



**Meeting Held Electronically**

**NORTH AURORA VILLAGE BOARD MEETING  
MONDAY, JUNE 7, 2021 - 7:00 P.M.  
NORTH AURORA VILLAGE HALL - 25 E. STATE ST.**

**AGENDA**

Due to the current COVID-19 pandemic, Village Board meetings are being conducted live remotely via telecommunications to help prevent the spread of COVID-19 and also now with limited attendance at Village Hall. Given the limited seating and for best safety practices, the public is encouraged to attend the board meeting remotely via telecommunications using Zoom. The public can access the meeting remotely as follows:

**Website Address:** <https://us02web.zoom.us/j/88642662016>

**Meeting ID:** 886 4266 2016

**Dial In:** +1 312 626 6799

This procedure is being followed pursuant to the Illinois Open Meetings Act (5 ILCS 120/2.01 et seq.) as amended by Public Act 101-0640.

**Please be advised seating for the public is limited to 15 people in the Board Room. Face masks will be required if you have not been vaccinated.**

**CALL TO ORDER - SILENT PRAYER - MEDITATION - PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PUBLIC HEARING**

Forest Ridge Townhome Development Annexation Agreement

**AUDIENCE COMMENTS**

**CONSENT AGENDA**

1. Village Board Minutes dated 05/17/2021 and Committee of the Whole Minutes dated 05/17/2021
2. Interim Bills List Dated 05/26/2021 in the Amount of **\$246,015.60**
3. Bills List Dated FY 2021 06/07/2021 in the Amount of **\$54,588.56**
4. Bills List Dated FY 2022 06/07/2021 in the Amount of **\$19,424.86**

5. Approval of Executive Session Minutes Dated 12/21/2020, 01/18/2021, 02/15/2021, and 04/19/2021
6. Approval of Resolution for the Closure of State Street for the July 3 Fireworks Celebration

## **NEW BUSINESS**

1. Approval of Engineering Agreement with WBK Engineering for the Tanner Trails Conveyance Study in the Amount of \$89,430
2. Approval to Award Bid for the DCEO IL 31 Sidewalk Installation Project to Geneva Construction Company in the Amount of \$52,451.80
3. Approval to Purchase a New Ford Explorer for the Public Works Department in the Amount of \$29,304
4. Approval to Waive Bids to Perform Well #5 Rehabilitation and Maintenance and Well Site Improvements and Award Contract to Layne Christensen Company in the Estimate Amount of \$240,000.00 and Not to Exceed \$300,000.00
5. Approval of Ordinance Authorizing the Execution of an Annexation Agreement for the Development Known as Forest Ridge Townhome Development
6. Approval of Ordinance Annexing Certain Territory to the Village of North Aurora, Illinois to be Known as the Forest Ridge Townhome Development
7. Approval of Ordinance Zoning 9.05 Acres of Property Situated at 38w229 Oak Street North Aurora, Illinois, to the R-3 General Residence Zoning District
8. Approval of Ordinance Granting a Special Use for an R-3 General Residence Zoning District Planned Unit Development on Property located at 38w229 Oak Street North Aurora, Illinois to be Known as the Forest Ridge Townhome Development
9. Approval of Special Event Permit for My Place Hotel
10. Approval of Special Event Permit for Wedding Reception on Village-Owned Property
11. Approval of a Special Event Permit for North Aurora River District Alliance (NOARDA) Summer Concerts/Movies in the Park
12. Approval of a Resolution Designating the North Aurora River District Alliance's Rhythm On The Riverfront Summer Concert/Movie Series a Village Sponsored Event and Allowing The Consumption Of Liquor In North Aurora Riverfront Park


## **VILLAGE PRESIDENT**

## **TRUSTEE COMMENTS**

## **ADMINISTRATOR'S REPORT**

## **VILLAGE DEPARTMENT REPORTS**

## **ADJOURN**

Initials: 

**NORTH AURORA VILLAGE BOARD MEETING  
VILLAGE BOARD MEETING MINUTES  
Monday, May 17, 2021**

Due to the COVID-19 pandemic, the Village Board meeting was conducted live remotely via telecommunications.

**CALL TO ORDER**

Mayor Gaffino called the meeting to order.

**SILENT PRAYER - MEDITATION – PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**In attendance:** Mayor Mark Gaffino, Trustee Laura Curtis, Trustee Mike Lowery, Trustee Mark Guethle, Trustee Mark Carroll, Trustee Todd Niedzwiedz, Trustee Carolyn Salazar

**Staff in attendance:** Village Administrator Steve Bosco, Finance Director Bill Hannah, Community & Economic Development Director Mike Toth, Village Attorney Kevin Drendel, Public Works Director John Laskowski, Police Chief Dave Fisher.

**PROCLAMATION**- National Boat Safety Week

Mayor Gaffino read the proclamation for National Boat Safety Week which highlights safety measures and responsibility for watercrafts.

**AUDIENCE COMMENTS** –

**CONSENT AGENDA**

1. Village Board Minutes dated 05/03/2021 and Committee of the Whole minutes dated 05/03/2021
2. Bills List Dated 05/17/2021 in the amount of \$300,347.39
3. Approval of Special Events Permit for the Fox Valley Park District
4. Approval of Intergovernmental Agreement with the Fox Valley Park District for Independence Day Fireworks Celebration on Fox Valley Park District Property
5. Approval of Special Events Permit for Independence Day Celebration Fireworks at North Aurora Riverfront Park
6. Approval of Resolution Designating the North Aurora Independence Day Fireworks Celebration a Village Sponsored event and Allowing the Consumption of Liquor in North Aurora Riverfront Park

Motion for approval made by Trustee Guethle and seconded by Trustee Carroll. **Roll Call Vote:** Trustee Guethle – yes, Trustee Lowery –yes, Trustee Niedzwiedz – yes, Trustee Salazar – yes, Trustee Curtis – yes, Trustee Carroll – yes. **Motion approved (6-0).**

**NEW BUSINESS**

1. **Approval to Award Contract for 2021 Road Program to Geneva Construction Company in the Amount of \$1,550,783.92**

Director Laskowski explained that the roads that will be repaired this year are located in Pine Creek. Of the three contract bids, the staff recommends to award the contract to Geneva Construction Company,

which has completed projects for the Village in the past. The funding for this project is from the Motor Fuel Tax and the Capital Fund.

Motion for approval made by Trustee Guethle and seconded by Trustee Carroll. **Roll Call Vote:** Trustee Carroll – yes, Trustee Guethle –yes, Trustee Lowery – yes, Trustee Niedzwiedz – yes, Trustee Salazar – yes, Trustee Curtis – yes. **Motion approved (6-0).**

**2. Approval to Award Contract for Orchard Gateway Streetlight and Pole Replacement Project to Utility Dynamics in the Amount of \$149,230.00**

Director Laskowski reminded the Board of previous discussion of the replacement of the light poles and fixtures on Orchard Gateway and Hansen Boulevard. Staff recommended to replace the light fixtures and bulbs along Hansen Boulevard, leaving the existing poles to be reevaluated in the next three to seven years. Director Laskowski stated that the poles on Orchard Gateway will need to be replaced, staff recommended that they be replaced with aluminum poles. He also stated that Utility Dynamics came in as the lowest bid.

Director Laskowski stated that ComEd is offering an incentive for replacing the traditional bulbs with LED resulting in an approximate \$37,000 rebate.

Trustee Guethle stated that he approved of the aluminum poles and made a motion for approval.

Motion for approval made by Trustee Guethle and seconded by Trustee Niedzwiedz. **Roll Call Vote:** Trustee Guethle – yes, Trustee Curtis –yes, Trustee Carroll – yes, Trustee Lowery – yes, Trustee Niedzwiedz – yes, Trustee Salazar – yes. **Motion approved (6-0).**

**3. Approval to Purchase 2022 International HV607 Plow and Dump Truck from Monroe Truck Equipment/Rush Truck Center in the Amount of \$168,444.00**

Director Laskowski made a request to purchase a Plow and Dump Truck, the fleet currently consists of eight vehicles, of which one is consistently in need of repair.

Because of the current high cost of production as well as production delays, the staff is recommending the purchase of an International truck rather than a Freight Liner.

Mayor Gaffino asked if going forward Public Works will return to purchasing Freight Liner vehicles, to which Director Laskowski stated that he would leave that decisions to the mechanics however he does not have a preference and would likely choose the most affordable option.

Motion for approval made by Trustee Guethle and seconded by Trustee Niedzwiedz. **Roll Call Vote:** Trustee Niedzwiedz – yes, Trustee Salazar –yes, Trustee Curtis – yes, Trustee Carroll – yes, Trustee Guethle – yes, Trustee Lowery – yes. **Motion approved (6-0).**

**4. Approval of Resolution to Authorize Application for Kane County Community Development Funds and Execution of all Necessary Documents**

Director Laskowski stated that Village staff have identified a grant opportunity through the Kane County Community Development Block Grant program. Public Works have identified three streets with deteriorating water mains and possibly lead services. Approval was needed from the Board for to apply for the grant funding.

Motion for approval made by Trustee Curtis and seconded by Trustee Salazar. **Roll Call Vote:** Trustee Carroll – yes, Trustee Guethle –yes, Trustee Lowery – yes, Trustee Niedzwiedz – yes, Trustee Salazar – yes, Trustee Curtis – yes. **Motion approved (6-0).**



**5. Approval of Public Works Facility Expansion Civil Engineering Agreement with WBK Engineering, LLC in the Amount of \$91,945.00**

Director Laskowski explained that this Agreement would be the first step in the execution of the Public Works Facility Expansion design. He recommended that the Village award the contract to WBK Engineering, LLC whom the Village has previously worked with.

Motion for approval made by Trustee Lowery and seconded by Trustee Guethle. **Roll Call Vote:** Trustee Lowery – yes, Trustee Niedzwiedz –yes, Trustee Curtis – yes, Trustee Salazar – yes, Trustee Curtis – yes, Trustee Guethle – yes. **Motion approved (6-0).**

**6. Approval of Ordinance Approving a Special Use for Expansion of a Motor Vehicle Sales and/or Service Establishment and Site Plan In The B-2 General Commercial District for the Property Located At 209 Hansen Boulevard, Gerald Hyundai**

Director Toth reminded the Board that this expansion has been before them at the Committee of the Whole meeting dated April 19, 2021 and received unanimous recommendation for approval at the May 4, 2021 Plan Commission Public Hearing.

Motion for approval made by Trustee Guethle and seconded by Trustee Salazar. **Roll Call Vote:** Trustee Salazar – yes, Trustee Curtis –yes, Trustee Carroll – yes, Trustee Guethle – yes, Trustee Lowery – yes, Trustee Niedzwiedz – yes. **Motion approved (6-0).**

**7. Approval of Resolution Transferring the Library Capital Asset to the Messenger Public Library**

Director Hannah explained in 2001 there was a successful referendum to build a new library. The Village issued \$5.9 million in bonds to fund the construction of the library, the bonds were paid off as of January 1, 2021. Director Hannah stated that it is now time to transfer the Library Capital Asset formally to the Messenger Public Library. Per the Village's auditors, it is best practice to complete the transaction in this manner.

Motion for approval made by Trustee Carroll and seconded by Trustee Niedzwiedz. **Roll Call Vote:** Trustee Curtis – yes, Trustee Carroll –yes, Trustee Guethle – yes, Trustee Lowery – yes, Trustee Niedzwiedz – yes, Trustee Salazar – yes. **Motion approved (6-0).**

**8. Approval of Resolution 02-2021 for Appropriations and Budget Resolution for Messenger Public Library of North Aurora**

Motion for approval made by Trustee Salazar and seconded by Trustee Lowery. **Roll Call Vote:** Trustee Salazar – yes, Trustee Lowery –yes, Trustee Niedzwiedz – yes, Trustee Guethle – yes, Trustee Carroll – yes, Trustee Curtis – yes. **Motion approved (6-0).**

**9. Approval of an Employment Agreement for the Village Administrator**

Motion for approval made by Trustee Lowery and seconded by Trustee Guethle. **Roll Call Vote:** Trustee Curtis – yes, Trustee Carroll –yes, Trustee Guethle – yes, Trustee Lowery – yes, Trustee Niedzwiedz – yes, Trustee Salazar – yes. **Motion approved (6-0).**

### **VILLAGE PRESIDENT –**

#### **1. Appointment of Scott Branson to the Plan Commission-**

Mayor Gaffino suggested the appointment of Scott Branson to the Plan commission. There are currently three openings, Mr. Branson expressed interest in one of the positions.

Trustee Guethle stated that he believes that Mr. Branson would be a good appointment.

There was discussion in regard to the various openings on the Boards of the Plan Commission, North Aurora Days and the North Aurora River District Alliance. Mayor Gaffino stated that he is planning on reaching out to residents to help fill the openings.

All in favor. **Motion Passes.**

### **TRUSTEES COMMENTS – None**

### **ADMINISTRATOR'S REPORT –**

Administrator Bosco expressed gratitude for the renewal of his contract.

Administrator Bosco stated that the Village is currently in the middle of the waste company transition.

He stated that the Village will not fine residents for excess toters outside their home during the transition.

Administrator Bosco spoke about the Village's exchange program for residents' unused garbage stickers.

The current Waste Management stickers will be honored by Groot for the first four collections after transition.

Discussion was had in regard to the specifics of the cost of stickers versus totter rentals.

### **VILLAGE DEPARTMENT REPORTS**

1. **Finance** – None
2. **Community Development** – None
3. **Police** – None
4. **Public Works** – None

### **EXECUTIVE SESSION – None**

### **ADJOURNMENT**

Motion to adjourn was made by Trustee Guethle and seconded by Trustee Curtis. All in favor. **Motion approved.**

Respectfully Submitted,

Jessi Watkins  
Village Clerk

**VILLAGE OF NORTH AURORA  
COMMITTEE OF THE WHOLE MEETING MINUTES  
Monday, May 17, 2021**

Due to the COVID-19 pandemic, the Village Board meeting was conducted live remotely via telecommunications.

**CALL TO ORDER**

Mayor Gaffino called the meeting to order.

**ROLL CALL**

**In attendance:** Mayor Mark Gaffino, Trustee Laura Curtis, Trustee Mike Lowery, Trustee Mark Guethle, Trustee Mark Carroll, Trustee Todd Niedzwiedz, Trustee Carolyn Salazar

**Staff in attendance:** Village Administrator Steve Bosco, Finance Director Bill Hannah, Community & Economic Development Director Mike Toth, Village Attorney Kevin Drendel, Public Works Director John Laskowski, Police Chief Dave Fisher.

**AUDIENCE COMMENTS** – None

**TRUSTEE COMMENTS** - None

**DISCUSSION**

**1. Opus TIF Incentive Request**

Administrator Bosco stated that Opus had come before the Board with a conceptual TIF Incentive Request for the I-88 Corporate Park project. The request was not the final iteration, however in order to accommodate the project as well as the TIF Redistricting timelines, the request was being brought before the Board in order to initiate the discussion and determine if the Board would be interested in working with the request. Opus representative Josh Bauer was introduced.

Mr. Bauer reminded the Board that the project is slated to be a two phased, three building industrial project that includes the redevelopment of the 60 acre Valley Green Golf Course and a seven acre vacant tract of land owned by Euclid Beverage. The property has significant development challenges which include:

- Geotechnical issues with moisture content and soil bearing capacity
- Topographical challenges
- Excess to soil with contamination
- Challenging access

Mr. Bauer explained that the project is a joint venture between Opus Development Company, LLC and Principal Real Estate Investors. Principal Real Estate Investors has conditioned their agreement to partner with Opus on this project on the ability to obtain \$3,931,420 in TIF payback, which includes \$3,798,473 in pre-interest reimbursement and \$132,947 in interest, 3.5% interest for the first year.

Mr. Bauer stated that Opus is requesting only the funding needed as opposed to all of the TIF eligible expenses. He explained that it is structured as a pay as you go basis, the payback is earned only if the increment is generated.

The funding requested would be specifically for the development and construction of Building “B” of the three buildings.

Trustee Curtis asked what the interest payment is for. Mr. Bauer explained that because the initial expenses will be developer funded, the interest is to cover risk and loss of earnings while the funds will not be traditionally invested and earning interest.

Trustee Guethle asked what the total cost of the project would be. Mr. Bauer explained that the project is upwards of \$50,000,000. Trustee Guethle offered his support of the TIF Incentive.

Community & Economic Development Director Mike Toth explained that this type of Incentive is not unheard of. He went on to explain the challenges that the Village has encountered in the past with previous requests for development of the property. He stated that Opus’ request is on the lower end among previous requests for developing that parcel. Mr. Toth spoke about the payback schedule options, ten year/75% or nine year/90% of Increment earned.

Trustee Carroll asked if Opus could return with a request of more funding for other building in the project. Mr. Toth explained that they could return however the request would be subject to separate analysis.

Trustee Guethle expressed that he believes that Opus has been a good neighbor to North Aurora and he finds the TIF request acceptable.

Trustee Curtis asked how much funds were in the TIF fund currently, to which Finance Director Hannah stated approximately \$1.4 million.

Trustee Curtis asked when and how much the first draw would be for repayment. Director Toth stated that repayment would begin after building completion and assessment.

Trustee Carroll stated that he is in agreement with a ten year/75% repayment plan.

Trustee Niedzwiedz asked where the Village stands with the Unified TIF District process. Director Toth explained that the next step would be the General Review Board meeting to be held later in the week, he anticipates it going before the Village Board July 19, 2021.

Trustee Salazar asked for clarification on the requested amount, whether it only applied to the land on which Building “B” will be constructed. Mr. Bauer confirmed that yes, the request applies to Building “B” as Building “A” does not have environmental contamination.

Trustee Salazar stated that she was in favor of funding.

Trustee Lowery stated that the future revenue for the Village was attractive and expressed that he was in favor of funding.

Mayor Gaffino expressed he was in favor of funding.

## **2. Forest Ridge Townhomes Draft Annexation/Ordinance Agreement**

Administrator Bosco reminded the Board that the proposed townhome subdivision, just west of Windstone subdivision was granted Plan Commission approval in September of 2020 and appeared before the Committee of the Whole in January 2021 where the Board recommended moving forward with the project.

Director Toth explained that the Annexation Agreement is a contractual agreement with the Village that sets forth framework for the development of the property with code based provisions as well as timelines, fees and so forth.

Director Toth stated that due to the length and depth of the written agreement, it was before the Board for any questions or comments of which there were none.

### **3. Aurora Area Convention & Visitor Bureau**

Administrator Bosco explained that during the March 15<sup>th</sup>, 2021 Committee of the Whole meeting a discussion had arisen in regard to the Aurora Area Convention & Visitor Bureau and the Illinois Hotel Operators' Occupation Tax and how that is allocated. The State allows for a municipality to collect between 0%-5% in gross tax rental receipts with the caveat being the taxes collected must be allocated to promotion of tourism, conventions, and to attract nonresidents. Currently the Village collects 3% in taxes and 90% of that is paid to the Aurora Area Convention & Visitor Bureau and 10% is allocated to North Aurora Days. Currently the AACVB is comprised of ten municipalities, with an intergovernmental agreement along with the AACVB. Administrator Bosco introduced Cort Carlson from the AACVB.

Mr. Carlson provided an update on the services provided to North Aurora through the Aurora Area Convention & Visitor Bureau. He stated that throughout the past year, due to Covid restrictions, the bureau was unable to advertise to tourists, therefore they had shifted focus and have been marketing to locals in an attempt to promote local commerce.

Mr. Carlson explained that North Aurora businesses are marketed through AACVB social media, their Leisure Travel newsletters, stories and listings at [enjoyaurora.com](http://enjoyaurora.com) and through the Aurora Area Go Guide. Since January 2020, events and attractions in North Aurora generated over 128,000 AACVB social media impressions as well as over 43,000 page views at [enjoyaurora.com](http://enjoyaurora.com). Mr. Carlson spoke about the large number of sporting events that the Stuart Sports Complex can accommodate. He stated that the Bureau has marketed to many travel sports events with the potential of bringing in 11,282 room nights and \$2.6 million to the local economy.

