

**KENDALL COUNTY BOARD AGENDA  
ADJOURNED SEPTEMBER MEETING**

**Kendall County Office Building, Rooms 209 & 210, Yorkville IL 60560  
Wednesday, April 5, 2023, at 6:00 p.m.**

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Determination of a Quorum
6. Approval of Agenda
7. Special Recognition
  - A. Oswego East Lemelson-MIT InventTeam
  - B. Yorkville High School Boys Wrestling
  - C. Yorkville High School Girls Wrestling
  - D. Yorkville Christian High School Boys Wrestling
8. Public Comment
9. Consent Agenda
  - A. Approval of County Board Minutes from March 7, 2023
  - B. Standing Committee Minutes Approval
  - C. Approval of Claims in an amount not to exceed \$1,787,872.94
  - D. Approval of the Release of the Committee of the Whole Executive Session review minutes dated October 11, 2018; March 10, 2022 and March 16, 2023
  - E. Approval of the Release of the Animal Control Committee Executive Session review minutes dated July 27, 2016; June 28, 2017; October 23, 2019, and August 24, 2022
  - F. Approval of the Release of the Economic Development & Administration Committee Executive Session review minutes dated March 15, 2023
  - G. Approval of the Release of the Facilities Management Committee Executive Session review minutes dated June 6, 2022 and February 6, 2023
10. Old Business
11. New Business
  - A. Approval of the Kendall County Liquor Control Commission Ordinance Increasing the Number of Class A Licenses
  - B. Approval of a Resolution Honoring Arab American Heritage Month
12. Standing Committee Reports
  - A. HR & Insurance Committee
    1. Approval of an Agreement to Accept Compensatory Time Off in Lieu of Overtime Pay (for Non-Exempt, Non-Union Employee)
    2. Approval of the Economic Development Coordinator Job Description
13. Special Committee Reports
14. Liaison Reports
15. Other Business
16. Chairman's Report
  - Appointment  
Keith Landovitz – Connect Kendall County Commission – 2 year term – Expires December 2024
17. Public Comment
18. Questions from the Press
19. Executive Session
20. Adjournment

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

**KENDALL COUNTY BOARD  
ADJOURNED SEPTEMBER MEETING  
March 7, 2023**

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, March 7, 2023, at 6:00 p.m. The Clerk called the roll. Members present: Chairman Matt Kellogg, Zach Bachmann, Brian DeBolt, Elizabeth Flowers, Scott Gengler, Dan Koukol, Jason Peterson, Ruben Rodriguez, and Brooke Shanley. Member(s) absent: Seth Wormley.

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

**PLEDGE OF ALLEGIANCE**

Member Gengler led the Pledge of Allegiance.

**INVOCATION**

Chairman Kellogg asked for a moment of silence.

**THE AGENDA**

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

**SPECIAL RECOGNITION**

**Animal Control**

Animal Control Director, Taylor Cosgrove spoke about the Germain Shepherd puppies that they have in their care.

**PUBLIC COMMENT**

Pat Stiles spoke about the Oswego Fire Protection District bond on the ballot, contract for employees, benefits, cost to call an ambulance and the Capital Improvement Plan.

**SPECIAL PRESENTATION**

Brian Kronewitter from Cordogan Clark presented the Kendall County Office Building 2 (phase 1) design update.

**PUBLIC HEARING**

Chairman Kellogg opened the public hearing to obtain public comment and consider the economic, social, and environmental effects of the application for Public Transportation Financial Assistance under Section 5311 of the Federal Transit Act of 1991, as amended (49 U.S.C. §5311). There were no comments from the public, the hearing was closed.

**CONSENT AGENDA**

Member Shanley moved to approve the consent agenda of A. Approval of County Board Minutes from February 7, 2023; B. Standing Committee Minutes; C Approval of Claims in an amount not to exceed \$1,776,064.68; D. Approval to nominate Jennifer Breault, Program Compliance Oversight Monitor (PCOM) for Kendall Area Transit. Member Peterson seconded the motion. Chairman Kellogg asked for a roll vote on the motion. All members present voting aye. Motion carried.

**C) COMBINED CLAIMS:** ADMIN \$558.37; ANML CNTRL WRDN \$1,690.03; ASSMT \$60.00; CIR CT CLK \$11,015.04; CIR CRT JDG \$9,399.06; CMB CRT SRV \$677.50; CORONR \$1,528.00; CORR \$22,217.25; CNTY BRD \$457,827.55; CNTY CLK \$485.65; HIGHWAY \$527,170.89; TREASR \$5,335.94; ELECTION \$4,937.19; FCLT MGMT \$7,041.35; GIS COORD \$42.16; HLTH & HMN SRV \$197,986.73; JURY \$5,950.55; PBZ \$719.52; PROB SPVSR \$137.15; PUB DFNDR \$1,037.06; ROE \$6,920.58; SHRF \$16,774.24; ST ATTY \$655.57; TECH \$8,552.18; TRSR \$146.84; UTIL \$33,882.88; VET \$2,608.30; FP \$15,334.63; SHF \$14,384.20; SHF \$39,212.27; CIVIL \$143,401.00; CIVIL \$167,000.00; ARPA \$71,375.00.

**NEW BUSINESS**

**Collective Bargaining Agreement**

Member Shanley moved to approve the collective bargaining agreement between Kendall County, Illinois (Facilities Management Department) and the General Chauffeurs, Sales drivers and Helpers Local Union No. 300, an Affiliate of the International Brotherhood

of Teamsters from December 1, 2022 through November 30, 2025. Member Bachmann seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

## STANDING COMMITTEE REPORTS

### Finance

#### Abating Taxes

Member Peterson moved to approve Ordinance Abating the taxes levied for the Year 2022 Payable 2023 to Pay Debt Service on General Obligation Bonds (Alternate Revenue Source) Series 2016, 2017 & 2019B for the County of Kendall, Illinois. Member Rodriguez seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Ordinance 23-06 is available in the Office of the County Clerk.

#### Courthouse Roof Replacement

Member DeBolt moved to approve a budget revision to the Public Safety Sales Tax Fund #1327 and Public Safety Capital Fund #1404 to increase Courthouse Roof Replacement Project from \$250,000 to \$615,000. Member Peterson seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### Facilities & Technology

#### Cordogan Clark Phase 2

Member Flowers moved to approve the Cordogan Clark Phase 2 Conceptualization & Budget Proposal. Member Bachmann seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

### Economic Development & Administration

#### Downstate Operating Assistance Grant Agreement

Member Flowers moved to approve a Resolution Authorizing Execution and Amendment of the Downstate Operating Assistance Grant Agreement. Member Gengler seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

#### Section 5311 Grant Agreement

Member Flowers moved to approve a Resolution Authorizing Execution and Amendment of the Section 5311 Grant Agreement. Member Shanley seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 23-11 is available in the Office of the County Clerk.

#### Kendall Area Transit Program

Member Flowers moved to approve a Resolution Granting the Kendall County Administrator Signature Authority for the Kendall Area Transit Program on Behalf of Kendall County, Illinois. Member Gengler seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of Resolution 23-12 is available in the Office of the County Clerk.

#### Greater Chicago Land Economic Partnership

Member Flowers moved to approve the Greater Chicago Land Economic Partnership Agreement. Member Shanley seconded the motion. Chairman Kellogg asked for a roll call vote on the motion. All members present voting aye. **Motion carried.**

A complete copy of IGAM 23-09 is available in the Office of the County Clerk.

## LIAISON REPORTS

Member Bachmann stated that the Connect Kendall County Commission are interviewing candidates.

Member Peterson on behalf of the Workforce Development Committee state that there is a need for welders.

## OTHER BUSINESS

Member Shanley spoke about a \$7,000 grant received by Oswego East High School students for a problem-solving contest.

The Polar Plunge raised \$66,821.47 for Special Olympics.

## CHAIRMAN'S REPORT

Chairman Kellogg spoke about the World Business Chicago event and Tangent Technologies from Montgomery.

Member Peterson informed the board of the We are Called to Care Gala.

## PUBLIC COMMENT

Pat Stiles spoke about the Oswego Fire Protection District hiring an Accounting/Reporting Company. Mr. Stile also spoke about expenditures and spending accountability.

## QUESTIONS FROM THE PRESS

Ethan Kruger from WSPY about the Courthouse roof project.

Mark Foster from Shaw Media asked about the estimated cost of the new building.

## ADJOURNMENT

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

Approved and submitted this 23rd day of March 2023.

Respectfully submitted by,  
Debbie Gillette  
Kendall County Clerk

**COUNTY OF KENDALL, ILLINOIS  
FACILITIES MANAGEMENT COMMITTEE  
Meeting Minutes for Monday, February 6, 2023**

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**Call to Order** – Committee Chair Brian DeBolt called the Facilities Management Committee to order at 4:00 p.m.

**Roll Call**

<b>Attendee</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Bachmann, Zach	Here		
DeBolt, Brian	Here		
Kellogg, Matt	Yes		
Peterson, Jason	Here		
Shanley, Brooke			

**Others Present** – County Administrator Scott Koeppel, Facilities Director Dan Polvere, Assistant Facilities Director Luke Prisco, Deputy Director Meagan Briganti

**Approval of Agenda** - Member Kellogg made a motion to approve the agenda, second by Member Peterson. **With four members present voting aye, the motion carried by a vote of 4-0.**

**Approval of January 9, 2023 Meeting Minutes** – Member Peterson made a motion to approve the January 9, 2023 meeting minutes, second by Member Kellogg. **With four members present voting aye, the motion carried by a vote of 4-0.**

**Public Comment** - None

**Status Reports**

- ***FY 2023 Capital Project List*** – Dan Polvere, Director of Facilities Management updated the committee the list of capital projects and procurements for the county departments/buildings for the 2023 fiscal year.
- ***Discussion re: Courthouse Roof Replacement Project*** – Facilities Director Polvere presented to the committee the bid results and the benefits of completing the remaining courthouse roof replacement project instead of breaking it into sections over the next few years. To complete the project this year, the issue will need to be forwarded to finance to request an increase on the budget item. Motion to forward the entire roof project and the alternate to finance by Member Bachmann. Second by Member Peterson. **All members present voting aye, Motion Approved.**

**Old Business/Project Updates**

- A. ***Update regarding the purchase of 101 W. Fox parcels*** – Facilities Director Polvere informed the committee the one of the parcels closed with no issues on the 1st. The two remaining parcels will be closing on May 1<sup>st</sup>.
- B. ***Status of the 107 W. Fox Project*** – Facilities Director Polvere stated 107 W Fox street is the possible new address of the new building on the Fox street campus. Polvere stated the project is moving forward; Meetings with County Clerk Gillette and her staff, architects/engineers, technology and the fire department on floorplans, data jack wiring/placement and sprinkler systems have been completed.
- C. ***Cordogan Clark March 7<sup>th</sup> presentation to Board re: 107 W. Fox details*** – Brian Kronewitter from Cordogan Clark updated the committee on the phase 2 progress and rendering designs of the campus, which will be presented to the full county board at the March 7, 2023 meeting.

- D. **Update regarding the Kendall Area Transit (KAT) Project** – Director Polvere informed the committee the information was submitted to the Illinois Department of Transportation to sole source the architect for this project. IDOT requested more information which will be submitted later this week.

