not be illuminated.
 - B. No storage of any materials or equipment related to the business allowed by this special use permit shall occur north of the northern "Proposed Limit of Landscaping Business" line as shown on the topographic survey attached hereto as Exhibit D and this same area shall be used for agricultural purposes only.
 - C. The owners of the business allowed by the special use permit shall maintain the parking area and driveway shown on the site plan and in substantially the same locations as depicted on the site plan attached hereto as Exhibit C and topographic survey attached hereto as Exhibit D. The parking area and driveway shall be asphalt grindings.
 - D. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and items stored on the subject property and shall promptly clean up the site if leaks occur.
 - E. Any new structures, signs, or lights constructed or installed on the property related to the operations of the business allowed by this special use permit shall not be considered for agricultural purposes and must secure applicable building permits.
 - F. Equipment and vehicles related to the business allowed by the special use permit must be stored indoors during non-operational business hours. This condition does not extend to trailers; they may be stored outdoors in the trailer parking area designated on the site plan attached hereto as Exhibit C.
 - G. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
 - H. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
 - I. Except for the purposes of loading and unloading, all landscape related materials shall be stored

indoors or in the designated storage areas shown on the site plan attached hereto as Exhibit C. The maximum height of the piles of landscaping related material shall be eight feet (8'), provided a Stormwater Management Permit is issued.

- J. Nine (9) Colorado Blue Spruce, a minimum of eight feet (8') in height, and five (5) maple trees at least two point five inch (2.5") caliber at the time of planting shall be planted in the areas identified as landscaping and areas with mulch and evergreens and on the dirt berm as identified in the topographic survey attached hereto as Exhibit D and as visually depicted on the landscaping images attached hereto as Exhibit E. Damaged or dead trees or Colorado Blue Spruces shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The landscaping shall be installed by December 31, 2021. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
- K. No landscape waste generated off the property can be burned on the subject property.
- L. A maximum of ten (10) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
- M. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
- N. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
- O. Deliveries of materials related to the business allowed by the special use permit by semis or tractor trailers shall be restricted to a maximum of three (3) in a seven (7) day period. There shall be no cap on the number of deliveries of materials related to the business allowed by the special use permit by non-semis or non-tractor trailers.
- P. The noise regulations are as follows:

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

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

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.
- Q. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall

be placed on the subject property.

- R. The owners or operators of the business allowed by this special use shall reside at the subject property as their primary place of residence.
 - S. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
 - T. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
 - U. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
 - V. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
 4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of November, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

Legal Description

The East 330 Feet of the South Half of the Northwest Quarter of Section 21, Township 35 North, Range 8 East of the Third Principal Meridian, Kendall County, Illinois

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on November 1, 2021, by a vote of five (5) in favor and zero (0) in opposition. Members Cherry and Clementi were absent.

FINDINGS OF FACT

*That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **Provided the site is developed in accordance with the submitted site plan and topographic plan and provided the business plan is followed regarding hours of operation and business related deliveries, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. The owners of the business allowed by the special use permit will not invite the public onto the property. Only landscape related materials and equipment will be stored at the subject property.***

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

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **If Seward Township approves the new access point, then adequate points of ingress and egress will be provided. No customers will be allowed on the property and employees will be able to use the restroom facilities inside the metal building. The owners of the business allowed by the special use permit have applied for the applicable stormwater 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. **The special use shall conform to the applicable regulations of the district and no variances were requested.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 9-21 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents”.***

RECOMMENDATION

Approval subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the site plan and topographic survey. A refuse area may be installed north of the metal building. One (1) two (2)-faced sign may be installed east of the driveway. The sign shall not be illuminated.
2. No storage of any materials or equipment related to the business allowed by this special use permit shall occur north of the northern “Proposed Limit of Landscaping Business” line as shown on the

topographic survey and this same area shall be used for agricultural purposes only.