Trustee Curtis asked how the metrics are derived, how is the AACVB able to track a room rental back to their marketing efforts. Mr. Carlson stated that the AACVB, in their correspondence with the event coordinators, tracks the number of rooms/nights a particular event will require and will find availability within their region.

Trustee Lowery asked for a specific example of how the AACVB has benefited North Aurora or if there were any exciting opportunities upcoming. Mr. Carlson explained that there is a direct benefit to North Aurora's hotels when rooms are booked in relation to the sporting events that the AACVB retains, which in turn also brings business to other local establishments like restaurants.

Trustee Guethle reminded his fellow Trustees that the tax is collected from individuals traveling to the area, the tax helps to fund North Aurora Days.

Mr. Carlson spoke about the discount program that was initiated during the past year for businesses other than hotels, offering other businesses the opportunity to provide discounts.

Trustee Curtis asked if there was a cost to businesses for this service to which Mr. Carlson said there is not.

Trustee Curtis stated that she believes private businesses should be utilizing their own marketing budgets to advertise. She does not think that a tax should be imposed on people renting hotel rooms in the Village, she believes that removing the tax could give the hotels a competitive advantage.

Mr. Carlson explained that the AACVB does offer a discount partnership program, however in a Covid climate they have found that businesses didn't have the marketing budget therefore they have been offering basic services for free.

Trustee Guethle asked if any local municipalities did not participate in the AACVB. Administrator Bosco stated that St. Charles is not a member. He also stated that when staff was researching the subject, they found that municipalities outside of the AACVB did belong to other bureaus.

Trustee Carroll stated that when a visitor pays a 3% tax on a hotel room the whole community benefits from that 3%. He stated that he would like to hear what the hotel owners thought about the program. He also stated that while removing the 3% tax may offer a competitive advantage for the hotels, the benefit to the community as a whole outweighs that.

Trustee Carroll also suggested a name change to the AACVB. He stated that the Fox Valley Area Convention and Visitors Bureau would be more inclusive.

Mr. Carlson pointed out that no one hotel or municipality could have the impact that the AACVB has in terms of finding and bringing in large events, the benefit of the leverage of the collective communities.

Mayor Gaffino echoed the idea that the leverage that the AACVB has is a benefit to North Aurora. He was also in favor of a name change for the AACVB.

Trustee Lowery is in favor of the continued participation with the AACVB. He too thought a name change would be appropriate for the AACVB.

Trustee Salazar stated that she thinks the AACVB offers a niche service and is in favor of continuing with the AACVB.

Trustee Niedzwiedz stated that he is familiar with the sporting tournaments that come through Stuart Sports Complex. While traveling with a sports tournament it is a financial benefit to stay in partnered hotels because of the discount offered. He was in agreement that the partnership with AACVB is worth keeping.

Trustee Carroll asked if there is anything that local business can do to take advantage of the services that the AACVB offers. Mr. Carlson suggested business reach out to them.

#### **4. North Aurora Days 2021**

Administrator Bosco reminded the Board of previous discussions regarding North Aurora Days and pointed out that guidelines are changing. He stated that the North Aurora Days Committee met on May 10<sup>th</sup> and the discussion resulted in the recommendation of a one day event in September at Riverfront Park, to include bands, beer and food sales. The tentative date is September 18, with backup dates of September 11 and 25.

There was discussion in regard to the date and name possibilities.

The Board is in agreement to move forward with the suggestion.

#### **ADJOURNMENT TO EXECUTIVE SESSION**

Motion to adjourn made by Trustee Guethle and seconded by Trustee Carroll. All in favor. **Motion approved.**

#### **EXECUTIVE SESSION –**

1. Review of the Executive Session Minutes Dated 12/21/2020, 01/18/2021, 02/15/2021 and 04/19/2021
2. Review of the Release of Executive Session Minutes

### **RETURN FROM EXECUTIVE SESSION**

#### **ROLL CALL**

**In attendance:** Mayor Mark Gaffino, Trustee Laura Curtis, Trustee Mike Lowery, Trustee Mark Guethle, Trustee Mark Carroll, Trustee Todd Niedzwiedz, Trustee Carolyn Salazar

**Staff in attendance:** Village Administrator Steve Bosco, Village Attorney Kevin Drendel.

### **ADJOURNMENT**

Motion to adjourn made by Trustee Salazar and seconded by Trustee Carroll. All in favor. **Motion approved.**

Respectfully Submitted,

Jessi Watkins  
Village Clerk

# Accounts Payable

## To Be Paid Proof List

User: ablasr  
Printed: 05/26/2021 - 11:34AM  
Batch: 00503.05.2021



Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Ace Hardware						
000030						
Weed Killer, Paint, Roller, Tray	84.45	01-445-4530	Public Grounds/Parks Maint	04302021	4/30/2021	05/26/2021
Total:	84.45	*Vendor Total				
ADT						
048240						
Alarm Monitoring- VH	264.57	01-445-4520	Public Buildings Rpr & Mtce	05112021	5/11/2021	05/26/2021
Total:	264.57	*Vendor Total				
American Planning Association- Illinois Chapter						
467811						
Planner Ad	100.00	01-430-4506	Publishing/Advertising	1300	5/12/2021	05/26/2021
Total:	100.00	*Vendor Total				
Anderson Pest Solutions						
019770						
Pest Control- TPs	91.95	60-445-4567	Treatment Plant Repair/Maint	8203173	6/1/2021	05/26/2021
Total:	91.95	*Vendor Total				
APWA						
031630						
IPSI Training Conf- Young	725.00	60-445-4370	Conferences & Travel	05142021	5/14/2021	05/26/2021
Total:	725.00	*Vendor Total				
Aurora Fastprint						
029610						
VONA Envelopes (2500)	268.48	01-430-4507	Printing	32716	5/13/2021	05/26/2021
Total:	268.48	*Vendor Total				
B & F Construction						
015600						
Building Inspections- April 2021	4,826.40	01-441-4276	Inspection Services	14339	5/13/2021	05/26/2021
Total:	4,826.40	*Vendor Total				
Brown & Brown Of Illinois, Inc.						
000520						



Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Notary- Fisher	30.00	01-440-4799	Misc.	5621549	5/7/2021	05/26/2021
Total:	30.00	*Vendor Total				
Call One						
043480						
25 E State Street Lines	87.86	01-430-4652	Phones and Connectivity	408322-01	5/15/2021	05/26/2021
25 E State Street Lines	87.87	01-441-4652	Phones and Connectivity	408322-02	5/15/2021	05/26/2021
25 E State Street Lines	87.87	01-445-4652	Phones and Connectivity	408322-03	5/15/2021	05/26/2021
25 E State Street Lines	87.87	60-445-4652	Phones and Connectivity	408322-04	5/15/2021	05/26/2021
314 Butterfield Road Lines	3.21	01-445-4652	Phones and Connectivity	408322-05	5/15/2021	05/26/2021
200 S Lincolnway Lines	52.33	01-440-4652	Phones and Connectivity	408322-06	5/15/2021	05/26/2021
Total:	407.01	*Vendor Total				
Carus Corporation						
033300						
WTP HMO Chemicals	1,005.21	60-445-4437	Chlorine	10091906	5/10/2021	05/26/2021
ETP HMO Chemicals	455.70	60-445-4437	Chlorine	10091908	5/10/2021	05/26/2021
Total:	1,460.91	*Vendor Total				
Cintas Corporation						
041590						
Towel & Rug Cleaning- PW Garage	32.55	01-445-4520	Public Buildings Rpr & Mtce	4083935649	5/11/2021	05/26/2021
Total:	32.55	*Vendor Total				
Commonwealth Edison						
000330						
Street Lights/ 4 S. Willowway	84.98	10-445-4660	Street Lighting and Poles	0146092024	5/7/2021	05/26/2021
Street Lights/ 1802 Orchard Gateway	225.65	10-445-4660	Street Lighting and Poles	0562144049	5/7/2021	05/26/2021
Street Lights/ 1901 Orchard Gateway	44.71	10-445-4660	Street Lighting and Poles	0835082016	5/6/2021	05/26/2021
Silo Lighting/ 8 W State Street	81.47	01-445-4660	Street Lighting	1047147081	5/7/2021	05/26/2021
Street Lights/ 1051 Kettle	32.92	10-445-4660	Street Lighting and Poles	1083133047	5/6/2021	05/26/2021
East Tower Electric	54.58	60-445-4662	Utility	1313136025	5/10/2021	05/26/2021
Street Lights/ 1200 Orchard Gateway	297.06	10-445-4660	Street Lighting and Poles	1344158042	5/7/2021	05/26/2021
Street Lights	76.37	10-445-4660	Street Lighting and Poles	1425064018	5/11/2021	05/26/2021
Street Lights/ Randall & Ice Cream	10.51	10-445-4660	Street Lighting and Poles	1543019145	5/7/2021	05/26/2021
Street Lights/ Orchard Gateway & Deerpath	36.89	10-445-4660	Street Lighting and Poles	1776122038	5/7/2021	05/26/2021
Street Lights/ Orchard & Oak	139.95	10-445-4660	Street Lighting and Poles	1875021089	5/7/2021	05/26/2021
Street Lights/ Comiskey & Orchard	81.11	10-445-4660	Street Lighting and Poles	2313121105	5/7/2021	05/26/2021
Street Lights/ 1600 Orchard Gateway	166.56	10-445-4660	Street Lighting and Poles	2579039064	5/7/2021	05/26/2021
Street Lights/ Orchard & White Oak	70.01	10-445-4660	Street Lighting and Poles	2963079050	5/7/2021	05/26/2021
Street Lights/ 19 N. Lincolnway	59.45	10-445-4660	Street Lighting and Poles	2985029045	5/7/2021	05/26/2021
Street Lights/ Orchard & Orchard Gateway	117.94	10-445-4660	Street Lighting and Poles	3147017028	5/7/2021	05/26/2021
Well #8 4/7 - 5/6	4,278.72	60-445-4662	Utility	4026128016	5/7/2021	05/26/2021
Total:	5,858.88	*Vendor Total				
Constellation NewEnergy, Inc.						
034130						
Well #6 4/9 - 5/5	2,399.12	60-445-4662	Utility	20102807501	5/11/2021	05/26/2021
Well #4/ WTP 4/8 - 5/7	6,950.91	60-445-4662	Utility	20129460901	5/11/2021	05/26/2021
Well #7 4/9 - 5/10	4,342.45	60-445-4662	Utility	20146584501	5/11/2021	05/26/2021
Well #5/ ETP 4/9 - 5/10	8,128.96	60-445-4662	Utility	20146650301	5/11/2021	05/26/2021

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<hr/>						
Total:	21,821.44	<b>*Vendor Total</b>				
<b>Crown Trophy</b>						
032050						
Name Plates (8) For VH Photos	87.00	01-410-4799	Misc. Expenditures	17330	5/5/2021	05/26/2021
Total:	87.00	<b>*Vendor Total</b>				
<b>Drendel &amp; Jansons Law Group</b>						
028580						
Legal Srvc- CommDev/ April 2021	691.25	01-441-4260	Legal	89967	4/30/2021	05/26/2021
Legal Srvc- Gen, Admin, Fin/ April 2021	5,025.42	01-430-4260	Legal	89968	4/30/2021	05/26/2021
Legal Srvc- PD/ April 2021	980.00	01-440-4260	Legal	89969	4/30/2021	05/26/2021
Legal Srvc- Liquor/ April 2021	135.00	01-430-4260	Legal	89970	4/30/2021	05/26/2021
Legal Srvc- Water/ April 2021	761.25	60-445-4260	Legal	89971	4/30/2021	05/26/2021
Legal Srvc- 145 S Lincolnway/ April 2021	107.20	01-441-4260	Legal	89972	4/30/2021	05/26/2021
Legal Srvc- Forest Ridge TH/ April 2021	1,505.00	90-000-E242	Oak St Townhome Development	89973	4/30/2021	05/26/2021
Legal Srvc- Randall Terrace/ April 2021	717.50	90-000-E244	Randall Terrace Residence	89974	4/30/2021	05/26/2021
Total:	9,922.62	<b>*Vendor Total</b>				
<b>Dunn-Rite Window Cleaning Inc.</b>						
467922						
Window Cleaning- PD	750.00	01-445-4520	Public Buildings Rpr & Mtce	5350	4/15/2021	05/26/2021
Window Cleaning- VH	145.00	01-445-4520	Public Buildings Rpr & Mtce	5351	4/14/2021	05/26/2021
Total:	895.00	<b>*Vendor Total</b>				
<b>EMI</b>						
467765						
Paging System For Volunteers	305.00	01-440-4558	Emergency Management	21-10764	5/13/2021	05/26/2021
Total:	305.00	<b>*Vendor Total</b>				
<b>Energenecs, Inc</b>						
035320						
New VFD- Well #5	34,105.00	60-463-4875	Capital Improvements	0042025-IN-0	5/12/2021	05/26/2021
New VFD- Well #7	34,105.00	60-465-4875	Capital Improvements	0042025-IN-0	5/12/2021	05/26/2021
Total:	68,210.00	<b>*Vendor Total</b>				
<b>Feece Oil</b>						
031060						
Mid-Grade Fuel	3,883.43	71-000-1340	Gas/Diesel Escrow	3785626	5/13/2021	05/26/2021
Diesel Fuel	1,230.87	71-000-1340	Gas/Diesel Escrow	3785627	5/13/2021	05/26/2021
Total:	5,114.30	<b>*Vendor Total</b>				
<b>Fifth Third Bank</b>						
028450						
TV For PW Garage Breakroom/ Best Buy	149.99	01-445-4520	Public Buildings Rpr & Mtce	DA04272021- 3/31/2021		05/26/2021
Video Storage For PW Storm Sewers/ Vimeo	204.00	01-430-4510	Equipment/IT Maint	DA04272021- 4/2/2021		05/26/2021
Print Head For Canon Plotter/ Amazon	343.99	01-430-4420	IT Supplies	DA04272021- 4/2/2021		05/26/2021

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Mount For PW TV/ Amazon	29.98	01-445-4520	Public Buildings Rpr & Mtce	DA04272021- 4/5/2021	05/26/2021	
Alarm System Battery- VH/ Batteries Plus	21.95	01-430-4420	IT Supplies	DA04272021- 4/7/2021	05/26/2021	
Wireless Video Transmitter - PD/ Ebay	64.49	01-440-4799	Misc.	DA04272021- 4/7/2021	05/26/2021	
Silo Camera Web Stream/ IBeam	50.00	01-430-4799	Misc.	DA04272021- 4/8/2021	05/26/2021	
Cloud Storage Expansion- VH/ Carbonite Back	58.05	01-430-4510	Equipment/IT Maint	DA04272021- 4/8/2021	05/26/2021	
12v Power Inverter For PD Squad/ Amazon	59.74	01-430-4420	IT Supplies	DA04272021- 4/15/2021	05/26/2021	
Lanyard and ID Card Holders For PW/ Amazor	37.45	01-430-4411	Office Expenses	DA04272021- 4/26/2021	05/26/2021	
Pizza- Telecommunicator's Week/ Maciano's	56.70	01-440-4498	Community Service	DF04272021- 4/13/2021	05/26/2021	
Pizza- Telecommunicator's Week/ Maciano's	56.70	01-440-4498	Community Service	DF04272021- 4/13/2021	05/26/2021	
Pizza- Telecommunicator's Week/ Maciano's	83.37	01-440-4498	Community Service	DF04272021- 4/13/2021	05/26/2021	
Delivery To VH Attorney/ FedEx	13.67	01-440-4799	Misc.	DF04272021- 4/21/2021	05/26/2021	
Toner/ Office Depot	167.69	01-440-4411	Office Expenses	JD04272021- ( 3/26/2021	05/26/2021	
Toner/ Office Depot	212.83	01-440-4411	Office Expenses	JD04272021- ( 3/26/2021	05/26/2021	
Toner/ Office Depot	248.29	01-440-4411	Office Expenses	JD04272021- ( 3/26/2021	05/26/2021	
Investigation Database/ Lexis Nexis	150.00	01-440-4555	Investigations	JD04272021- ( 4/5/2021	05/26/2021	
Batteries/ Office Depot	105.89	01-440-4411	Office Expenses	JD04272021- ( 4/8/2021	05/26/2021	
Office Supplies/ Office Depot	226.07	01-440-4411	Office Expenses	JD04272021- ( 4/19/2021	05/26/2021	
USB 128GB/ Office Depot	300.89	01-440-4411	Office Expenses	JD04272021- ( 4/20/2021	05/26/2021	
Masks/ Galls	390.46	01-440-4799	Misc.	JD04272021- ( 4/22/2021	05/26/2021	
Office Supplies/ Office Depot	27.93	01-440-4411	Office Expenses	JD04272021- ( 4/22/2021	05/26/2021	
Drone Propeller Guards/ Amazon	34.40	01-440-4555	Investigations	JG04272021- ( 4/8/2021	05/26/2021	
Law App Yearly Renewal/ Apple	4.24	01-440-4555	Investigations	JG04272021- ( 4/16/2021	05/26/2021	
Firearms Ear Protection, Batteries/ Amazon	349.69	01-440-4383	Firearm Training	JG04272021- ( 4/19/2021	05/26/2021	
Instructor Materials/ AMA	264.50	01-440-4380	Training	MQ04272021 4/15/2021	05/26/2021	
New Softener- ETP/ LTM Water Treatment	2,125.00	60-445-4567	Treatment Plant Repair/Maint	PY04272021- 4/19/2021	05/26/2021	
Food For Crew On WMB/ McDonalds	10.93	60-445-4799	Misc. Expenditures	PY04272021- 4/26/2021	05/26/2021	
Food For Crew On WMB/ McDonalds	28.85	60-445-4799	Misc. Expenditures	PY04272021- 4/26/2021	05/26/2021	
Postal Count Subscription/ NCS National Custc	110.00	60-445-4505	Postage	PY04272021- 4/26/2021	05/26/2021	
Training Class Lunch/ Wendy's	9.83	01-440-4380	Training	SBZ042720214/5/2021	05/26/2021	
Beacon News Mthly Subscription/ Chicago Tribu	15.96	01-440-4652	Phones and Connectivity	SBZ042720214/12/2021	05/26/2021	
Online Job Ad/ LinkedIn	379.92	01-440-4652	Phones and Connectivity	SBZ042720214/22/2021	05/26/2021	
Webinar- Pension Institute/ IGFOA	100.00	01-430-4380	Training & Testing	WH04272021 4/15/2021	05/26/2021	

Total: 6,493.45 \*Vendor Total

#### Griswold Water & Seed Store

001770

Fertilizer	22.00	01-445-4530	Public Grounds/Parks Maint	13852	5/6/2021	05/26/2021
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Total: 22.00 \*Vendor Total

#### Hach Company

014100

Water Testing Solutions, Sample Sticks	125.10	60-445-4562	Testing (water)	12440925	5/5/2021	05/26/2021
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Monitoring Chemicals	62.25	60-445-4567	Treatment Plant Repair/Maint	12445232	5/10/2021	05/26/2021
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Total: 187.35 \*Vendor Total

#### Hook-Fast Specialties, Inc

010410

New Officer Name Plates (10)	104.00	01-440-4160	Uniform Allowance	355915	5/5/2021	05/26/2021
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Total: 104.00 \*Vendor Total