**New Business/Projects**

- A. **Discussion regarding Cordogan Clark phase 2 conceptualization & Budget Proposal** – Motion to forward to the full county board Approval of the Cordogan Clark Phase 2 Conceptualization & Budget Proposal not to exceed \$60,000.00 by Member Kellogg. Second by Member Peterson. **All members present voting aye, Motion Approved.**
- B. **Discussion regarding the use of public sector procurement process to source a Back-up Generator for the 107 W. Fox Project** – Brian Kronewitter from Cordogan Clark informed the committee part of the needs for the new building is a generator; which lead times are approximately twelve (12) months out. Mr. Kronewitter believes the generator can be purchased through a co-op program to expedite the process.
- C. **Discussion re: procurement of a new work order system: Limble CMMS (computerized maintenance management system)** – Facilities Director Polvere presented to the committee the need to upgrade the current work order system. Polvere promoted the benefits of the information on the equipment and assets that can be stored within the system such as warranty information, mapping, vender and part’s information, equipment manuals. Polvere stated this will aid to keep the continuity of the department. Polvere continued to explain the benefits and features of the new program. Assistant Director Prisco researched many programs available and concluded this program has all the features needed and will benefit the county the most. Prisco will oversee the implementation of the project.
- D. **Broadband Informational update: Connect Kendall County Commission** – Member Bachmann informed the committee the new Connect Kendall County Commission “CKCC” committee was created to expand broadband to the residents of Kendall County. This committee will have two (2) board members along with a few members from the community who have technology and/or business experience. The most needed area for broadband service is in District 1. Member Bachmann stated interviews for public positions should be complete by March. County Administrator Koeppel explained the process for obtaining the grants and broadband companies and their roles for this process.

**Chair Report** - None

**Executive Session** – Member Peterson made a motion to enter into Executive Session for the purpose of the review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06, 5ILCS 120-2/21, second by Member Bachmann.

**Roll Call Vote**

<b>Attendee</b>	<b>Status</b>
DeBolt, Brian	Yes
Bachmann, Zach	Yes
Peterson, Jason	Yes
Kellogg, Matt	Yes

**With members DeBolt, Bachmann, Peterson and Kellogg voting aye, the committee entered Executive Session at 4:54 p.m. by a vote of 4-0.**

**With four members in agreement, the committee reconvened in Open Session at 5:03 p.m.**

**Other Business** – None

**Public Comment** – None

**Questions from the Media** – None

**Adjournment** – Member Peterson made a motion to adjourn the Facilities Committee meeting, Member Bachmann seconded the motion. **With four members present voting aye, the meeting was adjourned at 5:04 p.m. by a vote of 4-0.**

Respectfully submitted,

Christina Wald  
Administrative Assistant and Recording Clerk



**COUNTY OF KENDALL, ILLINOIS  
COMMITTEE OF THE WHOLE  
Thursday, March 16, 2023, at 4:00 PM  
Meeting Minutes**

**Call to Order and Pledge of Allegiance** - The meeting was called to order at 4:00 p.m. by County Board Chair Matt Kellogg who led the Committee in the Pledge of Allegiance to the American Flag.

**Roll Call**

Board Member	Status	Arrived	Left Meeting
Matt Kellogg	Here		
Scott Gengler	Here		
Zach Bachmann	Here		
Brian DeBolt	Here		
Elizabeth Flowers		4:17 PM	
Dan Koukol	Here		
Jason Peterson	Here		
Ruben Rodriguez	Here		
Brooke Shanley	Here		
Seth Wormley	Here		

**With nine (9) members present a quorum was established.**

**Staff Present:** Scott Koepfel, Dan Polvere, Luke Prisco, Leslie Johnson, & Jim Webb

**Others Present:** Ethan Kruger (WSPY)

**Approval of Agenda** – Motion made by Member DeBolt, second by Member Koukol. **With 9 members present voting aye, the motion carried by a vote of 9- 0.**

**Approval of February 16, 2023, Meeting Minutes** – Motion made by Member Shanley, second by Member Peterson. **With 9 members present voting aye, the motion carried by a vote of 9- 0.**

**Approval of Claims** – Motion made by Member DeBolt, second by Member Bachmann to forward claims to the next County Board meeting.

**ROLL CALL**

Matt Kellogg	Yes
Scott Gengler	Yes
Zach Bachmann	Yes
Brian DeBolt	Yes
Elizabeth Flowers	-----



Dan Koukol	Yes
Jason Peterson	Aye
Ruben Rodriguez	Yes
Brooke Shanley	Yes
Seth Wormley	Yes

**With 9 members present voting aye, the motion carried by a vote of 9- 0.**

**New Committee Business -**

**A. Motion (Forward to CB) Agreement to accept Compensatory Time Off In lieu of Overtime Pay (for Non- Exempt, Non-Union Employee).**

Leslie Johnson, HR Director, stated that employees can elect to receive compensation time instead of overtime pay. To comply with federal & state guidelines the employee would need to sign an agreement to accept compensatory time off in lieu of overtime pay. It is the employee's responsibility to make sure the agreement is signed before the overtime hours are worked.

**Motion made by Member Rodriguez, second by Member Debolt to forward to County Board meeting. With 9 members present voting aye, the motion carried by a vote or 9- 0.**

**B. Motion (Forward to CB) Approval of Economic Development Coordinator Job Description**

Mr. Koukol briefed the committee on the position of an Economic Development Coordinator job position. The committee discussed the possibility of doing shared services with someone who is already an EDC. The committee discussed possible issues with shared services.

**Motion made by Member Shanley, second by Member Gengler to forward to County Board meeting. With 9 members present voting aye, the motion carried by a vote or 9- 0.**

**C. Discussion: Economic Development Coordinator Position**

**D. Motion (Forward to CB) Approval of an agreement for disbursement and use of Kendall County's American Rescue Plan Act Funds with the City of Yorkville for the amount of \$500,000**

This agreement will allow the City of Yorkville to allocate ARPA funds to help with the district's drainage.

**Motion made by Member Peterson, second by Member Koukol to forward to County Board meeting. With 9 members present voting aye, the motion carried by a vote or 9- 0.**

**E. Motion (Forward to CB) Agreement between Kendall County and Garland for the Courthouse Roof Project.**

Mr. Polvere updated the committee on the contract with Garland/ DBS Inc. on the Courthouse roof repair project. This project is expected to be finished by May 31<sup>st</sup>.

**Motion made by Member Koukol, second by Member Gengler to forward to County Board meeting. With 9 members present voting aye, the motion carried by a vote of 9-0.**

**Old Committee Business- None**

**Department Head and Elected Officials Reports – None**

**Public Comment – None**

**Questions from the Media – None**

**Chairman’s Report** – Chairman Kellogg met with Congresswoman Lauren Underwood earlier this week. They spoke about many programs and about her support on the Kendall County Community Food Pantry. Chairman also met with the mayor of Plainfield and their new administrator.

**Review Board Action Items –**

- Approval of Claims
- Agreement to accept Compensatory Time Off In lieu of Overtime Pay (for Non-Exempt, Non-Union Employee)
- Approval of Economic Development Coordinator Job Description
- Approval of an agreement for disbursement and use of Kendall County’s American Rescue Plan Act Funds with the City of Yorkville for \$500,000
- Agreement between Kendall County and Garland for the Courthouse Roof Project

**Executive Session – Review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes by Section 2.06. 5ILCS 120-2/21**

Member Peterson made a motion to move into Executive Session, second by Member DeBolt. **With 10 members voting aye, the motion was carried by a vote of 10-0.**

**ROLL CALL**

Matt Kellogg	Yes
Scott Gengler	Yes
Zach Bachmann	Yes
Brian DeBolt	Yes
Elizabeth Flowers	Aye
Dan Koukol	Yes
Jason Peterson	Aye
Ruben Rodriguez	Yes
Brooke Shanley	Yes
Seth Wormley	Yes

**Adjournment** – Member Shanley made a motion to adjourn the meeting, second by Member Peterson. **With 10 members present voting aye, the meeting adjourned at 4:29p.m.**

Respectfully Submitted,

Nancy Villa  
Executive Administrative Assistant

**COUNTY OF KENDALL, ILLINOIS**  
**ECONOMIC DEVELOPMENT/ ADMINISTRATION COMMITTEE**  
**Meeting Minutes for Thursday March 15, 2023, at 5:30 p.m.**

**Call to Order** The meeting was called to order by Committee Chair Elizabeth Flowers at 5:30pm.

**Roll Call**

<b>Attendee</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Elizabeth Flowers	Here		
Scott Gengler	Present		
Dan Koukol	Here		
Brooke Shanley	Here		
Seth Wormley	Here		

**Others Present:** Roger Bonuchi, Taylor Cosgrove, Brianna Falk, Scott Koeppel

**Approval of Agenda** –

Member Shanley made a motion to approve the agenda, second by Member Gengler. **With 5 members voting aye, the motion was carried by a vote of 5-0.**

**Committee Reports and Updates**

- A. **Animal Control Department Update** –  
 Animal Control director, Taylor Cosgrove, briefed the committee on updated reports from February. Part time position for Kennel Technician has been listed. Interviews are done and staff are working on filling the position soon. Staff is also researching the best option for the future purchase of a dog live trap for running at large cases for dogs. Animal Control is also exploring and formulating a plan to begin using the facility as a quarantine for rabies observation. Volunteer opportunities will be available again soon.
- B. **Emergency Management Agency Update** –  
 EMA director, Roger Bonuchi, briefed the committee on updated reports from February. Two new volunteer members have joined and one more will be coming soon. The light tower has been ordered. Next Hazard Mitigation Plan meeting is scheduled for April 18 and will be held at the Oswego Fire Department.

**New Committee Business**

- A. **Discussion** Economic Development Coordinator  
 The Human Resources & Insurance committee forwarded this item to the Economic Development & Administration committee for further discussion on the Economic Development Coordinator position. This position would report to the Deputy County Administrator and would be assigned to work in Administration Services.
- B. **\*MOTION (VV) (Fwd to CB)** Agreement for Exel Inc. dba DHL Supply Chain (USA) Abatement of Real Property Taxes  
  
 Changes requested by Exel were presented at the previous committee meeting. All updates have been made and committee members have all agreed to move this agreement to the county board for final approval.

Member Shanley made a motion to forward to County Board, second by Member Gengler. **With 5 members voting aye, the motion was carried by a vote of 5-0.**

**Old Committee Business** – None

**Chairman’s Report** – None

**Questions for the Media-** None

**Executive Session** – For the purpose of the review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes by the Section 2.06 5ILCS 120-2/21

Member Shanley made a motion to move into Executive Session, second by Member Wormley. **With 5 members voting aye, the motion was carried by a vote of 5-0.**

Elizabeth Flowers	Yes
Scott Gengler	Yes
Dan Koukol	Yes
Brooke Shanley	Yes
Seth Wormley	Yes

**Items for the Committee of the Whole Meeting** –

- Economic Development Coordinator job description

**Action Items for County Board-**

- Agreement for Exel Inc. dba DHL Supply Chain (USA) Abatement of Real Property Taxes

**Adjournment** – Member Wormley made a motion to adjourn, second by Member Shanley. **With 5 members present in agreement, the meeting was adjourned at 6:03p.m.**

Respectfully submitted,  
Nancy Villa,  
Executive Administrative Assistant

**COUNTY OF KENDALL, ILLINOIS**  
**HUMAN RESOURCES AND INSURANCE COMMITTEE**  
**Meeting Minutes for Monday, March 6, 2023, at 5:30 p.m.**

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**Call to Order**

The meeting was called to order by Committee Chair Ruben Rodriguez at 5:30p.m.

