

**KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE**

*Kendall County Office Building*

*Rooms 209 and 210*

*111 W. Fox Street, Yorkville, Illinois*

**6:30 p.m.**

**Meeting Minutes of July 10, 2023**

**CALL TO ORDER**

The meeting was called to order by Chairman Wormley at 6:31 p.m.

**ROLL CALL**

Committee Members Present: Dan Koukol, Ruben Rodriguez, and Seth Wormley

Committee Members Absent: Elizabeth Flowers and Brooke Shanley

Also Present: Matt Asselmeier (Director), Brian Holdiman (Code Compliance Official), Rob DeLong, and Jackie Kowalski

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Member Koukol made a motion, seconded by Member Rodriguez, to approve the minutes of the June 12, 2023, meeting. With a voice vote of three (3) ayes, the motion carried.

**PUBLIC COMMENT**

None

**EXPENDITURE REPORT**

The Committee reviewed the expenditure report from June 2023.

**PETITIONS**

None

**NEW BUSINESS**

Presentation by Brian Holdiman and Rob DeLong Regarding TransUnion TLOxp Program; Committee Could Vote to Ask that the State's Attorney's Office to Prepare an Intergovernmental Agreement with Oswego Township for Cost Sharing for the County's Use of the Program

Mr. Asselmeier noted that the Department must physically serve parties in violation of various ordinances.

Mr. DeLong explained that Oswego Township and the Planning, Building and Zoning Department can no longer obtain information from the Secretary of State through Freedom of Information Act requests. He explained how the system works.

Member Koukol asked what the County's cost would be. Mr. DeLong responded that the cost would be Fifty Dollars (\$50) per month. Oswego Township would pay the remaining Fifty-Five Dollars (\$55) per month.

Member Koukol asked why the Department cannot use the programs used by the Sheriff's

Department. Mr. Holdiman responded that the Department cannot use the Sheriff's Department's programs unless it is part of a criminal investigation.

Member Koukol made motion, seconded by Member Rodriguez, to request that the State's Attorney's Office prepare an Intergovernmental Agreement with Oswego Township for cost sharing for the County's use of the program.

Mr. DeLong only had one (1) trailer that did he could not obtain information.

A demonstration of the program occurred.

There will be separate logins. There is no maximum on the number of searches per month.

The program could be run onsite.

The votes were as follows:

Yeas (3): Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Shanley

The motion carried.

The State's Attorney's Office will be contacted.

After the agreement is drafted, the proposal will come back to the Planning, Building and Zoning Committee.

*Approval to Extend or Revoke Building Permit 01-2020-146 for a Single-Family Home at 7782 Tanglewood Trails*

Mr. Holdiman explained the issue. He noted that the property owner requested a six (6) month extension; he requested a shorter extension.

Member Koukol asked the cost of the permit. Mr. Holdiman responded One Thousand Nine Hundred Dollars (\$1,900).

Mr. Holdiman explained the inspection timeline. The owner was doing most the work. The home is the owner's residence.

The house is mostly sided.

The owner has been cooperative with the Department.

Chairman Wormley asked what the impact would be to revoke the permit. Mr. Holdiman responded that it would make the owner re-apply for the permit.

Member Rodriguez felt a three (3) month extension was appropriate. He was open to an additional extension if the owner was making progress.

Member Koukol made motion, seconded by Member Rodriguez, to extend the building permit at the subject property for three (3) months.

The votes were as follows:

Yeas (3): Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Shanley

The motion carried.

Discussion of Capital Projects

Updating the Land Resource Management Plan

Replacement of 2008 Ford Pickup

Historic Structure Survey

Other Projects

Mr. Asselmeier said the Department was working on preparing the initial budget property for the next fiscal year.

Mr. Asselmeier provided the price quote from Teska Associates to update the Land Resource Management Plan. He also provided the quote from the previous historic structure survey.

Mr. Asselmeier discussed replacing the 2008 Ford truck.