3. The owners of the business allowed by the special use permit shall maintain the parking area and driveway shown on the site plan and in substantially the same locations as depicted on the site plan and topographic survey. The parking area and driveway shall be asphalt grindings.
4. The owners of the businesses allowed by this special use permits shall diligently monitor the property for leaks from equipment and vehicles parked and items stored on the subject property and shall promptly clean up the site if leaks occur.
5. Any new structures, signs, or lights constructed or installed on the property related to the operations of the business allowed by this special use permit shall not be considered for agricultural purposes and must secure applicable building permits.
6. Equipment and vehicles related to the business allowed by the special use permit must be stored indoors during non-operational business hours. This condition does not extend to trailers; they may be stored outdoors in the trailer parking area designated on the site plan.
7. None of the vehicles or equipment parked or stored on the subject property related to the business allowed by the special use permit shall be considered agricultural vehicles or agricultural equipment.
8. All of the vehicles and equipment stored on the subject property related to the business allowed by the special use permit shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. Except for the purposes of loading and unloading, all landscape related materials shall be stored indoors or in the designated storage areas shown on the site plan. The maximum height of the piles of landscaping related material shall be eight feet (8'), provided a Stormwater Management Permit is issued.
10. Nine (9) Colorado Blue Spruce, a minimum of eight feet (8') in height, and five (5) maple trees at least two point five inch (2.5") caliber at the time of planting shall be planted in the areas identified as landscaping and areas with mulch and evergreens and on the dirt berm as identified in the topographic survey and as visually depicted on the landscaping submitted images. Damaged or dead trees or Colorado Blue Spruces shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. The landscaping shall be installed by December 31, 2021. The Kendall County Planning, Building and Zoning Committee may grant an extension to this deadline.
11. No landscape waste generated off the property can be burned on the subject property.
12. A maximum of ten (10) employees of the business allowed by this special use permit, including the owners of the business allowed by this special use permit, may report to this site for work. No employees shall engage in the sale of landscaping related materials on the property.
13. No customers of the business allowed by this special use permit shall be invited onto the property by anyone associated with the use allowed by this special use permit.
14. The hours of operation of the business allowed by this special use permit shall be Monday through Saturday from 6:00 a.m. until 6:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
15. Deliveries of materials related to the business allowed by the special use permit by semis or tractor trailers shall be restricted to a maximum of three (3) in a seven (7) day period. There shall be no cap on the number of deliveries of materials related to the business allowed by the special use permit by non-semis or non-tractor trailers.

16. The noise regulations are as follows:

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

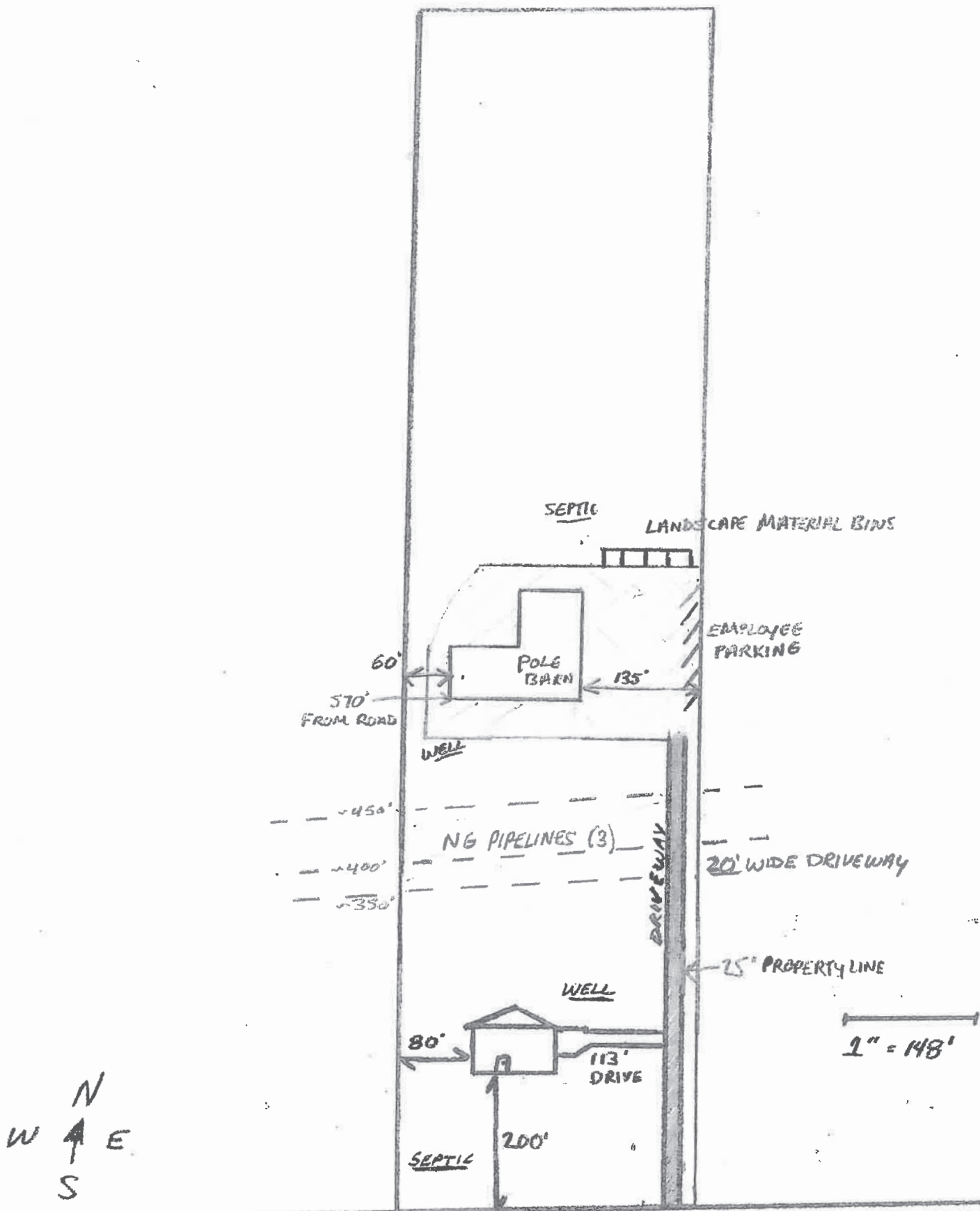
Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point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

