

**COUNTY OF KENDALL, ILLINOIS  
COMMITTEE OF THE WHOLE  
Thursday, July 11, 2019**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE** - The meeting was called to order at 4:00p.m. by County Board Chair Scott Gryder, who led the Pledge of Allegiance to the American Flag.

**ROLL CALL**

<b>Attendee</b>	<b>Status</b>	<b>Arrived</b>	<b>Left Meeting</b>
Amy Cesich		4:09p.m.	6:15p.m.
Elizabeth Flowers	<b>ABSENT</b>		
Scott Gengler	Here		
Tony Giles	<b>ABSENT</b>		
Judy Gilmour	Here		6:19p.m.
Scott Gryder	Here		
Audra Hendrix	Here		
Matt Kellogg	Yes		
Matthew Prochaska	<b>ABSENT</b>		
Robyn Vickers	Here		

Others present: Matt Asselmeier, Assistant State’s Attorney Leslie Johnson, Scott Koeppel

**APPROVAL OF AGENDA** – Motion made by Member Gilmour to approve the agenda with moving Public Comment before the New Business section, second by Member Hendrix. **With six member’s present voting aye, the motion to approve the agenda carried by a vote of 6-0.**

**OLD BUSINESS** - None

**PUBLIC COMMENT** – Kristen Friestad thanked committee members for the changes that have already been made, and voiced her concerns regarding the proposed Petition 18-04, specifically about protecting good rock, good soil and good water.

Scott Wallin asked the committee to vote no for proposed Petition 18-04 and voiced his concerns to deterioration to landscape, semi-truck traffic, and affects on soil and ag land.

Kurt Buhle distributed his concerns about the proposed Petition 19-12, and the increased traffic on Crimmins Road, the noise, alcohol use on the property, and land values because of the venue events.

Jeff Spang, Fox Township Supervisor, explained that there had been a number of changes since they had agreements or understandings, specifically the elimination of the door closure issue from the Special Use requirement, increased noise concerns, the numbers of events allowed per year from 30 to 60, and the use of alcohol on the property since Fox

Township is a dry Township, and prohibits the sale of alcohol at the venue. Mr. Spang informed the committee of past and future events that are advertising the sale of alcohol. Mr. Spang stated that Fox Township no longer supports the Special Use Permit now that changes have been made to it.

## NEW BUSINESS

*From the Planning, Building & Zoning Committee:*

- *Discussion of Petition 18-04 Request from the Kendall County Regional Planning Commission for Amendments to the Land Resource Management Plan for Properties Located Near Route 47 in Lisbon Township – Matt Asselmeier briefed the committee on the proposed amendments, reviewed the plan, the maps, the purpose of each parcel, the benefit for Fox and Lisbon Townships, and a call from Vulcan Mining Company regarding two parcels that they state were annexed into the Village of Lisbon in 2008, but have only an unsigned annexation agreement as proof. Vulcan will continue to research their allegation, and search the records for a signed agreement. Member Hendrix made a motion to send the item back to the Planning, Building and Zoning Committee for further discussion and review, second by Member Vickers.*

**Roll Call:** Amy Cesich – yes, Scott Gengler – yes, Judy Gilmour – yes, Scott Gryder – yes, Audra Hendrix – yes, Matt Kellogg – yes, Robyn Vickers – yes. **With seven members in agreement, the motion carried.**

- *Discussion of Petition 19-12-Request from Robert Bright on Behalf of Madison Trust and Castle Bank N A and JoAnn Bright-Theis for a Special Use Permit for a Banquet Center at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008) in Fox Township; Property is Zoned A-1 – Mr. Asselmeier stated that ZPAC reviewed the request and recommended approval with conditions, with Member Guritz voting present. The Kendall County Regional Planning Commission recommended approval with conditions, with five members present and four members absent, The Zoning Board of Appeals approval on a vote on 4-1 with Member Clementi voting no with concerns about safety on Crimmin Road and some of the conditions proposed concerning noise. The PBZ Committee recommended approval with conditions, by a 4-1 vote. Matt Kellogg and Matt Asselmeier reviewed some of the changes made by the Planning, Building and Zoning Committee at their July 8, 2019 meeting. **The committee asked ASA Johnson about the serving and sale of alcohol in a dry township, and asked her to research the issues.***

