KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 & 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of July 8, 2013

CALL TO ORDER
The meeting was called to order by Chairman Scott Gryder at 6:30 p.m.

ROLL CALL
Present: Chairman Scott Gryder, Amy Cesich, Lynn Cullick, Vice-Chair Judy Gilmour and Jeff Wehrli
Absent: None
Also present: Senior Planner Angela Zubko and Interim PBZ Director Jeff Wilkins

APPROVAL OF AGENDA
Lynn Cullick made a motion to approve the agenda as written, Amy Cesich seconded the motion. All agreed and the motion was approved.

APPROVAL OF MINUTES
Jeff Wehrli made a motion to approve the minutes from June 10, 2013. Lynn Cullick seconded the motion. All agreed and the minutes were approved.

EXPENDITURE REPORT (handed out at meeting)
Jeff Wehrli made a motion to approve the expenditure report in the amount of $15,023.08 and forward it onto the Finance Committee, Lynn Cullick seconded the motion. All agreed and the motion was approved.

CITIZENS TO BE HEARD
There were no citizens to be heard at this time

PETITIONS
#13-11 Any text related to guns or target practice
Planner Zubko stated this is any text related to guns or target practice and this came about after the Kendall County Sheriff’s office shooting range and at that time staff discovered some items that should have been changed. This text amendment was also crafted with the Sheriff’s office. Planner Zubko went through the memo. For indoor target practice we had no conditions so wanted to add 6 conditions. For outdoor target practice in the A-1 and M-3 district as a special use have 18 conditions. Modified d to say State, nationally standard or NRA Certified. We added signs as another mean to know firing is taking place. L is now more specific and added the word projectiles. Also we changed the wording a little for outdoor commercial sporting activity, deleted indoor and outdoor target practice as that was combined. Re-word the Kendall County government agency and other law enforcement shooting range with conditions to be set and approved by the County Board and also re-worded the language for private clubs or lodges a little to not include indoor or outdoor gun clubs.

Planner Zubko will check with the Sheriff’s office if there is a nationally standard range supervisor. Ms. Gilmour asked about the NRA certified standards and how it originally was taken out but put back in. Planner Zubko stated after some discussion from other committee we put it back in to say that’s an acceptable form of
supervisor since most people are NRA certified. Mr. Wehrli asked about outdoor sporting activities and if people are shooting privately if that permitted. Planner Zubko stated private shooting is permitted by law and assumes the only people that will call to ask about this special use would be people opening an outdoor target practice for commercial purposes or a non-profit. Planner Zubko will make it more clear with regards to outdoor target practice vs. private shooting and clean up the wording for outdoor commercial sporting activities.

With no further suggestions or changes Jeff Wehrli made a motion to approve petition 13-11, seconded by Lynn Cullick to approve and forward the petition onto the next COW and County Board meeting. All were in favor.

**#13-15 Subdivision Control Ordinance**
Planner Zubko stated this text amendment is to the Subdivision Control ordinance to correct an error discovered. We’re just changing the wording Plat and Zoning Committee to the PBZ Committee and the decision of a variation/exception is by the Plat Officer and not the Code Hearing Officer.

With no further suggestions or changes Lynn Cullick made a motion to approve petition 13-15, seconded by Amy Cesich to approve and forward the petition onto the next County Board meeting. All were in favor.

**#12-03 Land Cash Ordinance**
Planner Zubko stated nothing changed since the PBZ Committee except there was 1 thing the Plan Commission and Zoning Board of Appeals wanted to discuss. There’s a separate memo to discuss page 15 under #8 Reservation of Additional Land. A member from the Plan Commission did not like the wording and requested to delete the language altogether as she felt it was too much government since the land had to be set aside for a year. The rest of the Commission would like to change it to something like six months of first contact with the governing bodies of a concept, preliminary or finals plat so therefore the petitioner will know way ahead of time whether land needs to be set aside or not. 1 year from approval of the final plat is too late in the process for the petitioner. The consensus at the Zoning Board of Appeals was they liked the 6 months from proof of initial contact instead of the 1 year from the approval of the final plat.

The PBZ Committee discussed this section can be read 2 different ways. There was talk about before final plat approval instead of 1 year after final plat approval. Also there was discussion about 1 year instead of 6 months from proof of initial contact. The consensus was at final plat unless an exception is requested jointly. Planner Zubko will fix the language and bring it up at the COW committee.

