

**KENDALL COUNTY BOARD AGENDA
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560
Tuesday, October 18, 2022 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. Kendall Area Transit 10 Year Recognition and Voluntary Action Center and New Executive Director Nate Kloster
6. Public Comment
7. Consent Agenda
 - A. Approval of County Board Minutes from September 20, 2022
 - B. Standing Committee Minutes Approval
 - C. Approval of Claims in an amount not to exceed \$786,294.40
 - D. Approval of the Release of Executive Session Minutes from the Finance Committee on February 10, 2022 & October 14, 2021
 - E. Approval of 2023 Noxious Weed Work Plan
 - F. Approval of the Release of Executive Session Minutes from the Planning, Building and Zoning Committee on October 6, 2022
 - G. Approve Chicago HIDTA Contract with Clear Channel Outdoor for Opioid Awareness Campaign, with Kendall County as the Fiduciary Agent, for digital bulletins for 1 year not to exceed \$124,999.94
 - H. Approve Chicago HIDTA Finance Assistant Service contract amendment with Kendall County as the Fiduciary Agent effective December 2, 2022 through December 1, 2025, in the annual amount of \$92,761.98 with an annual increase of 2.5%.
 - I. Approve Chicago HIDTA Finance Assistant Service contract amendment with Kendall County as the Fiduciary Agent effective December 2, 2022 through December 1, 2025, in the annual amount of \$92,761.98 with an annual increase of 2.5%.
 - J. Approval of the Kendall County 2024 Wellness Plan
 - K. Approval of GIS Developer Job Description
 - L. Approval of Kendall Area Transit 5310 Grant Application
 - M. Approval of Gjovick Ford as the Low Bidder for a Vehicle Maintenance Contract for the Kendall County Sheriff's Office for a Period of Two Years
8. Executive Session
9. Old Business
10. New Business
11. 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
12. Standing Committee Reports
 - A. Planning Building & Zoning
 1. Approval of Petition 22-01, a Request from Jose and Silvia Martinez for a Special Use Permit for a Landscaping Business, Variance to Section 7:01.D.30.b to Allow a Landscaping Business a Non-State, County, or Collector Highway as Defined by the Kendall County Land Resource Management Plan, and Variance to Section 11:02.F.7.b of the Kendall County Zoning Ordinance to Allow a Driveway Zero Feet from the Southern Property Line at 1038 Harvey Road (PINs: 03-12-100-004 and 03-12-100-013) in Oswego Township; Property is Zoned A-1 Agricultural District.
 - B. Highway
 1. Approval of Memorandum of Understanding between Kendall County, Illinois and the Morgan Creek Drainage District
 2. Approval of Resolution approving conveyance of 1.194 acres of excess land (Parcel 003XS) to DJJ Farming LLC, an Illinois Limited Liability Company, as part of the Collins Road Extension
 - C. Law Justice and Legislation
 1. Approval of a Resolution Supporting Continued Efforts to Resolve Public Safety Concerns with the Safe-T Act
13. Special Committee Reports
14. Other Business
15. Chairman's Report
16. Public Comment

17. Questions from the Press
18. Executive Session
19. Adjournment

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

**KENDALL COUNTY BOARD
REGULAR SEPTEMBER MEETING
September 20, 2022**

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

The Kendall County Board Meeting was held at the Kendall County Office Building, Rooms 209 & 210, in the City of Yorkville on Tuesday September 20, 2022 at 9:00 a.m. The Clerk called the roll. Members present: Scott Gryder, Amy Cesich, Brian DeBolt, Scott Gengler, Judy Gilmour, Matt Kellogg, Dan Koukol, Ruben Rodriguez and Robyn Vickers. Member(s) absent: Elizabeth Flowers.

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

THE AGENDA

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

SPECIAL RECOGNITION

Alex Knauf

Member Koukol moved to approve the Proclamation Honoring World Judo Champion Alex Knauf. 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 IGAM 22-42 is available in the Office of the County Clerk.

PUBLIC COMMENT

Todd Milliron spoke about Ordinance passed on August 2, 2022 regarding the County Board Member terms of office.

Margaret Sheehan spoke about public testing, the location of the voting machines, and Election judges.

CONSENT AGENDA

Member Cesich moved to approve the consent agenda of **A)** county board minutes from August 16, 2022; **B)** standing committee minutes; **C)** claims in an amount not to exceed \$3,121,463.21; **D)** Petition 22-14-Request from Sunny Simon on Behalf of Boulder Hill Market, LLC and Yonia Ahymee Nyamle on Behalf of the Olgani Wosho Foundation for a Special Use Permit for a Place of Worship at 67 Boulder Hill Pass (PIN: 03-05-401-003) in Oswego Township; Property is Zoned B-3 Highway Business District; **E)** Petition 22-16-Request from Lydia Ramirez for a Major Amendment to a Special Use Permit for a Banquet Facility Granted by Ordinance 2019-3 by Amending the Site Plan, Landscaping Plan, and Photometric Plan at the Property Located in the 5100 Block of Schlapp Road (Approximately 0.48 Miles South of the Intersection of Plainfield Road and Schlapp Road on the East Side of Schlapp Road) (PIN: 03-34-100-027) in Oswego Township; **F)** resolution awarding contract to Homer Tree Service, Inc. in the amount of \$46,698 for tree removal on Collins Road Extension project; and **G)** Ordinance for the Establishment of Altered Speed Zones on Various Township Roads. Member DeBolt seconded the motion. Chairman Gryder asked for a roll vote on the motion. All members present voting aye. **Motion carried.**

C) COMBINED CLAIMS: ADMN \$1,784.64; ANML CNTRL WRDN \$7,123.69; CIR CT CLK \$10,274.95; CIR CRT JDG \$13,361.28; CMB CRT SRV \$2,057.91; CORONR \$4,042.32; CORR \$54,902.43; CNTY ADMN \$94,314.25; CNTY BRD \$196,491.00; CO CLK & RCDR \$8,872.70; HIGHWY \$640,739.41; CNTY TREASR \$3,903.83; ELECTION \$5,307.47; EMA \$2,123.95; FCLT MGMT \$38,836.76; GIS CORD \$964.99; HLTH & HMN SRV \$33,676.10; JURY \$317.75; KENCOM \$1,775,000.00; MERIT \$13,260.30; PBZ \$1,972.97; PRSDNG JDG \$5,689.26; PRBTN SPVSR \$8,481.56; PUB DFNDR \$442.85; ROE \$7,750.99; SHRF \$39,517.92; ST ATTY \$9,824.52; TECH DIR \$7,584.59; UTIL \$27,396.82; VET \$2,553.50; VET \$746.68; FP \$27,483.10; SHF \$32,687.24; SHF \$41,975.48

D) A complete copy of Ordinance 22-25 is available in the Office of the County Clerk.

E) A complete copy of Ordinance 22-26 is available in the Office of the County Clerk.

F) A complete copy of Resolution 22-31 is available in the Office of the County Clerk.

G) A complete copy of Ordinance 22-27 is available in the Office of the County Clerk.

EXECUTIVE SESSION

Member Kellogg made a motion to go into Executive Session for (1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity, (2) collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees, (11) litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. Member DeBolt seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

ELECTED OFFICIALS REPORT AND OTHER DEPARTMENT REPORTS

Sheriff

AAA Grants

Under Sheriff Richardson along with a representative from AAA provided fatal vision goggles for the board members to see what it is like to drive impaired, the Sheriff's office received them as one of the grants from AAA. They also received the HAS Alert System which is an emergency vehicle notification for motorists.

County Clerk

| Revenue Report | | 8/1/22-8/31/22 | 8/1/21-8/31/21 | 8/1/20-8/31/20 |
|-----------------------|--------------------------------------|-----------------------|-----------------------|-----------------------|
| Line Item | Fund | Revenue | Revenue | Revenue |
| CLKFEE | County Clerk Fees | \$750.50 | \$1,355.50 | \$1,185.50 |
| MARFEE | County Clerk Fees - Marriage License | \$2,700.00 | \$2,520.00 | \$2,520.00 |
| CIVFEE | County Clerk Fees - Civil Union | \$0.00 | \$0.00 | \$0.00 |
| ASSUME | County Clerk Fees - Assumed Name | \$50.00 | \$20.00 | \$75.00 |
| CRTCOP | County Clerk Fees - Certified Copy | \$1,906.00 | \$2,224.00 | \$2,108.00 |
| NOTARY | County Clerk Fees - Notary | \$35.00 | \$305.00 | \$205.00 |
| MISINC | County Clerk Fees - Misc | \$18.00 | \$34.00 | \$35.00 |
| | County Clerk Fees - Misc Total | \$5,459.50 | \$6,458.50 | \$6,128.50 |
| RECFEE | County Clerk Fees - Recording | \$27,037.00 | \$45,829.00 | \$40,845.00 |
| | Total County Clerk Fees | \$32,496.50 | \$52,287.50 | \$46,973.50 |
| CTYREV | County Revenue | \$52,559.50 | \$80,549.25 | \$44,290.75 |
| DCSTOR | Doc Storage | \$15,726.50 | \$26,987.50 | \$23,964.50 |
| GISMAP | GIS Mapping | \$49,920.00 | \$85,440.00 | \$75,930.00 |
| GISRCD | GIS Recording | \$3,328.00 | \$5,696.00 | \$5,062.00 |
| INTRST | Interest | \$33.81 | \$58.05 | \$23.68 |
| RECMIS | Recorder's Misc | \$3,509.50 | \$11,105.00 | \$833.00 |
| RHSP | RHSP/Housing Surcharge | \$13,509.00 | \$24,399.00 | \$21,339.00 |
| TAXCRT | Tax Certificate Fee | \$920.00 | \$440.00 | \$560.00 |
| TAXFEE | Tax Sale Fees | \$0.00 | \$20.00 | \$35.00 |
| PSTFEE | Postage Fees | | | |
| CK # 19537 | To KC Treasurer | \$172,002.81 | \$286,982.30 | \$219,011.43 |

County Clerk, Debbie Gillette spoke about the number of Vote by Mail applications received, the need for Elections judges and the start of early voting.