#### ILCMA

019310

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Planner Ad	50.00	01-430-4506	Publishing/Advertising	2614	5/11/2021	05/26/2021
Total:	50.00	<b>*Vendor Total</b>				
<b>ILLCO Inc.</b>						
040110						
Repair Supplies- TPs	290.14	60-445-4567	Treatment Plant Repair/Maint	1384863	5/14/2021	05/26/2021
Total:	290.14	<b>*Vendor Total</b>				
<b>Interactive Building Solutions, LLC</b>						
050600						
Troubleshoot Chiller	762.03	01-445-4520	Public Buildings Rpr & Mtce	107785	5/11/2021	05/26/2021
Total:	762.03	<b>*Vendor Total</b>				
<b>Kane County Animal Control</b>						
031620						
Animal Control- April 2021	100.00	01-440-4523	Animal Control	05132021	5/13/2021	05/26/2021
Total:	100.00	<b>*Vendor Total</b>				
<b>Karen Fair</b>						
468125						
Mailbox Reimb- 932 Mirador Dr	100.00	01-445-4799	Misc. Expenditures	05122021	5/12/2021	05/26/2021
Total:	100.00	<b>*Vendor Total</b>				
<b>KB Collision &amp; Customs</b>						
046310						
Squad Repair- Squad #73	1,231.43	01-440-4511	Vehicle Repair and Maint	3799	5/17/2021	05/26/2021
Total:	1,231.43	<b>*Vendor Total</b>				
<b>Kendall County Clerk</b>						
467821						
Repair- 316 Magnolia	186.00	01-445-4543	Sidewalks Rpr & Mtce	51183	5/5/2021	05/26/2021
Total:	186.00	<b>*Vendor Total</b>				
<b>Kiesler's Police Supply, Inc.</b>						
039910						
Ammunition	2,357.50	01-440-4383	Firearm Training	IN165788	5/4/2021	05/26/2021
Total:	2,357.50	<b>*Vendor Total</b>				
<b>Konica Minolta</b>						
024860						
Copier Maint- PD/ April 2021	135.36	01-440-4510	Equipment/IT Maint	272883083	4/30/2021	05/26/2021
Copier Maint- PD/ April 2021	71.15	01-440-4510	Equipment/IT Maint	272883084	4/30/2021	05/26/2021
Copier Maint- PD/ April 2021	54.02	01-440-4510	Equipment/IT Maint	272883158	4/30/2021	05/26/2021
Copier Maint- PD/ April 2021	97.47	01-440-4510	Equipment/IT Maint	272889375	4/30/2021	05/26/2021
Copier Maint- PD/ April 2021	50.58	01-440-4510	Equipment/IT Maint	272892846	4/30/2021	05/26/2021
AP Printer Maint 4/2 - 5/1	18.56	01-430-4411	Office Expenses	9007731841	4/30/2021	05/26/2021

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Copier Maint- PW Garage/ April 2021	18.56	01-445-4411	Office Expenses	90077318416	5/1/2021	05/26/2021
Total:	445.70	*Vendor Total				
Kurt A. Metallo						
052370						
Tree Root Grind (6)	130.00	01-445-4532	Tree Service	05122021	5/12/2021	05/26/2021
Total:	130.00	*Vendor Total				
Lakeshore Recycling Systems						
032620						
Street Sweeping	132.00	01-445-4540	Streets & Alleys Rpr & Mtce	PS368118	4/30/2021	05/26/2021
Street Sweeping	7,121.00	01-445-4540	Streets & Alleys Rpr & Mtce	PS372556	5/15/2021	05/26/2021
Total:	7,253.00	*Vendor Total				
Lauderdale Electric, Inc.						
468103						
Street Light Locates/ Orchard Gateway	72.50	10-445-4661	Street Light Repair/Maint	7806-F	5/13/2021	05/26/2021
Total:	72.50	*Vendor Total				
M. E. Simpson Company, Inc.						
025100						
Leak Location- 124 Maple Ave	750.00	60-445-4560	Water Studies	36760	4/30/2021	05/26/2021
Total:	750.00	*Vendor Total				
Menards						
016070						
D Batteries	27.98	01-445-4870	Equipment	36685	5/6/2021	05/26/2021
Acid	19.95	60-445-4567	Treatment Plant Repair/Maint	63443	5/7/2021	05/26/2021
Crack Sealer	29.99	01-445-4530	Public Grounds/Parks Maint	63456	5/7/2021	05/26/2021
Brush, Crack Sealer	66.87	01-445-4530	Public Grounds/Parks Maint	63692	5/11/2021	05/26/2021
Cleaning Supplies	34.16	01-445-4421	Custodial Supplies	63721	5/11/2021	05/26/2021
Fence Repair & Misc	134.82	60-445-4568	Watermain Rprs. & Rplcmts.	63722	5/11/2021	05/26/2021
Hose, Wand, Fittings	122.46	01-490-4761	Beautification Committee	63757	5/12/2021	05/26/2021
Shovel Water Wand, Fittings	103.16	01-490-4761	Beautification Committee	63769	5/12/2021	05/26/2021
Fertilizer	28.98	01-490-4761	Beautification Committee	63782	5/12/2021	05/26/2021
Total:	568.37	*Vendor Total				
MidAmerican Technology, Inc.						
049550						
Repair Locator	59.00	01-445-4510	Equipment/IT Maint	15063	5/12/2021	05/26/2021
Total:	59.00	*Vendor Total				
Midwest Groundcovers LLC						
03611						
Flowers Orchard Gateway	1,064.00	01-490-4761	Beautification Committee	I663093	5/10/2021	05/26/2021
Flowers Orchard Gateway	118.50	01-490-4761	Beautification Committee	I663898	5/12/2021	05/26/2021

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Total:	1,182.50	*Vendor Total				
Midwest Trading						
029150						
Potting Soil	252.00	01-490-4761	Beautification Committee	1487544	5/7/2021	05/26/2021
Potting Soil	252.00	01-490-4761	Beautification Committee	1487687	5/10/2021	05/26/2021
Total:	504.00	*Vendor Total				
Mooney & Thomas, Pc						
001040						
Payroll Processing- April 2021	885.00	01-430-4267	Finance Services	00196 421310	4/30/2021	05/26/2021
Police Pension Payment- May 2021	70.00	80-430-4581	Banking Services/Fees	00813 421310	4/30/2021	05/26/2021
Total:	955.00	*Vendor Total				
MSC Industrial Supply						
051190						
Plier, Socket	63.90	01-445-4511	Vehicle Repair and Maint	87430493	5/6/2021	05/26/2021
Total:	63.90	*Vendor Total				
Multisystem Management Company						
467966						
COVID Cleaning- April 2021	606.00	01-445-4520	Public Buildings Rpr & Mtce	2565	5/1/2021	05/26/2021
Total:	606.00	*Vendor Total				
Neustar Data Services, Inc.						
468126						
Comcast Phone Data Annual Download	500.00	01-440-4558	Emergency Management	AIC-0000012	2/28/2021	05/26/2021
Total:	500.00	*Vendor Total				
New Lenox Village Printery						
032010						
2021 Water Quality Reports	2,249.64	60-445-4507	Printing	18881	5/7/2021	05/26/2021
Total:	2,249.64	*Vendor Total				
North Aurora NAPA, Inc.						
038730						
Air Filters	20.50	01-445-4511	Vehicle Repair and Maint	378903	4/30/2021	05/26/2021
Spark Plugs	13.56	01-445-4511	Vehicle Repair and Maint	379072	5/3/2021	05/26/2021
Air Filters	18.50	01-445-4511	Vehicle Repair and Maint	379075	5/3/2021	05/26/2021
Spark Plugs	5.22	01-445-4511	Vehicle Repair and Maint	379079	5/3/2021	05/26/2021
Spark Plugs	4.70	01-445-4511	Vehicle Repair and Maint	379085	5/3/2021	05/26/2021
Spark Plugs	8.96	01-445-4511	Vehicle Repair and Maint	379189	5/4/2021	05/26/2021
Spark Plugs	12.24	01-445-4511	Vehicle Repair and Maint	379409	5/6/2021	05/26/2021
Tools	26.48	01-445-4511	Vehicle Repair and Maint	3797669	5/11/2021	05/26/2021
Headlights- Truck #177	37.09	60-445-4511	Vehicle Repair and Maint	380214	5/17/2021	05/26/2021
Total:	147.25	*Vendor Total				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<b>Office Depot</b>						
039370						
Office Supplies	17.67	01-430-4411	Office Expenses	17292635700	5/10/2021	05/26/2021
Office Supplies	17.68	01-445-4411	Office Expenses	17292635700	5/10/2021	05/26/2021
Office Supplies	17.68	60-445-4411	Office Expenses	17292635700	5/10/2021	05/26/2021
Office Supplies	17.68	01-441-4411	Office Expenses	17292635700	5/10/2021	05/26/2021
Total:	70.71	<b>*Vendor Total</b>				
<b>Ottosen DiNolfo</b>						
031590						
Police Pension Matters	742.50	01-440-4260	Legal	135191	4/30/2021	05/26/2021
Total:	742.50	<b>*Vendor Total</b>				
<b>Paddock Publications, Inc.</b>						
026910						
Public Hearing Notice	97.75	01-441-4506	Publishing	179780	5/8/2021	05/26/2021
Total:	97.75	<b>*Vendor Total</b>				
<b>Preferred Real Estate, LLC</b>						
467661						
NATC Rebate Dec 20 - Feb 21 Original All 50	56,497.08	01-490-4781	Sales Tax Rebates	05212021-01	5/25/2021	05/26/2021
NATC Rebate Dec 20 - Feb 21 Inline 50%	11,632.87	01-490-4781	Sales Tax Rebates	05212021-02	5/25/2021	05/26/2021
Total:	68,129.95	<b>*Vendor Total</b>				
<b>ProFlow Pumping Solutions</b>						
039420						
New Hypo Pump	4,857.00	60-445-4567	Treatment Plant Repair/Maint	INV14671	3/30/2021	05/26/2021
Total:	4,857.00	<b>*Vendor Total</b>				
<b>Rempe Sharpe &amp; Associates</b>						
000970						
Eng Srvcs- Holding Tank Design Questions/ Apr	300.00	60-445-4255	Engineering	27934	5/11/2021	05/26/2021
Eng Srvcs- Grading Reviews/ April 2021	900.00	90-000-E240	Lincoln Valley Plan Review	27935-01	5/11/2021	05/26/2021
Eng Srvcs- Grading Reviews/ April 2021	810.00	01-441-4255	Engineering	27935-02	5/11/2021	05/26/2021
Eng Srvcs- T-Mobile Butterfield Tower/ April 2	1,299.00	90-000-E256	Insite-Butterfield-TMobile	27936	5/11/2021	05/26/2021
Eng Srvcs- T-Mobile Princeton Tower/ April 20	310.64	90-000-E239	Insite- T-Mobile 600 Princeton	27937	5/11/2021	05/26/2021
Eng Srvcs/ Verizon automall Tower	1,443.00	90-000-E221	Insite RE Inc - Verizon Cell	27938	5/11/2021	05/26/2021
Eng Srvcs- LV/ April 2021	1,783.84	90-000-E232	DR Horton - FV Golf Course	27939	5/12/2021	05/26/2021
Total:	6,846.48	<b>*Vendor Total</b>				
<b>Rental Max</b>						
031050						
Tiller Rental	88.48	01-445-4870	Equipment	473195-03	5/7/2021	05/26/2021
Total:	88.48	<b>*Vendor Total</b>				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Russo Power Equipment Inc.						
036290						
Grass Seed	155.98	01-445-4530	Public Grounds/Parks Maint	SPI10659426	5/6/2021	05/26/2021
D Handle	74.99	01-445-4870	Equipment	SPI10659451	5/6/2021	05/26/2021
5lb Spool	56.99	01-445-4870	Equipment	SPI10659469	5/6/2021	05/26/2021
Total:	287.96	*Vendor Total				
Sebert Landscaping						
032840						
Mowing SSA4	964.00	17-004-4533	Maintenance	220341-01	4/30/2021	05/26/2021
Mowing SSA8	888.00	17-008-4533	Maintenance	220341-02	4/30/2021	05/26/2021
Mowing SSA9	276.00	17-009-4533	Maintenance	220341-03	4/30/2021	05/26/2021
Mowing SSA11	23.88	17-011-4533	Maintenance	220341-04	4/30/2021	05/26/2021
Mowing Public Property	3,409.99	01-445-4531	Grass Cutting	220341-05	4/30/2021	05/26/2021
Total:	5,561.87	*Vendor Total				
Sign-A-Rama						
029780						
Sign Repair- PD	625.00	01-445-4530	Public Grounds/Parks Maint	INV-16438	5/13/2021	05/26/2021
Total:	625.00	*Vendor Total				
SmithAmundsen LLC						
039030						
Local 150	1,396.50	01-445-4260	Legal	646303	5/7/2021	05/26/2021
Total:	1,396.50	*Vendor Total				
St. Charles Trading, Inc.						
033210						
MIOX Salt	21.20	60-445-4438	Salt - Treatment	IN2112504	5/6/2021	05/26/2021
Total:	21.20	*Vendor Total				
Standard Equipment Company						
036350						
Hydro Spray Gun	308.28	01-445-4870	Equipment	P28745	5/3/2021	05/26/2021
Total:	308.28	*Vendor Total				
The Needham Shop, Inc.						
041000						
Salt Spreader Repair	332.03	01-445-4510	Equipment/IT Maint	30106	4/20/2021	05/26/2021
Total:	332.03	*Vendor Total				
Third Millennium Assoc. , Inc.						
033470						
Newsletter- April 2021	376.37	01-430-4507	Printing	26238-01	4/30/2021	05/26/2021
Waterbills- April 2021	3,164.65	60-445-4507	Printing	26238-02	4/30/2021	05/26/2021
Total:	3,541.02	*Vendor Total				



Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<b>Tim-Todd Services, Inc</b>						
468124						
Refund For Electronic Amusement Devices Over	150.00	01-310-3110	Business Licenses	05252021	5/25/2021	05/26/2021
Total:	150.00	<b>*Vendor Total</b>				
<b>Treasurer, State of Illinois</b>						
009370						
Traffic Lights- Rt31, Rt56, Rt25	2,732.99	01-445-4545	Traffic Signs & Signals	60698	5/3/2021	05/26/2021
Total:	2,732.99	<b>*Vendor Total</b>				
<b>USA Blue Book</b>						
035680						
Tools	184.46	60-445-4568	Watermain Rprs. & Rplcmts.	593014	5/4/2021	05/26/2021
Total:	184.46	<b>*Vendor Total</b>				
<b>Water Products Company</b>						
001170						
Hydrant Defusers	278.00	60-445-4568	Watermain Rprs. & Rplcmts.	0302665	5/19/2021	05/26/2021
Saw Blades & Valve Boxes	1,245.60	60-445-4568	Watermain Rprs. & Rplcmts.	0302787	5/21/2021	05/26/2021
Total:	1,523.60	<b>*Vendor Total</b>				
<b>Winzer Corporation</b>						
047560						
Cleaning Supplies	123.75	01-445-4421	Custodial Supplies	6872890	5/6/2021	05/26/2021
Cleaning Supplies	339.25	01-445-4421	Custodial Supplies	6872891	5/6/2021	05/26/2021
Cleaning Supplies	93.50	01-445-4421	Custodial Supplies	6878445	5/13/2021	05/26/2021
Total:	556.50	<b>*Vendor Total</b>				
<b>Xerox Corporation</b>						
040890						
Copier Maint- April 2021	85.00	01-440-4510	Equipment/IT Maint	013254355	5/1/2021	05/26/2021
Total:	85.00	<b>*Vendor Total</b>				
Report Total:	246,015.60					

# Accounts Payable

## To Be Paid Proof List

User: ablasr  
Printed: 06/03/2021 - 10:13AM  
Batch: 00501.06.2021



Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<b>B &amp; F Construction</b>						
015600						
Plan Review- Gerald Ford	300.00	01-441-4276	Inspection Services	56360	5/21/2021	06/07/2021
Total:	300.00	<b>*Vendor Total</b>				
<b>Camic Johnson, LTD.</b>						
03989						
Legal Services	660.00	01-440-4260	Legal	203	5/21/2021	06/07/2021
Total:	660.00	<b>*Vendor Total</b>				
<b>Carus Corporation</b>						
033300						
WTP HMO Chems	1,096.38	60-445-4437	Chlorine	SLS10092268	5/24/2021	06/07/2021
ETP HMO Chems	91.56	60-445-4437	Chlorine	SLS10092272	5/24/2021	06/07/2021
Total:	1,187.94	<b>*Vendor Total</b>				
<b>Chester Wvietrzykowski</b>						
468129						
Mailbox Reimb- 1565 Patterson Ave	100.00	01-445-4799	Misc. Expenditures	06022021	6/2/2021	06/07/2021
Total:	100.00	<b>*Vendor Total</b>				
<b>Core &amp; Main</b>						
039040						
New Dual Check Valves	2,375.00	60-445-4480	New Meters,rprs. & Rplcmts.	N986600	5/18/2021	06/07/2021
Total:	2,375.00	<b>*Vendor Total</b>				
<b>DACRA Adjudication Systems</b>						
467842						
Adjudication	1,850.00	01-440-4510	Equipment/IT Maint	DT 2021-05-2	5/31/2021	06/07/2021
Total:	1,850.00	<b>*Vendor Total</b>				
<b>Duke &amp; Lee's Johnson's Garage &amp; Towing, Inc.</b>						
045190						
PD Hummer Repairs	1,516.29	01-440-4511	Vehicle Repair and Maint	074715	5/27/2021	06/07/2021
Total:	1,516.29	<b>*Vendor Total</b>				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<b>Fox Metro</b>						
029650						
New Water Service Inspections (14)	420.00	60-445-4480	New Meters,rprs. & Rplemts.	05282021	5/28/2021	06/07/2021
Total:	420.00	<b>*Vendor Total</b>				
<b>Frontline Public Safety Solutions</b>						
467850						
Professional Standards Module	2,000.00	01-440-4390	Dues & Meetings	FL43215	5/21/2021	06/07/2021
Total:	2,000.00	<b>*Vendor Total</b>				
<b>Gasvoda &amp; Associates, Inc</b>						
467950						
New Dehumidifier- ETP	3,275.00	60-445-4567	Treatment Plant Repair/Maint	INV2101000	5/26/2021	06/07/2021
Total:	3,275.00	<b>*Vendor Total</b>				
<b>Hach Company</b>						
014100						
Chlorine Test Kit	468.00	60-445-4562	Testing (water)	12475714	5/28/2021	06/07/2021
Total:	468.00	<b>*Vendor Total</b>				
<b>Hammad T Aziz</b>						
468130						
Public Improvement Surety 80% Rebate	22,993.00	90-000-2226	Deposits Lieu of LOC's	02252021	2/25/2021	06/07/2021
Total:	22,993.00	<b>*Vendor Total</b>				
<b>Hook-Fast Specialties, Inc</b>						
010410						
Name Tag	24.60	01-440-4160	Uniform Allowance	356285	5/24/2021	06/07/2021
Total:	24.60	<b>*Vendor Total</b>				
<b>Illinois State Police Bureau of</b>						
041810						
Fingerprints	24.25	01-440-4799	Misc.	COST CTR 0: 4/1/2021		06/07/2021
Total:	24.25	<b>*Vendor Total</b>				
<b>JADE Hanna Surveyors, LLC</b>						
468128						
Well #9 Property Staking	500.00	01-445-4530	Public Grounds/Parks Maint	28591	5/26/2021	06/07/2021
Total:	500.00	<b>*Vendor Total</b>				
<b>Kendall County Concrete</b>						
047060						
Repair- 316 Magnolia	186.00	01-445-4543	Sidewalks Rpr & Mtce	51183	5/5/2021	06/07/2021
Total:	186.00	<b>*Vendor Total</b>				

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<b>Konica Minolta</b>						
024860						
Copier Maintenance	75.42	01-440-4510	Equipment/IT Maint	272883373	4/30/2021	06/07/2021
Total:	75.42	<b>*Vendor Total</b>				
<b>Lori Murray</b>						
024960						
Plan/ Zoning Commission Meeting	50.00	01-410-4016	Per Diem - Plan Commission	05072019	5/7/2019	06/07/2021
Total:	50.00	<b>*Vendor Total</b>				
<b>Matthew Nordstrom</b>						
467761						
Training Reimb- Nordstrom	149.15	01-440-4380	Training	10232018	10/23/2018	06/07/2021
Total:	149.15	<b>*Vendor Total</b>				
<b>Metro West COG</b>						
032210						
Board Mtg 5/27/21- Bosco	40.00	01-430-4390	Dues & Meetings	4445	6/1/2021	06/07/2021
Total:	40.00	<b>*Vendor Total</b>				
<b>North Aurora NAPA, Inc.</b>						
038730						
Oil Filter- Truck #129	6.54	60-445-4511	Vehicle Repair and Maint	380641	5/21/2021	06/07/2021
Total:	6.54	<b>*Vendor Total</b>				
<b>Pitney Bowes Inc.</b>						
017470						
Postage Machine	452.13	01-440-4505	Postage	3104699069	4/24/2021	06/07/2021
Total:	452.13	<b>*Vendor Total</b>				
<b>SavATree, LLC</b>						
468127						
Tree Trimming (89)	7,929.00	01-445-4532	Tree Service	8258601	5/6/2021	06/07/2021
Total:	7,929.00	<b>*Vendor Total</b>				
<b>Secretary of State</b>						
002690						
Notary- Fisher	10.00	01-440-4799	Misc.	05262021	5/26/2021	06/07/2021
Total:	10.00	<b>*Vendor Total</b>				
<b>Technology Management Rev Fund</b>						
007390						
IWIN	723.32	01-440-4652	Phones and Connectivity	T2127432	5/10/2021	06/07/2021