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

17. At least one (1) functioning fire extinguisher and one (1) first aid kit shall be on the subject property. Applicable signage stating the location of the fire extinguisher and first aid kit shall be placed on the subject property.
18. The owners or operators of the business allowed by this special use shall reside at the subject property as their primary place of residence.
19. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
20. The property owner and operator of the business allowed by this special use permit shall follow all applicable Federal, State, and Local laws related to the operation of this type of business.
21. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.
22. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
23. 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.

SITE PLAN

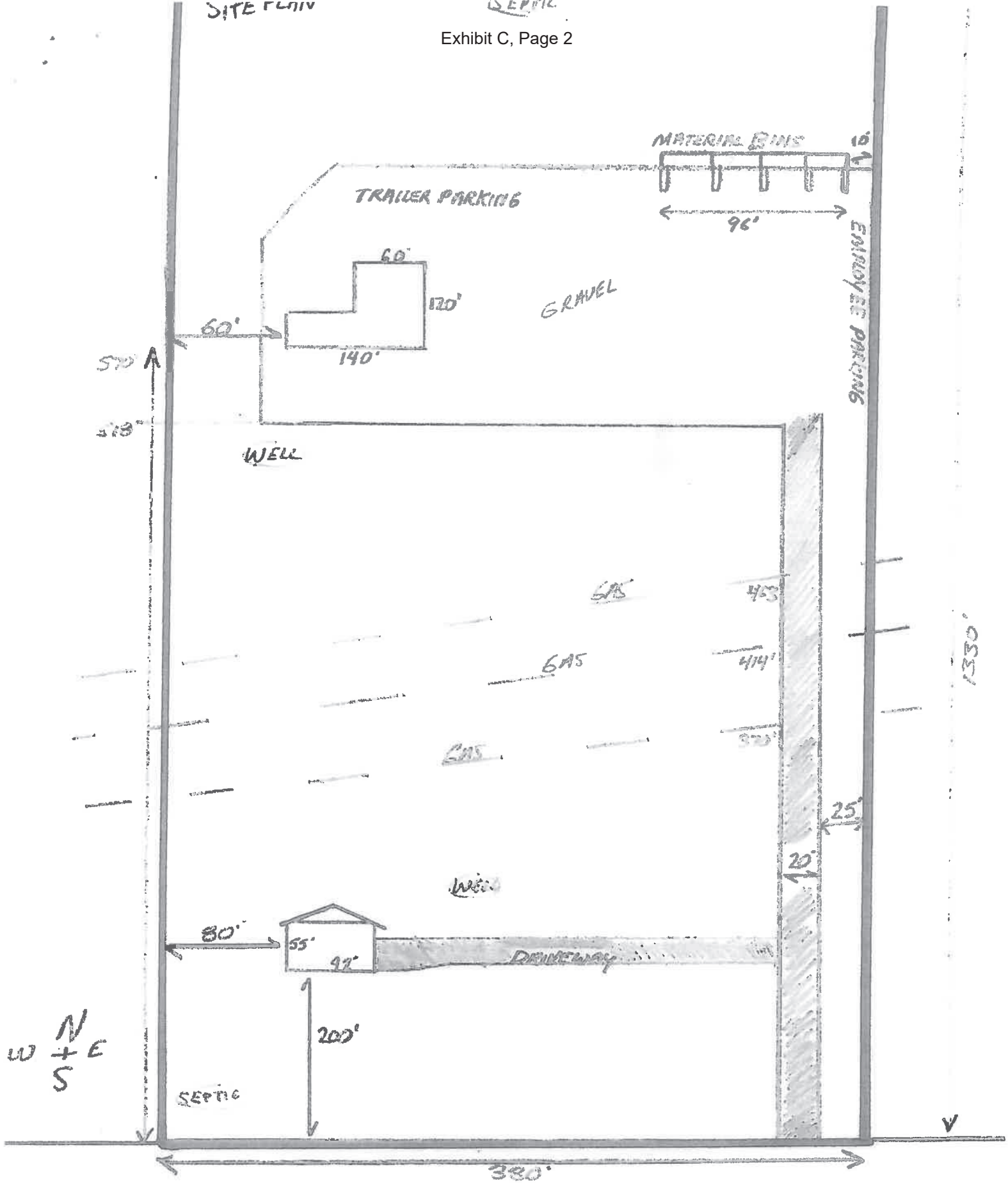
Exhibit C, Page 1



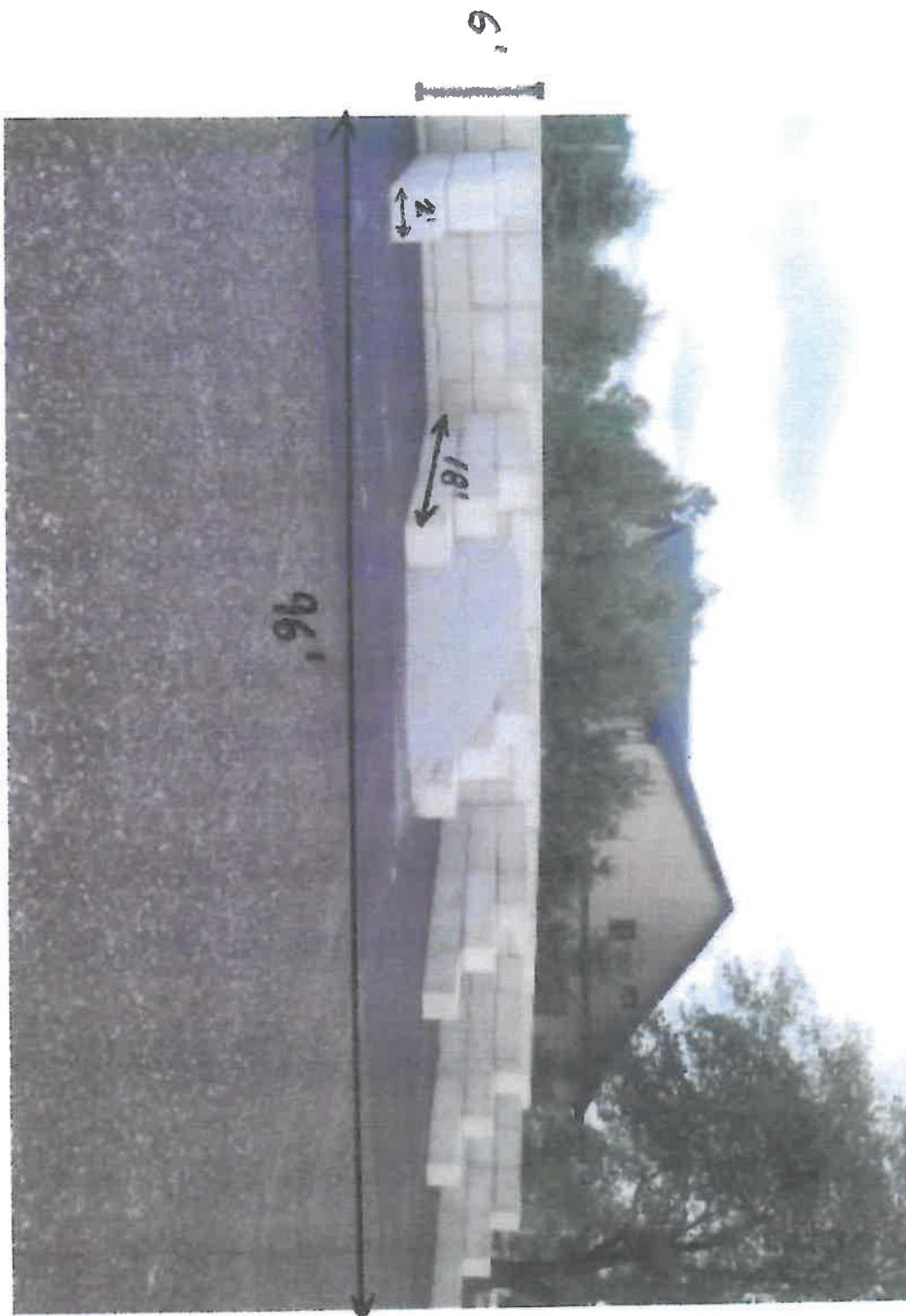
3549 BELL Rd.