**Roll Call**

<b>Attendee</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Ruben Rodriguez	Here		
Jason Peterson	Present		7:00pm
Elizabeth Flowers	Absent		
Zach Bachmann	Absent		
Matt Kellogg	Here		

**Others Present:** Leslie Johnson, Tricia Springman, Mike Wojcik (Horton), Beth Ishmael (Horton), Dane Mall (Alliant)

**Approval of Agenda** – Member Peterson made a motion to approve the agenda, second by Member Kellogg. **With three members voting aye, the motion carried by a vote of 3 -0.**

**Approval of February 6, 2023 Minutes** – Member Kellogg made a motion to approve minutes, second by Member Peterson. **With three members voting aye, the motion carried by a vote of 3 -0.**

**Committee Reports and Updates** –

**A. Horton Group – Kendall County Employee Benefits Report and Update**

Mike Wojcik and Beth Ishmael gave a presentation on 2022 Plan Performance and 2023 Trends and Early Renewal Planning. Some key takeaways were that Kendall County performed better than market. Actual cost from 2018 increased by 25.94%. The plan finished 2022 at a 105% loss ratio. The average age in 2022 was 45. Kendall county currently has 7% Gen Z, 30% Millennial, 49% Gen X and 14% baby boomer. There is concern of pricing in 2024-2025 but Horton will monitor any changing trends in healthcare to take advantage for renewal.

Committee discussed different ways to add wellness incentives other than what the county already has. The current incentive the county offers, the wellness program, where the premium is discounted with the annual physical exams for employee and spouse (if applicable). The committee also discussed the benefits of switching to a 4-coverage tier instead of the current 2-coverage tier. Human Resource department will work on implementing the 4 tiers for the upcoming enrollment period.

**B. Alliant Insurance Services, Inc. – Kendall County Insurance Report and Update**

Dane Mall, Alliant Account Executive, briefed the committee on 2022 Year-End Report. The report provided updated information pertaining to Kendall County’s insurance and risk management program. Claims activity report shows 89% of claims are from Worker’s Compensation 8% Law Enforcement 2% Employment Practices Liability (E&O) 1% Auto

Liability. Law Enforcement functions are often the highest loss cost driver for municipalities and counties.

- C. **Monthly Benefits Report Provided by Kendall County Treasurer's Office-** Monthly report is attached in the packet on page 5.
  
- D. **Monthly Report Provided by Kendall County Human Resources Department-** Monthly report is included in the packet on page 7. HR staff have received applications for the Intern program. HR Department has also been holding lots of meetings with various Universities and local schools. Community Outreach Committee is having their first meeting on March 1. There is about 18 people signed up.

**New Committee Business -**

- A. \*MOTION (VV) (Forward to CB) Property Inventory Form  
Member Peterson made a motion to forward to County Board, second by Member Kellogg.  
**With three members voting aye, the motion carried by a vote of 3 -0.**
  
- B. \*MOTION (VV) (Forward to CB) EEO-4 Survey Form  
Member Kellogg made a motion to forward to County Board, second by Member Peterson.  
**With three members voting aye, the motion carried by a vote of 3 -0.**
  
- C. \*MOTION (VV) (Forward to CB) Probationary Period Performance Evaluation Form  
Mrs. Johnson  
Member Kellogg made a motion to forward to County Board, second by Member Peterson.  
**With three members voting aye, the motion carried by a vote of 3 -0.**
  
- D. \*MOTION (VV) (Forward to CB) Economic Development Coordinator Job Description  
Member Kellogg made a motion to forward to Committee of the Whole, second by Member Peterson. **With three members voting aye, the motion carried by a vote of 3 -0.**
  
- E. \*MOTION (VV) (Forward to CB) Agreement to Accept Compensatory Time Off In lieu of Overtime Pay (for Non-Exempt, Non-Union Employee)  
Member Kellogg made a motion to forward to Committee of the Whole, second by Member Peterson. **With three members voting aye, the motion carried by a vote of 3 -0.**
  
- F. \*MOTION (VV) (Forward to CB 3/21/23 Meeting) Resolution Honoring Women's History Month in Kendall County  
Member Peterson made a motion to forward to 3/21/23 County Board, second by Member Kellogg. **With three members voting aye, the motion carried by a vote of 3 -0.**

**Old Committee Business -**

- A. \*MOTION (VV) (Forward to CB 6/20/23 Meeting) Identification Badge Policy  
Member Peterson made a motion forward to 6/20/23 County Board, second by Member Kellogg. **With three members voting aye, the motion carried by a vote of 3 -0.**

- B. \***MOTION (VV) (Forward to CB 6/20/23 Meeting)** Safe Driving Policy Amendment  
Member Kellogg made a motion to forward to 6/20/23 County Board, second by Member Peterson. **With three members voting aye, the motion carried by a vote of 3 -0.**
  
- C. \***MOTION (VV):** Authorize Human Resources Department to Proceed with 2023 Employee Service Awards in an amount not to exceed \$1,975.00  
Member Peterson made a motion to Authorize Human Resources Department to Proceed with 2023 Employee Service Awards in an amount not to exceed \$1,975.00, second by Member Kellogg. **With three members voting aye, the motion carried by a vote of 3 -0.**
  
- D. \***MOTION (VV) (Forward to Finance & Budget Committee):** Authorize the purchase of Kendall County Water Bottles in an amount not to exceed \$5,062.00  
Member Kellogg made a motion to forward to Finance & Budget Committee, second by Member Peterson. **With three members voting aye, the motion carried by a vote of 3 -0.**

**Chairman’s Report** –None

**Public Comment** – None

**Executive Session** - For the purpose of the review of discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06, 5ILCS 120-2/21- Due to no quorum this has been moved to the April HR & Admin Committee Meeting.

**Items for the Committee of the Whole Meeting** –

- Approval of Economic Development Coordinator Job Description
- Approval of Agreement to Accept Compensatory Time Off In lieu of Overtime Pay (for Non-Exempt, Non-Union Employee)

**Action Items for County Board-**

- Approval of Property Inventory Form
- Approval of EEO-4 Survey Form
- Approval of Probationary Period Performance Evaluation Form
- 3/21/23 County Board- Approval of Resolution Honoring Women’s History Month in Kendall County
- CB 6/20/23 Meeting- Approval of Identification Badge Policy
- CB 6/20/23 Meeting- Approval of Safe Driving Policy Amendment

Member Peterson left the meeting at 7:00pm, this meeting is automatically adjourned due to lack of quorum.



Respectfully submitted,  
Nancy Villa  
Executive Administrative Assistant

ORDINANCE NO. \_\_\_\_\_

KENDALL COUNTY LIQUOR CONTROL COMMISSION  
ORDINANCE INCREASING THE NUMBER OF CLASS A  
LICENSES

WHEREAS, the duly adopted Ordinance Regulating the Retail Sale of Alcoholic Liquors Outside the Corporate Limits of Any City, Village or Incorporated Town in Kendall County, Illinois, as amended (“Liquor License Ordinance”), limits the number of licenses to be issued under each Class of license.

WHEREAS, the Liquor License Ordinance currently limits the number of Class A Licenses to 6; and

WHEREAS, all licenses in said Class are currently issued and outstanding; and

WHEREAS, Papa Magoo’s (“Applicant”) has filed an application for a Class A liquor license with the County Clerk, in accordance with the Liquor License Ordinance; and

WHEREAS, in order for Applicant to obtain a Class A license, the number of Class A licenses permitted in the Liquor License Ordinance would have to be increased; and

WHEREAS, as required by Article VI, section 3 of the Liquor License Ordinance, notice of a public hearing regarding Applicant’s application was published on March 30, 2023 and that public hearing was held on April 5, 2023 at 6:00 PM, in the Kendall County Board Room, located at 111 W. Fox Street, Yorkville, Illinois; and

WHEREAS, considering all of the relevant information currently before, and presented to the Kendall County Board, the Kendall County Board finds it is in the best interest of Kendall County to increase the permissible number of Class A Licenses to 7.

**NOW, THEREFORE BE IT RESOLVED:**

1. The maximum number of Class A licenses available under the Liquor License Ordinance is increased by one.
2. Article V, Section of the Liquor License Ordinance is amended to reflect the following number of available liquor licenses under each identified class:

<b>CLASS</b>	<b>NUMBER</b>	<b>CLASS</b>	<b>NUMBER</b>
Class A	7	Class G	No more than 4 during a 12 month period per qualified organization as outlined in Art. III Sec. 1(g).
Class B	3	Class H	0
Class C	2	Class I	10
Class D	1	Class J	1
Class E	0	Class K	1
Class F	0		

3. The Amended Liquor License Ordinance is attached hereto as Exhibit A.
4. In the event any license issued hereunder is surrendered, for any reason whatsoever, the maximum number of licenses authorized in that class is accordingly reduced by the number of licenses surrendered. No further licenses may be issued until the Kendall County Board increases the maximum number allowed by ordinance.

ADOPTED and APPROVED this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Chairman, Kendall County Board

ATTEST: \_\_\_\_\_  
Kendall County Clerk

**ORDINANCE NO. 2023-\_\_\_\_\_  
AMENDING ORDINANCE NO. 99-34**

**AN ORDINANCE REGULATING THE RETAIL SALE OF ALCOHOLIC LIQUORS  
OUTSIDE THE CORPORATE LIMITS OF ANY CITY, VILLAGE OR  
INCORPORATED TOWN IN KENDALL COUNTY, ILLINOIS**

To the end that the health, safety and welfare of the People of Kendall County shall be protected and temperance in the consumption of alcoholic liquors shall be fostered and promoted by sound and careful control and regulation of the sale of alcoholic liquor in Kendall County:

BE IT RESOLVED by the Kendall County Board, State of Illinois that hereafter the sale, keeping for sale, or offering for sale of alcoholic liquors in all of the territory which lies outside of the corporate limits of any City, Village or Town and lying within the corporate limits of said Kendall County, Illinois shall be subject to the following regulations:

**ARTICLE I**

Section 1: Whenever reference is herein made to the “State Law” it shall mean and refer to an Act of the General Assembly of the State of Illinois, entitle “Liquor Control Act of 1934”, approved January 31, 1934, as amended.

Section 2: Unless the context otherwise required all other words and phrases used herein shall have the same meaning as the same or similar words or phrases defined and used in said Act entitled, “Liquor Control Act of 1934”, approved January 31, 1934, as amended.

**ARTICLE II  
LICENSES REQUIRED**

Section 1: No person shall sell, furnish, deliver, solicit or receive orders for, keep or expose for sale at retail, or keep with intent to sell, or furnish any alcoholic liquor for beverage purposes for sale at retail in any of the territory lying outside of the corporate limits of any City, Village or Town lying within the corporate limits of said County of Kendall, State of Illinois without first having a valid license issued by the Liquor Control Commissioner of Kendall County, as hereinafter provided and a valid license issued by the Illinois Liquor Control Commissioner.