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
Total:	723.32	*Vendor Total				
Third Millennium Assoc. , Inc.						
033470						
April Newsletter 2021- Shortpay	1,000.00	01-430-4507	Printing	26238-03	4/30/2021	06/07/2021
Late Final Bills- May 2021	559.25	60-445-4507	Printing	26348	5/31/2021	06/07/2021
Total:	1,559.25	*Vendor Total				
Thom Jungels						
039460						
Plumbing Inspections (36)	1,260.00	01-441-4276	Inspection Services	05282021	5/28/2021	06/07/2021
Total:	1,260.00	*Vendor Total				
Water Products Company						
001170						
Dist Repair Parts	4,453.67	60-445-4568	Watermain Rprs. & Rplcmts.	0302982	5/28/2021	06/07/2021
Total:	4,453.67	*Vendor Total				
Report Total:	54,588.56					

# Accounts Payable

## To Be Paid Proof List

User: ablasr  
 Printed: 06/03/2021 - 10:46AM  
 Batch: 00502.06.2021



Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<b>Euclid Managers</b>						
049670						
STD- June 2021	336.31	01-000-2057	Short-Term Disability	05142021	5/14/2021	06/07/2021
	<hr/>					
Total:	336.31	<b>*Vendor Total</b>				
<b>Hach Company</b>						
014100						
Hardness Test Kit	36.59	60-445-4562	Testing (water)	12475895	5/28/2021	06/07/2021
	<hr/>					
Total:	36.59	<b>*Vendor Total</b>				
<b>IML Risk Management Association</b>						
003210						
Fireworks Coverage	100.00	14-430-4944	Liability Coverage	05142021	5/14/2021	06/07/2021
	<hr/>					
Total:	100.00	<b>*Vendor Total</b>				
<b>Kane County Chiefs of</b>						
001920						
Membership Fees	750.00	01-440-4390	Dues & Meetings	1314	4/22/2021	06/07/2021
	<hr/>					
Total:	750.00	<b>*Vendor Total</b>				
<b>Lexipol, LLC</b>						
047050						
Yearly Fee	4,743.00	01-440-4390	Dues & Meetings	INVLEX1664	5/1/2021	06/07/2021
Yearly Fee	4,743.00	01-440-4380	Training	INVLEX1664	5/1/2021	06/07/2021
	<hr/>					
Total:	9,486.00	<b>*Vendor Total</b>				
<b>North East Multi-Regional</b>						
001520						
Yearly Membership	3,230.00	01-440-4390	Dues & Meetings	281668	3/22/2021	06/07/2021
	<hr/>					
Total:	3,230.00	<b>*Vendor Total</b>				
<b>Pitney Bowes Purchase Power</b>						
029940						
Pre-Pay Postage Meter Refill- Admin	375.00	01-430-4505	Postage	05022021-01	5/2/2021	06/07/2021
Pre-Pay Postage Meter Refill- PW	375.00	01-445-4505	Postage	05022021-02	5/2/2021	06/07/2021
Pre-Pay Postage Meter Refill- Water	375.00	60-445-4505	Postage	05022021-03	5/2/2021	06/07/2021
Pre-Pay Postage Meter Refill- CommDev	375.00	01-441-4505	Postage	05022021-04	5/2/2021	06/07/2021

Description	Amount	Account	Acct Name	Invoice #	Inv Date	Pmt Date
<hr/>						
Total:	1,500.00	<b>*Vendor Total</b>				
<b>Sun Life Financial</b>						
033620						
Dental Insurance- Admin/ June 2021	292.16	01-430-4136	Dental Insurance	05142021-01	5/14/2021	06/07/2021
Dental Insurance- CommDev/ June 2021	118.43	01-441-4136	Dental Insurance	05142021-02	5/14/2021	06/07/2021
Dental Insurance- PD/ June 2021	1,048.49	01-440-4136	Dental Insurance	05142021-03	5/14/2021	06/07/2021
Dental Insurance- PW/ June 2021	383.64	01-445-4136	Dental Insurance	05142021-04	5/14/2021	06/07/2021
Dental Insurance- Water/ June 2021	45.74	60-445-4136	Dental Insurance	05142021-05	5/14/2021	06/07/2021
Dental Insurance- Employee/ June 2021	2,097.50	01-000-2054	Insurance Employee Reimburse	05142021-06	5/14/2021	06/07/2021
<hr/>						
Total:	3,985.96	<b>*Vendor Total</b>				
<hr/>						
Report Total:	19,424.86					



## POLICE DEPARTMENT

200 South Lincolnway  
North Aurora, Illinois 60542  
Phone: (630) 897-8705 Fax: (630) 897-8700  
[www.northaurora.org](http://www.northaurora.org)

**DAVID C. FISHER**  
CHIEF OF POLICE

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June 9, 2021

Tom Gallenbach

Illinois Department of Transportation

201 West Center Court

Schaumburg, Illinois 60196-1096

Re: Closure of Rt. 56 between Rt. 31 and Rt. 25

Dear Mr. Gallenbach:

North Aurora is planning its annual July 3 fireworks which requires the temporary closure of Illinois Rt. 56 between Rt. 31 and Rt. 25. Our mayor signed the enclosed signed resolution on June 8, 2021.

The fireworks are scheduled for Saturday, July 3, 2021. They will begin at approximately 9:30 PM and conclude approximately 10:30 PM. The Village of North Aurora will provide police officers to direct and control traffic during the event. If you need any additional information, please contact me at the above listed number. Thank you.

Sincerely,

David C. Fisher

Chief of Police

Enclosure





RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING THE CLOSURE OF STATE STREET FOR THE VILLAGE OF NORTH AURORA JULY 3 FIREWORKS CELEBRATION**

WHEREAS, the Village of North Aurora will hold their annual July 3 Fireworks celebration at North Aurora Riverfront Park (25 East State Street) on July 3 from approximately 9:30 p.m. to 10:30 p.m.; and

WHEREAS, said fireworks celebration will require the closing of State Street (Illinois Route 56) between Illinois Route 31 and Illinois Route 25 during this time for the safety of residents attending the event; and

WHEREAS, The State of Illinois requires the Village of North Aurora to assume all responsibility and liability involved in the closing of said highway;

NOW THEREFORE, BE IT RESOLVED by the Village of North Aurora that the Village will assume full responsibility for the direction, protection and regulation of traffic during the time the detour is in effect, and all liabilities for damages of any kind occasioned by the closing of said State Route.

It is further agreed that efficient, all weather detours will be maintained conspicuously marked and judiciously police patrolled for the benefit of traffic deviated from the State Route.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021.

Mark Carroll \_\_\_\_\_  
Mark Guethle \_\_\_\_\_  
Todd Niedzwiedz \_\_\_\_\_

Laura Curtis \_\_\_\_\_  
Michael Lowery \_\_\_\_\_  
Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Jessi Watkins, Village Clerk



# Memorandum

To: Mark Gaffino, Village President & Board of Trustees  
Cc: Steven Bosco, Village Administrator  
From: John Laskowski, Public Works Director  
Date: June 2, 2021  
Re: Engineering Agreement with WBK for Design of Storm Sewer

---

The Village identified a sink hole the last week in March of 2019 that was linked to the collapse of a 24" diameter storm sewer. This caused the storm sewer system in Tanner Trails to back-up, greatly reducing the capacity of the system. The result of this back-up created a significant risk of street and basement flooding in the area. In addition there were two downstream property owners who were at risk of property damage due to the collapse. The situation was assessed by staff to be an emergency. During the course of the following two weeks the Village began pumping operations that would reduce the water elevation in the retention ponds by at least 4.5 feet and in the sinkhole to a level where the broken pipe could be fixed. Currently the pipe is functioning, but in poor condition and at risk of failing in other locations.

Recognizing the repair was more of a temporary fix than a permanent solution, staff hired an engineering firm to identify and evaluate alternative solutions. In June the Village Board approved a proposal for concept level stormwater study that would be conducted by WBK Engineering. The study consisted of collecting and reviewing data, performing a stormwater analysis, identifying alternative solutions, and then assigning cost to those alternatives.

At the August 3, 2020, Committee of the Whole meeting, the options identified by WBK for the storm sewer were reviewed. There were four options presented:

1. Replace part of the existing 24" diameter pipe with a 36" diameter pipe.  
**Estimated Cost \$668,802.**

2. Replace the entire 24" diameter pipe with a 36" diameter pipe.  
**Estimated Cost \$1,072,092.**
3. Run a new pipe parallel to the existing system to supplement the exiting  
**Estimated Cost \$827,764.**
4. Replace part of the existing pipe and create a wetland area.  
**Estimated Cost \$1,250,000.**

When WBK presented the solutions, the pros and cons of each were weighed and the Village Board identified option 2 as their preferred option. Option 2 was the second most expensive option however, it did eliminate the future risk of pipe failure. Option 1 and 3 were less desirable because they both rely on the existing pipe which would still pose a future risk of failure. Option 4 was determined to be unfeasible because of land acquisition requirements, permitting challenges, and future maintenance requirements and it was the most expensive.

The scope of work involved in the engineering design includes: developing plans, specifications, and a more detailed cost estimate of the project. This project requires extensive coordination with permitting agencies. The Army Corps of Engineers, Kane DuPage Soil Water Conservation District, United States Fish and Wildlife Service, and Kane County have jurisdiction over the project site. The Army Corps may also require review from the Illinois Environmental Protection Agency and the Illinois Department of Natural Resources. It also will include a wetland delineation and preparation of plats of easement. The scope of work does not include soil borings. Rather the Village will coordinate this activity directly with the consultant performing the work.

The total cost to perform this scope of work is calculated to cost \$89,430. The Village has \$76,000 budgeted for the project which was based on a preliminary engineering estimate. As the project scope was refined it became clearer that there would be more effort required to acquire the permits for the project and perform the land research necessary to develop the easements. In addition the soil boring work is estimated to be approximately \$25,000 however, this cost would be separate from this agreement and coordinated by Village staff. The budget deficit for this project would be  $(\$89,430 + \$25,000 - \$76,000 =)$  \$38,000, however there are sufficient funds in the Capital Fund to cover increased costs. It is the staff recommendation to award the engineering agreement to WBK in the amount of \$89,430.

# Proposal for Phase II Engineering- Tanner / Remington Outfall Conveyance System

Village of North Aurora

June 1, 2021

John Laskowski  
Director of Public Works  
Village of North Aurora  
314 Butterfield Road  
North Aurora, Illinois 50542

Dear Mr. Laskowski:

WBK Engineering, LLC (WBK) is pleased to provide this proposal to Village of North Aurora (Village) for professional engineering services for Tanner / Remington Outfall Conveyance System Analysis project. WBK looks forward to the opportunity to assist Village of North Aurora on the preparation of final plans, specifications and estimate for the replacement of the drainage system for Tanner- Remington. Included below is our understanding of the assignment, scope of services, project assumptions, and estimate of fee.

## Understanding of the Assignment

### Background

A drainage system consisting of approximately 7,000 feet of 24" HDPE storm sewer is located north of Remington Place and drains the basins of Tanner Trails Units 4 and 6, and Remington Landing to a drainage ditch (Lake Run Ditch) located west of Remington Landing. This drainage system has had issues in the past with failed pipes and sinkholes. A video inspection of the pipe system uncovered that many of the pipes were severely deflected with failing joints, and water seepage. A survey of the system revealed that two of the pipes were backpitched which limits capacity, and also that there were excessive distances between manholes which hindered inspection and reconstruction efforts. WBK Engineering LLC (WBK) prepared a drainage alternative study in 2019 to determine the most reliable and cost-effective solution to bring the system up to the original capacity of the storm sewer, and also remedy the failing pipes. WBK's alternative analysis presented three alternatives for the Villages review and approval. This proposal covers preparation of final engineering plans, specifications, estimate, permitting, and coordination for the preferred storm sewer alternative. The proposal also covers preparation of plats of easements to cover the proposed pipes through private property.

## Scope of Services

### Task 1 | Preparation of Plans, Specifications, and Estimate of Cost.

This task includes preparation of final engineering plans, specifications and estimates for the preferred pipe replacement alternative from the Lake Run drainage ditch to Tanner Trails Unit 6 stormwater basin (~7,000 feet).

**Soils Investigation Review:** We propose to review a geotechnical investigation (provided by others). It is recommended that a geotechnical firm provide borings and recommendations for construction of the storm sewer over the areas of poor soil. The cost to complete a geotechnical investigation is not included in our costs, but we will obtain proposals, if



requested, and review them with you. The contractual obligations for any geotechnical investigations will be between you and the Geotechnical Consultant. We will assist in coordinating with the geotechnical consultant on the location and number of soil borings.

**Final Engineering Plan:** We will prepare a Final Engineering Plan at a scale of approximately 1"=50'. The plan will show existing conditions, proposed pipe layout and plan and profile, soil erosion measures, details, and general notes. The plans will follow the requirements as outlined in IEPA's Standard Specifications for Water and Sewer Construction in Illinois, and also IDOT's Standard Specifications for Road and Bridge Construction (SSRBC), latest edition. We anticipate three submittals; at the 60%, 90%, and 100% stages for the Village's review. We anticipate three responses to any comments prepared by the Village as part of their review process. This subtask also includes a site visit to document the existing conditions and any changes since the original study was completed. We anticipate the final engineering plans to include the following sheets with a total anticipated 26 sheets:

- Cover sheet
- General Notes (1 sheet)
- Existing Conditions & Removals (4 sheets)
- Alignment and Ties / Construction Staging (2 sheets)
- Plan and profile sheets (9 sheets)
- Soil Erosion and Sediment Control Sheets (4 sheets)
- Stormwater Pollution Prevention Plan (3 sheets)
- Details (2 sheets)

**Stormwater Permit Application:** We will prepare a stormwater permit applications for the proposed improvements. The permit application will include permit forms, calculations, and maps demonstrating that the proposed project meets the criteria outlined in the Kane County Stormwater Ordinance. The permit application will be a tabbed format which will include permit application, and sections covering wetlands, floodplain, stormwater, and stormwater pollution prevention. The permit application will be sent to the Village and Kane County Water Resources for review and approval. We anticipate one revision to the permit application based on comments from the review agencies.

*US Army Corps of Engineers:* WBK will prepare and submit, on your behalf, a Section 404 Permit Application to the US Army Corps of Engineers (USACE) Chicago District for a Regional Permit or Nationwide Permit. The permit application packet will be prepared based on plans and the Wetland Assessment prepared by WBK. WBK will submit the permit application which includes a Joint Permit Application, Wetland Assessment, Project Narrative, Mitigation Plan, Wetland Impacts Exhibit, and any other supporting documentation requested by the USACE. The Joint Permit Application will provide the Villages permission for WBK to communicate with the USACE regarding your permits. WBK will assist you in determining the amount and type of mitigation that will be proposed for the impacts to wetlands and waters of the US for this project.

*Kane DuPage Soil and Water Conservation District Soil Erosion and Sediment Control Plan Review:* We will prepare a request for review from the Kane DuPage Soil and Water Conservation District (as required by the U.S. Army Corps of Engineers through their Memorandum of Understanding) of the Soil Erosion and Sediment Control plans prepared by WBK. This submittal will include a project narrative, a description of the potential impacts, the plan set, a review and inspection fee, and a description of the erosion and sediment control measures to be taken as part of the development of the project. WBK will provide one set of revisions to the submittal as requested by the SWCD.

*Wetland Field Delineation and Delineation Report:* We will prepare a wetland assessment and delineation of the site in accordance with the requirements of the U.S. Army Corps of Engineers (USACE). An investigation of the project site will be completed to determine the limits of the wetlands present within the provided project boundary. Also, during the site visit, wildlife and plant community qualities will be assessed. The limits of the wetland community will be field staked so that they can be located in relation to the project coordinate

system. Pin flags delineating the wetland limits will be surveyed with GPS equipment prior to the report being prepared. After the wetlands have been delineated, WBK will meet a representative of the USACE to review and concur with the boundaries. The results of the field reconnaissance will be summarized in a report. The wetland's generalized quality ratings, according to the Wilhelm and Rericha Methodology (2017), will be included along with exhibits depicting the approximate wetland and project boundaries, National Wetland Inventory, soil survey, floodplain, USGS topography, site photographs and their locations, and the U.S. Army Corps of Engineers (USACE) Routine On-site Data Forms.

*Federal Threatened and Endangered Species Consultation/ US Fish and Wildlife Service:* We will perform a threatened and endangered species consultation for the United States Fish and Wildlife Service (USFWS) in compliance with Section 7 of the Endangered Species Act. We will report any Federally-listed threatened or endangered species within the project county and include their common name, scientific name, and a description of their habitat. WBK will assess the project area for potential habitat for the listed species and determined whether or not the project will have adverse effects on Federally-listed threatened or endangered species and their habitat. We will prepare a summary memorandum of the consultation determination to the client.

*State Threatened and Endangered Species Consultation/ Illinois Department of Natural Resources:* We will submit an Illinois Department of Natural Resources (IDNR) Section 1075 Consultation for State-listed threatened and endangered species as well as protected natural areas via EcoCAT. EcoCAT is the IDNR's online Ecological Compliance Assessment Tool. We will prepare the initial response to any requests made by IDNR for additional searches for T & E species. If the agencies requests additional assessments, we will assist you in finding consultants qualified to perform the required fieldwork if the required assessments are for species our staff does not have previous experience with. These consultations will be required prior to obtaining permits or authorizations to develop the site.

**Final Opinion of Probable Construction Cost:** Based upon the information contained in the final design documents, we shall prepare an engineer's opinion of probable construction cost for the site improvements. We anticipate three revisions to the estimate based on any comments from the Village as part of the 60%, 90%, and 100% plan review process. This estimate of cost will be the basis for the bid sheet.

**Specifications:** We will prepare specifications to supplement the engineering plans for construction of the proposed storm sewer. The specifications will cover non-standard items not covered in the SSRBC. We will prepare the specifications for the 90% and 100% plans. Front end bid document requirements will be provided by the Village in a format which is compatible with Microsoft Word

**Consultation:** We have budgeted attending up to six (6) meetings with the Village to review design comments, and also coordination on preparation of the plans and any coordination with project stakeholders (property owners-Reckingers, Forest Preserve).

## Task 2 | Plats of Easements

This task includes preparing plats of easements and legal descriptions for easements covering the proposed storm sewer. We anticipate preparing a maximum of five (5) separate documents covering the five properties the proposed storm sewer is anticipated to cross. The fee includes ordering title commitments for all parcels.

## Project Assumptions

In preparing this proposal, we have attempted to provide you with a complete package of the engineering services anticipated at this point in time. In doing so, we have made some assumptions which will need to be verified during the engineering process. Any findings which are not consistent with our assumptions may increase the engineering

budget for this project. We will thoroughly discuss any such findings with you and negotiate any budget revisions prior to proceeding. Our assumptions are as follows:

- That the site was never used for storage of hazardous materials, and therefore the cost of an environmental assessment, mitigation, clean-up and permitting services are not included.
- Soil borings and soil testing is not included in this proposal.
- Public meeting attendance is not included as well as coordination with adjacent landowners beyond that identified in this scope.