SITE PLAN

Exhibit C, Page 2



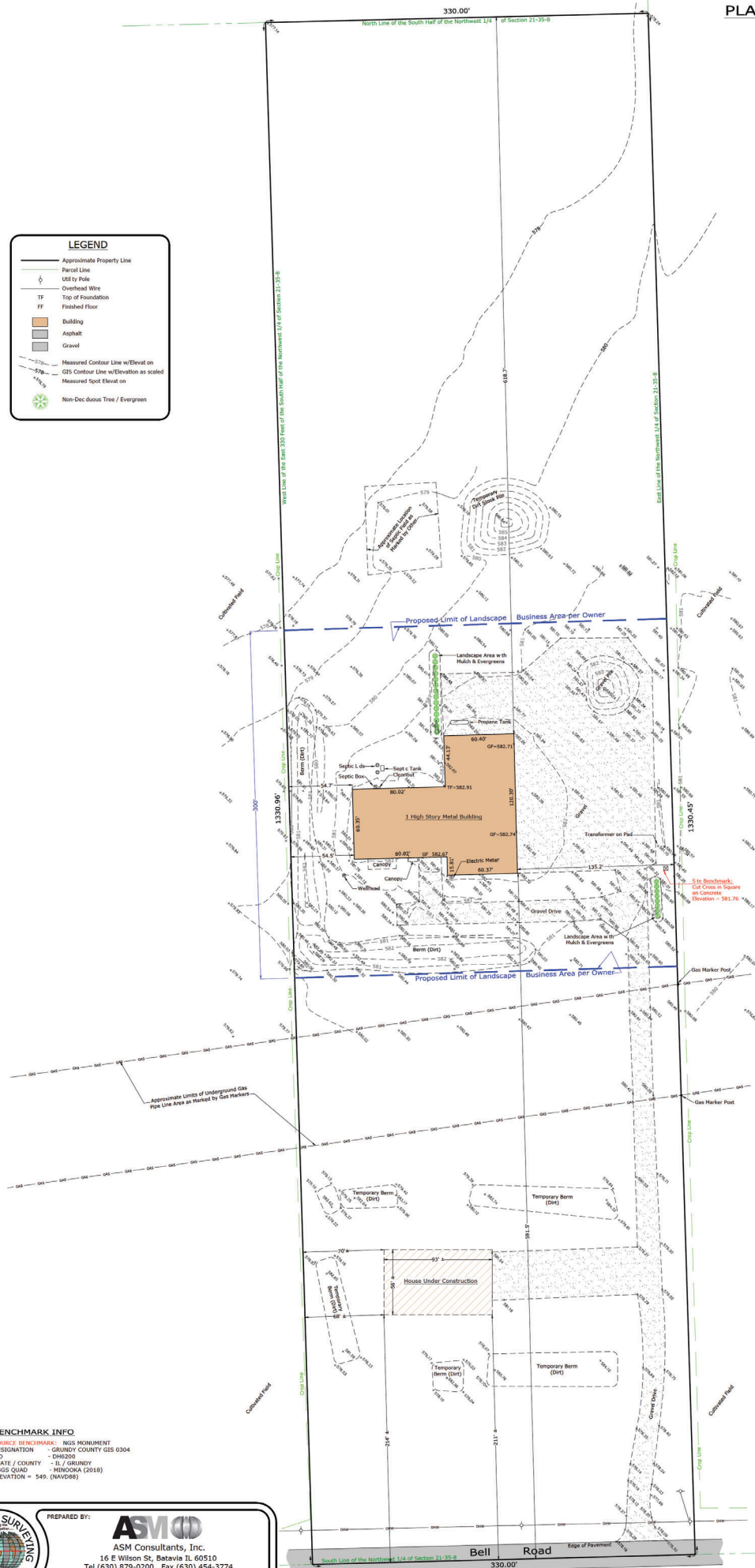
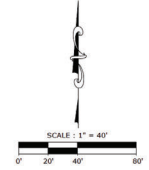
3549 BELL RD