Mr. Asselmeier provided the previous quote that Wiss, Janney, Elstner Associates (WJE) provided for the structure survey in unincorporated Kendall and Bristol Townships. The Historic Preservation Commission would like to survey Na-Au-Say and Seward Townships. WJE was working on a price quote to survey Na-Au-Say and Seward Townships. He explained the financing of the structure surveys.

Mr. Asselmeier also requested that the Department explore purchasing a scanner, if the GIS Department planned to relocate the existing scanner.

Chairman Wormley asked where some of the other towns were in updating their plans. Mr. Asselmeier reported that Plainfield and Joliet were working on their plans. Shorewood and Minooka recently finished their plans. Yorkville and Plano were likely to work on their plans in the upcoming years. Chairman Wormley favored waiting until the municipalities completed their updates.

The consensus of the Committee was to wait one (1) year to do update the Land Resource Management Plan. Mr. Asselmeier noted the importance of finishing the project with the 2030 Census numbers in mind.

Member Rodriguez asked when the current Land Resource Management Plan was updated. Mr. Asselmeier said the main update occurred between 1994 and 2004 with minor updates in the following years.

Discussion occurred about obtaining an impounded vehicle. Discussion occurred regarding the type of vehicle needed. Mr. Holdiman drives the 2017 truck. Mr. Holdiman estimated Forty

Thousand to Forty-Five Thousand Dollars (\$40,000-\$45,000). The Department would research a price and type of vehicle. The consensus of the Committee was to have the Department insert the request in the capital budget.

Chairman Wormley requested an updated price quote from WJE and updated information grant availability. The ask would be contingent on grant funding. Discussion occurred regarding the current structure survey and the final objective to survey each township and to prepare a preservation plan.

Discussion occurred regarding the type of scanner and whether or not GIS will move the scanner. The consensus was to have Mr. Asselmeier ask GIS if they planned to move the scanner.

Discussion occurred regarding renovations to the County Office Building.

Chairman Wormley made motion, seconded by Member Koukol, to wait with updating the Land Resource Management Plan until Fiscal Year 2025-2026, research the price and type of vehicle for inclusion in the capital project request, provide the Committee an update on the cost for the structure survey in August, and to have Staff ask GIS if they plan to move the scanner with no request for the capital project unless GIS has plans to move the scanner.

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

*Approval of an Intergovernmental Agreement between the Village of Millbrook and the County of Kendall to Administer the County's Ordinances for Zoning, Building Code, Subdivision Control, Comprehensive Plan, and Stormwater Management within the Jurisdiction of the Village of Millbrook for a Term of One (1) Year in the Amount of \$1.00 Plus Associated Costs Paid by the Village of Millbrook to the County of Kendall*

Chairman Wormley summarized the request.

The agreement between the Village of Millbrook and Kendall County allowing the County to provide Planning, Building and Zoning Department related services expires in August.

No changes from the previous contract are proposed.

During the current agreement period, the County conducted zero (0) investigations in Millbrook and issued two (2) permits with eight (8) inspections.

The Village of Millbrook reviewed the proposal in June and offered no proposed changes.

A copy of the proposed Intergovernmental Agreement was provided.

Chairman Wormley made motion, seconded by Member Koukol, to recommend approval of the agreement.

The votes were as follows:

Yeas (3): Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (2): Flowers and Shanley

The motion carried.

The proposal goes to the County Board on July 18, 2023, on the consent agenda.

*Discussion of Host Agreement Between Kendall County and Milroy Farms, LLC Regarding the Composting Facility at 1270 E. Beecher Road (PIN: 02-08-100-006) in Bristol Township; Committee Could Vote to Refer the Proposal to the State's Attorney's Office*

Mr. Asselmeier summarized the issue.

On March 19, 2014, the Kendall County Board approved a special use permit and host agreement allowing the operation of composting facility at 1270 E. Beecher Road.

Per both the special use permit and host agreement, the owner of the subject property was required to submit an application for renewal by July 1, 2023. On June 30, 2023, the owner submitted an application for renewal of both documents.

The special use permit application will go through the review process in August 2023.

Staff has several proposed changes to the host agreement; the existing host agreement was provided.