**ARTICLE III  
LICENSE CLASSIFICATION**

Section 1: The classification of licenses authorized to be issued under this Ordinance shall be as follows:

a) Class “A” License which shall authorize the retail sale, on the premises specified, of all kinds of legalized alcoholic liquor for consumption on the premises and retail sales of alcoholic liquors by original package for consumption off the premises.

b) Class “B” License which shall authorize the retail sale, on the premises specified, of all kinds of legalized alcoholic liquor for consumption on the premises, and the retail sale of package beer only to members of the licensee. Class “B” licenses shall be issued only to Clubs as defined in “Liquor Control Act of 1934”, approved January 31<sup>st</sup>, 1934, as amended, and as provided in this Ordinance, as amended.

c) Class “C” License which shall authorize the retail sale, on the premises specified, of all kinds of legalized alcoholic liquor by original package for consumption off the premises.

d) Class “D” License which shall authorize the retail sale, on the premises specified, of beer and wine by original package for consumption off the premises.

e) Class “E” License which shall authorize the retail sale, on the premises specified, of all kinds of legalized alcoholic liquor for consumption on the premises requiring service, thereof, at tables in conjunction with the primary function of serving food to the public in said premises.

f) Class “F” License which shall authorize the retail sale, on the premises specified, of beer and wine for consumption on the premises, requiring service, thereof, at the tables in conjunction with the primary function of serving food to the public in said premises.

g) Class “G” Licenses which authorize the retail sales on the premises specified of beer and wine only for a limited time, which shall be identified on the license as valid for either 24, 48, or 72 hours by such not for profit corporations or organizations which provide adequate proof to the Commissioner of the following:

1. Continuous existence in the community for a period of 5 years preceding the application.
2. Internal Revenue reports or such other information as requested by the Commissioner to verify the not for profit status of the corporation of organization.

Such licenses when issued shall be issued within 7 days of its authorized commencement date, and shall automatically expire 24-48-72 hours thereafter as noted on the license. A not for profit corporation or organization shall not receive more than four (4) Class “G” licenses during a 12 month period. For purposes of this subsection, the 12 month period shall begin on January 1 and end on December 31 of each calendar year. (Amended 5/18/2010)

Applicants for a Class “G” License must file the application for said license no less than 30 days prior to the anticipated effective date of said license. Despite the provisions of this Ordinance, no public hearing shall be required prior to the issuance of a Class “G” License.

h) Class “H” Licenses which authorize the retail sale, on the premises specified, of beer and wine only for consumption on the premises and retail sales of beer and wine only by original package for consumption off the premises.

i) Class “I” Licenses which shall authorize the retail sale of alcoholic liquor within the County by a “caterer” as defined in the Liquor Control Act of 1934 as amended on the premises owned by the Kendall County Forest Preserve District commonly known as “Ellis House”, “Ken Pickerill Estate House and Grounds”, and the “Meadowhawk Lodge” for consumption within 250 feet of the “Ellis House”, “Ken Pickerill Estate House and Grounds”, and the “Meadowhawk Lodge” buildings owned by the Forest Preserve District during times when food is dispensed for consumption within 250 feet of the building from which food is dispensed and only as an incidental part of food service that serves prepared meals, which excludes the serving of snacks as the primary meal for private and public functions. Liquor shall not be served nor shall it be consumed inside horse stables of these Forest Preserve District properties. Licensee shall provide proof of general and liquor liability insurance which shall name the Kendall County Forest Preserve District as an additional insured. Sale of alcoholic liquor to the licensee shall only be made at the registered office of the licensee. A Class “I” License shall authorize the holder to engage in the retail sale of alcoholic liquor as described above at “Ellis House”, “Ken Pickerill Estate House and Grounds”, and the “Meadowhawk Lodge” without the need to apply for separate licenses.

All those already holding a Class “I” license at the time of the enactment of this 2012 revision shall automatically have the right to utilize the license at “Ellis House”, “Ken Pickerill Estate House and Grounds”, and the “Meadowhawk Lodge”, in the same manner as if they were obtaining the license after the revision date. Further, All Class “I” licenses currently held at the time of the 2012 revision shall expire at the current expiration date displayed on such licenses and thereafter have to be renewed as set forth in this Ordinance.

j) Class “J” Licenses which authorize the retail sales on the premises specified of all kinds of legalized alcoholic liquor by such not for profit corporations or organizations which provide adequate proof to the Commissioner of the following:

1. Continuous existence in the community for a period of 5 years preceding the application.
2. Internal Revenue reports or such other information as requested by the Commissioner to verify the not for profit status of the corporation or organization.

Such license shall limit the number of days all kinds of legalized alcoholic liquor may be sold on the premises to 75 calendar days each calendar year. For purposes of this subsection, the calendar year shall begin on January 1 and end on December 31 of that same year. The Licensee shall submit a list of each day the liquor license was used and nature of event to the Liquor Control Commissioner 30 days after the end of the calendar year.

k) Class “K” License which shall authorize the retail sale, on the premises specified, of all kinds of alcoholic liquor for Craft Brewers/Craft Distillers, when such liquor has been manufactured on the premises, for consumption on the premises and shall authorize the retail sale of all kinds of alcoholic liquor, when such liquor has been manufactured on the premises, for consumption off the premises. Class "K" licensees may conduct limited beer and liquor tasting activities on the premises.

A Craft Distiller under this license shall be allowed to manufacture of up to 15,000 gallons of spirits by distillation per year and a Craft Brewer may only manufacture up to 465,000 gallons of beer per year. These amounts may be increased/reduced pursuant to amendment of the State Liquor Control Act of 1934.

The Class “K” License does not permit the retail sale, either for consumption on the premises or off the premises, of any alcoholic liquor that has been purchased at wholesale nor does the Class “K” License permit the retail sale, either for consumption on the premises or off the premises, of any alcoholic liquor that has been manufactured off the premises.

Section 2: All licenses shall be signed by the Liquor Control Commissioner of Kendall County, and shall thereon the class or classification for which issued, and shall state thereon the name of the licensee, the address and description of the premises for which granted, together with the date of issuance and expiration thereof. Every renewed license shall be in all respects identical with the original or first license.

Section 3: A retailer’s license shall allow the licensee to sell and offer for sale at retail, on the premises specified in such license, alcoholic liquor for use or consumption, but not for resale.

Section 4: All licenses issued hereunder are limited in use to the premises specified in said licenses and upon cessation in possession thereof, by the licensee, said license shall immediately be rendered null and void.

#### ARTICLE IV LICENSE FEES

Section 1: The annual license fees for each of the classes of licenses authorized by this Ordinance to be issued are hereby fixed in the following amounts:

Class “A”	\$2,000.00
Class “B”	\$ 300.00
Class “C”	\$2,000.00
Class “D”	\$2,000.00
Class “E”	\$2,000.00
Class “F”	\$1,300.00
Class “G”	\$ 100.00

Class “H”	\$2,000.00
Class “I”	\$ 100.00
Class “J”	\$ 300.00
Class “K”	\$2,000.00

Section 2: Unless otherwise provided herein, all licenses issued hereunder shall be valid for a period of one (1) year from the date of issuance. No refunds shall be made for cancelled or surrendered licenses, nor shall any license issued hereunder be transferred, except as provided by the provisions of this Ordinance, or the Liquor Control Act of 1934, as amended.

Section 3: On application for a license hereunder, the applicant shall deposit with the Liquor Control Commissioner of Kendall County at the time he submits his application for a license hereunder, the fee as is in this Ordinance provided. This shall be by certified check, bank draft or money order made payable to the Liquor Control Commissioner of Kendall County.

ARTICLE V  
NUMBER OF LICENSES

Section 1: At the date of the adoption of this Ordinance, the maximum number of licenses for retail sale of alcoholic beverage is as follows:

Class “A” – 7	Class “F” – 0	Class “K” - 1
Class “B” – 3	Class “G”– No more than 4 during a 12 month period per qualified organization as outlined in Art. III Sec. 1(g).	
Class “C” – 2	Class “H” – 1	
Class “D” – 2	Class “I” – 10	
Class “E” – 0	Class “J” – 1	

In the event any license issued hereunder is surrendered, for any reason whatsoever, the maximum number of licenses authorized in that class is accordingly reduced by the number of licenses surrendered. No further licenses may be issued until action of the Kendall County Board appropriately increases the maximum number allowed.

ARTICLE VI  
APPLICATION FOR LICENSES AND RENEWALS

Section 1: Forms of application for a license under this Ordinance shall be furnished by the Liquor Control Commissioner of Kendall County, and applicants for a license under this Ordinance shall secure the necessary forms from said Liquor Control Commissioner and such application or applications shall be in writing and under oath and shall be filed with the Liquor Control Commissioner of Kendall County and shall contain the following information, viz:



- a) The names, date of birth, and address of residence of the applicant or any agent or manager who conducts the business in the case of an individual; in the case of a co-partnership, the names of all partners together with their ages and addresses; and in the case of a corporation or club, the corporate name, the date of incorporation, place of incorporation, the object for which the corporation was organized, the names and addresses of the officers and directors thereof; the name, age and address of any officer, manager, director or any stockholder of said corporation owning more than 5% of the stock in the said corporation and the exact percentage of stock so owned
- b) The citizenship of the applicant or any agent or manager who conducts the business, his place of birth and if naturalized citizen, the time and place of his naturalization.
- c) The location and description of the place of business where the applicant intends to conduct his business which shall include the legal description and mailing address thereof.
- d) Statement whether applicant or any agent or manager who conducts the business has made similar application for a similar other license on premises other than that described in his application and the disposition of such application.
- e) A statement whether applicant or any agent or manager who conducts the business has made any other application for liquor license in any other County in the State of Illinois, and if so, the disposition of such application.
- f) A statement whether a previous license by any state or subdivision thereof or by the Federal Government has been revoked and if so the reason therefore.
- g) A statement that the applicant or any agent or manager who conducts the business will not violate any of the laws of the State of Illinois or of the United States or of the laws or regulations set forth in this Ordinance in the conduct of his business.
- h) A statement that he has not received or borrowed money or anything of value and that he will not receive or borrow money or anything of value other than merchandising credit in the ordinary course of business for a period not to exceed thirty days as expressly permitted under 235 ILCS 5/6-5, directly or indirectly from any manufacturer, importing distributor or distributors, representatives of any such manufacturer, importing distributor or distributors nor to be a party in any way, directly or indirectly, to any violation by a manufacturer, distributor or importing distributor as set forth in 235 ILCS 5/6-5.
- i) If such application is made on behalf of a partnership, firm, association, club or corporation then the same shall be signed and sworn to be at least two members of such partnership or the President and Secretary of any such corporation. In the event that the applicant seeks a Class “B”, “G” or “J” license, the applicant shall provide, at the time of application for the original license and any renewal thereof, written current verification the tax-exempt status of the applicant, a copy of the applicant’s application for tax exempt status filed with the Internal Revenue Service, and the most recently filed tax return filed by the applicant. An applicant for a Class “B”, “G”, or “J” license which is itself not a tax-

exempt organization may still qualify for a Class “B”, “G”, or “J” license if it proves, to the reasonable satisfaction of the Kendall County Liquor Commissioner, that the applicant is wholly owned by a tax-exempt organization which meets the qualifications for a Class “B”, “G” or “J” license.