Treasurer

Office of Jill Ferko
 Kendall County Treasurer & Collector
 111 W. Fox Street Yorkville, IL 60560

Kendall County General Fund

QUICK ANALYSIS OF MAJOR REVENUES AND TOTAL EXPENDITURES
 FOR NINE MONTHS ENDED 08/31/2022

| <u>REVENUES*</u> | Annual <u>Budget</u> | 2022 YTD <u>Actual</u> | 2022 YTD% <u>%</u> | 2021 YTD <u>Actual</u> | 2021 YTD <u>%</u> |
|--------------------------------|-------------------------|---------------------------|-----------------------|---------------------------|----------------------|
| Personal Property Repl. Tax | \$465,000 | \$1,019,144 | 219.17% | \$467,877 | 119.97% |
| State Income Tax | \$2,574,336 | \$3,032,558 | 117.80% | \$2,360,483 | 102.63% |
| Local Use Tax | \$950,000 | \$596,541 | 62.79% | \$622,111 | 69.12% |
| State Sales Tax | \$583,000 | \$533,561 | 91.52% | \$370,210 | 69.85% |
| County Clerk Fees | \$350,000 | \$277,853 | 79.39% | \$402,859 | 123.96% |
| Circuit Clerk Fees | \$1,250,000 | \$853,298 | 68.26% | \$880,194 | 72.15% |
| Fines & Foreits/St Atty. | \$275,000 | \$264,161 | 96.06% | \$187,267 | 68.10% |
| Building and Zoning | \$75,000 | \$91,965 | 122.62% | \$109,601 | 161.18% |
| Interest Income | \$40,000 | \$124,776 | 311.94% | \$16,349 | 16.35% |
| Health Insurance - Empl. Ded. | \$1,588,649 | \$876,943 | 55.20% | \$215,631 | 14.69% |
| 1/4 Cent Sales Tax | \$3,228,750 | \$3,228,750 | 100.00% | \$2,223,812 | 72.32% |
| County Real Estate Transf Tax | \$450,000 | \$454,590 | 101.02% | \$444,943 | 98.88% |
| Federal Inmate Revenue | \$1,898,000 | \$1,189,360 | 62.66% | \$1,218,160 | 59.60% |
| Sheriff Fees | \$115,000 | \$71,995 | 62.60% | \$62,177 | 44.41% |
| TOTALS | \$13,842,735 | \$12,615,494 | 91.13% | \$9,581,674 | 72.13% |
| Public Safety Sales Tax | \$5,512,500 | \$4,791,364 | 86.92% | \$3,857,112 | 73.47% |

| | | | | | |
|--------------------------|-------------|-------------|--------|-------------|--------|
| Transportation Sales Tax | \$6,000,000 | \$4,791,364 | 79.86% | \$3,857,112 | 73.47% |
|--------------------------|-------------|-------------|--------|-------------|--------|

Clerk of the Court

Clerk of the Court Matt Prochaska reviewed the monthly report.

State's Attorney

State's Attorney Eric Weis stated that the office is very busy with jury trials and the potential for a SafeT Act lawsuit.

Coroner

Coroner Jacquie Purcell reviewed the monthly report.

Supervisor of Assessments

Supervisor of Assessments Andy Nicoletti informed the board that the assessment notices went out in the mail. There were 46,685 changes, the cost of publication was approximately \$37,500 and postage approximately \$23,000.

Emergency Management Agency

Director Roger Bonuchi stated that they participated with the command bus for a training and the grant agreement for hazard mitigation plan is fully executed.

STANDING COMMITTEE REPORTS

Finance

Village of Newark

Member DeBolt moved to approve the agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with Village of Newark for the amount of \$150,000. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

2023 Tentative Budget

Member Kellogg moved to approve the Kendall County Fiscal Year 2023 Tentative Budget. Member Cesich seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Highway

FY23-27 Multi-Year Plan

Member Cesich moved to approve the final draft of FY23-27 Multi-Year Plan. Member Gengler seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Health & Environment

1539 Collins Road

Member Rodriguez moved to Request the State's Attorney to initiate legal proceedings on the County's behalf to have the property located at 1539 Collins Road, Oswego declared abandoned by court order and/or to demolish or repair structures on the property and remove garbage, junk and debris from the property pursuant to court order. Member Gilmour seconded the motion. Chairman Gryder asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

Chairman's Report

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

APPOINTMENTS

Andrea Mann – Board of Health (replacing Carlo Colosimo) – 3-year term – expires September 2025

ADJOURNMENT

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

Approved and submitted this 23rd day of September, 2022.

Respectfully submitted by,
Debbie Gillette
Kendall County Clerk

HIGHWAY COMMITTEE MINUTES

DATE: October 11, 2022
LOCATION: Kendall County Highway Department
MEMBERS PRESENT: Matt Kellogg, Brian DeBolt, & Scott Gengler
STAFF PRESENT: Michele Riley, John Burscheid and Francis Klaas
ALSO PRESENT: PJ Fitzpatrick, Ryan Sikes, Kelly Farley, Larry Nelson, Todd Milliron, Steve Hawkinson, Dawn Mulligan, Jenny Rohr, Marcella Rohr, Steve Karasch, Lindy Karasch, Phil Corrington, Suzanne Waldrop

The committee meeting convened at 3:31 P.M. with roll call of committee members. Gryder and Cesich absent. Quorum established.

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

Motion Kellogg; second DeBolt, to approve the Highway Committee meeting minutes from September 13, 2022. Motion approved unanimously.

Klaas presented a proposal from the Village of Oswego to install an electronic billboard on the west side of Orchard Road, and within the Orchard Road right-of-way, north of Mill Road. The electronic sign proposed is 60 square feet and 20' tall to the bottom of the sign, and would provide information for Venue 1012. Klaas had suggested that the sign be mounted on Village property immediately adjacent to the Orchard Road right-of-way, and raised to 25' if there were sight concerns. He was not aware of any other similar sign in the county. Kellogg asked about some trees that could perhaps be in the line of sight of the sign some day in the future. He also indicated that he thought the sign might be a distraction to drivers coming from the north. After further discussion, the committee members took no action to allow the sign in county right-of-way. They were not opposed to the sign being installed on the Village's property.

Motion Kellogg; second DeBolt to recommend approval of a Memorandum of Understanding between Kendall County, Illinois and the Morgan Creek Drainage District. Klaas described the Collins Road Extension project, which includes a double box culvert at the Morgan Creek. Kendall County had sent the Drainage District a notice in 2018 regarding the project; but had not received any feedback from the District. The District is now requiring coordination with the County to allow for the box culvert, along with other miscellaneous improvements near the creek. The Kendall County State's Attorney has prepared this MOU, which details each party's responsibilities. There is also a small application fee of \$2,000. Upon approval by both parties, the District plans to take the MOU before the court for final approval. Letting is scheduled for winter of 2023. Upon consideration, the motion was unanimously approved.

Klaas described some of the history of the alignment of Eldamain Road from Walker Road to U.S. Route 34, including the southerly logical termini at Walker Road. The County spent nearly 8 years and \$2 million on the Phase I Engineering. He noted that funding for Contract C – the section of roadway between Walker Road and W. Highpoint Road – is not in the County's 5-Year Plan or 20-Year Plan. His recommendation was for the County to do nothing at this point

so that no additional County funds would need to be spent on alignments or studies, knowing that construction isn't funded for this part of the roadway anyway.

DeBolt asked whether this alignment would eventually go through Helmar and Lisbon, and thought that this would be a tight fit. Gengler noted that when the Eldamain study was done, the Prairie Parkway was still active. Now that PP is no longer viable, it could change some of the thoughts for Eldamain alignment. Kellogg thought that Eldamain alignment would be effected greatly by what Grundy County does. It would be difficult to determine a new alignment without input from them and IDOT. Klaas stated that there has always been an effort to deemphasize the importance of the corridor south of Route 71. The main emphasis has always been to connect Route 71 to Route 34 with a bridge across the Fox River. This section has a wider footprint, a raised median, and heavier traffic. South of Route 71, it's just a 2-lane road, not unlike the current Lisbon Road. DeBolt asked why the alignment didn't go straight south from W. Highpoint Road and T into Walker Road. Klaas said that it is for connectivity. Going straight south from W. Highpoint would go through much prime farmland, and then the road would just dead end into Walker. He noted that much of the Eldamain Road alignment utilized existing road rights-of-way in an effort to minimize impacts to ag land. Kellogg stated that we still just don't know what alignment would be the best because of uncertainty further south in Kendall County and in Grundy County. Gengler thought, when considering long term impacts, that there just wouldn't be much room in the area by Helmar and Lisbon for a 4-lane road. Klaas thought it would be making a huge assumption to think that Lisbon Road would someday be a 4-lane road in the area of Helmar or Lisbon. Kellogg asked if there was a weight limit on Highpoint or Lisbon Road. Klaas stated there was a 12-ton load limit on Lisbon Road. With that in mind, Kellogg didn't think that truck traffic would be able to use the road as some sort of short cut. Gengler asked what the process would be to actually build the Contract C part of Lisbon Road. Klaas said that it would be entirely up to the County Board to budget the funds for construction. The Board would have the ability to put the project in the 5-year or 20-year plans; and that would likely go through the Highway Committee.