1. In the first paragraph, the agreement will be between Kendall County and Milroy Farms, LLC. Green Organics, Inc. is no longer associated with the property.
2. In the first Whereas, the property will be thirty-nine point eight-seven (39.87) acres instead of fifty-eight (58) acres. The requested special use permit and host agreement only applies to the property outside of the city limits of Yorkville.
3. In the first Whereas, the only PIN# impacted is 02-08-100-006.
4. In the first Whereas, the reference to Bristol Ventures, LLC will be deleted.
5. A Whereas will be added after the fourth (4<sup>th</sup>) Whereas to incorporate the special use permit ordinance that was approved in 2014.
6. The fifth (5) Whereas will be adjusted to reflect the current application for special use permit.
7. In Article 1.4, the expiration date will be changed to December 1, 2033. The deadline to apply for renewal shall be changed to June 30, 2033.
8. In Article 5.1, the reference to Section 7.01.D.15 of the Kendall County Zoning Ordinance will be deleted and replaced with "the applicable sections of the Kendall County Zoning Ordinance pertaining to composting of landscape waste and food waste."
9. In Article 8.1, the Planning, Building and Zoning Department's Attention will be changed to the Director.
10. In Article 8.1, the "To the Company" information will be changed from Green Organics, Inc. to Milroy Farms, LLC, Attention Jeff Milroy. The address will also be updated.
11. Attachment A will be updated to reflect the correct Legal Description.

12. Attachment B should be updated to reflect a new fee schedule. Staff proposed the fee to be Ninety Cents (\$0.90) upon the effective date of the new special use permit ordinance, Ninety-Five Cents (\$0.95) on December 1, 2026, and One Dollar (\$1.00) on December 1, 2029.

The previous host fee schedules were as follows:

2000-\$0.60

September 1, 2003 - \$0.65

September 1, 2006 - \$0.70

March 19, 2014 - \$0.75

December 1, 2016 - \$0.80

December 1, 2019 - \$0.85

The Kendall County Health Department collects the host fees. Fees for recent years were as follows:

2018 – \$28,583.47

2019 – \$31,429.00

2020 – \$27,138.83

2021 – \$789.21

2022 – \$1.79

If the Committee approves the above changes and/or any additional changes, Staff will prepare a redlined version of the agreement.

Staff requested that the redlined agreement be forwarded to the State's Attorney's Office for review.

Member Koukol asked why the dollar amounts dropped so much. He also wanted to know how much was hauled into the facility, how much was hauled out of the facility, how much composting materials were onsite, and what types of materials were ground at the property.

The consensus of the Committee was to obtain answers to Mr. Koukol's questions before requesting review from the State's Attorney's Office.

The plan is to have the special use permit and final host agreement go the Planning, Building and Zoning Committee and County Board at the same time.

### **OLD BUSINESS**

None

### **REVIEW VIOLATION REPORT**

The Committee reviewed the report.

### **REVIEW PRE-VIOLATION REPORT**

The Committee reviewed the report.

### **UPDATE FOR HISTORIC PRESERVATION COMMISSION**

Mr. Asselmeier reported that the Historic Preservation Commission will have its summer meeting of historic preservation organizations on July 17, 2023, at 6:00 p.m., at the Harris Forest Preserve. Ken Itle will discuss the historic structure survey of unincorporated Kendall and Bristol Townships.

### **REVIEW PERMIT REPORT**

The Committee reviewed the report.

### **REVIEW REVENUE REPORT**

The Committee reviewed the report.

### **CORRESPONDENCE**

Mr. Asselmeier reported that the Corps of Engineers was transferring Kendall County back to the Chicago District from the Rock Island District effective August 1, 2023.

Mr. Holdiman reported that he is working with GIS to create a violation dashboard.

### **COMMENTS FROM THE PRESS**

None

### **EXECUTIVE SESSION**

None

### **ADJOURNMENT**

Chairman Wormley made a motion, seconded by Member Koukol, to adjourn. With a voice vote of three (3) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 7:25 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM, Director