## Estimate of Fees

Due to the nature of the tasks listed in the above Scope of Basic Services, we have provided time and material budgets. The actual amount invoiced will be based on the level of effort required to accomplish the task, but we will not exceed the budget without your prior approval. Our estimated fees are based on the entire Scope of Basic Services being awarded to us. In general, individual tasks cannot be broken out and awarded separately.

Task #	Task Name	Fee
Task 1	Preparation of Plans, Specifications and Estimate of Cost	\$78,048
Task 2	Plat of Easements	\$11,382
	<b>TOTAL</b>	<b>\$89,430</b>
	Reimbursable Costs (Including Printing)	Cost + 10%

Please note that preparing this proposal requires the exercise of professional knowledge and judgment, and as such, this proposal remains the proprietary instrument of service of WBK Engineering, LLC. No portion of this proposal may be shared with another firm providing similar services without our permission.

We propose to bill you monthly based on the attached Schedule of Charges. We establish our contract in accordance with the attached General Terms and Conditions. These General Terms and Conditions are expressly incorporated into and are made an integral part of this contract for professional services. We reserve the right to increase our fees by five percent (5%) on December 31st of each calendar year.

If this proposal is acceptable, please return one (1) signed copy to us for our files to serve as a notice to proceed. Thank you for the opportunity to provide service to the Village of North Aurora. If you have any questions, please do not hesitate to call.

Sincerely,



John Witte P.E. CFM  
Civil Engineering Practice Lead

Encl: 2021 Schedule of Charges  
General Terms and Conditions (February 4, 2016)

THIS PROPOSAL, SCHEDULE OF CHARGES, AND GENERAL TERMS & CONDITIONS ACCEPTED FOR VILLAGE OF NORTH AURORA:

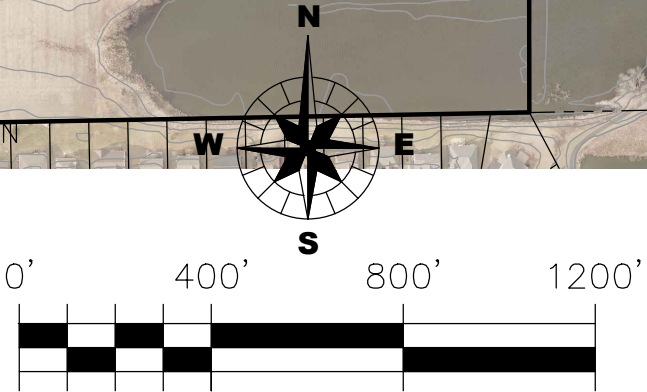
BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_



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OPTION -2: NEW LINE W/ ADDITIONAL MANHOLES  
RECONSTRUCT/REPLACE



<div><div>WBK</div><div>engineering</div></div> <div>WBK ENGINEERING, LLC 116 WEST MAIN STREET, SUITE 201 ST. CHARLES, ILLINOIS 60174 (630) 443-7755</div>	CLIENT :  <b>VILLAGE OF NORTH AURORA 314 BUTTERFIELD ROAD NORTH AURORA, IL 50542</b>	NO.	DATE	NATURE OF REVISION	DSGN.	JWW	12/17/19	TITLE :  <b>TANNER/REMINGTON CONVEYANCE SYSTEM</b>	PROJECT NO. 190198
					DWN.	GMP	12/17/19		DATE : 12/17/2019
					CHKD.	JWW	12/17/19		SHEET 3 OF 4
					SCALE :	1" = 400'			<b>OPTION - 2</b>
					FILE NAME:	OPT-2_190198.DWG			





Description		Engineer V	Engineer III	Engineer I	ERS III	Technician III	Sub-Consultant Costs
<b>1</b>	<b>Final Engineering</b>						
1.1	Kickoff, coordination, site visit	10	2	3			
1.2	Final Engineering Plans						
	Cover Sheet	1	2			5	
	U GN		2	1		5	
	EC & Removals	2	8	8		14	
	P&P	9	18	36		65	
	SWPPP	1	3	3		6	
	SESC	2	3	3		6	
	Details	2		8		16	
1.3	Coord with Geotech	6					
1.4	Revise based on comments 60%	12	6	6		20	
1.5	Revise based on comments 90%	8	5	5		16	
1.6	Revise based on comments 100%	12	2	2		6	
1.7	Specifications						
	90%	8	16	6			
	100%	5	3	3			
1.8	Engineers Estimate of Probable Cost & Quantities						
	60%	2	7	7			
	90%	1	5	5			
	100%	1	4	4			
1.9	Project Meetings	12	8	8			
1.10	Stormwater Permit Application	6	10	10	16	7	
	Wetland Field Delineation and Survey				16	6	
	Wetland Report and Exhibits	2			24	8	
	USACE Permit Application				18		
	ECOCAT				4		
	USFWS- T&E				4		
	Revision to permit	5	6	6	4		
	Kane DuPage SWCD Permit Application				8		
1.11	QA / QC	8	8	8	16		
SUB-TOTAL		655.0	115.0	118.0	132.0	110.0	
PERCENT			18%	18%	20%	17%	
<b>2</b>	<b>Easement Plats</b>						
2.1	Preparation of Easement Documents (Regional Land Services)	2	2				\$ 10,800.00
SUB-TOTAL		4.0	2.0	2.0			
PERCENT			50%	50%			\$ 10,800.00
TOTALS		659.0	117.0	120.0	132.0	110.0	\$ 10,800.00
PERCENT			18%	18%	20%	17%	

**Final Engineering  
Tanner Remington Storm Outfall Final Engineering  
Tanner Trails**



\*Firm's **approved rates** on file with IDOT's  
Bureau of Accounting and Auditing:

Complexity Factor ( R ) 0.0  
Calendar Days 0

Date: 6/1/2021

**Cost Estimate of Consultant's Services in Dollars**

Element of Work		Employee Classification	Man-Hours	Hourly Rate	(MH) x Hourly Rate	Services by Others	In-House Direct Costs (IHDC)	Total
1	Final Engineering					\$ -	\$ -	\$0.00
		Engineer V	115.0	\$172.00	\$19,780.00			\$19,780.00
		Engineer III	118.0	\$119.00	\$14,042.00			\$14,042.00
		Engineer I	132.0	\$88.00	\$11,616.00			\$11,616.00
		ERS III	110.0	\$105.00	\$11,550.00			\$11,550.00
		Technician III	180.0	\$117.00	\$21,060.00			\$21,060.00
2	Easement Plats					\$ 10,800.00	\$0.00	\$10,800.00
		Engineer V	2.0	\$172.00	\$344.00			\$344.00
		Engineer III	2.0	\$119.00	\$238.00			\$238.00
<b>Totals</b>			659.0		\$ 78,630.00	\$ 10,800.00	\$ -	\$ 89,430.00

# Memorandum



To: Mark Gaffino, Village President & Board of Trustees  
Cc: Steven Bosco, Village Administrator  
From: Brandon Tonarelli, Village Engineer  
Date: June 1, 2021  
Re: Award Bid for Proposed DCEO IL 31 Sidewalk Installation Project

On June 1, 2021 four sealed bids were received for the DCEO IL 31 Sidewalk Installation Project. Geneva Construction Company was the low bidder in the amount of \$52,451.80. A summary of the bid is below and attached to this memorandum is the detailed bid tabulation.

Geneva Construction Company PO Box 998 Aurora, IL 60507	Engineer's Estimate	Triggi Construction, Inc. 1975 Powis Road West Chicago, IL 60186	Alliance Contractors Inc. 1166 Lake Avenue Woodstock, IL 60098	Copenhaver Construction, Inc. 75 Koppie Drive Gilberts, IL 60136
\$52,451.80	\$55,837.00	\$59,997.80	\$61,257.50	\$87,899.00

The project includes the installation of approximately 530 feet of 5 foot wide sidewalk on the east side of IL Route 31 where currently no sidewalk exists. The segment is shown in red on the included aerial.

The Illinois Department of Commerce & Economic Opportunity (DCEO) had reinstated a grant for sidewalk the Village had previously been awarded, which now requires spending the funds by the end of 2021. \$41,120.29 remains of the grant funds and the balance of the construction cost (\$11,331.51) will be paid from the Route 31 TIF Fund. The fiscal year budget included \$150,000 for sidewalk installation which included this segment as well as additional new sidewalk segments.

Village staff designed the sidewalk project and will be performing the construction inspection and administration of this project.

Geneva Construction Company has successfully completed projects that included sidewalk work in the Village of North Aurora in the past. Village staff is recommending the award of the bid to Geneva Construction Company in the amount of \$52,451.80.







# Memorandum

To: Mark Gaffino, Village President & Board of Trustees  
Cc: Steven Bosco, Village Administrator  
From: John Laskowski, Public Works Director  
Date: May 28, 2021  
Re: Purchase of a New Ford Explorer

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The Public Works Department is requesting the purchase of a new 2021 Ford Explorer. The vehicle is going to be used by the Village Engineer primarily for trips in town to inspect active construction sites, supervise contractors, and transport surveying equipment to assess drainage concerns. It also will serve as a reliable vehicle that can be used to travel to out of town meetings, trainings, or conduct village related business.

The Ford Explorer was selected because it offers room to transport survey equipment safely and securely, our mechanic is familiar with the maintenance and the vehicle is available to be outfitted with desired options. The Administration Department has also had a good experience with Vehicle 146, their recently purchased 2018 Ford Explorer. Two options requested on the new vehicle include four wheel drive and the installation of aftermarket safety lights since the vehicle will be used in the winter during icy conditions and also visit construction sites.

Currently the Village Engineer is using the repurposed Chevy Silverado previously driven by the Water Superintendent. This vehicle does not function well for the engineer because it has an open bed and it is not able to protect survey equipment from the elements nor provide security for the equipment. Instead this equipment is kept in the trunk of Public Works Director's repurposed unmarked Crown Victoria squad car. Because the equipment is not kept in the truck there can be problems when the Director is using the Crown Victoria and the Engineer needs to use the equipment. Additionally, when the survey equipment needs to be used off-road the equipment must be transferred from the Crown Victoria to the Silverado. Additionally, both of these vehicles are high in mileage and would be unreliable if staff needed to take them on highway trips to the Illinois Department of Transportation or to conferences. The Crown Victoria periodically has

dashboard lights illuminate and the Silverado has had transmission problems that prevented it from shifting gears.

The current vehicles, the Crown Victoria and Chevy Silverado, are proposed to remain in the fleet for limited use. The Silverado would be retained during the summer for the Civil Engineering Intern's use driving to job sites in town. It would then replace the existing Tank Truck used to water flowers. The Crown Victoria would continue to be used by the Public Works Director.

Public Works has evaluated the option of purchasing a new Ford Explorer as well as purchasing a used vehicle. Staff considered used vehicles, but when evaluating price, past maintenance and available options, a new vehicle is a better choice, especially as in the current economy the price of used vehicles has increased substantially. Purchasing a used vehicle can also be difficult because sometimes used vehicles have features that are unnecessary, like heated seats and leather interior. Trying to exclude or include these features can reduce the stock available from which we would select a vehicle.

Additionally, Public Works likes to maintain a uniform fleet and a uniform color allows residents to easily identify us in the field. Purchasing used vehicles can also be riskier because the past maintenance record is unknown. The Village of North Aurora routinely performs preventative maintenance on its fleet to reduce future needed repairs.

Staff evaluated purchasing a new vehicle through the State Bid process, a Municipal Collaborative, and soliciting prices from a local vendor. The State bid process is a competitive bid process that solicits bids from vendors around the state for vehicles, equipment, and even office supplies. The low bidder receives the contract from the State and local agencies are then offered the opportunity to purchase vehicles at the prices received by the State. Since the State contract is based on volume and the process is competitive, the prices are generally lower than those by a local dealership. The quote received from National Auto Fleet group through the State bid is \$32,441.70 and is broken down in detail on the attached quote.

After receiving the State Bid price, Village staff identified another collaborative municipal purchasing program call the Suburban Purchasing Cooperative (SPC), which while the Village is not part of its membership we were allowed to contact the vendor and receive the pricing offered to this group. The quote received through SPC was in the amount of \$29,304.

A local Ford dealer was contacted after the price was received from SPC and they indicated that they could not offer a better price.



The amount budgeted in the FY 2021-2022 budget year for this vehicle is \$39,000 from the Vehicle and Equipment Fund. At this time, the Public Works Department is recommending the purchase of the new 2021 Ford Explorer in the amount of \$29,304, which will include four-wheel drive. After the purchase staff would purchase and install the requested aftermarket safety lights.



# **BILL OF SALE**

Salesperson: Tony Walus

<b>Purchaser:</b>	Village of North Aurora	<b>Phone:</b>	(331) 385-6256
<b>Co-Purchaser:</b>		<b>Phone:</b>	
<b>Street Address:</b>	25 E State St		
<b>City:</b>	North Aurora	<b>State:</b>	IL
<b>Zip Code:</b>	60542	<b>County:</b>	Kane
<b>Email Address:</b>			

☐ New ☐ Used

Stock #: \_\_\_\_\_

Date of Order: 05/25/2021

☐ Finance ☐ Cash ☐ Lease

Anticipated Delivery Date: 05/25/2021

	Year	Make	Model	Color	Miles	Vin Number
<b>Purchased</b>	2021	Ford Truck	Explorer 4WD			
<b>Trade In</b>						
<b>2nd Trade</b>						

## **Other Conditions of Sale:**

### ☐ **THE ORDERED VEHICLE MUST BE LOCATED**

Mileage on Delivery will not exceed: \_\_\_\_\_

Desired trim, options, and color configuration agreed upon and attached to this buyers order.

***Order Non-Cancelable and Deposit Non-Refundable if dealer locates vehicle and customer fails to take delivery of vehicle.***

The appraisal of the trade in(s) is based on an odometer reading of up to \_\_\_\_\_ miles, and the trade in may be reappraised if it exceeds this limit.

**No oral representations are binding unless written on this form. This document supersedes any prior agreements and representations, regarding the transaction.**

**USED VEHICLE ONLY:** "The information you see on the window form for this vehicle is part of this contract. Information on window form overrides any contrary provisions in the contract of sale."

**NO PUBLIC LIABILITY, PROPERTY DAMAGE, OR PHYSICAL DAMAGE INSURANCE ISSUED.**

## **MSRP/Retail Price:**

**\$**

Discount: (\$ (\$29,144.00) )

Trade Allowance: (\$ \$0.00 )

Rebates: (\$ )

## **Cash Difference:**

**\$**

\$29,144.00

## **Dealer Added Options:**

\$

\$

\$

\$

\$

## **Subtotal w/ Added Options:**

**\$**

\$29,144.00

Dealer Service Fee: \$ \$0.00

State E-File Fee: \$

Sales Tax ( %Tax Rate): \$ \$0.00

Title/License Fees: \$ \$160.00

Payoff: \$ \$0.00

## **Total:**

**\$**

\$29,304.00

Deposit on Order: (\$ )

Additional Cash Down Due: (\$ \$0.00 )

## **Amount Financed/Due:**

**\$**

\$29,304.00

<b>Purchaser Signature:</b>		<b>Date Signed:</b>	05/25/2021	<b>Time Signed:</b>	11:34 AM	AM
<b>Co-Purchaser Signature:</b>		<b>Date Signed:</b>	05/25/2021	<b>Time Signed:</b>	11:34 AM	AM
<b>Dealer Signature</b>		<b>Date Signed:</b>	05/25/2021	<b>Time Signed:</b>	11:34 AM	AM



**2020 Ford Explorer 4-Door**  
**Contract # 191**



Kunes Country Ford of Antioch  
[www.antiochford.com](http://www.antiochford.com)



**GOOD THRU: November 21, 2020**

Tony Walus: (847) 838-7511 | [tony.walus@kunescountry.com](mailto:tony.walus@kunescountry.com)



## Kunes Country Ford of Antioch SPC

Contract Winner

### 2020 Ford Explorer 4-Door

Contact: Tony Walus (847) 838-7511

[tony.walus@kunescountry.com](mailto:tony.walus@kunescountry.com)

Standard Package: **\$25,415**

**Warranty: 3-Year 36,000-mile Limited Bumper to Bumper  
5-year 60,000-mile Powertrain**

<b>MECHANICAL</b> <ul style="list-style-type: none"><li>• Electric Parking Brake</li><li>• Engine – 2.3L EcoBoost® I-4 with Auto Start-Stop Technology</li><li>• Four-Wheel Disc Brakes with Anti-Lock Brake System (ABS)</li><li>• Standard-Duty Front and Rear Brake Calipers</li><li>• Transmission – 10-Speed Automatic with SelectShift® Capability (includes Active Transmission Warm-Up (ATWU))</li></ul> <b>EXTERIOR</b> <ul style="list-style-type: none"><li>• 18.6 Gallon Fuel Tank</li><li>• Active Grille Shutters (Not available with the Fleet Only optional</li><li>• 3.3L Ti-VCT V6 FFV Engine on Base)</li><li>• Black – Molded-in-Color<ul style="list-style-type: none"><li>— Door Handles</li><li>— Grille</li><li>— Lower Bodyside Cladding</li><li>— Wheelip Molding</li></ul></li><li>• Body-Color<ul style="list-style-type: none"><li>— Bumpers, Front and Rear (Body-Color Upper, Black Lower) — Rear Spoiler</li></ul></li><li>• Chrome Liftgate Appliqué</li><li>• Configurable Daytime Running Lamps (DRL) (Activates LED Low Beam Headlamps with Courtesy Delay)</li><li>• Easy Fuel® Capless Fuel Filler</li><li>• Front Air Curtain</li></ul>	<b>INTERIOR/COMFORT</b> <ul style="list-style-type: none"><li>• Black Metallic Center Stack</li><li>• Center Floor Console – Front<ul style="list-style-type: none"><li>— Armrest</li><li>— Storage Bin</li></ul></li><li>• Climate Control<ul style="list-style-type: none"><li>— Tri-Zone Electronic Temperature Control</li><li>— Cabin Particulate Air Filter</li><li>— Rear Auxiliary Controls</li></ul></li><li>• Cruise Control</li><li>• Cupholders – 10</li><li>• Door-Sill Scuff Plates, Front and Rear – Black Molded-in-Color<ul style="list-style-type: none"><li>• (MIC), embossed with “EXPLORER”</li></ul></li><li>• Driver and Front Passenger Seat Back Map Pockets</li><li>• Driver’s Side Footrest</li><li>• Floor Mats – Black Carpet, Front and Second Rows</li><li>• Grab Handles – Front-Passenger; Second Row – two (2), includes Coat Hooks</li><li>• Illuminated Visor Vanity Mirrors (Driver and Front Passenger)</li><li>• Instrument Panel Appliqués – Ebony</li><li>• Instrument Panel Cluster<ul style="list-style-type: none"><li>— 4.2" Color LCD Productivity Screen</li><li>— Message Center</li><li>— Outside Temperature Display</li><li>— Trip Computer</li></ul></li><li>• Lighting<ul style="list-style-type: none"><li>— Front Overhead Console Mounted Map Lights</li><li>— Illuminated Entry System</li><li>— Rear Cargo Area Light</li><li>— Second and Third Row Dome Lights</li></ul></li></ul>
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- LED Taillamps with Amber Turn Signals\*

#### EXTERIOR (continued)

- Power Liftgate
- Privacy Glass – Second Row, Third Row and Liftgate
- Roof-Mounted Antenna
- Tires
  - P255/65R18 All-Season (A/S) BSW
  - Mini Spare
- Wheels – 18" Painted Aluminum
- Wipers
  - Windshield – Variable Intermittent/Continuous
  - Rear Window – Single-Speed Intermittent/Continuous

#### SAFETY/SECURITY

- AdvanceTrac® with RSC® (Roll Stability Control™)
- Airbags
  - First Row: Driver and Passenger Dual-Stage Front, Frontseat Side and Driver/Passenger Knee
  - All Rows: Safety Canopy® Side-Curtain with Rollover Sensor
- Center High-Mounted Stop Lamp (CHMSL)
- Curve Control
- Day/Night Rearview Mirror – Manually Adjustable
- Door Locks, Power
  - Auto lock/Auto unlock
  - Child-Safety Rear
- Head Restraints
  - Four-Way Manually Adjustable Driver and Front-Passenger
  - (Two-way up/down when Dual-Headrest Rear Seat Entertainment System (50S) is ordered)
  - Two-Way Manually Adjustable Second and Third Row (Left and Right; Second Row Center Head Restraint is fixed position)
- Headlamps
  - LED Low and High Beams with Courtesy Delay
  - Wiper-Activated
- Hooks
  - Cargo Net – Four (4)
  - Load Floor Tie-Down – Four (4)
- Individual Tire Pressure Monitoring System (ITPMS)
- LATCH (Lower Anchors and Tether Anchors for Children) on Second and Third Row Outboard Seating Positions

#### INTERIOR/COMFORT (continued)

- Locking Glove Box
- Overhead Console with Sunglasses Storage
- Powerpoints (12V) – five (5)
  - Front row; one (1) in Media Hub, one (1) in center console
  - Second row; two (2) in rear section of center console
  - Rear Cargo Area; one (1)
- Rotary Gear Shift Dial
- Seats
  - Cloth
  - Front Row Captain's Chairs
  - 8-way Power Driver's Seat (includes Power Recline)
  - 4-way Manual Front Passenger (Fore/Aft, Recline)
  - Second Row – 35/30/35\* Split-Fold-Flat and Reclining Outboard Seats with E-Z Entry<sup>1</sup> (Manual fore/aft adjustable seat on "35" section only)
  - Third Row – 50/50 Split-Fold-Flat (Manual)
- Steering Column – Manual Tilt/Telescoping
- Steering Wheel with Mounted Features
  - 5-Way Controls
  - Audio Controls
  - Cruise Controls
  - Paddle Shifters
- Windows, Power – Front and Rear. Front Row One-TouchUp/Down Feature (door mounted controls).