Steve Karasch heard there was some development that was planned near Walker and Lisbon and was concerned about development in the area. He also reported there was a lot of cars driving down Highpoint and doing burnouts at the intersection. He also reported seeing a Menards truck cutting through. He just didn't understand why Lisbon Road would get rebuilt on the proposed alignment.

Suzanne Waldrop moved out to Highpoint Road just 1 year ago. She was very concerned about horses and livestock in the area being negatively impacted by the proposed roadway. She also had done some studying on how much roadways costs. She thinks the roadway will wear out before it gets used, unless there was some planned light industrial development in the area... which she is against. She claimed this area is the headwaters for 5 different county's water sources.

Jenny Rohr believed the traffic numbers have increased significantly in the area of Lisbon Road, and wondered where that information could be obtained.

Todd Milliron stated that the County's long range plan for Lisbon and Fox Townships shows Lisbon Road as a Class 3 truck route. He was also concerned about the recharge area for the aquifer near Cotswold Fen. He stated that the County voted to put an industrial park near Silver Springs State Park. He said that just because the road has been put in doesn't mean the land use

has to be changed south of the Fox River. He thought the County should defer and wait until Yorkville and County get on the same page to determine land use in this area, but commercial and industrial should be concentrated north of the River where property is already zoned.

Phil Corrington stated that if the road went straight south from W. Highpoint Road, it would be a lot less road to build.

Dawn Mulligan stated that all the houses along Lisbon Road were all in place in 2008 when the Phase I was underway, and perhaps only 1 house has been built since then. So even when the original alignment was being planned, it was going to impact all those same people. And it would be a real problem in Helmar.

Steve Hawkinson identified that he lives near the middle of Lisbon Road. He believes that the Highway Committee has an entirely different tone about the Lisbon Road alignment than the Comp Land Plan Committee. He has reviewed the Phase I study and had lots of questions about the proposed improvements on Lisbon. He was also concerned about how City of Yorkville has reclassified all the land around the Route 71 & Eldamain Road intersection.

Larry Nelson stated that he had the first meeting about this matter back in January of 2022. He compared the drawing of the Orchard Road alignment with Eldamain's alignment. He said that we need to plan for the future. He argued that Menard's trucks and other truck traffic should go down Eldamain Road to Lisbon Road to Walker Road, and back to Route 47. He provided an exhibit that showed the alignment going straight south from W. Highpoint Road and teeing into Walker Road, and suggested that this alignment should go into the County's Land Plan.

DeBolt stated that we're not here to tear up people's front yards and build a road next to their front porch. He thought it was a lot simpler to go straight south through the farm fields. Kellogg thought that this centerline might get changed before it is built. He compared the change in the WIKADUKE centerline in Oswego to what might happen with Lisbon Road.

Motion Kellogg; second DeBolt to recommend a resolution approving conveyance of 1.194 acres of excess land (Parcel 003XS) to DJJ Farming LLC, an Illinois Limited Liability Company, as part of the Collins Road Extension. Klaas explained that a parcel of the Quarry Ledge Farm was isolated from the rest of their property when the Collins Road right-of-way was laid out. The County acquired this parcel but has no use for it as road right-of-way. DJJ Farming is interested in getting this property as it provides for great frontage for them along Collins Road. DJJ Farming is giving over 6 acres of new right-of-way to the County, valued at over \$133,000. The value of the conveyance parcel is just \$25,000. So Klaas thought this was a very good deal for the County. The State's Attorney Office is currently preparing this resolution for County Board action. The committee unanimously approved sending this resolution to the County Board for consideration.

Motion DeBolt; second Kellogg to forward Highway Department bills for the month of October in the amount of \$26,426.70 to the Finance Committee for approval. By roll call vote, motion approved unanimously.

Motion DeBolt; second Kellogg, to adjourn the meeting at 4:36 P.M. Motion carried unanimously.

Respectfully submitted,



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

Action Items

1. Memorandum of Understanding between Kendall County, Illinois and the Morgan Creek Drainage District
2. Resolution approving conveyance of 1.194 acres of excess land (Parcel 003XS) to DJJ Farming LLC, an Illinois Limited Liability Company, as part of the Collins Road Extension

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

Rooms 209 and 210

111 W. Fox Street, Yorkville, Illinois

4:00 p.m.

Meeting Minutes of October 6, 2022 – Unofficial until Approved

CALL TO ORDER

The meeting was called to order by Chairman Gengler at 4:02 p.m.

ROLL CALL

Committee Members Present: Elizabeth Flowers (Arrived at 4:41 p.m.), Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman) (Arrived 4:22 p.m.), Dan Koukol, and Robyn Vickers

Committee Members Absent: None

Also Present: Matt Asselmeier (Senior Planner), Scott Koeppel (County Administrator), and Judd Lofchie

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Member Vickers made a motion, seconded by Member Koukol, to approve the minutes of the September 12, 2022, meeting and the September 14, 2022, meeting in Boulder Hill. With a voice vote of three (3) ayes, the motion carried.

PUBLIC COMMENT

None

EXPENDITURE REPORT

The Committee reviewed the expenditure report. Mr. Asselmeier noted that the Department purchases new shirts with the new County logo on them. He also noted that business cards were purchased for the new part-time inspector Matthew Yackley.

PETITIONS

None

NEW BUSINESS

Recommendation on Fiscal Year 2022-2023 Meeting Calendar

Mr. Asselmeier presented the proposed calendar. It was noted that the new PBZ Committee could change the schedule and times of meetings after they are seated in December.

The consensus of the Committee was to let the new Committee decide meeting dates and times.

Recommendation on the 2023 Comprehensive Noxious Weed Work Plan

Mr. Asselmeier summarized the request.

Kendall County is required by Illinois law to submit an annual Noxious Weed Comprehensive Work Plan to the State by November 1st of each year. This proposal is the same as the 2022 Noxious Weed Comprehensive Work Plan.

Member Koukol made a motion, seconded by Member Vickers, to recommend approval of the meeting work plan.

With a voice vote of three (3) ayes, the motion carried.

The proposal goes to the County Board on October 18, 2022, on the consent agenda.

Approval of a Proposal from WBK Engineering Regarding Reviewing Potential Amendments to the Kendall County Stormwater Management Ordinance in Relation to the Illinois Revised Floodplain Ordinance at a Cost Not to Exceed \$4,500; Related Invoices To Be Paid from the PBZ Consultation Line Item (11001902-63630)

Mr. Asselmeier presented the proposal. He noted the proposal only called for one (1) public meeting with WBK Engineering. Mr. Asselmeier also asked if the Committee had any objections to allowing WBK Engineering to bill the County for the project in the current fiscal year. There was approximately Five Thousand Five Hundred Dollars (\$5,500) remaining in the Consultation Line Item in the current fiscal year.

Chairman Gengler made a motion, seconded by Member Koukol, to approve the proposal and to pay it entirely in the current fiscal year.

With a voice vote of three (3) ayes, the motion carried.

Discussion of Requiring Middle Initials on Applications; Committee Could Approve Changing Applications

Mr. Asselmeier stated that, in order to conduct some debt checks, a middle initial was necessary. Mr. Asselmeier said, to date, the system has caught two (2) people that owed the County money.

Member Koukol asked which department requested the change. Mr. Asselmeier responded the Circuit Clerk's Office.

Mr. Koepfel was in favor of the change.

Chairman Gengler made a motion, seconded by Member Vickers, to approve requiring middle initials on applications.

With a voice vote of three (3) ayes, the motion carried.

1038 Harvey Road Items

Approval to Issue New, Additional Citations at the Property

Approval to Request that the State's Attorney's Office Pursue the Collection of the Lien for Planning, Building and Zoning Related Penalties Issued Against the Property

Mr. Asselmeier reported that the proposal will be at the Committee of the Whole on October 13, 2022. The business was still operating without a special use permit and a driveway permit has not been issued. The Village of Oswego issued an access permit. Normally, an applicant would not pursue permits until the County Board approved the zoning request. However, in this case the driveway was installed without a permit. The owner was requesting a variance to the

driveway setback requirements.

Member Vickers asked why the stormwater information was not finished. Judd Lofchie, Attorney for the Petitioner, said the stormwater report was finished. Mr. Asselmeier explained that a driveway permit was still needed and that applicants normally do not apply for driveway permits until after the County Board takes action on the zoning request. Mr. Lofchie said the property owner would apply for a driveway permit. The business was still operating without a special use permit. The stormwater report has not been submitted to WBK Engineering, to date.