j) A statement that said applicant or any co-partner, except in the case of a club or corporation, is a resident of the County of Kendall stating the date the applicant acquired residence in the County of Kendall.

k) A statement as to whether or not the applicant, or in the event that the applicant is a partnership or corporation, any entity in which the applicant currently or previously held a 5% or more interest, has any unpaid fines in any court of the State of Illinois, for any violation of any law.

l) A statement that the applicant, or any agent or any manager who conducts the business is qualified to receive a license under the laws of the State of Illinois and that he will not violate nor permit any of his employees to violate any of the laws of the State of Illinois or of the United States or of this Ordinance in the conduct of his business and shall also state the name and address of the agent or manager in charge of any licensed premises if there be one.

m) A statement whether or not the proposed place of business is with 100 feet of any church, school (other than an institution of higher learning), hospital, home for aged or indigent persons or for veterans, their wives, or children or any military or naval station.

n) A statement as to whether or not the proposed location is within one-half mile of the territorial limits of any city, village or incorporated town in Kendall County.

o) If applicant does not own the premises for which a license is sought he shall exhibit a true copy of the lease for said premises for the full period for which the license is to be issued. Applicant shall also submit with his application the type of bond he proposed to furnish as is hereinafter required if granted a license.

p) A statement that no law enforcing public official, mayor, alderman, member of a city council or commission, president of a village board of trustees, or president or member of a county board has any interest in any way, directly or indirectly, in the operation of the business for which the license is sought.

q) A statement that the applicant is the beneficial owner of the business to be operated by the license.

r) A statement that the applicant, any partner, if a co-partnership, any officer, manager, director or shareholder, owning 5% or more of the stock in said corporation, has not:

1. Been convicted of:

- a) a felony under any State or Federal laws:
- b) keeping a house of ill fame:
- c) pandering or other crime or misdemeanor opposed to decency and morality;
- d) violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, subsequent to Jan. 31, 1934 or has forfeited his bond to appear in court to answer for any such violation;
- e) gambling offense as prescribed by any subsection of Section 28 of the Illinois Criminal code of 1961, as amended.

- 2. had a license issued under the Dram Shop Act revoked for cause;
- 3. been issued a federal gaming device stamp or a federal wagering stamp by the Federal Government for the current tax period.

s) Statement that the premises in which the license is to be used has not had a federal gaming device stamp or a federal wagering stamp issued for the current tax period.

t) Statement if the applicant is a corporation, that no officer, manager, director of stockholder owning more than 20% of the stock in the corporation has been issued a federal gaming stamp or a federal wagering stamp for the current tax period.

u) In the event that any of the information required to be provided pursuant to this Article should change during the duration of the said license, the Licensee shall notify the Commissioner of such change as soon as practicable, but in any event no later than 72 hours after the said change takes effect.

v) In the event that the premises for which the license is proposed to be issued is licensed by any state or local health department, proof of said valid license and current health inspection results shall be provided at the time of application. In the event that said licensure by the local or state health department should lapse or terminate for any reason, the licensee shall immediately notify the Commissioner of the same, and in no event shall said notice be delayed form more than 24 hours.

Section 2: All applications to the Liquor Control Commission shall be filed in duplicate in the Office of The County Clerk of Kendall County (amended January, 2018), Illinois and shall be accompanied by the full amount of the license fee required to be paid for the class of license applied for. All checks or money orders shall be made payable to the Liquor Control Commissioner of Kendall County, Illinois.

Section 3: At the time of the filing of any application for a license under this Ordinance, except Class “G” Licenses, the applicant shall file a Notice of Intent to Seek Liquor License, on a form to be provided to the applicant by the Commissioner, which Notice shall be published, in a paper of general circulation in Kendall County, at least once, and which Notice shall contain the date, time and location of the public hearing required prior to the issuance of said license. Said publication shall take place no less than 7, or more than 15 days prior to the date of the scheduled public hearing required by the terms of this Ordinance. Said publication cost shall be paid by the applicant.

Section 4: Every renewal license shall be in all respects identical with the original or first license and applications for renewal licenses shall be made in the same manner except that a statement shall be endorsed on the face of the renewal application that such application is for renewal and the hearing process shall be excused upon such renewal application. (amended May, 2006) Submittal of renewal applications must be received in the office of The County Clerk (amended January, 2018) no less than 30 days prior to the expiration of the license. Failure to meet submittal deadlines could result in a lapse of liquor license, failure to renew the liquor license and/or a fine pursuant to statute.

Section 5: Prior to the determination to grant or deny the issuance of any new license, or the determination as to whether to permit the transfer of a license to a different location, except Class “G” Licenses, a public hearing shall be held by the Commissioner, at a date, time and location as identified by the Commissioner. Public notice of said hearing shall be given by means of the publication required in Section 3 herein. The applicant shall also give notice of said public hearing by mailing a copy of said Notice to the owners of all property located within 250 feet of the subject premises, which notice shall be mailed certified mail, return receipt requested. At the time of said hearing, the applicant shall provide proof of the mailing of said notices to the Commissioner, as well as a listing of all persons so notified. For the purposes of this paragraph, the mailing of a notice to the individual receiving the current real estate tax bill, as shown by the records of the Kendall County Supervisor of Assessments shall constitute notice to the “owner” of each premises.

Section 6: The Liquor Control Commissioner of Kendall County shall grant or refuse to grant the application within forty-five days after the required public hearing has been held, and all required documentation has been received by the Commissioner, including any required background or fingerprint checks. The costs of any required background check, including fingerprint checks, shall be paid by the applicant.

Section 7: All original or renewal applications for liquor licenses shall be accompanied with proof of completion of a state certified beverage alcohol sellers and servers education and training (BASSET) program for all personas who sell or serve alcoholic liquor, all management personnel working on the premises, and anyone whose job description entails the checking of identification for the purchase of alcoholic liquor, pursuant to that license. Class “G”, “I” or “J” licensees must have a BASSET trained person on the premises during an event. Class “G” or “I” licensees must provide the name and proof of BASSET training for that person when applying for a Class “G” or “I” license.

Section 8: A “state certified BASSET program” shall be defined as a BASSET program licensed by the State of Illinois Liquor Commission as required by 235 ILCS 5/3-12(11.1). All licensed BASSET providers shall be required to have on file all licenses and certificates to prove current qualifications and provide a certificate of course completion and a card to participants as proof of completion. A photocopy of certificates of completion for all owners, managers, employees, or agents required to have BASSET training shall be maintained on the premises in a manner that will allow inspection, upon demand, by any designee of both the State of Illinois or County of Kendall.

Section 9: Any new owner, manager, employee or agent requiring BASSET training, shall within ninety (90) days from the beginning of their employment with that licensee, complete an Illinois Liquor Control Commission BASSET approved seller/server training program and shall until completion of the BASSET program work under the supervision of a person who has completed BASSET training.

## ARTICLE VII LICENSE PROHIBITIONS

Section 1: No license under this Ordinance shall be issued to:

- a) a person who is not a resident of the County of Kendall;
- b) a person who is not a good character and reputation in the community in which he resides;
- c) a person who is not a citizen of the United States;
- d) a person who has been convicted of a felony under any Federal or State law, unless the State Liquor Control Commission, after investigation, determines that said applicant has been sufficiently rehabilitated to warrant public trusts;
- e) a person who has been convicted of being the keeper of, or is keeping a house of ill fame;
- f) a person who has been convicted of pandering or other crime or misdemeanor opposed to decency or morality;
- g) a person who license issued under this Ordinance, or any prior similar Ordinance of Kendall County, has been revoked for cause;
- h) a person who at the time of application for renewal of a license issued hereunder would not be eligible for such license upon a first application;
- i) a partnership, unless all of the members of such partnership shall be qualified to obtain a license, except that only one of the partners shall be required to meet the residency requirement imposed by this ordinance;

- j) a corporation, of any officer, manager or director thereof, or any stockholder or stockholders owning in the aggregate more than five (5%) percent of the stock of such corporation would not be eligible to receive a license hereunder for any reason other than citizenship and residence with the County of Kendall;
- k) a corporation, unless it is incorporated in Illinois, or unless it is a foreign corporation which is qualified under the Illinois Business Corporation Act to transact business in Illinois;
- l) a person who has been convicted of a violation of any Federal or State law concerning the manufacture, possession or sale of alcoholic liquor, or shall have forfeited his bond to appear in court to answer charges for any such violation;
- m) a person who does not beneficially own the premises for which a license is sought or does not have a lease thereon for the full period for which the license is to be issued;
- n) any law enforcing public official, any mayor, alderman or member of a city council or commission, any president of the village board of trustees, any member of a village board of trustees or any presiding officer or member of a County Board; and no such official shall be interested in any way either directly or indirectly in the manufacture, sale or distribution of alcoholic liquor, pursuant to any license issued under this Ordinance;
- o) any person who is not a beneficial owner of the business to be operated by the licensee;
- p) any person to who a Federal gaming device stamp or a Federal wagering stamp has been issued by the Federal Government for the current tax period;
- q) a co-partnership to which a Federal gaming device stamp or a Federal wagering stamp has been issued by the Federal Government for the current tax period or if any of the partners have been issued a Federal gaming device stamp or Federal wagering stamp by the Government for the Current tax period;
- r) a corporation, if any officer or manager or director thereof or any stockholder owning on the aggregate more than twenty (20) percent of the stock of such corporation has been issued a Federal gaming device stamp or a Federal wagering stamp;
- s) any premises for which a Federal gaming device stamp or a Federal wagering stamp has been issued by the Federal Government for the current tax period;
- t) any person who has not furnished a bond as is required by this Ordinance;

- u) a person who has been convicted of a gambling offense as prescribed by any subsection of Section 28 of the Illinois Criminal Code of 1961.

Section 2: No license shall be issued for the sale at retail of any alcoholic liquor within one hundred (100) feet of any church, school (other than an institution of higher learning), hospital, home for aged or indigent persons or for veterans, their wives or children, or any military or naval station; provided, that this prohibition shall not apply to the renewal of a license for the sale at retail of alcoholic liquor on the premises within one hundred (100) feet of any church where such church has been established within such a one hundred (100) feet since the issuance of the original license.

Section 3: No license shall be issued to any person for the sale at retail of any alcoholic liquor at any store or other place of business where the majority of customers are minors of school age, or where the principal business transacted consists of school books, school supplies, food and drinks for such minors.