With no further suggestions or changes Lynn Cullick made a motion to approve petition 12-03, seconded by Jeff Wehrli to approve and forward the petition onto the next COW meeting. All were in favor.

**OLD BUSINESS**
Bid Results for the Fields of Farm Colony bid- Planner Zubko stated that she handed out the bid tabulation and the apparent low bidder is Wilkinson Excavating. She will contact all the bidders to let them know it’s not official until approved by the County Board but will supply the bid tabulation list to them. We had a total of 5 bids.

**NEW BUSINESS**
Discussion on Letter from the Illinois Housing Development Authority- Ms. Cullick thought we might want to discuss this a little since this part of the comment period. Mr. Wilkins explained where this came about and
stated it is in the Village of Oswego. Mr. Gryder stated for the County he said this could impact Orchard Road. Ms. Gilmour asked if a public hearing has been held. No one was quite sure and also no one was sure why the County received this money. The Committee decided there is no need to write a comment letter.

**Noise Ordinance Discussion**- Mr. Wilkins stated he made the comment at Judicial Legislative Committee about giving an exemption would be rare. Also Mr. Wilkins stated the SAO stated if everyone wanted to take this section out they would be fine with eliminating the temporary permit (Article VII). Planner Zubko wanted to preface this by saying Mr. Wilkins has not seen the memo from the PBZ Committee but wanted to let everyone know their concerns. There was discussion about the exemptions and how to interpret that. There was discussion the number per year. Mr. Wilkins said he’d like to see section VII go away and the officer has her/her judgment for events. Some of the PBZ Committee would like to take out the section for temporary noise permits. There was discussion about construction times and if we should keep that in as an exemption. The PBZ Committee would like to make a recommendation to eliminate Section VII. Lynn Cullick made a motion seconded by Jeff Wehrli. With a roll call vote there were 3 yes’ and 2 no’s. Ms. Cesich and Ms. Gilmour voted no and thinks the section needs to be reworked. Mr. Gryder made a motion to remove article VI.C. regarding maintenance, Lynn Cullick seconded the motion. With a roll vote, all were in favor to eliminate that language.

**Intergovernmental Agreement discussion for the Village of Lisbon**- Planner Zubko stated as some of the Committee may or may not know the County provides staff time for applications and performs inspections for Millbrook and Plattsville and the Village of Lisbon is wondering if the County will also possibly help them out as well. Planner Zubko stated a copy of the intergovernmental agreement with the others is in the packet. Planner Zubko is not completely certain but thinks at the time these agreements started the Village of Lisbon wanted more strict rules so went out on their own. Currently no one is enforcing the rules so they are requesting help from the County. This the beginning stages of discussion but before talking to their board about this and the pros and cons wanted to see what the County thought of it. Mr. Wehrli asked about the sanitary site and the zoning, engineering and staff time. The consensus of the Committee is they’re open for discussion but there are concerns.

**PUBLIC COMMENT** – None

**UPDATE ON HISTORIC PRESERVATION**- There will be a meeting on Wednesday July 17th and the group will start getting ready for the fair in August. We are working with other Historic Preservation Commissions from the municipalities to help volunteer and man the booth.

**PROJECT STATUS REPORT**– Reviewed
**PERMIT REPORT**– Reviewed
**REVENUE REPORT**– Reviewed
**CORRESPONDENCE** – None
**EXECUTIVE SESSION** - None

Ms. Gilmour had some question about inquiries about junk cars on the property and wondering if there is anything the County can do about. Planner Zubko stated that it’s only considered a junk car if it cannot run. Unfortunately it does not need to be registered or insured. Ms. Gilmour will give Planner Zubko the address after the meeting.
Mr. Wehrli wanted to bring up noise again and stated we talked about the occupant getting the ticket instead of holding the owner of the property responsible. He would like the property owner to be notified of the violations and if they re-occur. It would be a service to the owner if they were notified of any noise ordinance violations, or possibly after multiple violations. He just wanted to mention one more thing to possibly discuss at the Committee of the Whole meeting.

ADJOURNMENT- Next meeting will be on August 12, 2013
Jeff Wehrli made a motion to adjourn the meeting. Amy Cesich seconded the motion. All agreed. Chairman Gryder adjourned the meeting at 8:02 p.m.

Respectfully Submitted,
Angela L. Zubko
Senior Planner