Member Koukol asked about the court case. Mr. Asselmeier said the Thirty-Two Thousand Eight Hundred Dollar (\$32,800) fine has been recorded as a lien against the property. Mr. Asselmeier recommended not pursuing the lien until the County Board makes a decision on the special use permit. The Petitioner could ask the court to reduce or drop the fines. Mr. Koepfel recommended that the Committee wait until the County Board makes a decision on the special use permit before pursuing the lien since a decision is likely on October 18th or November 1st.

Chairman Gengler expressed his opposition to issuing new citations.

Member Gilmour arrived at this time (4:22 p.m.).

The proposal goes to the Committee of the Whole on October 13, 2022.

Member Koukol agreed with Chairman Gengler.

Discussion occurred regarding the location of the driveway and driveway specifications.

Member Gilmour asked what had changed since the last meeting. Mr. Lofchie said the stormwater report was complete. Mr. Asselmeier said that he had not seen the report.

Members Vickers and Gilmour favored not issuing new citations at this time.

Member Vickers requested that the stormwater report be submitted prior to the October 13th Committee of the Whole meeting.

Mr. Asselmeier and Mr. Koepfel recommended waiting with pursuing the lien until after the County Board decision on the special use permit.

The consensus of the Committee was to wait for County Board action before pursuing the lien.

OLD BUSINESS

October 21, 2022 Illinois Association of County Zoning Officials Training

Mr. Asselmeier stated that the Illinois Association of County Zoning Officials will have a training on October 21, 2022, at 9:00 a.m., via Zoom. The first session will be on carbon dioxide pipeline regulations. The second session will be on zoning hearings. A roundtable discussion will be held after lunch on activities and concerns in the various counties. Members should contact Mr. Asselmeier if they were interested in attending. There was no application fee. Chairman Gengler was interested attending.

Follow-Up Discussion of September 14, 2022, Meeting in Boulder Hill

Chairman Gengler felt the meeting went well. He was glad to have representatives from the

Sheriff's and Health Department in attendance. He thanked Oswego School District 308 for allowing the Committee to use the building.

Member Koukol felt that having a larger room was beneficial.

Member Vickers felt that attendees had a better understanding of the meeting's procedure.

Members Gilmour and Vickers thought there would be more questions from attendees.

REVIEW VIOLATION REPORT

The Committee reviewed the violation report.

Chairman Gengler asked, if someone was interested in purchasing 1539 Collins Road, what steps would they need to take. Mr. Koepfel said that once the County acquired ownership of the property, the County would attempt to sell the property after cleanup. The County could explore selling the property prior to cleanup with a stipulation in the contract that the property be cleaned up in a certain period of time or face consequences. Discussion occurred regarding the costs to the County to clean up the property compared to the cost of allowing a private individual to clean up the property.

Member Flowers arrived at this time (4:41 p.m.).

REVIEW PRE-VIOLATION REPORT

The Committee reviewed the pre-violation report.

Mr. Asselmeier discussed the silt fence issue in Whitetail Ridge.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

Update on Historic Structure Survey

Mr. Asselmeier said the Commission will be having a training session on October 8, 2022, and October 15, 2022, for the volunteers. There are approximately ten (10) volunteers. The training will consist of an overview meeting and a site visit at Harris Forest Preserve.

REVIEW PERMIT REPORT

The Committee reviewed the report.

Chairman Gengler asked how many solar permits had been issued year-to-date in 2021. Mr. Asselmeier will get the answer to that question.

REVIEW REVENUE REPORT

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS

None

EXECUTIVE SESSION

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

The votes were as follows:

Yeas (5): Flowers, Gengler, Gilmour, Koukol, and Vickers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The Committee recessed at 4:50 p.m.

Chairman Gengler called the Committee back to order at 4:53 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) and Scott Koepfel (County Administrator)

NEW BUSINESS

Approval to Release Executive Session Minutes of October 6, 2022

Member Gilmour made a motion, seconded by Member Vickers, to recommend approval of the release of the Executive Session Minutes of October 6, 2022.

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

The proposal goes to the County Board on October 18, 2022, on the consent agenda.

ADJOURNMENT

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

Chairman Gengler adjourned the meeting at 4:53 p.m.

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

Enc.



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: October 6, 2022

Amount: N/A

Budget: N/A

Issue: Approval of 2023 Noxious Weed Work Plan

Background and Discussion:

Kendall County is required by Illinois law to submit an annual Noxious Weed Comprehensive Work Plan to the State by November 1st of each year. Attached please find the proposed 2023 Kendall County Noxious Weed Comprehensive Work Plan. This proposal is the same as the 2023 Noxious Weed Comprehensive Work Plan.

Committee Action:

PBZ Committee-Approval (3-0-2)

Staff Recommendation:

Approval

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: October 7, 2022



**KENDALL COUNTY
COMPREHENSIVE NOXIOUS WEED WORK PLAN
2023**

As required by the Illinois Noxious Weed Law (505 ILCS 100), the County of Kendall submits the following Comprehensive Work Plan for calendar year 2023.

Kendall County shall engage in the following activities:

1. Continuously work with residents, property owners, municipalities, townships, other counties, and Federal and State agencies to identify, investigate, control and eliminate noxious weeds found within the County.
2. In the event that the location of a noxious weed is reported on private property or property not owned by Kendall County, the County shall forward the complaint to the local municipality and/or township. The local municipality and/or township shall be the lead agency for investigating and resolving the issue. The municipality or township shall follow applicable laws to resolve the issue.
3. Monitor County owned properties and rights-of-way as part of general property maintenance. If noxious weeds are found on County owned property, the County shall take steps to eradicate the weeds and include the information in its annual noxious weed report to the State.
4. Work with local municipalities and townships to track and report noxious weed allegations and incidents for inclusion in the annual noxious weed report to the State. The County will ask each municipality and township for a summary of activities related to the eradication of noxious weeds for inclusion in the annual noxious weed report to the State.
5. Publish the General Notice at least one time annually in a newspaper of general circulation in Kendall County. The General Notice shall be published in the first quarter of the year upon approval of the County Board.
6. Advise persons responsible for controlling and eradicating noxious weeds of the best and most practical methods for noxious weed control and eradication.
7. Complete applicable reports as required by State law.

This Comprehensive Work Plan was approved by the Kendall County Board on October 18, 2022.

Respectively Submitted,

Scott R. Gryder
Kendall County Board Chairman

Date

2024 Annual Wellness Plan Dates & Requirements

- ✚ The Kendall County Wellness Program takes effect January 1, 2024.

- ✚ To be eligible for health care premium savings, an employee will need to:
 - Submit evidence of a current annual wellness screening/physical by December 1, 2023 to the Kendall County Treasurer's Office.
 - The current annual wellness screening/physical must be dated between December 2022 and November 2023.
 - If the employee's spouse is on the County's family health insurance plan then the employee's spouse must also submit an annual wellness screening.
 - Employees' children do not need to submit annual wellness screenings.
 - Please contact the Kendall County Treasurer's Office with any questions.

Physician Verification of Annual Physical - 2024 Benefit Year

Employee – Spouse (please circle one)

1. County of Kendall is committed to the health and well-being of our employees. As part of our employee wellness initiatives, all employees and spouses are encouraged to complete an annual physical with their physician. To qualify for the 2024 wellness program employee premium obligation please have this form filled out and returned by 11-30-2023.

Steps for Completion

1. If you have already submitted a wellness exam form in 2023 the wellness program incentive will continue to the annual anniversary date of your exam. If you have not had an exam so far this year, please contact your physician to schedule your annual physical.
2. Schedule an annual physical with your Physician.
Note: Under Health Care Reform guidelines, preventive care is covered in full by your health plan on an annual basis. If you discuss additional health concerns that go beyond the scope of preventive care, please be aware this visit will be billed and paid as diagnostic. As the patient, you will be responsible for these fees and any follow up deemed appropriate by your physician.
3. Take this form to your appointment. Prior to leaving your appointment, have your physician sign this form.
4. Sign the form and return to Kendall County Treasurer’s Office [email: benefits@kendallcountyil.gov](mailto:benefits@kendallcountyil.gov) Fax 630-553-4117; Address: 111 W Fox St, Yorkville.

Employee Acknowledgement:

I understand in order to be eligible for the wellness program incentive 2024; this form must be signed by myself and my physician and submitted to the Kendall County Treasurer’s Office. I also understand that no protected health information, including these results, needs to be shared with County of Kendall for this incentive.

Employee Name (printed)

Spouse Name (optional)

Employee or Spouse Signature

Date

Physician Verification:

I confirm that the above patient completed a preventive exam on _____(mm/dd/yyyy). If applicable, the patient was also made aware that additional costs may be associated with their visit (if services rendered are outside of preventive scope). PLEASE DO NOT SHARE ACTUAL RESULTS ON THIS FORM AS IT WILL BE RETURNED DIRECTLY TO PATIENT’S EMPLOYER.

Physician Name (printed)

Physician’s Office Name (printed)

Physician Signature

Date

Physician Address

Employees are not required to provide any detailed protected health information.

Kendall County Job Description

TITLE: GIS Developer
DEPARTMENT: Geographic Information Systems (GIS)
SUPERVISED BY: GIS Director
FLSA STATUS: Non-Exempt
APPROVED: October 18, 2022

I. Position Summary:

To perform comprehensive and complex work in the development, maintenance, and provision of technical support related to production, database maintenance, and implementation of Cadastral and Geographic Information System (GIS) projects and maintain related documentation.