ARTICLE VIII  
BOND AND INSURANCE REQUIREMENTS

Section 1: Every licensee hereunder shall furnish a bond to the County of Kendall executed by such licensee and by good and sufficient corporate surety to be approved by the Local Liquor Control Commissioner, which bond shall be in the same amount as the License Fee imposed for the issuance of said license as identified in Article IV herein, and conditioned that the licensee shall faithfully observe and conform to the State law and to all of the provisions of this Ordinance and any and all amendments hereafter passed during the period of said license, and conditioned further for the payment of any and all fines or penalties levied or assessed against such licensee for the violation of any of the terms and conditions of this Ordinance and of any amendments thereto or of the State law and shall be further conditioned that the licensee will pay all the necessary costs and charges incurred by reason of any complaint filed for the revocation of a license herein by the Local Liquor Control Commissioner or by anyone person entitle to file such complaints before the Local Liquor Control Commissioner, as provided for in this Ordinance where the same is occasioned by any violation under the terms and provisions of this Ordinance or of the State law by said licensee, and no license shall be issued by the Local Liquor Control Commissioner until such bond has been fully executed by the principal and surety or sureties and duly approved by such Local Liquor Control Commissioner. The amount of bond required for a Class “G”, “I” or “J” License shall be a minimum of \$500.00.

Section 2: No license shall issue, nor be renewed, to any applicant unable to furnish evidence of dram shop liability insurance, in the form of a certificate of insurance, issued by an insurance company that is authorized to do business in the State of Illinois, insuring the applicant, and the owner or lessor of the premises in at least the amount of \$500,000 per occurrence.

ARTICLE IX  
HOURS OF PROHIBITED SALE

Section 1: No licensee hereunder, with the exception of Class A licensees and Class B licensees, shall sell or offer for sale at retail any alcoholic liquor or furnish or give away or allow or permit the same to be consumed on the licensed premises or any other premises under the control directly or indirectly of the licensee during the following hours:

a) One o'clock A.M. and Six o'clock A.M. Central Standard Time, or Central Daylight Time, whichever is applicable at the particular time of year, on each and every day from Monday to Saturday of every week.

b) One o'clock A.M. and Ten o'clock A.M. Central Standard Time, or Central Daylight Time, whichever is applicable at the particular time of year, on each and every Sunday.

Section 2: No Class A licensee or Class B licensee shall sell or offer for sale at retail any alcoholic liquor or furnish or give away or allow or permit the same to be consumed on the licensed premises or any other premises under the control directly or indirectly of the licensee during the following hours:

a) One o'clock A.M. and Six o'clock A.M. Central Standard Time, or Central Daylight Time, whichever is applicable at the particular time of year, on each and every day from Monday to Friday of every week.

b) Two o'clock A.M. and Six o'clock A.M. Central Standard Time, or Central Daylight Time, whichever is applicable at the particular time of year, on each and every Saturday.

c) Two o'clock A.M. and Ten o'clock A.M. Central Standard Time, or Central Daylight Time, whichever is applicable at the particular time of year, on each and every Sunday.

d) Two o'clock A.M. and Six o'clock A.M. Central Standard Time, or Central Daylight Time, whichever is applicable at the particular time of year, on each and every holiday of Memorial Day, Fourth of July, Labor Day, Thanksgiving, and New Year's Day. If the Fourth of July or New Year's Day occur on a Sunday in any given calendar year, the hours of prohibited sale shall be between Two o'clock A.M. and Ten o'clock A.M. Central Standard Time, or Central Daylight Time, whichever is applicable at the particular time of year, for that particular occurrence.

Section 3: The local Liquor Control Commissioner may on special occasions extend the time during which a licensee may remain open. Said extensions shall be at the sole discretion of the local Commissioner.

## ARTICLE X GENERAL REGULATIONS

Section 1: It shall be unlawful for licensee hereunder to directly or indirectly receive any financial aid or assistance or to receive as a loan or lease of otherwise any furnishing, fixture, or equipment on the premises of a place of business from any manufacturer,



distributor or importing distributor of alcoholic liquors and it shall be equally unlawful for any such licensee to allow any manufacturer, distributor or importing distributor or alcoholic liquors, directly or indirectly, to be interested in the ownership, conduct or operation of the business of any licensee under this Ordinance, and it shall be, also equally unlawful for any licensee hereunder to permit or allow any manufacturer, distributor or importing distributor to be interested directly or indirectly or as owner or part owner of said premises described in the license or as lessee or lessor thereof.

Section 2: It shall be unlawful for any licensee hereunder to allow or permit any person engaged in the business of manufacturing importing or distributing alcoholic liquors to pay for or advance, furnish, or lend money, directly or indirectly, for the payment of such license.

Section 3: It is unlawful for any person including but not limited to any licensee or any associate, member, representative, agent, or employee of such licensee to sell, give, deliver or serve any alcoholic beverage to any person under the age of 21 years or to any intoxicated person or to any person known to be a spendthrift, insane, mentally ill, mentally deficient or a habitual drunkard.

Section 4: It shall be unlawful for any person under the age of 21 years to purchase, accept or procure or to attempt to purchase accept or procure any alcoholic beverage from any liquor dealer or from any other person.

Section 5: It shall be unlawful for any person to order, to purchase or in any manner to obtain any alcoholic beverage for another person under the age of 21 years. It shall be illegal for any person to sell, give or deliver any alcoholic liquor to another person under the age of 21 years. It shall be illegal for any person to directly or indirectly have any alcoholic beverage sold, given or delivered to another person less than 21 years of age or to permit the sale, gift or delivery of any alcoholic beverage to another person less than 21 years of age.

Section 6: It shall be unlawful for any person to who the sale, gift, delivery or service of any alcoholic liquor is prohibited because of age to consume or to possess in any manner, including by consumption, any such alcoholic liquor, except as otherwise provided by law. The violation referred to in this Section which relates to the possession of alcohol after it has been consumed may be identified as the “Illegal Possession of Alcohol by Consumption” or by the number of the Chapter and Section of this Ordinance. This violation may be proven by evidence which indicates that the breath of the person charged with such offense has a smell associated generally or specifically with any alcoholic liquor and no additional evidence relating thereto shall be necessary to find the Defendant to be in violation of this Ordinance. It shall not be necessary to show that the person charged with an offense hereunder was at the time in question under the influence of any alcoholic liquor in any manner, but such evidence shall be admissible to prove a violation of this Ordinance.

The possession and dispensing or consumption by a person under the age of 21 years of an alcoholic beverage in the performance of a religious service or ceremony or the consumption of alcoholic liquor by a person under the age of 21 years under the direct supervision and direct approval of the parents or parent of such person in the privacy of a home is not prohibited by the Ordinance, and this provision shall be considered only as a defense for which the burden of proving that it applies to and was reasonably relied upon in a particular case shall be on the person charged with an offense under this Section.

Section 7: It shall be unlawful for any intoxicated persons or any person under the age of 21 years to be or remain in any premises which are licensed hereunder except that any person under the age of 21 years may be or remain on the premises:

- 1) If accompanied by his or her parents(s) or legally appointed guardian; or
- 2) If more than 50% of the gross business income received therein results from the sale of services or commodities other than alcoholic liquor; or
- 3) If legally employed by the license holder of the premises and if the person is actively performing his/her duties as a legal employee at the time in question. Employees of the licensee under age 21 shall not draw, mix, pour, nor sell alcoholic beverages, but may carry and deliver said beverages to the patron for consumption.
- 4) If the premises has a Class “G”, “I”, or “J” license pursuant to this ordinance.

Section 8: The Defendant/Respondent in any court or administrative hearing shall have the burden of proving as a defense that subparagraphs (1), (2), or (3) of the preceding Section 7 apply to the case and the prosecutor shall have no responsibility to prove that any of said exceptions do not apply herein.

Section 9: If a licensee or any officer, associate member, representative, agent or employee of such licensee believes or has any reason whatsoever to suspect or believe that the sale, gift, delivery or service to a prospective recipient of any alcoholic liquor is prohibited by this Ordinance because of the age of such person, he/she shall demand written evidence, and may not rely on oral evidence, of the prospective recipient’s age and identity before making such sale, gift, delivery or service.

Any person from whom such written evidence is demanded shall forthwith display his/her motor vehicle operator’s license, federal selective service card, federal armed forces identification card or other written and photographic evidence of age and identity issued by a public officer in the performance of his official duties.

If any person fails to present such written evidence, he/she shall be considered to be an under age person who is not entitled to any such alcoholic liquor. However, if such written and photographic evidence of age and identity is produced and shows the prospective

recipient to be of the age required to purchase such alcoholic liquor and if such a sale, gift, delivery or service of alcoholic liquor is made in reasonable reliance thereon, the licensee and his representatives shall not be subject to the penalty provision of this Ordinance.

The burden of proving that a demand of written and photographic evidence of the age and identity was made, that such written and photographic evidence was shown, the content of the written photographic evidence presented, and the reasonableness of the reliance thereon shall be on the person charged with an offense under this Ordinance.

Section 10: It shall be unlawful for any person whomsoever to present or offer to any licensee or to any officer, associate, member, representative, agent, or employee of a licensee or to any other person any written, printed or photo static evidence of his/her age and identity or that of any other person which is false or fraudulent, for the purpose of ordering, purchasing, attempting to purchase, or otherwise procuring or attempting to procure any alcoholic liquor of any kind or description in violation of this Ordinance, or to have in his/her possession any false or fraudulent written, printed or photo static evidence of age and identity.

Section 11: No person shall sell or furnish alcoholic liquor at retail to any person on credit, or order on a store, or in exchange for any goods, wares or merchandise, or in payment for any services rendered, provided, that nothing herein contained shall be construed to prevent any club receiving a license under this Ordinance, from permitting checks or statement for alcoholic liquor to be signed by members or bona fide guests of members and charged to the account of such members or guests in accordance with the by-laws of said club; and provided further, that nothing herein contained shall be construed to prevent any hotel from permitting checks or statement for liquor to be signed by regular guests residing at said hotel and charged to the accounts of said guests.

Section 12: It shall be unlawful for any licensee to sell, offer for sale or furnish any alcoholic liquor to any person or persons or patron or patrons in what is generally know as curb service. Free dispensing of alcoholic liquor by any licensee is hereby prohibited and unlawful.

Section 13: It shall be unlawful to keep open for business or to admit the public or patrons or customers or persons to any premises licensed under this Ordinance for the retail sale of alcoholic liquor during the hours within which sale of such liquor is prohibited, or to permit or allow person, patrons, or customers to remain in or about the licensed premises during the hours designated within which the sale and consumption of alcoholic liquors is prohibited on the licensed premises; provided however, that restaurants, clubs, drug stores and hotels may keep their places of business open, subject only to the provisions that no sale at retail of alcoholic liquors or the consumption by patrons or customers or by the public of alcoholic liquors shall be permitted or allowed on said licensed premises during the hours prohibited.

Section 14: Whenever any licensee hereunder shall sell or otherwise dispose of the business conducted on the licensed premises, said licensee shall, with 5 days thereafter,

cause a notice in writing of such fact to be delivered to the Local Liquor Control Commissioner of said Kendall County. Said statement shall contain full information concerning the same, including the date of such date or disposal of said business and the name of the purchaser, if any. Upon the occurrence of any of the foregoing the license issued hereunder shall be surrendered to the Liquor Control Commission, providing that the Liquor Control Commissioner in his discretion may permit the licensee to maintain said license upon the following circumstances, viz: remodeling, casualty act of God or other business interruption deemed by the Commissioner to be beyond the control of the licensee. The commissioner is further authorized to approve assignment of said license to a qualifying purchaser. Failure on the part of the licensee to comply with the provisions of this shall subject said licensee to a fine of not less that One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) or by imprisonment in the County Jail for not less than Thirty (30) days nor more than four (4) months and such penalties as herein provided in this Section shall be in addition to any such penalties mentioned in this Ordinance for violation of any of the term and provisions thereof.