PLAT OF TOPOGRAPHIC SURVEY

LEGEND

- Approximate Property Line
- Parcel Line
- Utility Pole
- Overhead Wire
- TF — Top of Foundation
- FF — Finished Floor
- Building
- Asphalt
- Gravel
- Measured Contour Line w/Elevat on
- GIS Contour Line w/Elevation as scaled
- Measured Spot Elevat on
- ⊙ Non-Deciduous Tree / Evergreen



LEGAL DESCRIPTION

THE EAST 330 FEET OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, KENDALL COUNTY, ILLINOIS.

(WARRANTY DEED DOCUMENT 201800008959, RECORDED 6/26/2018)

SURVEYOR NOTES

THE PERMANENT PARCEL INDEX NUMBER FOR THE PROPERTY DESCRIBED HEREON IS 09-21-100-008.

PROPERTY LINES DEPICTED HEREON ARE BASED ON PREVIOUS PLAT OF SURVEY BY OTHERS.

THE PROPERTY DESCRIBED HEREON CONTAINS 439,127 SQUARE FEET OR 10.081 ACRES, MORE OR LESS.

PROPERTY COMMONLY KNOWN AS:
3549 BELL ROAD
MINOOKA, IL 60447

THE SURVEYOR EXPRESSES NO OPINION AS TO THE ACCURACY OF ANY UNDERGROUND UTILITIES WHEN NOT READILY VISIBLE FROM THE SURFACE. IT IS RECOMMENDED THAT THE APPROPRIATE GOVERNMENTAL AGENCY, MUNICIPALITY AND/OR UTILITY COMPANY BE CONTACTED FOR VERIFICATION.

THE FLOOD INSURANCE RATE MAP SHOWS THAT THE PROPERTY DESCRIBED HEREON IS FALLING WITHIN ZONE "X", ACCORDING TO THE COMMUNITY PANEL NUMBER 170241, KENDALL COUNTY, FOUND ON MAP NUMBER 17093C025SH, KENDALL COUNTY, ILLINOIS AND INCORPORATED AREAS, EFFECTIVE DATE OF JANUARY 8, 2014.

ZONE "X" IS AREAS OF MINIMAL FLOOD HAZARD.

A CURRENT TITLE REPORT WAS NOT FURNISHED TO US FOR OUR USE IN PREPARING THIS SURVEY. THEREFORE THERE MAY BE ADDITIONAL EASEMENTS AND/OR SERVICITUDES AFFECTING THIS PROPERTY WHICH ARE NOT SHOWN ON THIS SURVEY.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF KANE } SS

I, CAROL A. SWEET-JOHNSON, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON, BEING COMPLETED IN THE FIELD ON 9/9/2021, IS A CORRECT REPRESENTATION OF A SURVEY PERFORMED AT AND UNDER MY DIRECTION.

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

ALL DISTANCES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL
THIS 16TH DAY OF SEPTEMBER, A.D. 2021.

CAROL A. SWEET-JOHNSON
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. [REDACTED]
LICENSE EXPIRES 11/30/2022

PREPARED FOR:

ZEITER LANDSCAPING, INC.
16765 Hanson Road
Minooka, IL 60447

NO.	DATE	REVISION
1.	9/9/2021	FIELD SURVEY COMPLETED
2.	9/16/2021	FINAL SURVEY COMPLETED

SITE DESIGNATION INFORMATION:
3549 BELL ROAD
MINOOKA, IL 60447

PROJECT NO. 641002

DRAWN BY: PS CHECKED BY: CSJ

TOPO

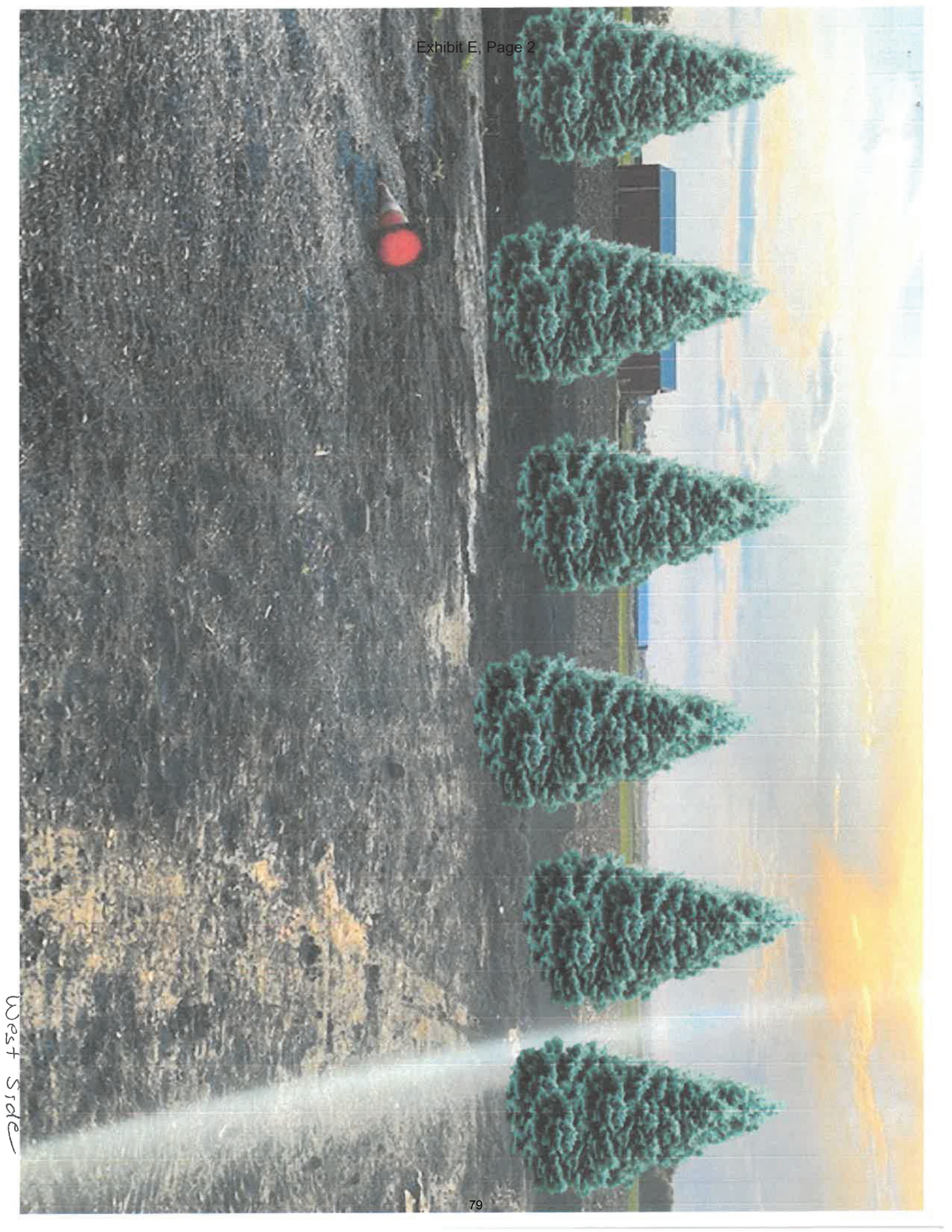
BENCHMARK INFO

SOURCE BENCHMARK: NGS MONUMENT
DESIGNATION: GRADY COUNTY GIS 0304
PID: D06206
STATE / COUNTY: IL / GRADY
USGS QUAD: MINOOKA (2018)
ELEVATION: 549. (NAVD88)

PREPARED BY:

ASMC
ASM Consultants, Inc.
16 E Wilson St, Batavia IL 60510
Tel (630) 879-0200 Fax (630) 454-3774
advanced@advct.com
Professional Design Firm #184-006014 expires 4/30/2023





West Side



East Side



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: September 13, 2021 and November 8, 2021

Amount: N/A

Budget: N/A

Issue: Petition 21-26 Request from Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis for Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 at 10978 Crimmin Road, Newark, in Fox Township

Background and Discussion:

Petitioners are Requesting:

Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, Amending the Landscaping Plan, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music