Jeff Spang reported that Fox Township had located the original records, and showed the original record event in the 1939 handwritten by the clerk, the wording of the referendum, to the Zoning Board of Appeals committee. Mr. Spang will take a photo of the ledger book, and will forward it on to

Mr. Asselmeier for distribution to Board members. Further discussion on serving alcohol by renters of the venue, the sale of alcohol by the venue, and what would be considered a violation.

Adam Theis of Brighter Days Farm explained his understanding of the laws concerning the serving of alcohol in Fox Township, discussions at the Fox Township meetings, and the venues providing space for a licensed caterer to serve alcohol to guests at their venue. Member Hendrix stated this would be a violation since Fox Township had codified it. Mr. Theis explained that he wasn't aware that the township had codified it a few days ago. Mr. Spang stated that the venue does not have the Special Use permit at this time, and they are operating outside of their Ag-1 zoning.

Discussion on the land sold to the Kendall County Forest Preserve District years ago, and their holding equestrian events inside the Forest Preserve without a permit. Member Gilmour stated there are no authorized horse trails in that preserve. Member Gilmour also expressed concerns about increased traffic on Crimmins Road, and the potential use of alcohol at events.

Member Gilmour made a motion to send the item back to the Planning, Building and Zoning Committee, second by Member Hendrix.

**Roll Call:** Member Cesich – yes, Member Kellogg – yes, Member Vickers – yes, Member Hendrix – yes, Member Gengler – yes, Member Gilmour – yes, Member Gryder – yes. **With seven members voting aye, the motion carried.**

JoAnn Bright-Theis informed the committee that when they sold the property to the KC Forest Preserve District, that they had an understanding with former Forest Preserve District Director Jason Petit, that they could continue to use the trails in the Forest Preserve after the sale. Ms. Bright-Theis did not have knowledge of a written agreement stating this continued use.

#### **QUESTIONS FROM THE MEDIA – None**

**REVIEW BOARD ACTION ITEMS FOR July 16, 2019** – Chair Gryder asked the committee to review the draft County Board agenda. Members requested that items G be removed from the Consent agenda and placed under the Planning, Building and Zoning Committee; item H be removed from the Consent agenda and sent back to the Planning, Building and Zoning Committee; and that item I be removed from the Consent agenda and placed under the Highway Committee.

The committee also removed the Administration HR Committee, the Facilities Management Committee, and the Health & Environment Committee from the Standing

Committee Reports section, and the Juvenile Justice Council, UCCI and Board of Health reports from the Special Committee Reports section.

**ITEMS FOR THE JULY COMMITTEE OF THE WHOLE MEETING - None**

**CHAIRMAN'S REPORT – None**

**EXECUTIVE SESSION** – Member Gryder made a motion to enter into Executive Session for the purpose of the collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees (5ILCS 120/2 2), second by Member Hendrix.

**ROLL CALL:** Amy Cesich – yes, Matt Kellogg – yes, Robyn Vickers – yes, Audra Hendrix – yes, Scott Gengler – yes, Judy Gilmour – yes, Scott Gryder – yes

**With seven members present voting aye, the committee entered into Executive Session at 5:02p.m.**

**ADJOURNMENT** – Member Cesich left the meeting at 6:15p.m. and Member Gilmour left the meeting at 6:19p.m. **Therefore, with only five members in attendance, the meeting was ended for lack of quorum to conduct business at 6:20p.m.**

Respectfully Submitted,

Valarie McClain  
Administrative Assistant and Recording Secretary