#### SAFETY/SECURITY (continued)

- Rear-Window Defroster and Washer
- Safety Belts
  - Front Row – Belt-Minder® (Front Safety Belt Reminder)
  - Front Row – Adjustable Height
  - Second Row – Outboard and Center Seat Shoulder
  - Third Row – Outboard
- SecurILock® Passive Anti-Theft System (PATS) (Explorer Base Series Only)
- SOS Post-Crash Alert System™

#### DRIVER ASSIST TECHNOLOGY

- Auto Hold
- Ford Co-Pilot360™
  - Auto High-Beam Headlamps
  - BLIS® (Blind Spot Information System) with Cross-Traffic Alert<sup>4</sup>
  - Lane-Keeping System
- Lane-Keeping Alert
- Lane-Keeping Assist
- Driver Alert
  - Pre-Collision Assist with Automatic Emergency Braking (AEB)
- Pedestrian Detection
- Forward Collision Warning
- Dynamic Brake Support
  - Rear View Camera<sup>5</sup>
- Headlamps – Autolamp (Automatic On/Off)
- Hill Descent Control™ (4x4 Only)
- Hill Start Assist
- Post-Collision Braking

<ul style="list-style-type: none"> <li>• Mirrors, Sideview – Power Glass, Manual-Folding and Black Molded-in-Color Caps<sup>2</sup></li> <li>• MyKey®</li> <li>• Personal Safety System™<sup>3</sup></li> </ul> <ul style="list-style-type: none"> <li>• E-Z Entry is manually activated</li> <li>• BLIS® (Blind Spot Information System) with Cross-Traffic Alert is included in the Ford Co-Pilot360™</li> <li>• Personal Safety System™ for driver and front passenger includes dual-stage front airbags, safety belt pretensioners, safety belt energy-management retractors, safety belt usage sensors, driver's seat position sensor, crash severity sensor, restraint control module and Front-Passenger Sensing System.</li> </ul>	<ul style="list-style-type: none"> <li>• Reverse Sensing System</li> <li>• Side-Wind Stabilization</li> <li>• Trailer Sway Control</li> </ul>
<p><b>FUNCTIONAL</b></p> <ul style="list-style-type: none"> <li>• 3.58 Non-Limited-Slip Rear Axle <ul style="list-style-type: none"> <li>• BLIS® (Blind Spot Information System) with Cross-Traffic Alert and Trailer Coverage when Class III Trailer Tow Package (52T) is selected</li> <li>• With Backup Assist Grid Lines and Washer</li> </ul> </li> <li>• Audio <ul style="list-style-type: none"> <li>— AM/FM Stereo</li> <li>— MP3 Capable</li> <li>— Six (6) Speakers</li> <li>— Speed-Compensated Volume</li> <li>— SiriusXM® Radio</li> <li>❖ <b>Note:</b> Includes a six (6)-month prepaid subscription. Service is not available in Alaska and Hawaii.</li> <li>❖ <b>Note:</b> SiriusXM audio and data services each require a subscription sold separately, or as a package, by Sirius XM Radio Inc. If you decide to continue service after your trial, the subscription plan you choose will automatically renew thereafter and you will be charged according to your chosen payment method at then-current rates. Fees and taxes apply. To cancel you must call SiriusXM at 1-866-635-2349. See SiriusXM Customer Agreement for complete terms at <a href="http://www.siriusxm.com">www.siriusxm.com</a>. All fees and programming subject to change. Sirius, XM and all related marks and logos are trademarks of Sirius XM Radio Inc</li> </ul> </li> </ul>	<p><b>FUNCTIONAL (continued)</b></p> <ul style="list-style-type: none"> <li>• Battery Saver</li> <li>• Compass</li> <li>• EcoCoach (efficient driving assistant)</li> <li>• Electric Power-Assisted Steering (EPAS)</li> <li>• Engine Oil Cooler</li> <li>• ★ FordPass Connect™ <ul style="list-style-type: none"> <li>— 4G LTE Wi-Fi hotspot connects up to 10 devices<sup>6</sup></li> <li>— Remotely start, lock and unlock vehicle<sup>7</sup></li> <li>— Schedule specific times to remotely start vehicle<sup>7</sup></li> <li>— Locate parked vehicle<sup>7</sup></li> <li>— Check vehicle status<sup>7</sup></li> <li>❖ <b>Note:</b> Ford Telematics™ and Data Services Prep included for Fleet ONLY: FordPass Connect™ 4G Wi-Fi Modem provides data to support telematics and data services including but not limited to vehicle location, speed, idle time, fuel, vehicle diagnostics and maintenance alerts. Device enables telematics services through Ford or authorized providers. Activate at <ul style="list-style-type: none"> <li>■ <a href="http://www.fleet.ford.com">www.fleet.ford.com</a> or call 833-FCS-Ford. (833-327-3673)</li> </ul> </li> </ul> </li> <li>• Front and Rear Stabilizer Bars</li> <li>• Independent Front and Rear Suspension</li> <li>• Intelligent Oil-Life Monitor®</li> <li>• Keyless-Entry Integrated Key Transmitter Remotes – Two (2)</li> <li>• SYNC® 3 <ul style="list-style-type: none"> <li>— Enhanced Voice Recognition Communications and Entertainment System</li> <li>— 8" LCD Capacitive Touchscreen in Center Stack with Swipe Capability</li> <li>— Pinch-to-Zoom capability included when equipped with available Voice-Activated Touchscreen Navigation System</li> <li>❖ (Navigation is included in the Ford Co-Pilot360™ Assist+ (65S))</li> <li>— Applink®</li> <li>— 911 Assist®</li> <li>— Apple CarPlay® and Android Auto™ Compatibility</li> <li>— Smart-Charging Multimedia USB Ports – One (1) in the Media Hub and one (1) in the Main Bin</li> </ul> </li> </ul> <p><b>4WD MODELS INCLUDE:</b></p> <ul style="list-style-type: none"> <li>• Intelligent 4WD</li> <li>• Terrain Management System™</li> </ul>

### Optional Equipment Packages & Other Options

	ITEM/DESCRIPTION	Code	Price
<input type="checkbox"/>	Explorer RWD	K7B	N/C
<input checked="" type="checkbox"/>	Explorer 4WD	K8B	\$3,219
<input type="checkbox"/>	Explorer XLT RWD	K7D	\$5,642
<input type="checkbox"/>	Explorer XLT 4WD	K8D	\$7,416
<input type="checkbox"/>	Explorer Limited RWD	K7F	\$16,308
<input type="checkbox"/>	Explorer Limited 4WD	K8F	\$17,283
<input type="checkbox"/>	Explorer Limited Hybrid RWD	K7F	\$18,990
<input type="checkbox"/>	Explorer Limited Hybrid 4WD	K8F	\$21,940
<input checked="" type="checkbox"/>	Extra Keys		\$295
<input type="checkbox"/>	2.3L I-4 EcoBoost Engine w/ Auto Start-Stop Technology. 10-Speed Automatic Transmission w/ SelectShift Capability	99H/44T	STD
	<b>FREE STANDING PACKAGES &amp; OPTIONS (FSO)</b>		
<input checked="" type="checkbox"/>	Floor Liners (Front & 2 <sup>nd</sup> Row)	16N	\$115
<input type="checkbox"/>	Class III Trailer Tow Package. NOTE: Contains Cargo Area Management System	52T	\$667
<input type="checkbox"/>	Comfort Pkg (XLT)	65W	\$697
	<b>FLEET ONLY OPTIONS (Requires Valid FIN Code)</b>		
<input type="checkbox"/>	Daytime Running Lamps (DRL) (Non-Configurable) NOTE: Replaces the Standard Configurable Daytime Running Lamps (DRL)	942	\$42
<input type="checkbox"/>	Engine Block Heater	41H	\$85

	<b>FACTORY INVOICED ACCESSORIES (FIA)</b> <b>Shipped separately from the vehicle for Dealer Installation</b>		
<input type="checkbox"/>	Cargo Mat	85W	\$95
<input type="checkbox"/>	Roof-Rail Crossbars(XLT/ Limited)	50N	\$306
<input type="checkbox"/>	Splash Guards	50M	\$193
	<b>Available Dealer Options</b>		



<input type="checkbox"/>	Deep Tray-Style All-Weather Floor Mats		\$225
<input type="checkbox"/>	Undercoating		\$325
<input type="checkbox"/>	Rustproofing		\$325
<input type="checkbox"/>	Service Manual (CD Rom or USB Drive)		\$295
<input type="checkbox"/>	<b>COLOR &amp; TRIM AVAILABILITY</b>		
<input type="checkbox"/>	Sandstone	7N	N/C
<input type="checkbox"/>	XLT Sandstone	8N	N/C
<input type="checkbox"/>	XLT Ebony	86	N/C
<input type="checkbox"/>	XLT 202A Sandstone	SN	N/C
<input type="checkbox"/>	XLT 202A Ebony	S6	N/C
<input type="checkbox"/>	Cloth Front Captain's Chairs w/ 8-way Power Driver & 4-way Manual Passenger. 2 <sup>nd</sup> Row 35/30/35 Split-Fold-Flat and Reclining with E-Z Entry, 3 <sup>rd</sup> Row 50/50 Split-Fold-Flat.	17U	XLT ONLY \$495
<input type="checkbox"/>	<b>PAINT</b>		
<input type="checkbox"/>	Blue Metallic	FT	\$0
<input type="checkbox"/>	Magnetic Metallic	J7	\$0
<input checked="" type="checkbox"/>	Iconic Silver Metallic	JS	\$0
<input type="checkbox"/>	Agate Black Metallic	UM	\$0
<input type="checkbox"/>	Oxford White	YZ	\$0
<input type="checkbox"/>	Silver Spruce Metallic (XLT/Limited)	BN	\$0
<input type="checkbox"/>	Atlas Blue Metallic (XLT/Limited)	B3	\$0
<input type="checkbox"/>	Rapid Red Metallic Tinted Clear Coat (XLT/ Limited)	D4	\$375
<input type="checkbox"/>	Rich Cooper Metallic Tinted Clear Coat (XLT/ Limited)	B6	\$375
<input type="checkbox"/>	Star White Tri-coat (XLT/ Limited)	AZ	\$565
<input type="checkbox"/>	<b>EMISSIONS STANDARD/OPTIONAL EQUIPMENT</b>		
<input type="checkbox"/>	<b>50 State Emissions System</b> Standard equipment in all states.	425	STD
<input type="checkbox"/>	<b>FRONT LICENSE PLATE BRACKET</b> Standard in states requiring two license plates and optional to all others.	153	STD
<input type="checkbox"/>	<b>MISCELLANEOUS</b>		
<input type="checkbox"/>	COV Required	79V	N/C



<input type="checkbox"/>	Priced DORA	C09	N/C
<input type="checkbox"/>	<b>TYPE OF PLATES</b>		
<input checked="" type="checkbox"/>	New Plates & Title (please choose below)		\$160
<input checked="" type="checkbox"/>	Municipal		N/C
<input type="checkbox"/>	Fire		N/C
<input type="checkbox"/>	Police		N/C
<input type="checkbox"/>	<b>Delivery</b>		
<input type="checkbox"/>	Delivery within 50 miles		N/C
<input checked="" type="checkbox"/>	Delivery > 50 miles		\$100
<input type="checkbox"/>	<b>Extended Service Contracts</b>		
<input type="checkbox"/>	3 YR/100,000 Powertrain Care		\$1,460
<input type="checkbox"/>	3 YR/100,000 Base Care		\$1,535
<input type="checkbox"/>	3 YR/100,000 Premium Care		\$1,935
<input type="checkbox"/>	6YR/00,000 Powertrain Care		\$1,575
<input type="checkbox"/>	6 YR/100,000 Base Care		\$1,675
<input type="checkbox"/>	6 YR/100,000 Premium Care		\$2,150
<input type="checkbox"/>			
<input type="checkbox"/>	Total Vehicle Price\$ <u>29,304.00</u>		
<input type="checkbox"/>			
<input type="checkbox"/>	Quantity <u>1</u>		
<input type="checkbox"/>			
<input type="checkbox"/>	Total Order \$ <u>29,304.00</u>		
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			



Please Enter the following:

Agency Name & Address:

Village of North Aurora  
25 E. State St.  
North Aurora, IL 60542

Contact Name:

Brian Richter

Phone Number:

1-331-385-6256

Purchase Order Number:

Total Dollar Amount:

\$ 29,304.00

Total Number in Units:

1

Delivery Address:

314 Butterfield Rd.  
North Aurora, IL 60542

Please submit P.O. & Tax-Exempt letter with Vehicle Order:

Kunes Country Ford of Antioch  
104 Route 173  
Antioch, IL 60002

Contact: Tony Walus

Contract # 191

Phone: (847) 838-7511  
Fax: (847) 838-9206  
[tony.walus@kunescountry.com](mailto:tony.walus@kunescountry.com)

IF WE HAVE MISSED AN OPTION OR TO DISCUSS FINANCE OPTIONS,  
PLEASE CONTACT OUR OFFICE.  
COMPLETE UNITS IN STOCK FOR IMMEDIATE DELIVERY CAN BE VIEWED ON OUR  
WEBSITE [WWW.ANTIOCHFORD.COM](http://WWW.ANTIOCHFORD.COM)





## Memorandum

To: Mark Gaffino, Village President & Board of Trustees

Cc: Steven Bosco, Village Administrator

From: Paul Young, Water Operations Superintendent  
John Laskowski, Public Works Director

Date: June 1, 2021

Re: Approval to Waive Bids to perform Well #5 Rehabilitation and  
Maintenance and Well Site Improvements

---

The Village has two projects proposed for Well #5. A pump and motor rehabilitation project and a site Improvements project. The scope of work of the pump and motor maintenance and rehabilitation project includes evaluating the Byron Jackson submersible motor, Byron Jackson 13 stage pump, the submersible electrical cable, and the column pipe. Although we will not know the actual condition of the pump, motor, cable and column pipe until Layne mobilizes and pulls this equipment from the well, we anticipate that most of these components can be normally serviced and put back into operation with the exception of possibly some of the older column pipe.

The scope of the site improvements project includes the installation of a pitless adapter, relocating the discharge supply pipe underground to prevent damage, the installation of a new meter vault, additional valves that will isolate Well #5 from Well #9, the demolition and removal of the well house, and the restoration of the well site. The only component of the site improvements project that is being included with the pump and motor rehabilitation and maintenance project is the installation of the pitless adapter. The remainder of the site improvements mentioned above are being designed by our consulting engineer EEI and Village Staff and will be out to bid at a later date.

Staff is requesting the waiving of bids for the Pump and Motor Rehabilitation and Maintenance project and a portion of the Site Improvements. There are two reasons that staff is requesting this action. The first reason is because the Byron Jackson motors used in our wells contain mercury seals. Layne is the only manufacturing representative in Illinois specifically trained and certified to work on mercury sealed motors. At the November 2, 2020 Village Board meeting the Village Board approved this same request for the pump and motor rehabilitation project at Well #4. Since they are the sole representative in Illinois and have experience working on our motors and pumps, staff is requesting a waiver of bids.

Staff is also requesting the waiver of bids for the installation of a pitless adapter which is part of the site improvements. This request is being made as a cost savings measure and to prevent delays in the schedule of the overall project. Layne has experience installing pitless adapters on Well #8 and Well#9. Since they are experienced with the installation and would already be on-site performing the pump and well rehabilitation and maintenance, we believe there will be a cost savings because they will only require a single mobilization. In addition, the pitless adapters required have a 12-14 week lead time. If we wait until the rest of the site improvements project is designed and bid the site improvement start date will be delayed as we wait for the pitless adapter to be ordered and delivered. By combining the pump and motor rehabilitation and maintenance project and the installation of the pitless adapter staff believes we will be able to reduce the cost of the project and be able to complete the project sooner by anticipating the delivery time of the pitless adapter.

The cost of the pump and motor rehabilitation and pitless adapter installation as part of the site improvements project is estimated to cost \$240,000. The current budget has \$300,000 allocated for this portion of work. Staff is recommending waiving of competitive bids for the pump and motor rehabilitation and maintenance project and for the pitless adapter installation component of the site improvements project and awarding a contract to Layne in the estimate amount of \$240,000, not to exceed \$300,000.



Layne Christensen Company  
721 W. Illinois Avenue  
Aurora, IL 60506

630/897-6941  
[graniteconstruction.com](http://graniteconstruction.com)

May 17, 2021

Mr. Paul Young, Water Superintendent  
Village of North Aurora  
25 E. State Street  
North Aurora, IL 60542

RE: Well 5 Pump Maintenance Estimate

Mr. Young:

Per your request, Layne is pleased to furnish this budget estimate to perform maintenance work on the Village's Well 5 Byron Jackson submersible pump. The work is to include installation of a Baker pitless adapter.

If contracted, Layne will perform the work on a time and material basis per the attached Schedule B Work Order Form and will follow the terms and conditions of our Professional Services Agreement (PSA) with the Village. The attached Work Order Form lists Layne's standard published rates. The estimates in this letter include the PSA stipulated 5% deduct applied toward labor and 10% deduct applied toward special services.

The Village should be aware that the installation's Byron Jackson submersible motor is the most reliable motor available for northern Illinois' deep well application (over 400 in operation). The Byron Jackson submersible motor is a sophisticated machine that utilizes a mercury seal system and oil filled cooling/lubrication. Layne employs the only Technicians that are trained and authorized to handle and service these motors by the manufacturer.

Furthermore, as of 2012 Illinois legislation, Layne can no longer sell or distribute these Type H (mercury seal) motors. HOWEVER, if the motor is electrically and mechanically sound, the motor may be returned to operation with a relatively simple service that includes oil, gasket, and filter change service at a vastly reduced cost and turnaround time as compared to acquiring a new motor. Layne employees are the only Technicians certified to perform this motor service.

It is difficult to budget the cost of necessary repairs prior to inspecting the pump components. It is Layne's custom to meet with an Owner representative and our Crew Foreman to conduct a preliminary inspection of the racked components on site. During this inspection, it is decided which components require additional clean up and inspection in Layne's Aurora, IL yard. Layne encourages the Village to visit our yard to inspect components with us. At this point, Layne is in position to present a Pump Inspection Report with observations, recommendations, and accurate repair and total project cost estimates.