The record for the Petition can be found here,
<https://www.co.kendall.il.us/home/showpublisheddocument/20679/637692012158100000>

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (6-0-4), RPC-Approval (8-0-2), ZBA-Approval (4-0-3), Fox Township Planning Commission-Partial Fox Township Board-Had Concerns, Village of Newark-No Comments, Newark Fire Protection Dist-No Comments, PBZ Committee First and Second Meetings-Neutral (5-0), COW Second Meeting-Forward (7-1-2)

Staff Recommendation:

Approval with Conditions

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: November 10, 2021

ORDINANCE NUMBER 2021-_____

GRANTING MAJOR AMENDMENTS TO THE SPECIAL USE PERMIT FOR A BANQUET FACILITY GRANTED BY ORDINANCE 2019-23 BY DIVIDING THE BUILDING ALLOWED TO BE A BANQUET FACILITY INTO SEPARATE EVENTS SPACES, SETTING THE MAXIMUM CAPACITIES OF THE EVENT SPACES, SETTING THE DAYS OF AND HOURS OF OPERATION FOR THE EVENT SPACES, AMENDING THE LANDSCAPING PLAN, AND REMOVING THE REQUIREMENT THAT THE BARN DOORS BE CLOSED BY 7:00 P.M. AT EVENTS WITH MUSIC ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008 IN FOX TOWNSHIP

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

WHEREAS, Section 7:01.D.12 of the Kendall County Zoning Ordinance permits the operation of banquet halls as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008) in Fox 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, on August 27, 2019, the Kendall County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility with restrictions at the subject property; and

WHEREAS, Condition 2.A of Ordinance 2019-23 established a landscaping plan at the subject property; and

WHEREAS, Condition 2.C of Ordinance 2019-23 set the maximum number of guests in attendance at a banquet center related event at two hundred eighty (280); and

WHEREAS, Condition 2.I of Ordinance 2019-23 required that the north and south barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, Condition 2.J of Ordinance 2019-23 established the hours of operation, a season of operation, and set a maximum number of events allowed at the subject property at thirty (30);

WHEREAS, the subject property is currently owned by Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as “Petitioner”; and

WHEREAS, on or about June 22, 2021, the Petitioner’s representative filed a petition for a major amendment to Ordinance 2019-23 which granted a special use permit allowing the operation of a banquet facility at the

subject property by dividing the building allowed to be a banquet facility into separate event spaces, setting the maximum capacities of the event spaces, setting the days of and hours of operation for the event spaces, and removing the requirement that the barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on July 15, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 2, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested major amendments to an existing special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and one member of the public expressed concerns regarding the requested major amendments; 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 major amendments to an existing special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 2, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

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

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

WHEREAS, these major amendments to an existing 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 major amendments to the special use permit granted by Ordinance 2019-23 which allowed for the operation of a banquet facility on the subject property subject to the following conditions:
 - A. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on building diagram attached hereto as Exhibit C.
 - B. The landscaping plan referenced in Condition 2.A of Ordinance 2019-23 is amended to include the amended landscaping attached hereto as Exhibit D. The six (6) white pine and six (6) blue spruce trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021.

- C. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:
“A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests on the property for banquet center events shall not exceed a total of two hundred eighty (280) guests.”
- D. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:
“No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit.”
- E. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:
“Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment and may occur at any time. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 15th and reopen April 15th. Event Space B may operate year round.”
- F. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
- G. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
- H. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
3. These major amendments to an existing special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.
4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect these major amendments to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 16th day of November, 2021.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of $88^{\circ}55'20''$ with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of $136^{\circ}30'40''$ with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of $105^{\circ}18'51''$ with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of $136^{\circ}53'45''$ with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of $148^{\circ}16'44''$ with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of $89^{\circ}59'40''$ with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of $95^{\circ}37'45''$ with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of $107^{\circ}48'12''$ with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 2, 2021. Members Cherry, LeCuyer, and Whitfield were absent.

FINDINGS OF FACT

§ 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 Kendall County Zoning Board of Appeals did not make a finding of this fact. Chairman Mohr and Member Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.***

*That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.***

*That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, the Petitioner’s approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.***

*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. **The site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective “Encourage Agriculture and Agribusiness.” Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.***

RECOMMENDATION

Approval by vote of four (4) in favor and zero (0) in opposition subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.
2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall

at the time of planting and shall be planted by November 30, 2021.

3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.
4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.
5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.
6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.
7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.
8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.
11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