II. Essential Duties and Responsibilities:

- Scans, rectifies, and uses images to create maps for departmental and county use.
- Gathers and verifies field data for utilization in mapping applications.
- Maintain GIS Datasets as assigned.
- Maintain documentation of GIS Datasets and GIS Applications as assigned.
- Explains and interprets division activities and policies to the general public.
- Uses GIS work station to prepare new maps and revise existing maps to show accurate boundaries, configurations and areas of parcels.
- Performs other duties and responsibilities as assigned.
- Prepares routine reports, correspondence, updates, and special project maps as required.
- Performs routine to moderately complex cadastral mapping duties using ESRI GIS core products; computer-aided drafting software utilizing (CAD/GIS) principles.
- Performs cadastral tasks including the preparation and maintenance of County maps related to property boundaries of various kinds.
- Creates new and edits existing graphical and tabular data; complete geographical analysis to create complex queries and spatial overlays; implement new data.
- Interfaces directly with clients to determine their needs and make recommendations.
- Interprets legal descriptions, records of surveys, tract and parcel maps, and other related documents; utilizes a data management computer system to retrieve and enter property information.
- Researches for property boundaries and title verification.
- Performs area calculations as required using a variety of methods; Makes mathematical computations to calculate bearings, distances, areas, and closures.
- Assures quality objectives and standards are maintained through routine examination of projects, providing verification of data integrity and data distribution.
- Serve as a liaison for the GIS function with other County departments and elected offices.
- Create and maintain documentation of GIS Datasets, GIS Applications, GIS Solutions, and Cadastral base workflow, as assigned.
- Provide training and support of GIS Users that use the interactive GIS Systems as assigned.
- Provide technical expertise and assistance to meet the needs and requests of other government agencies and the general public related to the GIS system.
- Assists in the inventory/upgrading/configurations of supplies, hardware, and software.

Kendall County Job Description

- Assists coordinator with GIS data, including layer development, data conversion, and deployment.
- Assists GIS Director with development of the GIS Department, including resource planning, policy and procedures development, departmental needs assessment, systems analysis, inter-governmental agreements.
- Designs, creates and analyzes special products including maps, digital data, reports and statistics, and researches and recommends ways to improve the mapping process.
- Imports GIS data from other sources; converts GIS data from one coordinate system to another, and creates other data formats from existing data.
- May lead and direct the work of others; a wide degree of creativity and latitude is expected.
- Conduct demonstrations or presentations as assigned.
- Assists with advanced troubleshooting and research as needed.
- Perform advanced research and troubleshooting of problem documents.
- Provide the ongoing integrity of the Cadastral/GIS base.
- Maintain and monitor interactive GIS-Websites.
- Assist with determining needs and implementation of interactive GIS-Systems solutions and workflows.
- Maintain and troubleshoot cloud-based operations to include Amazon S3 infrastructure and any virtual instances.
- Perform technical functions such as security updates of Windows and Unix based operating systems to maintain a secure working environment.
- Planning for potential growth and performance evaluations of the cloud platform hosting programs for both private and public use.
- Assist GIS Director with meeting with clients to understand needs and scope of projects
- Meets with consultants, vendors, and staff supporting the GIS Department
- Manages the technical development and quality assurance of the NextGen911 database for KenCom
- Responsible for meeting deadlines for the NextGen911 database
- Work with ICT staff to ensure the security and backup of cloud-based operations
- Coordinate the implementation of short- and long-term projects for the production and maintenance of all enterprise geospatial application development related projects
- Develop and maintain enterprise web services that support mobile solutions and rich internet applications
- Develop, implement, and manage integrated GIS solutions software
- Responsible for the data integrity, quality assurance, and quality control of the Cadastral/GIS base
- Leads the development and maintenance of geospatial web or desktop applications through concept, design, and implementation phases
- Stays abreast of changes in geospatial technology practices and recommends changes to technology, methodology, and process standards
- Develops measures from data that can be used for continuous improvement of processes
- Upgrades and migrates existing applications/services to current version/systems architecture
- Assists with end user support and creates support documentation

Kendall County Job Description

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:

- Ability to become familiar with industry specific terminology and cartographic standards.
- Ability to understand and explain GIS procedures and policies.
- Represents department with professionalism and confidence.
- Ability to operate a variety of office equipment including, but not limited to, computer, scanner, printer, copier, etc.
- Ability to build teamwork; organizes, prioritizes and performs multiple tasks in a timely manner.
- The ability to present information and communicate effectively both orally and in writing with staff, county officials, and the general public.
- Ability to use a GIS system in creating or updating of maps showing property boundaries, political subdivisions, and taxing districts for finished intelligence, presentations, publications, and/or web sites.
- Reads and interprets complex or detailed data, policies, or legal descriptions related to title searches and the preparation of cadastral maps.
- Plot maps from legal descriptions, deeds, survey data, tract descriptions, and existing maps and utilize a data management computer system.
- Reviews legal descriptions of real property, and understand and interpret government codes, legislation, or legal provisions to cadastral mapping or boundary issues.
- Knowledge of GIS principles including data types, data layers; basic geographic, analytic, and statistical functions, map projections, geographic coordinate systems, and data formatting.
- Maintain appropriate trade and professional contacts, memberships, and review of trade literature in order to keep abreast of developments in GIS equipment and software for potential use by GIS.
- Project management skills
- Design, code, maintain, and monitor enterprise GIS Datasets and GIS Solutions.

B. Work Standards and Best Practice Guidelines:

- Complies with all applicable state and federal laws and regulations.
- Adheres to all applicable County policies and procedures.
- Commitment to quality results and customer focused.
- Dependable; has integrity and a willingness to learn.
- High degree of professionalism.
- Proven time management skills.
- Works with diverse populations.
- Strong interpersonal, writing, and communication skills.
- Obtain knowledge and learn new skills to enhance job performance and abilities.

Kendall County Job Description

C. Education and Experience:

- A minimum of a Bachelor's Degree from an accredited institution or equivalent work experience
- Cadastral Standards / Legal Descriptions.
- Experience related to Microsoft Office suite.
- Proven history of effective working relationships with co-workers, department managers, staff, and the general public; ability to deal tactfully and courteously with the public and solve problems within scope of responsibility.
- GIS and Cadastral certifications are preferred.
- Five (5) or more years in related GIS fields is required.
- Knowledge of relational database concepts and skills in creating and maintaining relational databases and linking them with GIS.
- Knowledge of Python, Visual Studio, or other GIS related programming language.

IV. Physical Demands:

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

- Frequently sit for long periods of time at desk or in meetings;
- Occasionally lift and/or move up to 40 pounds;
- Use hands to finger, handle, or feel;
- Reach, push and pull with hands and arms;
- Bend over at the waist and reach with hands and arms;
- Talk and hear in person and via use of telephone;
- Specific vision abilities include close and distance vision, depth perception;
- Travel independently to other County office locations.

V. 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 working conditions:

- Inside environmental conditions.
- The noise level in the work environment is usually quiet to moderately quiet.
- Employee may be exposed to stressful situations while working with users, law enforcement, department heads, elected officials, vendors, and the general public.
- Employee may be required to provide own transportation to travel to and from meetings, training, conferences, etc.

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 OFFICE OF THE SHERIFF

Dwight A. Baird, Sheriff
1102 Cornell Lane Yorkville Illinois 60560
Phone: 630-553-7500 Fax: 630-553-1972
www.co.kendall.il.us/sheriff



INTRAOFFICE MEMORANDUM

TO: SHERIFF DWIGHT BAIRD
FROM: COMMANDER JASON LANGSTON
SUBJECT: RECOMMENDATION OF VEHICLE MAINTENANCE PROVIDER
DATE: 10/4/2022
CC: AS NEEDED

Sheriff Baird,


This correspondence is in reference to my recommendation to select Gjovik Ford as the vehicle maintenance contract provider upon the expiration of our existing contract. Gjovik Ford currently holds the vehicle maintenance contract that expires on November 30th, 2022.

An invitation to bid was posted on September 1st, 2022 with two respondents submitting proposals on September 21st, 2022, prior to the September 23rd, 2022 deadline. Gjovik Ford was the low bidder based on the submitted bid sheets. The responsive bid sheet comparison is summarized below.

| ITB 2022-02 Response comparison | | | |
|---|---------------------|----------------------|----------------------------|
| Item | Current Contract | ITB Rate | |
| | | River View Ford Inc. | Gjovik Ford |
| Base Labor rate per hour | \$ 58.75 | \$ 130.00 | \$ 85.25 |
| Preventative Maintenance/ Oil Change/ Filter/ Lube/ Safety Inspection | \$ 19.89 | \$ 69.95 | \$ 40.00 |
| Tire Rotation | \$ 15.89 | Included | \$ 15.00 |
| Wheel Alignment | \$ 29.89 | \$ 81.95 | \$ 69.00 |
| Parts Discount | 26% (cost plus 14%) | 30% | 28% (dealer cost plus 20%) |
| Total Base Bid: | \$ 65.67 | \$151.90 | \$124.00 |

The low bid difference in base bid price for general preventative maintenance is notably less per vehicle (\$27.90) and the base labor rate for all other service is significantly lower (\$44.75). Due to the increase of maintenance costs, nearly double, the low bidder, Gjoviks is our best option to mitigate expenditures. Based upon these rates it is my recommendation that the Kendall County Sheriff's Office continue to contract with Gjovik Ford for our fleet vehicle maintenance service contract. This contract will be for a period of two years, December 1st, 2022 through November 30th, 2024 with an option to renew again for a two-year term at that time.