While the pump is removed, the Village will provide excavation for Layne to safely remove up to ten feet of the well's 22" surface casing and install a new Baker pitless adapter. The Village will provide disposal for the removed material. Layne will furnish the pitless adapter based upon the Village's written requirement for the pitless' bury depth and discharge size, fitting, and orientation.

### Pump Maintenance Budget Estimate

1. Mobilize, remove pump, rack on site, measure well total depth	\$ 30,000
2. Furnish, install Baker pitless adapter	\$ 60,000
3. Reinstall pump after necessary repairs, conduct capacity test to waste, demobilize	<u>\$ 30,000</u>
Total Base Maintenance Estimate	\$120,000

### Possible Repair Costs, Services

A. Haul string of Line Pipe (column) from and to well site	\$12,000
B. Sandblast Line Pipe for inspection	\$ 5,000
C. Disassemble, clean, inspect bowl assembly	\$ 1,500
D. Hi-Pot test cable	\$ 1,035
E. Service Byron Jackson motor with oil, gasket, filter, balance tube change; epoxy coat exterior	\$10,000
F. Televiser well	\$ 1,350
G. Cut and rethread 10" Line Pipe	\$225 each
H. Sand bailing	\$432 / hr
I. Rebuild bowl assembly with bushings, wear ring, and impeller shaft, estimate	\$25,000

### Possible Repair Costs, Materials

a. Byron Jackson 17", 400 HP, 2300V, Type M (mechanical seal) factory exchange submersible motor (12 week lead)	\$128,790
b. Byron Jackson 17", 400 HP, 2300V, Type M Layne inventory motor (no lead time, as available)	\$154,550
c. Byron Jackson factory 13 stage 13MQ/12MQH CIBF bowl assembly (12 week lead)	\$ 54,960
d. Byron Jackson 13 stage 13MQ/12MQH CIBF Layne inventory bowl assembly (1 week lead)	\$ 65,950
e. 10" T&C Line Pipe, Layne inventory	\$ 61 / ft
f. 10" Line Pipe coupling, 8V Layne inventory	\$ 276 each
g. 10" Line Pipe coupling, 8RND	\$ 258 each
h. 8" surge control valve, Layne inventory	\$ 1,536 ea
i. #2/3C, 2.3kV submersible cable with ground, Layne inventory	\$ 25 / ft
j. Byron Jackson flat cable motor link, Layne inventory	\$ 6,950
k. Sandblast and epoxy coat 10" Line Pipe	\$ 31 / ft
l. Estimate miscellaneous consumables; airline, stainless banding, etc.	\$ 1,500



Theoretically, repair costs could run between \$0 and \$380,000 (\$500,000 total project). Layne certainly does not anticipate the project coming close to this top figure. A primary purpose of a pump maintenance inspection is to avoid major and costly component replacement. Typically, with a maintenance inspection and a pump currently operating in relative suitable order, the odds are good that the motor is serviceable, the cable is reusable, and the bowl assembly is in condition for rebuild. Line Pipe repair or replacement is very difficult to forecast.

**Based upon a common maintenance repair including motor service, bowl rebuild, and 500 feet of coated T&C Line Pipe replacement, a rough total project budget is \$240,000.**

Thank you for the opportunity to furnish this information. If you have any questions, would like to meet to discuss, or if Layne can be of any service, please do not hesitate to contact me.

Layne Christensen Company

A handwritten signature in black ink, reading "Wm Balluff". The signature is fluid and cursive, with the first name "Wm" written in a smaller, more compact script than the last name "Balluff".

William Balluff, PE  
Account Manager III

# WORK ORDER



**Layne Christensen Company**  
 721 W. Illinois Avenue, Aurora, IL 60506; Phone (630) 897-6941  
 229 W. Indiana Ave., P.O. Box 489, Beecher, IL 60401; Phone (708) 946-2244

## PROFESSIONAL SERVICES AGREEMENT

### SCHEDULE B

Purchaser: VILLAGE OF NORTH AURORA, IL

Job Location: NORTH AURORA WELL 5

### SERVICE RATES - EFFECTIVE OCTOBER 1, 2020

	Straight Time		Overtime	Doubletime
	Per Hr.	8 Hr. Day	Per Hr.	Per Hr.
Serviceman w/hand tools	194.00	1552.00	291.00	388.00
Serviceman w/service truck and hand tools, or welder	223.00	1784.00	320.00	417.00
Helper	168.00	1344.00	252.00	336.00
Serviceman and 1 Helper	362.00	2896.00	543.00	724.00
<u>Small Rig or Winch Truck</u>				
1 Man Crew	243.00	1944.00	340.00	437.00
2 Man Crew	411.00	3288.00	592.00	773.00
3 Man Crew	579.00	4632.00	844.00	1109.00
<u>Middle Rig, Large Hoist or Flatbed Crane</u>				
1 Man Crew	259.00	2072.00	356.00	453.00
2 Man Crew	427.00	3416.00	608.00	789.00
3 Man Crew	595.00	4760.00	860.00	1125.00
<u>Big Rig, Large Hoist and Poles, or Large Crane</u>				
1 Man Crew	300.00	2400.00	397.00	494.00
2 Man Crew	468.00	3744.00	649.00	830.00
3 Man Crew	636.00	5088.00	901.00	1166.00
4 Man Crew	804.00	6432.00	1153.00	1502.00
Power Tong Usage, per 8 hour shift		470.00		
<u>Machine Shop/Yard Labor and Equipment</u>				
Machinist and Equipment	192.00	1536.00	278.50	365.00
12" Threading Machine and Operator	218.00	1744.00	304.50	391.00
Serviceman w/hand tools	173.00	1384.00	259.50	346.00
Helper	165.00	1320.00	247.50	330.00
Sandblast Equipment and 2 man crew	383.00	3064.00	552.00	721.00

Mileage: Auto: \$0.55

Pickup: \$0.70

1-Ton:\$1.00

2-1/2 Ton Flatbed: \$2.10

Semi-Tractor: \$2.75

### Subsistence-Per Man

Over 55 miles radius from home office.....\$65.00 + Hotel

### REMARKS:

SUBMITTED WITH PSA BUDGET ESTIMATE OF 05/14/2021

Work Authorized on Behalf of Purchaser By: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_



**Pump Division**  
*Flowserve Pumps*  
*IDP Pumps*

January 9, 2021

TO: Byron Jackson Type H/M Motor Users

RE: Byron Jackson New Motor/pump Sales and Well Pump Maintenance

At the request of our Illinois Flowserve/Byron Jackson distributor Layne Christensen, please be advised that Layne is our sole source representative for vertical submersible turbine well pumps in the state of Illinois. This includes new equipment sales, both pumps and motors, as well as Byron Jackson motor repair and replacement. This specifically includes municipal and industrial applications that are pumping water. (Potable or non-Potable). Furthermore, any contractor claiming to offer a Byron Jackson Submersible motor in Illinois, besides Layne – Aurora, is not offering a Flowserve factory supported motor.

Also please note that Layne Christensen field service crews have received both factory and field training in the proper handling of Byron Jackson well pumps and The Byron Jackson Type H mercury-sealed motors. Untrained non-Layne crews may not be capable of safely and properly handling the Byron Jackson Type H submersible motors and could void the warranty.

It is imperative that the factory certified personnel should service these Byron Jackson EPA and NSF approved Type H mercury-sealed motors, as well as Byron Jackson replacement double-mechanical seal motors. This would prevent any potential environmental concerns due to improper handling.

If you have any questions, please feel free to call me at 402-984-2189.

Sincerely,

**Flowserve Corporation**

Daniel Mackin  
Senior Sales Engineer  
Flowserve Corp  
NA Groundwater Group

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**VILLAGE OF NORTH AURORA  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
CC: STEVE BOSCO, VILLAGE ADMINISTRATOR  
**FROM:** MIKE TOTH, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR  
**SUBJECT:** FOREST RIDGE TOWNHOME DEVELOPMENT  
**AGENDA:** JUNE 7, 2021 REGULAR VILLAGE BOARD MEETING

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**ITEMS**

- 1) An Ordinance authorizing the execution of an Annexation Agreement for the development known as Forest Ridge Townhome Development
- 2) An Ordinance annexing certain territory to the Village of North Aurora, Illinois to be known as the Forest Ridge Townhome Development
- 3) Ordinance zoning 9.05 acres of property situated at 38w229 Oak Street North Aurora, IL to the R-3 General Residence Zoning District
- 4) Ordinance granting a Special Use for an R-3 General Residence Zoning District Planned Unit Development on property located at 38w229 Oak Street North Aurora, IL to be known as the Forest Ridge Townhome Development

**DISCUSSION**

The subject property is currently located in unincorporated Kane County. The petitioner plans to annex the property into the Village and subsequently develop the property with residential townhome units. The concept development plans were originally presented to the Village Board at their April 15, 2019 Committee of the Whole meeting.

A public hearing would later be held on the petition at the September 1, 2020 Plan Commission meeting. A number of residents participated in the public hearing where a number of items were brought up, including: parking, density, site amenities and the general aesthetics of the building product. The Plan Commission concluded by recommending approval of Petition #20-04.

The petition was subsequently presented to the Village Board at the September 21, 2020 Committee of the Whole meeting. Staff presented specific information relative to the concerns mentioned during the Plan Commission public hearing; primarily parking and density. Additional comments were made by the public at that time. In general, the Village Board did not feel the project was very aesthetically pleasing and as presented did not fit well in the area.

The petitioner subsequently made changes to the development plans, which included updates to the building facades, removal of a townhome unit (for a total of 31 units) and a trail around the northern detention basin. Said updates were brought back to the Village Board for discussion at January 18, 2021 Committee of the Whole meeting. The Village Board was supportive of the updated development plans.

Staff worked with the Village Attorney and the developer's legal representative on the drafting of an Annexation Agreement. The Annexation Agreement establishes the terms for the development of the property for a 20-year term. Staff notes that the vast majority of the terms included in the Annexation Agreement are code-based terms to which the developer has agreed upon. Staff solicited feedback from the Village Board on the draft Annexation Agreement at the May 17, 2021 Committee of the Whole meeting. The Board was supportive of the draft Annexation Agreement.

Staff is now presenting all of the approving ordinances associated with the development of the property.

VILLAGE OF NORTH AURORA



VILLAGE OF NORTH AURORA  
KANE COUNTY, ILLINOIS

Ordinance No. \_\_\_\_\_

---

**BEING AN ORDINANCE AUTHORIZING THE EXECUTION OF AN  
ANNEXATION AGREEMENT FOR THE DEVELOPMENT KNOWN AS  
FOREST RIDGE TOWNHOME DEVELOPMENT**

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Adopted by the  
Board of Trustees and President  
of the Village of North Aurora  
this \_\_\_\_ day of \_\_\_\_\_, 2021

Published in Pamphlet Form  
by authority of the Board of Trustees of the  
Village of North Aurora, Kane County, Illinois,  
this \_\_\_\_ day of \_\_\_\_\_, 2021  
by \_\_\_\_\_.

Signed \_\_\_\_\_

VILLAGE OF NORTH AURORA

**ORDINANCE NO.**

**BEING AN ORDINANCE AUTHORIZING THE EXECUTION OF AN  
ANNEXATION AGREEMENT FOR THE DEVELOPMENT KNOWN AS  
FOREST RIDGE TOWNHOME DEVELOPMENT**

**WHEREAS**, village staff and the owner of record of certain property located immediately west of the Windstone Development in North Aurora, immediately south of Oak Street, and immediately north of the ComEd easement, commonly known as 38W229 Oak Street North Aurora, IL have negotiated the terms of annexation agreement, a copy of which is attached hereto and incorporated herein by record as Exhibit A (the “Annexation Agreement”) for annexation of the territory legally described in the Annexation Agreement; and

**WHEREAS**, the Village staff and the owner of the legal owner of record of the territory that is the subject of the annexation agreement are ready, willing, and able to enter into that agreement and to perform the obligations as required hereunder; and,

**WHEREAS**, the statutory procedures provided in §11-15.1-1 of the Illinois Municipal Code for the execution of the annexation agreement have been fully complied with; and

**WHEREAS**, it is in the best interests of the Village of North Aurora, Kane County, Illinois, to approve the Annexation Agreement.

**NOW, THEREFORE**, be it ordained by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The President is authorized and directed to sign, and the Village Clerk is authorized and directed, to attest the Annexation Agreement.
2. The Annexation Agreement shall be recorded with the map and other exhibits within ninety (90) days from the date of this Ordinance in the Kane County Recorder of Deeds office.
3. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**VILLAGE OF NORTH AURORA**

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Jessi Watkins, Village Clerk



**VILLAGE OF NORTH AURORA**

**Exhibit A**  
Annexation Agreement

**ANNEXATION AGREEMENT BETWEEN**  
**VILLAGE OF NORTH AURORA AND LMN OPPORTUNITIES LLC**

**THIS AGREEMENT** made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between the **VILLAGE OF NORTH AURORA, ILLINOIS**, a Municipal Corporation (hereinafter called “Village”), and **LMN OPPORTUNITIES LLC**, a Wyoming limited liability company (hereinafter called “Owner” and/or “Developer”).

**W I T N E S S E T H:**

**WHEREAS**, Owner is the Owner of Record of the Development Parcel located immediately west of the Windstone Development in North Aurora, immediately south of Oak Street, and immediately north of the ComEd easement, commonly known as 38W229 Oak Street North Aurora, IL and legally described on the document attached hereto and incorporated herein by reference as Exhibit A (hereinafter the “Development Parcel”); and

**WHEREAS**, the Development Parcel has not been annexed to any municipality; and

**WHEREAS**, The Development Parcel is shown on the proposed Plat of Annexation, attached hereto as Exhibit B; and.

**WHEREAS**, the Development Parcel is located outside the municipal boundaries of the Village in unincorporated Kane County, Illinois (hereinafter the “County”), and the Development Parcel is not located within the corporate boundaries of any municipality; and

**WHEREAS**, the Development Parcel constitutes territory that is contiguous to and may be annexed to the Village of North Aurora as provided under §7-1-1, et seq., of the Illinois Municipal Code (65 ILCS 5/7-1-1 et seq.); and

**WHEREAS**, a Petition for Annexation has been or will be filed with the Village in accordance with law; and

**WHEREAS**, the Owner desires to have the Development Parcel annexed to the Village upon the terms and conditions hereinafter set forth; and

**WHEREAS** the Corporate Authorities, after due and careful consideration, have concluded that the annexation of the Development Parcel to the Village would further the orderly growth of the Village, enable the Village to control the development of the Development Parcel, and serve the best interests of the Village; and.

**WHEREAS**, Owner is the only party in interest to the Development Parcel and represents that no other parties have any right, title, interest or claim in the Development Parcel, and the Owner plans to develop the Development Parcel; and

**WHEREAS**, this Agreement is made pursuant to the provisions of 65 ILCS 5/11-15.1-1 through 11-15.1-5; and

**WHEREAS**, all notices, publications, procedures, public hearings, and other matters required for the consideration, approval, and execution of this Agreement have been given, made, held and performed as required by the Illinois Municipal Code and all other applicable statutes of the State of Illinois and Ordinances of the Village; and

**WHEREAS**, the annexation and development of the Development Parcel for the use and purposes provided herein will promote sound planning, will aid in developing the Village as a balanced community and will assist the Village in realizing the purpose of the Comprehensive Plan of the Village; and

**WHEREAS**, the corporate authorities of the village comprised of the President and Board of Trustees have approved this Annexation Agreement by a two-thirds (2/3) vote of as required by the Illinois Municipal Code and hereby direct the President and Village Clerk to sign and attest this Agreement on behalf of the Village;

**NOW, THEREFORE**, in consideration of the premises and of the mutual covenants and agreements herein contained, it is hereby agreed by and between the Village and Owner as follows:

1. **RECITALS.** The representations and recitations set forth in the foregoing Recitals are material to this Agreement and are hereby incorporated into and become a part of this Agreement as though they were fully set forth in this Paragraph 1.

2. **ANNEXATION.** (a) The Owners have filed with the Village Clerk a Petition for Annexation for the Development Parcel to the Village of Noth Aurora, Illinois, conditioned on the terms and provisions of this Agreement, which petition has been prepared, executed, and filed in accordance with 65 ILCS 5/7-1-8, and the ordinances and other requirements of the Village. A copy of said Petition is attached hereto as Exhibit C and made a part hereof.

(b) The Plat of Annexation is hereby approved; and

(c) The Corporate Authorities shall enact an ordinance annexing the Development Parcel to the Village, which ordinance shall have attached a Plat of Annexation, and record the ordinance with the attached Plat Annexation following approval of same.

3. **ZONING.** Immediately upon passage of the Annexation Ordinance, the Village shall do the following:

A. The Village shall adopt an ordinance classifying the Development Parcel as as R-3 General Residence Zoning District in the form attached hereto and incorporated herein by reference as Exhibit D (the "Zoning Ordinance"); and

B. The Village shall adopt an ordinance granting a special use planned unit development (hereinafter “PUD”) under the provisions of the zoning provisions of the North Aurora Municipal Code with deviations to be approved in the form of the ordinance attached hereto and incorporated herein as Exhibit E (the “PUD Ordinance”).

Prior to the date of this Agreement, such public hearings as are necessary to enable the Village lawfully to grant said zoning classification as to the Development Parcel have been conducted upon proper notice, and no further action need be taken by the Owner to cause the Development Parcel to be rezoned as R-3 General Residence Zoning District or to be granted a special use planned unit development once the Development Parcel is annexed to the Village accept for formal approval of the Zoning Ordinance and PUD Ordinance, which actions shall be taken immediately after approval of the annexation.

#### 4 **PRELIMINARY DEVELOPMENT DOCUMENTS.**

A. **Approval.** The following preliminary development documents are approved:

1. The Preliminary Plan, prepared by Webster, McGrath and Ahlberg, LTD. as its Project No. 44164 and dated October 28, 2020, is attached hereto and incorporated herein as Exhibit F (hereinafter “Preliminary Plan”) is hereby approved for the development of the Development Parcel;

2. The Preliminary Plat prepared by Webster McGrath & Ahlberg, Ltd dated January 29, 2019, is attached hereto and incorporated herein as Exhibit G (hereinafter “Preliminary Plat”) is hereby approved for the development of the Development Parcel;

3. The Preliminary Landscaping Plan prepared by Webster McGrath & Ahlberg, Ltd dated July 21, 2020, is attached hereto and incorporated herein as Exhibit H (hereinafter “Preliminary Landscaping”) are hereby approved for the development of the Development Parcel;

4. The Preliminary Elevations prepared by ARCH/AMERICA dated November 6, 2020, are attached hereto and incorporated herein as Exhibit I (hereinafter “Preliminary Elevations”) is hereby approved for the development of the Development Parcel; and

5. The Preliminary Floor Plans prepared by ARCH/AMERICA dated September 1, 2020, are attached hereto and incorporated herein as Exhibit J (hereinafter “Preliminary Floor Plans”) are hereby approved for the development of the Development Parcel.

(Altogether the Preliminary Plan, Preliminary Plat, Preliminary Landscaping, Preliminary Elevation and Preliminary Floor Plans are hereinafter called the “Preliminary Plans & Plat”).

B. **North Aurora Municipal Code.** Except as modified by this Agreement Development of the Development Parcel shall comply with the provisions and procedures of the North Aurora Municipal Code, including, but not limited to, the applicable North Aurora Subdivision Control Ordinance, as amended from time to time (Subdivision Ordinance).

C. **Phases.** If requested by Owner, the Community Development and Economic Director shall allow development of the Development Parcel in phases, including allowing final plats for different phases of the Development Parcel for which final development approvals are requested. In connection with each separate phase, only those components of the public and private improvements required to allow such phase to function shall be required, except water looping consistent with good engineering practices shall be completed. By way of example, extensions of utility lines (except necessary water looping), construction of public roadways, and construction of applicable detention areas shall be required only to the extent needed to serve the portion of the Development Parcel for which final plat and other final development approval is requested, unless stated otherwise in this agreement.