Section 15: It shall be the duty of every person licensed hereunder to keep complete and accurate records of all sales of liquor, wine or beer, which said records shall be produced by the person holding such a license at the request of the Local Liquor Control Commissioner.

Section 16: All premises and equipment and utensils or paraphernalia used for the retail sales of alcoholic liquor, or for the storage of such liquor for sale purposes, shall be kept in a clean and sanitary condition and shall have running water at any service bar for the purpose of washing and cleaning dishes and glasses and other utensils used in and about the serving of alcoholic liquors, and every licensee hereunder shall install and maintain clean and sanitary toilets or toilet rooms for both sexes and shall keep the licensed premises in full compliance with the State law regulating the conditions of premises used for the storage or sale of food for human consumption. The provisions of this paragraph may be modified by the Commissioner as deemed appropriate by the Commissioner for Class “G” and “J” Licenses.

Section 17: It shall be unlawful to employ in any premises used for the retail sale of alcoholic liquor any person who is afflicted with, or who is a carrier of, any contagious, infectious or venereal disease, and it shall be unlawful for any person who is afflicted with or a carrier of any such disease to work in or about any premises or to engage in any way in the handling, preparation or distribution of such liquor.

Section 18: It shall be unlawful for any licensee hereunder to permit or allow any lewd persons or any prostitutes to remain in and about any licensed premises or to allow or permit any soliciting to prostitution or lewdness, idleness, gaming, gambling, fornication or other misbehavior to be conducted on said licensed premises, or to permit or allow any slot machines or other devices used for gambling purposes, to be or to remain in or on or about the licensed premises, with the exception of those properly licensed locations and video gaming terminals as are allowed pursuant to the Illinois Video Gaming Act (230 ILCS 40/1 *et seq.*).

Section 19: It shall be unlawful for any licensee to allow person in a drunken condition to remain upon or loiter in and around any licensed premises or to harbor, conceal, aid or assist any person who has committed any criminal offense against the laws of the State of Illinois, or to refuse to aid or assist the law enforcing officers of Kendall County in the apprehension of person accused of or suspected of crime.

Section 20: All places where alcoholic liquor is sold in violation of any of the provisions of this Ordinance shall be taken and held to be and are hereby declared to be common nuisances and may be abated as such.

Section 21: All license fees received by the Local Liquor Control Commission shall be paid over to the County Treasurer and credited to the general fund of the County.

Section 22: It shall be unlawful to permit the following kinds of conduct on the premises:

- a) The performance of act, or simulated act of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts;
- b) The actual or simulated exhibition, touching, caressing or fondling of the breast, buttocks, pubic hair, anus, vulva, or genitals.

Section 23: In the event of the death of the named license holder, said license shall lapse, and be of no further effect. Any license which is not used for a period of sixty (60) consecutive days shall be deemed to have lapsed due to such non-use. Any license which has lapsed as defined by this paragraph will be of no further effect unless written waiver of such lapse is granted by the Commissioner, after a hearing held to evaluate the reason for such lapse.

Section 24: A certified court reporter or certified shorthand reporter shall keep a record of all hearings held under the provisions of this Ordinance. The cost of such court reporter shall be paid by the applicant or licensee who is the subject of the proceeding. Any appeal taken from a decision of the Commissioner pursuant to the terms of this Ordinance shall be reviewed on the record of the hearing at which the decision was rendered as taken by and prepared by the certified court reporter or certified shorthand reporter.

Section 25: Any license issued pursuant to this Ordinance shall specifically identify the location of the authorized premises for the license, and such premises shall be sufficiently identified on the license to make such premises readily identifiable.

Section 26: The Kendall County State's Attorney shall be authorized to prosecute any violations of this Ordinance.

Section 27: No applicant will be entitled to a refund for an unused license for any reason once a license has been issued.

ARTICLE XI  
FINES AND PENALTIES

Section 1: Whoever violates any of the provisions of this Ordinance shall, upon conviction, be punished by a fine of not less than One Hundred (\$100.00) Dollars, nor more than Five Hundred (\$500.00) Dollars or by imprisonment in the County jail for not less for not less than Thirty (30) days nor more than Six (6) months or by both such fine and imprisonment; and a separate offense shall be deemed committed on each day during, or on which, a violation occurs, or continues to occur. In addition to the foregoing, to the extent permitted by the “State Law”, whoever violates the provisions of this Ordinance may be required to pay reasonable reimbursement to Kendall County for the expenses of investigating and prosecuting such violation.

ARTICLE XII  
ADMINISTRATION

Section 1: The Chairman of the Kendall County Board shall be the Local Liquor Control Commissioner of said County, and he shall be charged with the administration of this Ordinance. Provided, however, that the authority and jurisdiction of said Local Liquor Control Commissioner shall extend only to that area of Kendall County which lies outside of the corporate limits of the cities, villages and incorporated towns therein, and shall, under no circumstances, extend to any area where the people of any local political subdivision have voted to prohibit the sale of alcoholic liquors in accordance with the terms and provisions of the State law governing the same.

Section 2: Said Local Liquor Control Commissioner of said County may appoint a person or persons to assist him in the exercise of the powers and the performance of the duties herein provided for such Local Liquor Control Commissioner or he may appoint members of the Kendall County Board on a committee to be known as the Local Liquor Control Committee which Committee may assist him in the exercise of he powers and the performance of the duties provided for by this Ordinance.

Section 3: Said Local Liquor Control Commissioner shall have the power to appoint or employ such clerks and other employees as may be necessary to carry out the provisions of this Ordinance, or to perform the duties and exercise the powers conferred by this Ordinance upon the Local Liquor Control Commissioner.

Section 4: Said Local Liquor Control Commissioner shall not appoint or employ any clerks or other employees who have been convicted of any violation or any Federal or State law concerning the manufacture or sale of alcoholic liquor prior to or subsequent to the passage of this Ordinance or who has paid a fine or penalty in settlement of any prosecution against him for any violation of such laws, or shall have forfeited his bond to appear in court to answer charges for any such violation, nor shall any person be appointed who has been convicted of a felony.

Section 5: No person shall be appointed to act on said Local Liquor Control Commission who may directly or indirectly, individually or as a member of a partnership, or as a shareholder or a corporation, have any interest, whatsoever, in the manufacture, sale or distribution of alcoholic liquor, nor receive any compensation or profit there from, nor have any interest, whatsoever, in the purchases or sales made by the persons authorized by this Ordinance, or to purchase or to sell alcoholic liquor as provided for in the State law governing the same.

Section 6: The office of the Local Liquor Control Commissioner shall be in the Office of The County Clerk (amended January, 2018), in the Kendall County Office Building, Yorkville, Illinois or in such other place as the County Board shall designate.

Section 7: The Local Liquor Control Commissioner of said County of Kendall shall keep a record of the proceedings, transactions, communications and official acts of himself and any commission appointed by him, which said books and records shall be kept and maintained in the office of the Liquor Control Commissioner of Kendall County.

Section 8: The Local Liquor Control Commissioner shall be paid the sum of One Thousand Two Hundred (\$1200.00) Dollars per annum and mileage as provided by ordinance for county officers. The member or members of any committee or person or persons appointed by the said Commissioner to assist him in the exercise of the powers and performance of the duties herein provided for, shall receive the sum of Twenty Five (\$25.00) Dollars, and mileage as aforesaid for each day actually spent in the performance of duties.

Section 9: The Local Liquor Control Commissioner and all clerks and employees of said Local Liquor Control Commissioner shall be reimbursed for any disbursements incurred or made by them in the discharge of their official duties.

Section 10: All charges or expenses or claims or demands incurred either by or against or in behalf of the Local Liquor Control Commissioner by reason of anything or matter in this Ordinance contained, shall be claims against Kendall County, and shall be presented and paid or disallowed in the same manner as other claims against Kendall County are allowed and paid or disallowed.

ARTICLE XIII  
POWERS OF LOCAL LIQUOR CONTROL COMMISSIONER

Section 1: The Liquor Control Commissioner of Kendall County, Illinois shall have all the powers and authority granted and delegated to Local Liquor Control Commissioners in the “State Law.”

ARTICLE XIV  
REVOCATION OR SUSPENSION OF LICENSE, FINES: APPEALS

Section 1: The Liquor Control Commissioner may suspend for not more than thirty days, or may revoke, any liquor license issued by him, or may impose a monetary fine as permitted as provided under Illinois law, if he determines that the licensee has violated any of the provisions of this Ordinance or any of the provisions of the State Law, or of any rule or regulation established by the Illinois State Liquor Control Commission which is not inconsistent with law.

Section 2: All proceedings for revocation or suspension of licenses issued by the Liquor Control Commissioner, and appeals there from shall be in conformance with the applicable provisions of State Law and this Ordinance.

## ARTICLE XV MISCELLANEOUS

Section 1: The articles, provisions and sections of this Ordinance shall be deemed to be separable and the validity of any portion of this Ordinance shall not affect the validity of the remainder.

Section 2: That all Ordinances or parts of Ordinances heretofore passed and adopted by the County Board of the County of Kendall and State of Illinois, relating to the retail sale, keeping the sale, or offering for sale of alcoholic liquors in all of the territory lying outside of the corporate limits of any city, village or town and lying within the corporate limits of said Kendall County, Illinois be, and the same are hereby repealed.

Section 3: This Ordinance, which shall be known as “Rules of the Liquor Control Commission, Kendall County, Illinois,” which comprise and are the rules of the said Liquor Control Commission, or any part thereof may be amended by Ordinance of the Kendall County Board by adoption thereof, at any regular or special meeting of said Board.



Section 4: This Ordinance and the regulations contained therein shall be in full force and effect on and after.

Adopted the 19<sup>th</sup> day of October, 1999, and amended this 5<sup>th</sup> Day March, 2023.

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Matt Kellogg County Chairman

Attest: \_\_\_\_\_  
Debbie Gillette County Clerk

Adopted: October 19, 1999  
Amended: January, 2004  
May 16, 2006  
May 18, 2010  
March 1, 2011  
June 7, 2011  
April 17, 2012  
December 4, 2012  
March 7, 2013  
September 2, 2014  
February 3, 2015  
July 21, 2015  
January 16, 2017  
January 16, 2018  
March 19, 2019  
April 21, 2020  
February 7, 2023  
April 5, 2023

# COUNTY OF KENDALL, ILLINOIS

## Resolution 23-\_\_\_\_\_

### RESOLUTION HONORING ARAB AMERICAN HERITAGE MONTH

**WHEREAS**, for over a century, Arab Americans have been making valuable contributions to virtually every aspect of American society: in medicine, law, business, education, technology, government, military service, culture; and

**WHEREAS**, since migrating to America, men and women of Arab descent have shared their rich culture and traditions with neighbors and friends, while also setting fine examples of model citizens and public servants; and

**WHEREAS**, they brought with them to America their resilient family values, strong work ethic, dedication to education, and diversity in faith and creed that have added strength to our great democracy; and

**WHEREAS**, Arab Americans have also enriched our society by sharing in the entrepreneurial American spirit that makes our nation free and prosperous; and

**WHEREAS**, the history of Arab Americans in the United States remains neglected or defaced by misconceptions, bigotry, and anti-Arab hate in the forms of crimes and speech; and

**WHEREAS**, Arab American issues, such as civil rights abuses, harmful stereotyping, and bullying must be combated in the forms of education and awareness; and

**WHEREAS**, they join all Americans in the desire to see a peaceful and diverse society, where every individual is treated equally and feels safe; and

**WHEREAS**, the incredible contributions and heritage of Arab Americans have helped us build a better nation; and

**NOW, THEREFORE**, the Kendall County Board acknowledges that the Arab America Foundation celebrates the contributions Arab Americans have made to society, and does hereby declare April 2023 to be National Arab American Heritage Month in Kendall County, Illinois. We encourage county officials, employees, schools and residents to join us in this special observance.