Respectfully,


Commander Jason Langston #61

| Kendall County Clerk | | | | |
|---|--------------------------------------|-----------------------|-----------------------|-----------------------|
| Revenue Report | | 9/1/22-9/30/22 | 9/1/21-9/30/21 | 9/1/20-9/30/20 |
| Line Item | Fund | Revenue | Revenue | Revenue |
| CLKFEE | County Clerk Fees | \$706.00 | \$1,181.50 | \$1,218.50 |
| MARFEE | County Clerk Fees - Marriage License | \$2,760.00 | \$2,790.00 | \$3,090.00 |
| CIVFEE | County Clerk Fees - Civil Union | | \$0.00 | \$0.00 |
| ASSUME | County Clerk Fees - Assumed Name | \$65.00 | \$30.00 | \$70.00 |
| CRTCOP | County Clerk Fees - Certified Copy | \$2,152.00 | \$2,328.00 | \$2,025.00 |
| NOTARY | County Clerk Fees - Notary | \$20.00 | \$265.00 | \$275.00 |
| MISINC | County Clerk Fees - Misc | \$77.00 | \$24.50 | \$78.00 |
| | County Clerk Fees - Misc Total | \$5,780.00 | \$6,619.00 | \$6,756.50 |
| RECFEE | County Clerk Fees - Recording | \$25,483.00 | \$40,543.00 | \$41,261.00 |
| | Total County Clerk Fees | \$31,263.00 | \$47,162.00 | \$48,017.50 |
| CTYREV | County Revenue | \$53,482.75 | \$57,006.75 | \$44,241.00 |
| DCSTOR | Doc Storage | \$14,809.00 | \$23,874.50 | \$24,222.50 |
| GISMAP | GIS Mapping | \$47,010.00 | \$75,632.00 | \$76,680.00 |
| GISRCD | GIS Recording | \$3,134.00 | \$5,042.00 | \$5,112.00 |
| INTRST | Interest | \$37.71 | \$27.98 | \$26.67 |
| RECMIS | Recorder's Misc | \$3,558.25 | \$1,294.50 | \$14,880.25 |
| RHSP | RHSP/Housing Surcharge | \$12,708.00 | \$21,267.00 | \$21,933.00 |
| TAXCRT | Tax Certificate Fee | \$320.00 | \$400.00 | \$600.00 |
| TAXFEE | Tax Sale Fees | | \$55.00 | |
| PSTFEE | Postage Fees | | \$0.00 | |
| CK # 19547 | To KC Treasurer | \$166,322.71 | \$231,761.73 | \$235,712.92 |
| Death Certificate Surcharge sent from Clerk's office \$1200.00 ck # 19545 | | | | |
| Dom Viol Fund sent from Clerk's office \$460.00 ck 19546 | | | | |

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 TEN MONTHS ENDED 09/30/2022

| <u>REVENUES*</u> | Annual <u>Budget</u> | 2022 YTD <u>Actual</u> | 2022 YTD% <u>%</u> | 2021 YTD <u>Actual</u> | 2021 YTD <u>%</u> |
|---------------------------------|-------------------------|---------------------------|-----------------------|---------------------------|----------------------|
| Personal Property Repl. Tax | \$465,000 | \$1,019,144 | 219.17% | \$467,877 | 119.97% |
| State Income Tax | \$2,574,336 | \$3,257,798 | 126.55% | \$2,557,437 | 111.20% |
| Local Use Tax | \$950,000 | \$686,478 | 72.26% | \$701,580 | 78.00% |
| State Sales Tax | \$583,000 | \$619,796 | 106.31% | \$445,512 | 84.10% |
| County Clerk Fees | \$350,000 | \$310,349 | 88.67% | \$455,147 | 140.00% |
| Circuit Clerk Fees | \$1,250,000 | \$982,608 | 78.61% | \$984,518 | 80.70% |
| Fines & Foreits/St Atty. | \$275,000 | \$297,606 | 108.22% | \$206,299 | 75.00% |
| Building and Zoning | \$75,000 | \$105,529 | 140.71% | \$115,071 | 169.20% |
| Interest Income | \$40,000 | \$169,108 | 422.77% | \$19,285 | 19.30% |
| Health Insurance - Empl. Ded. | \$1,588,649 | \$1,014,928 | 63.89% | \$227,560 | 15.50% |
| 1/4 Cent Sales Tax | \$3,228,750 | \$2,978,852 | 92.26% | \$2,601,364 | 84.60% |
| County Real Estate Transf Tax | \$450,000 | \$507,151 | 112.70% | \$525,492 | 116.80% |
| Federal Inmate Revenue | \$1,898,000 | \$1,240,640 | 65.37% | \$1,371,200 | 67.10% |
| Sheriff Fees | \$115,000 | \$80,846 | 70.30% | \$64,656 | 46.20% |
| TOTALS | \$13,842,735 | \$13,270,832 | 95.87% | \$10,742,999 | 84.30% |
| Public Safety Sales Tax | \$5,512,500 | \$5,533,300 | 100.38% | \$4,530,668 | 86.30% |
| Transportation Sales Tax | \$6,000,000 | \$5,533,300 | 92.22% | \$4,530,668 | 86.30% |

*Includes major revenue line items excluding real estate taxes which are to be collected later. To be on Budget after 10 months the revenue and expense should at 83.33%

EXPENDITURES

| | | | | | |
|-------------------------------------|---------------------|---------------------|---------------|---------------------|---------------|
| All General Fund Offices/Categories | \$36,908,818 | \$20,566,868 | 55.72% | \$23,493,372 | 75.70% |
|-------------------------------------|---------------------|---------------------|---------------|---------------------|---------------|

Office of the Kendall County Coroner

**Monthly Report
September 2022**

* There were 37 hours of community service time served during the month of August.

No Report

**Upcoming in October: DEA Takeback Day! October 29, 2022; 10a-2pm

| Deaths Report to the M.E. | | Deaths Investigations | |
|---------------------------|-----|-----------------------|----|
| September 2022 | 28 | September 2022 | 7 |
| YTD | 301 | YTD | 60 |

| MEI Scene Investigations | | Postmortem Examinations | |
|--------------------------|----|-------------------------|----|
| September 2022 | 7 | September 2022 | 1 |
| YTD | 48 | YTD | 23 |

| Manner of Death | | | | | | |
|-----------------|---------|----------|---------|----------|---------------|---------|
| | Natural | Accident | Suicide | Homicide | Indeterminate | Pending |
| September 2022 | 23 | 1 | 2 | 1 | 1 | 0 |
| YTD | 273 | 9 | 13 | 2 | 2 | 2 |

| Cremation Permits Issued | |
|--------------------------|-----|
| September 2022 | 16 |
| YTD | 188 |

| Case Number | MOD | COD | DOB | DOD | Autopsy | Scene |
|-------------|--------------|--------------------------------|------------|------------|------------|-------|
| 2022-0275 | Natural | Pulmonary | 11-08-1947 | 09-01-2022 | None | No |
| 2022-0276 | Natural | Cardiac | 06-27-1928 | 09-03-2022 | None | No |
| 2022-0277 | Natural | Neoplasm | 07-29-1942 | 09-03-2022 | None | No |
| 2022-0278 | Natural | Cardiac | 09-24-1938 | 09-03-2022 | None | No |
| 2022-0279 | Natural | Pulmonary-COPD | 11-19-1960 | 09-05-2022 | None | Yes |
| 2022-0280 | Undetermined | Undetermined/Other | 02-01-1964 | 09-06-2022 | None | Yes |
| 2022-0281 | Natural | Neoplasm | 12-21-1955 | 09-09-2022 | None | No |
| 2022-0282 | Natural | Cardiac | 07-31-1936 | 09-09-2022 | None | No |
| 2022-0283 | Accident | Blunt Force | 03-27-2001 | 09-09-2022 | Toxicology | Yes |
| 2022-0284 | Natural | Neoplasm | 08-12-1941 | 09-09-2022 | None | No |
| 2022-0285 | Natural | Renal Disease | 07-03-1920 | 09-12-2022 | None | No |
| 2022-0286 | Natural | Neoplasm | 11-13-1950 | 09-12-2022 | None | No |
| 2022-0287 | Natural | Pregnancy-Complication | 08-11-2022 | 08-11-2022 | None | No |
| 2022-0288 | Suicide | Gun-Rifle | 03-05-2002 | 09-13-2022 | None | Yes |
| 2022-0289 | Natural | Nervous System | 12-13-1927 | 09-14-2022 | None | No |
| 2022-0290 | Natural | Neoplasm | 05-02-1960 | 09-13-2022 | None | No |
| 2022-0291 | Natural | Dementia-Alzheimers | 09-15-1930 | 09-15-2022 | None | No |
| 2022-0292 | Natural | Nervous System | 09-22-1936 | 09-16-2022 | None | No |
| 2022-0293 | Natural | Neoplasm | 03-26-1964 | 09-17-2022 | None | No |
| 2022-0294 | Natural | Pulmonary | 06-15-1950 | 09-17-2022 | None | No |
| 2022-0295 | Homicide | Gun-Handgun | 11-01-1979 | 09-19-2022 | Full | Yes |
| 2022-0296 | Natural | Neoplasm | 01-21-1942 | 09-22-2022 | None | No |
| 2022-0297 | Natural | Nervous System | 11-21-1935 | 09-23-2022 | None | No |
| 2022-0298 | Natural | Pulmonary-COPD | 11-07-1967 | 09-26-2022 | None | Yes |
| 2022-0299 | Natural | Neoplasm | 03-17-1937 | 09-29-2022 | None | No |
| 2022-0300 | Natural | Infection-Sepsis | 07-06-1940 | 09-29-2022 | None | No |
| 2022-0301 | Suicide | Asphyxia-Strangulation-Hanging | 10-28-1984 | 09-29-2022 | None | Yes |
| 2022-0302 | Natural | Neoplasm | 02-28-1948 | 09-30-2022 | None | No |



Kendall County Agenda Briefing

Committee: Planning, Building and Zoning

Meeting Date: July 11, 2022, August 8, 2022, and September 12, 2022

Amount: N/A

Budget: N/A

Issue: Petition 22-01-Request from Jose and Silvia Martinez for a Special Use Permit for a Landscaping Business, Variance Allow a Landscaping Business a Non-State, County, or Collector Highway as Defined by the Kendall County Land Resource Management Plan, and a Variance to Section 11:02.F.7.b to Allow a Driveway Zero Feet from the Southern Property Line at 1038 Harvey Road; Property is zoned A-1 Agricultural

Background and Discussion:

The Petitioners would like to operate their landscaping business at the subject property.

In 2018, the Planning, Building and Zoning Department started investigating a landscaping business operating at the subject property without a special use permit. On February 23, 2021, the court imposed a fine of Thirty-Two Thousand, Eight Hundred Dollars (\$32,800) against the Petitioners for operating a landscaping business without a special use permit, installing the southern driveway without a permit, Junk and Debris Ordinance violations, and related court costs. The fine has been recorded as a lien against the property.

Issues related to obtaining approval from the Village of Oswego for the access permit and submitting a stormwater management permit application slowed the review of this proposal.

The record for the Petition can be found here,
<https://www.kendallcountyil.gov/home/showpublisheddocument/22267/637922797035330000>.

The draft ordinance is attached.

Committee Action:

ZPAC-Approval (5-2-3), RPC-Approval with Conditions(7-0-2), ZBA-Approval with Conditions (5-0-1), Oswego Township-No Comments, Village of Oswego-Require Access Permit, Oswego Fire Protection District-No Comments, PBZ Committee-Forward to Committee of the Whole (3-0-2) COW-Forward to County Board (8-0-2)

Staff Recommendation:

Staff believes that a landscaping business could operate at the subject property with reasonable restrictions. However, Staff has concerns, given the Petitioners' previous behavior, that reasonable restrictions will be followed. Staff also has concerns that, given the property's size (3 acres), the Village of Oswego could annex the property because the property is entirely surrounded by the Village of Oswego. If annexation occurred, the special use permit would be null and void.

Prepared by: Matthew H. Asselmeier, AICP, CFM

Department: Planning, Building and Zoning Department

Date: October 13, 2022

ORDINANCE NUMBER 2022-_____

GRANTING A SPECIAL USE PERMIT FOR A LANDSCAPING BUSINESS AND VARIANCES TO SECTION 7:01.D.30 AND 11:02.F.7.b OF THE KENDALL COUNTY ZONING ORDINANCE TO ALLOW A LANDSCAPING BUSINESS ON A NON-STATE, COUNTY, OR COLLECTOR HIGHWAY AS DEFINED BY THE KENDALL COUNTY LAND RESOURCE MANAGEMENT PLAN AND TO ALLOW A DRIVEWAY AT ZERO FEET FROM THE SOUTHERN PROPERTY LINE AT 1038 HARVEY ROAD AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 03-12-100-004 AND 03-12-100-013 IN OSWEGO 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 13:04 of the Kendall County Zoning Ordinance permits the Kendall County Board to grant variances and place conditions on variances and provide the procedure through which variances 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, Section 7:01.D.30.b of the Kendall County Zoning Ordinance requires landscaping businesses to be located on or have direct access to a State, County, or Collector Highway as identified in the County's Land Resource Management Plan; and

WHEREAS, Section 11:02.F.7.b of the Kendall County Zoning Ordinance established a setback of 5 feet off of side yard property lines for driveways; 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 3.0 +/- acres located at 1038 Harvey Road (PINs: 03-12-100-004 and 03-12-100-013), in Oswego 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 Jose and Silvia Martinez and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about December 9, 2021, Petitioner's Attorney filed a petition for a special use permit for the operation of a landscaping business and related variances at the subject property; and

WHEREAS, following due and proper notice by publication in the Voice on January 13, 2022, the Kendall County Zoning Board of Appeals initiated a public hearing on January 31, 2022, at 7:00 p.m., in the County Board Room of the Kendall County Office Building at 111 W. Fox Street in Yorkville, and continued the public hearing to February 28, 2022, at 7:00 p.m., continued the public hearing to March 28, 2022, at 7:00 p.m., continued the public hearing to May 2, 2022, at 7:00 p.m., continued the public to May 31, 2022, at 7:00 p.m., and concluded the public hearing on June 27, 2022 at 7:00 p.m., at the same location, at which the Petitioner and their representative presented evidence, testimony, and exhibits in support of the requested special use permit and variances and zero members of the public testified in favor or in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their findings of fact and recommended approval of the special use permit and variances with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated June 27, 2022, 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 special use permit and variances; 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 variances 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 plat of survey attached hereto as Exhibit C and landscaping plan attached hereto as Exhibit D. The dumpster shall be a minimum six feet by five feet (6'X5'). No grass clippings related to the business allowed by the special use permit may be stored on the subject property. Within ninety days (90) of the approval of this special use permit, the owners of the business allowed by the special use permit shall install the fence shown on the landscaping plan. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the fence.
 - B. The existing house, garage, chicken coop, deck, swimming pool, and shed located on the northwest corner of the property shall be used for residential purposes only and shall be exempt from the site development conditions of the special use permit. The locations of these structures may change without requiring an amendment to the special use permit.
 - C. A variance to Section 11:02.F.7.b of the Kendall County Zoning Ordinance shall be granted allowing off-street parking and southern driveway to be no closer than zero feet (0') from the southern property line as shown on the landscaping plan attached hereto as Exhibit D. The driveway shall be a maximum of twenty feet (20') in width and shall be gravel.
 - D. A variance to Section 7:01.D.30.b of the Kendall County Zoning Ordinance shall be granted allowing the operation of a landscaping business at a property not located on and not having direct access to a State, County, or Collector highway as designated in the County's Land Resource Management Plan.

- E. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the plat of survey attached hereto as Exhibit C. The parking area shall be brick pavers. Within ninety days (90) of the approval of this special use permit, the owners of the business allowed by the special use permit shall install the brick pavers and handicapped parking space with applicable signage shown on the plat of survey. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the brick pavers and handicapped parking space. Employees may park on the existing gravel area inside the fence as shown on the landscaping plan attached hereto as Exhibit D; this parking area may remain gravel.
- F. The owners of the business allowed by the special use permit shall maintain the landscaping business area on the southeast corner of the site as depicted on the landscaping plan attached hereto as Exhibit D. This area shall be gravel. The mulch area south of the frame shed shall be approximately twelve feet by twenty feet (12'X20') in size and shall be a maximum three feet (3') in height.
- G. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
- H. Any new structures constructed or installed related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
- I. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
- J. 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.
- K. 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.
- L. 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 landscaping plan attached hereto as Exhibit D. The maximum height of the piles of landscaping related material shall be less than three feet (3') in height.
- M. No signage advertising or promoting the business shall be installed on the subject property. The owner of the business allowed by this special use permit may install appropriate handicapped parking signs and other directional signs within the fenced landscaping business area as shown on the landscaping plan attached hereto as Exhibit D.
- N. Twenty-eight (28) eight foot (8') tall mission arborvitaes, four (4) nine foot (9') tall blue spruces, and one (1) fifteen foot (15') mulch bed along the southwest corner of the property shall be installed and maintained on the property in substantially the locations shown on the landscaping plan attached hereto as Exhibit D. Damaged or dead arborvitaes shall be replaced

on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Within ninety days (90) of the approval of this special use permit, the owners of the business allowed by the special use permit shall install the previously described vegetation. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation.

- O. No landscape waste generated off the property can be burned on the subject property.
- P. A maximum of four (4) 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.
- Q. 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.
- R. The hours of operation of the business allowed by this special use permit shall be daily from 6:00 a.m. until 8:00 p.m. The owners of the business allowed by this special use permit may reduce these hours of operation.
- S. 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.
- T. 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.
- U. The owners of the business allowed by this special use shall reside at the subject property as their primary place of residence.
- V. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
- W. 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.
- X. 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.