Approved this 5th day of April, 2023.

Attest:

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Matthew Kellogg, County Board Chairman

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Debbie Gillette, County Clerk and Recorder



**AGREEMENT TO ACCEPT COMPENSATORY TIME OFF  
IN LIEU OF OVERTIME PAY  
(FOR NON-EXEMPT, NON-UNION EMPLOYEE)**

In accordance with the provisions of the Fair Labor Standards Act and the Illinois Minimum Wage Law, non-exempt employees are allowed, with the approval of their department head/elected official, to accrue compensatory time off of work instead of receiving payment for overtime hours worked.

By signing my name below, I voluntarily agree to accept compensatory time off in lieu of overtime pay for overtime hours worked during \_\_\_\_\_. I understand that I will accrue compensatory time at the rate of one and one-half hours for each overtime hour worked during a workweek. I understand that this compensatory time will not be counted as time worked for purposes of computing overtime or additional compensatory time.

I further understand that any and all compensatory time that I accrue shall be subject to the terms of the Compensatory Time Policy set forth in Section 7.5 of Kendall County's Employee Handbook.

I understand that if I would resign or be terminated from my position, transfer from a department or be promoted into an exempt position, the department in which the overtime was incurred is responsible for arranging for me to use or be paid the balance of my accrued compensatory time at my final hourly rate of pay prior to termination or a change in position.

I understand that I have the right to revoke this Agreement at any time by providing written notice to my department head/elected official.

**EMPLOYEE**

PRINTED NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

**DEPARTMENT HEAD/ELECTED OFFICIAL APPROVAL**

PRINTED NAME \_\_\_\_\_ SIGNATURE \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

*For Administrative Use Only:*

*Date Received by Human Resources Department:* \_\_\_\_\_

*Date Received by Payroll:* \_\_\_\_\_

**TITLE:** Economic Development Coordinator  
**DEPARTMENT:** Administrative Services  
**SUPERVISED BY:** Deputy County Administrator  
**FLSA STATUS:** Exempt  
**APPROVED:** April 5, 2023

**I. Position Summary:**

Under the supervision of the Deputy County Administrator, this role will be responsible for coordinating and overseeing of the economic development of the County of Kendall (“County”) including facilitating federal grants; facilitating business expansion and retention; recruiting new industry; and managing loan assistance through the Kendall County Revolving Loan Fund. This position will work to improve the local economy and diversify the tax base through local business retention, expansion, and fostering new business opportunities.

**II. Essential Duties and Responsibilities:**

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

- A.** Performs primary duties requiring office or non-manual work directly related to the management or general business operations of the County, including, but not limited to the following:
1. Reviews and performs quality control on State of Illinois Databases related to economic development including, but not limited to business attraction, business retention, business development, available commercial/industrial real estate, workforce data, and workforce development.
  2. Oversees and manages the Kendall County Revolving Loan Fund and Revolving Loan Program.
  3. Assists local businesses in the unincorporated areas of the County with the zoning process and connection to various utilities.
  4. Serves as staff government relations representative with municipalities, community agencies, community stakeholders, public officials, and other economic development allies to assist new and existing businesses.
  5. Conducts research regarding new issues, methods, trends, and advances in economic development.
  6. Develops strategic economic development partnerships with businesses, organizations and communities within the County, as well as with other counties and municipalities.
  7. Attends meetings with public groups, clubs, organizations, and agencies in a public relations capacity to promote programs that encourage economic growth in the County.
  8. Responds to inquiries and meets with established and prospective business associations to serve as an information broker and liaison to County services and programs.
  9. Creates and administer a database of available commercial/industrial properties and active businesses.
  10. Creates marketing and promotional materials that promote the County’s economic development programs.
  11. Participates in professional and intergovernmental organizations that promote economic development and represents the County at local, regional and national meetings and conventions as needed and as assigned.
  12. Provides leadership, recommendations, and direction to elected officials and staff

## Kendall County Job Description

regarding the County's economic development needs.

- B.** Performs primary duties that require the exercise of discretion and independent judgment with respect to matters of significance, and their recommendations are giving great weight by the final decision makers, including, but not limited to the following:
  - 1. Develops and recommends goals, long- and short-term objectives, policies and priorities for economic growth programs in support of the County's economic development strategy, which recommendations are given significant weight by the final decision makers.
  - 2. Assists local businesses in the Enterprise Zone application process.
  - 3. Manages the Kendall County Property Tax Abatement Program and collaborates with municipalities on applications.
  - 4. Creates and recommends an economic development strategic plan for the County, which recommendations are given significant weight by the final decision makers.
  - 5. Coordinates and attends meetings with local economic development professionals from municipalities and other economic development organizations in the County.
  - 6. Reviews potential economic development projects proposed by state agencies for viability in the County, and serves as a liaison with the state agency regarding potential projects.
  - 7. Investigates and tracks available industrial and commercial real-estate.
  - 8. Serves as staff liaison to assigned economic development organizations and County Board Committees.
  - 9. Develops County Board policies, goals, priorities and long- and short-term economic development objectives.
  - 10. Assists interested businesses and industries in identifying potential sites, securing approvals, and identifying financing opportunities.
  - 11. Maintains a comprehensive and current understanding of policies, procedures, codes, and regulations, including all State, Federal and local laws and regulations, relating to economic development.
  - 12. Remains current on economic development information updates and other professional literature.
- C.** Travels to and attends meetings, conferences, workshops, and training sessions as approved and as assigned, both during and after business hours. Such travel includes travel both within and outside of County limits and may include travel outside the State of Illinois, as needed to perform assigned job duties.
- D.** Attends County Board and Committee meetings as requested, both during and after business hours.
- E.** Attends local government meetings as requested, both during and after business hours.
- F.** Prepares and revises correspondence, reports, presentations, and any other documentation, as needed, to perform assigned job duties.
- G.** Handles confidential matters daily relating to all functions of Administrative Services, the County Board, and its committees, and maintains confidentiality of said information.
- H.** Complies with all applicable federal and state laws and regulations regarding or relating to assigned job duties including, but not limited to the Illinois Open Meetings Act, the Illinois Freedom of Information Act, and the Illinois Local Records Act.
- I.** Complies with all applicable policies and procedures regarding or relating to assigned job duties.
- J.** Maintains regular attendance and punctuality.
- K.** Performs other duties, as assigned.

## Kendall County Job Description

### III. Supervisory Responsibilities.

This job has no supervisory responsibilities.

### IV. 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. Language Skills:

1. Ability to research, read, and interpret documents and simple instructions.
2. Ability to prepare documents, reports, and correspondence.
3. Ability to speak effectively with the public, employees, outside entities, vendors, and the County's elected officials and department heads in both one-on-one and group settings.
4. Requires good knowledge of the English language, spelling, and grammar.
5. Bilingual ability in Spanish is preferred.

#### B. Mathematical Skills:

1. Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals.
2. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.
3. Ability to read and understand basic workplace data, such as simple forms, tables, graphs, schedules etc.

#### C. Reasoning Ability:

1. Ability to analyze situations to identify problems, identify sources of obstacles, and evaluate possible solutions.
2. Ability to deal with problems involving several concrete variables in standardized situations.
3. Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form.

#### D. Certificates, Licenses, and Registrations:

1. Current and valid Driver's License and reliable transportation.
2. Must possess the Certified Economic Developer (CECD) certification or must successfully obtain this certification within first year of employment.
3. Economic Development Finance Professional (EDFP) certification is also preferred.
4. Any and all other certificates and registrations as required for the specific duties performed.

#### E. Other Skills, Knowledge and Abilities:

1. Strong organization and multi-tasking skills.
2. Ability to carry out duties with minimal supervision.
3. Ability to research materials and develop reports from information gathered.
4. Ability to maintain confidentiality.
5. Comprehensive understanding of the economic development field and application of advanced principles, techniques and theory.
6. Excellent prioritization skills and the ability to meet deadlines.

## Kendall County Job Description

7. The ability to display a positive, cooperative, professional, and team-orientated attitude even in stressful situations.
8. The ability to listen, understand information and ideas, and work effectively with County personnel, department heads, elected officials, businesses, and other organizations.
9. The ability to follow guidance and work independently until project completion.
10. Proficient knowledge of MS Word, Excel, Outlook, PowerPoint.
11. Knowledge of office practices, principles of modern record keeping, set and maintaining filing systems.
12. Skills in operating a personal computer, facsimile machine, copier, and typewriter.
13. Ability to comply with all County policies and procedures and adhere to set standards.

### **F. Education and Experience:**

1. A minimum of a Bachelor's degree from an accredited college or university is required. Preferred areas of study are Business Administration, Public Administration, Community Development/Planning, Economics/Economic Development, Real Estate, Public Relations, Marketing, Business Development, Real Estate, or related area of study.
2. At least three (3) years of previous work experience in business administration, public administration, community development/planning, economic development, real estate, public relations, marketing, business development, and/or real estate is required.
3. A Master's Degree in Business, Public Administration, or Marketing is preferred.

### **G. Physical Demands:**

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

1. Frequently sit for long periods of time at a desk, in meetings, and during travel to various locations to perform assigned job duties;
2. Occasionally walk to other offices in the County Office Building and other County buildings (e.g., Historic Courthouse).
3. Regularly use computers and other electronic equipment to perform assigned job duties;
4. Occasionally lift and/or move up to 40 pounds;
5. Frequently lift and/or move up to 10 pounds;
6. Use hands to finger, handle or feel;
7. Reach, push, and pull with hands and arms;
8. Talk and hear in person and via use of telephone;
9. Specific vision abilities include close and distance vision, as well as depth perception;
10. Travel independently to other County office buildings and to other locations throughout the County, the State of Illinois, and outside the State of Illinois, as needed, to perform assigned job duties.

### **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:

1. Mostly inside environmental conditions, except when outside traveling between various buildings/locations throughout the County, the State of Illinois, and outside the State of Illinois, as needed to perform assigned job duties.

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2. The noise level in the work environment is usually quiet to moderately quiet.
3. Employee may be exposed to stressful situations while working with others to perform assigned job duties.
4. Employee is required to provide their own transportation to travel to and from meetings, training, conferences, etc.
5. Employee must be able to perform all assigned job duties during normal business hours and outside of normal business hours, as needed.

**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**

\_\_\_\_\_  
**Date**

**cc: personnel file, employee**