- Y. 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 and variances 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 and variances.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 18th day of October, 2022.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

LEGAL DESCRIPTION:

THAT PART OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF SAID NORTHWEST ¼ WITH THE CENTERLINE OF HARVEY ROAD, THENCE SOUTH 00 DEGREES, 20 MINUTES, 00 SECONDS WEST ALONG SAID CENTERLINE 342.36 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 89 DEGREES, 57 MINUTES, 00 SECONDS EAST ALONG THE NORTH LINE OF A TRACT OF LAND CONVEYED TO JAMES W. CADWELL AND HELEN G. CADWELL BY DEED RECORDED AS DOCUMENT 76-1116, AND SAID NORTH LINE EXTENDED, A DISTANCE OF 387.41 FEET, THENCE SOUTH 00 DEGREES, 20 MINUTES, 00 SECONDS WEST, 357.0 FEET, THENCE NORTH 89 DEGREES, 57 MINUTES, 00 SECONDS WEST TO SAID CENTERLINE, THENCE NORTH 00 DEGREES, 20 MINUTES 00 SECONDS, EAST ALONG SAID CENTER LINE, 357.00 FEET TO THE POINT OF BEGINNING, IN OSWEGO, KENDALL COUNTY, ILLINOIS.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact at their meeting on June 27, 2022. Member Cherry dissented to all Findings. Member Fox was absent.

FINDINGS OF FACT-SPECIAL USE PERMIT

*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 provided a variance is granted regarding the location of the parking area and driveway inside the fenced area, the operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare. Conditions may be placed in the special use permit ordinance to address hours and seasons of operation.***

*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 the Village of Oswego approves the new access point for the southern driveway and if a variance is granted for the location of the southern driveway inside the fenced area, then adequate points of ingress and egress will be provided. The owners of the business allowed by the special use permit have agreed not pile materials in excess of three feet (3') in height.***

*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. **Provided a variance is granted for the location of the driveway inside the fenced area and a variance is granted allowing the use on a non-state, county, or collector highway, the special use shall conform to the applicable regulations of the district.***

*That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for “a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents”.***

FINDINGS OF FACT-VARIANCES

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. **There are no topographic conditions or other outstanding conditions not caused by the Petitioners that created a particular hardship or difficulty upon the owner.***

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. It is unknown the exact number of A-1 zoned properties that could ask for similar variances. The Village of Oswego defines Harvey Road as a Collector while the Kendall County Land Resource Management Plan does not define Harvey Road as a Collector; it is unique to have this difference in classification.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The owners created the hardship by installing the driveway without proper permits and operating the business at the subject property. While the owners were not responsible for the differences in classification for Harvey Road, the owners voluntarily chose to operate a landscaping business at the subject property and, thus, created the hardship.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The requested variance should not negatively impact any of the neighbors and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood, provided the Village of Oswego grants access to Harvey Road at the location shown on the landscaping plan.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. Allowing the driveway to be on the property line and allowing the business to operate on a non-State, County, or Collector Highway will not impair any of the above items.

RECOMMENDATION

The Kendall County Zoning Board of Appeals approved the following Recommendation at their meeting on June 27, 2022, by a vote of five (5) in favor and (0) in opposition; Member Fox was absent:

Approval subject to the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the plat of survey and landscaping plan. The dumpster shall be a minimum six feet by five feet (6'X5'). No grass clippings related to the business allowed by the special use permit may be stored on the subject property. Within ninety days (90) of the approval of this special use permit, the owners of the business allowed by the special use permit shall install fence shown on the landscaping plan. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the fence.
2. The existing house, garage, chicken coop, deck, swimming pool, and shed located on the northwest corner of the property shall be used for residential purposes only and shall be exempt from the site development conditions of the special use permit. The locations of these structures may change without requiring an amendment to the special use permit.
3. A variance to Section 11:02.F.7.b of the Kendall County Zoning Ordinance shall be granted allowing off-street parking and southern driveway to be no closer than zero feet (0') from the southern property line as shown on the landscaping plan. The driveway shall be a maximum of twenty feet (20') in width and shall be gravel.
4. A variance to Section 7:01.D.30.b of the Kendall County Zoning Ordinance shall be granted allowing the operation of a landscaping business at a property not located on and not having direct access to a State, County, or Collector highway as designed in the County's Land Resource Management Plan.
5. The owners of the business allowed by the special use permit shall maintain the parking area shown on the site plan and in substantially the same location as depicted on the plat of survey. The parking area shall be brick pavers. Within ninety days (90) of the approval of this special use permit, the owners of the business allowed by the special use permit shall install the brick pavers and handicapped parking space with applicable signage shown on the plat of survey. The Kendall

County Planning, Building and Zoning Committee may grant an extension to the deadline to install the brick pavers and handicapped parking space. Employees may park on the existing gravel area inside the fence as shown on the landscaping plan; this parking area may remain gravel.

6. The owners of the business allowed by the special use permit shall maintain the landscaping business area on the southeast corner of the site as depicted on the landscaping plan. This area shall be gravel. The mulch area south of the frame shed shall be approximately twelve feet by twenty feet (12'X20') in size and shall be a maximum three feet (3') in height.
7. The owners of the businesses allowed by this special use permit shall diligently monitor the property for leaks from equipment and vehicles parked and stored and items stored on the subject property and shall promptly clean up the site if leaks occur.
8. Any new structures constructed or installed related to the business allowed by this special use permit on the property shall not be considered for agricultural purposes and must secure applicable building permits.
9. Equipment and vehicles related to the business allowed by the special use permit may be stored outdoors.
10. 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.
11. 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.
12. 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 landscaping plan. The maximum height of the piles of landscaping related material shall be less than three feet (3') in height.
13. No signage advertising or promoting the business shall be installed on the subject property. The owner of the business allowed by this special use permit may install appropriate handicapped parking signs and other directional signs within the fenced landscaping business area as shown on the landscaping plan.
14. Twenty-eight (28) eight foot (8') tall mission arborvitae, four (4) nine foot (9') tall blue spruces, and one (1) fifteen foot (15') mulch bed along the southwest corner of the property shall be installed and maintained on the property in substantially the locations shown on the landscaping plan. Damaged or dead arborvitae shall be replaced on a timeframe approved by the Kendall County Planning, Building and Zoning Department. Within ninety days (90) of the approval of this special use permit, the owners of the business allowed by the special use permit shall install the previously described vegetation. The Kendall County Planning, Building and Zoning Committee may grant an extension to the deadline to install the vegetation.
15. No landscape waste generated off the property can be burned on the subject property.
16. A maximum of four (4) 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.
17. 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.
18. The hours of operation of the business allowed by this special use permit shall be daily from 6:00 a.m. until 8:00 p.m. The owners of the business allowed by this special use permit may reduce

these hours of operation.

19. 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.

20. 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.
21. The owners of the business allowed by this special use shall reside at the subject property as their primary place of residence.
22. The owners of the business allowed by this special use permit acknowledge and agree to follow Kendall County's Right to Farm Clause.
23. 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.
24. 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.
25. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.
26. 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.

County of Kendall
Resolution 22 – _____

**A RESOLUTION SUPPORTING CONTINUED EFFORTS TO RESOLVE PUBLIC
SAFETY CONCERNS WITH THE SAFE-T ACT**

WHEREAS, providing a safe and secure community for all Kendall County residents and businesses is a focus of the Kendall County Board; and

WHEREAS, the Kendall County Sheriff’s Office powers and duties are the enforcement of civil and criminal statutes and supervision and security of the Kendall County Courthouse and any and all prisoners remanded to the custody of the Kendall County Corrections Center; and

WHEREAS, the Kendall County Sheriff’s Office is a leader in police training, policy and practice, accountability, and transparency; and

WHEREAS, the Kendall County State’s Attorney is responsible for prosecution of all civil and criminal actions within Kendall County in which the People of the State of Illinois or the County of Kendall are interested; the prosecution of offenses under the various laws of the State of Illinois, as well as inquiring into to the source of any bond money posted by an individual with criminal charges; and seeking an increase in bond amount or changes in conditions of release when necessary to preserve public safety and the safety of victims and their families; and

WHEREAS, the County Board values public engagement and stakeholder involvement to ensure all perspectives are considered in the development of legislation; and

WHEREAS, on January 22, 2021, the Illinois Safety, Fairness and Equity-Today Act (“SAFE-T Act”) was signed into law, which imposes significant changes impacting many aspects of the criminal justice system, including pre-arrest diversion, policing, court’s ability to set bail, pre-trial, sentencing, victim’s and the victim’s family’s safety, reduced county revenues, and corrections; and

WHEREAS, the County supports certain elements of the Safe-T Act and has already implemented elements including police body cameras and use of force training; and

WHEREAS, there is an opportunity for legislators to continue to work with public safety representatives and all community stakeholders to further amend the Safe-T Act to address outstanding public safety concerns.

NOW, THEREFORE, BE IT RESOLVED BY THE KENDALL COUNTY BOARD, that the Kendall County Board requests the General Assembly and Governor’s Office work with public safety representatives and all community stakeholders to fix remaining problems with the SAFE-T Act; including, but not limited to, unreasonably limiting the court’s ability to set bail to ensure the accused’s

right to liberty is balanced with the victim's and victim's family's rights to safety, unreasonably limiting police officer discretion to make arrests, limiting courts inherent authority to manage their courtrooms and to preserve the orderly process of criminal procedure, limiting the court's ability to secure the appearance of defendants for trial and timely prosecution of most criminal cases, imposing unreasonable police certification and decertification standards, consideration of victim's and the victim's family's safety during the process of criminal procedure, reduction of county revenues, and mandating unreasonable custodial accommodations.

PRESENTED and **ADOPTED** by the Kendall County Board, this 18th day of October 2022.

Approved:

Attest:

Scott R. Gryder, County Board Chairman

Debbie Gillette, County Clerk and Recorder