D. **Wetlands.** The Owner shall comply with all United States Army Corps of Engineer, Illinois Department of Natural Resources and Kane County requirements, as applicable, in connection with any wetland areas located on the Development Parcel and shall obtain permits from such agencies before construction begins and as a condition to any development approvals granted by the Village. The Owner shall copy the Village with any plans, applications for permits, and issued permits relating to such wetland areas.

E. **Stormwater.** The Owner shall provide for the handling of storm water in accordance with the applicable Rules and Regulations of the United States Army Corps of Engineers; the Illinois Department of Natural Resources; the Kane County Storm Water Management Ordinance, as revised; and the North Aurora Storm Water Management Ordinance #01-05-14-02, as amended; and any other Village Ordinance, now or hereafter in effect. Pursuant to the Kane County Storm Water Management Ordinance and the Village Storm Water Management Ordinance, the Owner affirmatively agrees to comply with the provisions of such ordinances, as amended from time to time. The storm water facilities shall include construction by the Owner of storm drainage retention/detention facilities as may be required by such agencies, ordinances, and the Village Engineer. The size, depth and outlet of the storm water detention areas is to be determined by final engineering plans based upon a controlled release rate of storm water run off which shall not exceed the rate set forth in such ordinances.

Further, and as a measure to control stormwater and erosion, the Developer shall sod all residential lawns, front, side and back.

5. **CHANGES TO THE DEVELOPMENT OF THE PROPERTY.** The Development Parcel shall be developed in substantial compliance with the Preliminary Plans & Plat as set forth on Exhibits F-J. Changes to the development of the Development Parcel shall be evaluated and processed as follows:

### **Definitions:**

A. **Major Changes:** Major changes shall include any increase or decrease in land area or density of the development by more than five per cent (5%) of any bulk standard or any changes that require a formal amendment of this Ordinance, or any other change for which a public hearing is required by law or by the North Aurora Municipal Code except as specifically provided herein. Whether a change is major or minor shall first be determined by the Village Administrator. If a developer or landowner disagrees with the Village Administrator's decision, appeal may be taken to the Village Board.

B. **Minor Changes:** Minor changes shall include any change not defined herein as a major change or a technical change.

C. **Technical Changes:** Technical changes shall include any change to the engineering plans and specifications, any change to the building plans or changes in the Preliminary Plan that are determined by the Village Administrator as: (i) in substantial compliance with the Preliminary Plan as approved by the Village Board; (ii) in compliance with the North Aurora Municipal Code, as amended, except as specifically varied herein; and (iii) in compliance with good engineering practice.

### **Procedure**

:

A. **Major Changes:** Major changes must be approved by the Village Board after such hearing and recommendation by the Plan Commission as required by statute or Village Ordinance pursuant to submittal and processing of a petition filed by Owner, as set forth in the North Aurora Municipal Code.

B. **Minor Changes:** Minor changes may be approved by the Village Board but shall not require Plan Commission review or public hearing.

A **Technical Changes:** Technical changes may be approved by Village Administrator and shall not require Village Board or Plan Commission review or public hearing.

## **6. REQUIRED IMPROVEMENTS.**

A. **Required Improvements.** Owner shall construct and pay for the public and common improvements as identified below constructed as part of the development of the Development Parcel in substantial compliance with the Preliminary Plans & Plat. The parties agree that the public and common improvements as depicted on Preliminary Plan are in substantial compliance with the Subdivision Control provisions of the North Aurora Municipal Code. Such public and common improvements (hereinafter the “Required Improvements” or “Public Improvements”) shall include on-site and off-site improvements, public utility extensions, and related appurtenances including, but not limited to, the following:

1. **Public Improvements**

- a. Water supply and distribution systems;
- b. Sanitary sewer systems;
- c. Storm sewer systems; and
- d. Streets (Forrest Ridge Drive and extension of Heath Stone Lane) , curbs, sidewalks, street signs (including street name, and advisory signs), parkway landscaping, street lighting, tree plantings and related improvements dedicated to the Village.

2) **Common Improvements**

- a. Retention and/or detention basins;
- b. Grading and surface and subsurface drainage ways and facilities; and
- c. Parkway landscaping, tree plantings, open space areas, and related improvements not dedicated to the Village.

Owner shall grant to the Village, at no cost to the Village, all easements for any utilities and communication facilities that the Village may reasonably request. Prior to the approval of the Final Plat of Subdivision (“Final Plat”) for the Development Parcel or any part of the Development Parcel, the Village shall accept dedication of the required Public Improvements, subject to the acceptance of the Public Improvements after the one-year maintenance obligations are completed as required below. All such Public Improvements to be accepted by the Village shall be, in the case of land, by Deed or by dedication on a Plat of Subdivision (when the one-year maintenance obligations are completed). All required Public Improvements shall be warranted by the Owner for one (1) year after substantial completion. All repairs or alterations (including normal maintenance) to the Public Improvements that are identified within such one (1) year period shall be promptly carried out by the Owner at Owner's expense. The security posted for that one (1) year period shall be in a form of cash or a letter of credit as provided in subsection C below whereby the

Village can compel the warrantor to complete, repair or reconstruct the Public Improvements to the satisfaction of the Village as required by applicable codes and ordinances and in keeping with sound engineering practices. The security shall be released following the one (1) year maintenance period, upon request by the Owner/Developer, confirmation by the Village Engineer that the Owner/Developer's warranty obligations have been fully satisfied, and approval by the Village Board by formal resolution or motion to release the security.

B. **Easements for Public Bodies.** Simultaneously with the recording of the Final Plat for the Development Parcel, the owner shall grant to the Village, at no cost to the Village public utility easements and a blanket easement over and upon all private common driveways and parking areas within the Development Parcel for access for police protection, together with related emergency and public service vehicles and equipment, shall be provided by plat in favor of the Village, its respective officers, employees and agents. A similar blanket easement to the North Aurora and Countryside Fire Protection District ("Fire District"), its respective officers, employees and agents, for access for fire protection, together with related emergency and service vehicles and equipment, shall be provided by plat. The Owner hereby gives the North Aurora Police Department the authority and consent to enforce local and State traffic laws on the streets to be dedicated as public streets prior to acceptance by the Village. Easements over, under and upon specific locations within open space areas, private streets, private common driveways, parking areas and subdivided lots within the Development Parcel for the operation and access for maintenance, repair, replacement and customary servicing of all electricity, telephone, cable and video television and gas lines, natural gas supply systems and sanitary sewer, storm drainage and water main systems, communication facilities and other utilities shall also be provided by plat in favor of all of the involved utility companies, now or in the future, receiving a Village franchise, their respective officers, employees and agents, together with related emergency and service vehicles and equipment..

C. **Letters of Credit.**

1. **Public and Common Improvement Guaranty.**

a. After the Final Plat is presented to the Village, required signatures are provided and the Final Plat is recorded and before a permit is issued for anything other than mass grading, the Owners shall provide an undertaking secured by a surety for completion of the required Public Improvements and Common Improvements in one of the following forms at Owner's election: an irrevocable letter of credit or a full cash escrow account certifying that adequate funds are and will be available at a sound and reputable banking or financial institution authorized to do business in the State of Illinois. The surety shall be in the amount of one hundred twenty percent (120%) of the estimated cost of the Public Improvements and Common Improvements. The surety shall be available to the Village in the event of a default or failure by the Owners to complete the required Public Improvements and/or Common Improvements in conformance with the Final Plat and engineering plans and the agreed upon schedule for completion. Such undertaking and irrevocable letter of credit or escrow account to secure the completion of the afore-described



improvements and in a form acceptable to the Village, in accordance with the form attached hereto and incorporated herein as Exhibit "K", for a letter of credit. Any letter of credit shall be from a sound lending institution that is in sound financial condition, is stable and is satisfactory to the Village. The Owners acknowledge and agree to the form of surety, either a letter of credit or escrow account, by virtue of this Annexation Agreement, which Agreement shall supersede and control over Section 11-12-8 of the Municipal Code (65 ILCS 5/11-12-8) and Section 3 of the Public Construction Bond Act (30 ILCS 550/3); and the Owners specifically waive their right to substitute a form of surety other than what has been expressly agreed in this Annexation Agreement. Periodic reductions in posted security shall be approved by the Village based upon the Village Engineer's certification of partial completion of work on the affected improvements based upon documentation supplied from time to time by the Owner and the inspection of such improvements by the Village Engineer. Public improvements may be considered for substantial completion in phases of subdivision development, and all of the underground improvements may be considered separately for substantial completion from the other public improvements, but no category of public improvement shall be considered for substantial completion in part; the category of improvements shall be complete throughout the subdivision or phase as indicated on the final engineering plans. Street construction work consisting of excavation, grading, parkway restoration, curbs and gutters, pavement subgrade, and pavement base and surface courses shall be considered a single improvement. If disputes arise between the Village and the developer as to the acceptability of streets, curbs, and/or sidewalks, tests of these improvements shall be made by an independent testing firm retained and paid for by the developer with results furnished to the Village.

The Village may reject a letter of credit from a financial institution 1) that exhibits a deteriorating trend in its capital asset ratio and/or non-performing assets as reported by an independent agency that tracks and reports on the financial condition of banks, such as the FDIC, the FFIEC, Bauer Financial or similar institutions, or 2) that is the subject of regulatory enforcement action as reported by the FDIC, the State of Illinois, the OCC or the Federal Reserve. The Village may declare itself insecure in regard to a letter of credit if the financial institution providing the letter of credit exhibits a deteriorating trend in its capital asset ratio and/or non-performing assets as reported by an independent agency that tracks and reports on the financial condition of banks, such as the FDIC, the FFIEC, Bauer Financial or similar institutions, or 2) that is the subject of regulatory enforcement action as reported by the FDIC, the State of Illinois, the OCC or the Federal Reserve. In such case, the Village shall notify the Owner in writing of its determination, and the owner shall have forty-five (45) business days to provide a substitute letter of credit from a bank that does not have a negative financial trend and is not the subject of enforcement action, or a guaranty (commitment) from a bank that does not have a negative financial trend and is not the subject of enforcement action to stand behind the letter or credit, or to post a bond in lieu of the letter of credit plus an additional twenty percent (20%) of the required surety amount in a cash escrow. If neither a substituted letter of credit nor a committed letter of credit is provided within forty-five (45) business days from the date of the request thereof in writing, the developer shall be in default and the Village may draw on the existing letter of credit. A deteriorating trend shall be deemed present if a bank's capital asset ratio and/or

nonperforming assets reveal a negative progression over a period of not less than two quarters or six months.

b. The Village Board shall approve reductions in the posted security for the public and common improvements from time to time upon application for such reduction by the Owners and certification of the completion thereof by the Village engineer. If deficiencies are noted, notice shall be given to the Owners of such deficiencies without unreasonable delay. Such notice shall: (i) identify, with specificity, any deficiencies in the work on the affected public improvements or incomplete work on such improvements; and (ii) list, in detail, all corrections to defective work and/or work to be completed in order to obtain the Village Engineer's certification of completion of the work on the affected improvements. Any necessary re-inspection shall be completed within fifteen (15) days following notice from the Owners to the Village Engineer that they have corrected such deficiencies and/or completed such work, as the case may be. Upon substantial completion of all of the public and common improvements within a particular Phase and certification thereof by the Village Engineer, the Owners shall furnish either a cash escrow or letter of credit in return for the Village's release of the original security described herein ("Maintenance Security"). The Maintenance Security shall be in an amount equal to twenty percent (20%) of the total cost of constructing all of the public improvements for the Development or phase thereof and shall contain an expiration date of one (1) year from the date of approval by the Village of the public and common improvements for which the Maintenance Security is submitted as provided by the Subdivision Control provisions of the North Aurora Code. The Owners shall fulfill their obligations in regard to the one-year maintenance period as provided in the Subdivision Control provisions of the Code, and the security shall be released by the Village Board at the end of that period and subject to the fulfillment of those obligations as provided in the Subdivision Control provisions of the North Aurora Code.

**D. Utility Recapture.**

1. Owner is expected to construct a 12-inch water line, storm sewer system and sanitary sewer system to serve the Development Parcel and shall extend such lines to the far sides of the Owner's property where they may be available for further extension without any right of recapture by Owner. The Owner shall not be entitled to recapture for said improvements.

2. Improvements have been constructed that benefit the Development Parcel that are subject to a recapture obligation. Owner shall pay recapture in the amount of a \$18,831.75 plus interest at five percent (5%) per annum to Woodman's Food Market, Inc. from May 9, 2007, the date the Sanitary Sewer Recapture Agreement by and between the Village and Woodman's Food Market, Inc. was recorded to the date the Owner connects to the sanitary sewer extension constructed by Woodman's Food Market, Inc.

**E. Limited Liability.** The Village shall not be held responsible for its inability to install any utility, or for any loss or damage including consequential damage, or delay in installation caused by strikes, riots, elements, embargoes, failure of carriers, inability to obtain material, or other acts of God, or any other cause beyond Village's reasonable

control, including but not limited to the acquisition of easements and IEPA permits. Any other term of this Agreement notwithstanding, should any change, modification, amendment or alteration be required to be made to Village ordinances relating solely to potential remediation or change to the Village's water system as a result of the alleged existence of radium within the Village's water system, or should any such change result from a mandate or requirement imposed on the Village and/or other municipal governments relating to health, safety or welfare by either the United States of America, the State of Illinois, Kane County, the Fox Metro Water Reclamation District, or any of each of their agencies, in such event or events the provisions of any such change, modification, amendment or addition to Village Ordinances or fees shall become applicable to the Development Parcel.

F. **Successor Liability.** During the term of this Agreement, the original Owner and any transferees, assigns and successors in title who acquire any portion of the Development Parcel subject to this Agreement prior to the time when all obligations for the Public Improvements, Common Area Improvements and performance guaranties are completed shall be jointly and severally liable for all obligations for the Public Improvements, Common Area Improvements and performance guaranties, including any person or entity that acquires title from the Owner or from a successor in interest of the Owner by foreclosure, deed in lieu of foreclosure, from a bankruptcy trustee or by similar means, except as follows:

1. The original Owners shall not be liable if the conditions of Section 27 below are satisfied, and provided that the Owner is not in default at the time of the transfer;

2. Any transferees, assigns and successors in title, shall not be liable provided that and as long as another transferee, assign or successor has taken responsibility for all of the obligations related to the Public Improvements, Common Area Improvements and performance guaranties for the Development Parcel in keeping with the conditions of Section 27 below;

3. Any person or entity that acquires a single residential parcel, lot or unit, shall have no responsibility for the obligations related to the Public Improvements, Common Area Improvements and performance guaranties as a result of the acquisition of such parcel, lot or unit once an occupancy permit has been issued, but an occupancy permit may be withheld if the Owner or any successor in interest has any outstanding obligations related to the Public Improvements, Common Area Improvements and performance guaranties.

## 7. **DEVELOPMENT OF THE PROPERTY.**

A. **Deposits Required Before Building Permit.** No building permit shall be issued for construction of any structure on any portion of the Development Parcel until after all applicable deposits and fees have been paid, the final engineering plans and a final plat have been approved for such phase of development, a final plat has been recorded for the phase in which the building permit or permits are requested, a lot grading plan prepared by a registered professional engineer has been approved by the Village, roads complete up to

binder course, water, sanitary sewer, storm water control and hydrants are in place within three hundred feet (300') to serve phase and the lot for which the permits are requested, except as provided otherwise for model units in Subsection H below..

B. **Mass Grading.** The Village shall issue a permit to Owner/Developer permitting Owner/Developer to mass grade the Development Parcel, upon approval of Owner/Developer's submission of the appropriate application(s) and evidence that all required permits and approvals relating to mass grading from the Village and other governmental units with jurisdiction over the Development Parcel have been issued in compliance with the Kane County Stormwater Ordinance and the Kane DuPage Soil and Water Conservation Service requirements, and the Village Engineer's approval, which approval shall not be unreasonably conditioned, delayed or denied. The Village shall issue mass grading permits in phases at the Owner's/Developer's request, even if the phases do not match development phases, provided that a Grading and Dirt Stockpile Management Plan, certified by an engineer and in compliance with the Kane County Stormwater Ordinance, has been reduced to writing and approved by the Village prior to the actual grading in each phase of the development. All mass grading permits shall be subject to the requirement that no graded parcel of land shall be allowed to stand undeveloped for a period longer than one (1) year from the date that the grading is undertaken unless that parcel drains to a stormwater inlet and is planted with an acceptable ground cover.

Developer shall locate its dirt stockpile(s) at a site (or sites) on the Development Parcel which are mutually acceptable to the Village and Developer pursuant to the Grading and Dirt Stockpile Management Plan which must be reduced to writing and approved by the Village prior to the actual grading to be conducted in conjunction with the development. Developer agrees that no dirt stockpiles shall be allowed to remain in the development after the completion of the last structure, and no occupancy permit shall be issued for the last structure in the development phase, until all dirt stockpiles are removed. All dirt stockpiles shall be removed no later than three (3) years after the first building permit is issued. Developer shall abide by the Village's weed control ordinance in maintaining each dirt stockpile; and any dirt stockpile that remains in the same place longer than one (1) year must be seeded or sodded and maintained in that condition for the remainder of the term of that stockpile. Dirt stockpiles must be maintained in such a way as to minimize the height and to minimize the danger to children, including the removal of all potentially harmful debris. In no event shall a dirt stockpile be left unattended with a sheer side; and all sides must be rounded before the dirt stockpile may be left unattended. No dirt stockpile shall exceed fifteen feet (15') in height or a gradient ratio of two (2) to one (1).

Developer shall provide soil erosion control methods throughout the development for the life of the development process that satisfy the Village and Kane County Storm Water control ordinance requirements to the extent that they apply to this property. Any cost to remediate soil erosion damage to offsite property shall be bourn by the Developer, and the Developer shall indemnify and hold harmless the Village in respect to any such offsite damage.

The Owner/Developer shall grade, re-spread and seed and/or restore:

- 1) all rear yard swales within a given platted phase during the first construction season for that phase;
- 2) all open spaces and storm water management areas within a given platted phase; and
- 3) all unplatted, future phases with a suitable cover crop to avoid soil erosion; and
- 4) all lots shall be graded to drain to the nearest outlet when the curbs are backfilled at the time of substantial completion of the streets to binder course.

At no point shall the Owner allow more acres of ground to be disturbed in the development than is allowed pursuant to Section 300 of the Kane County Stormwater Ordinance, and the Developer shall comply with the requirements of the County Stormwater Control Ordinance, including the County's vegetation stabilization and soil erosion prevention requirements. In keeping with the Kane County Stormwater Ordinance, the development shall be subject to inspection after each significant rain event (greater than 1.5 inches in a 24-hour period), and any remedial maintenance requirements which are necessary as determined by the Village Engineer shall be undertaken within seven (7) calendar days from notice of that determination. The Owner/Developer shall be responsible to coordinate all reviews, approvals, pre-inspections, and on-going inspections with the Kane DuPage Soil and Water Conservation Service. Notwithstanding any applicable Village ordinances or codes, neither the submission of a Final Plat(s), the completion of public sanitary sewer and water mains, roads, streets, nor other infrastructure improvements shall be required prior to the issuance of the mass grading permit; providing that all such mass grading prior to the issuance of a permit shall be at Owner/Developer's sole risk, and that no mass grading shall take place prior to the submission to and approval by the Village Engineer of the Grading and Dirt Stockpile Management Plan, certified by an engineer, necessary inspections and approvals by the Kane DuPage Soil and Water Conservation Service and full compliance with the Kane County Stormwater Ordinance. The location of any dirt storage must be approved by the Village Administrator consistent with the provisions of Section 7.B. above.

C. **Mass Grading Letter of Credit.** The mass grading permit is conditioned upon Owner's posting of a cash bond or a letter of credit with the Village consistent with Section 6.C. above in an amount equal to one hundred twenty percent (120%) of the estimated cost of the grading work to be performed, including contingency and maintenance, in the same form and according to the same requirements set forth in subsection 6. C.1.a above, in addition to any other deposits required by Village Ordinance. Any changes or adjustments to the requirements for such grading resulting from the review and approval of the final engineering plan for such phase shall be promptly performed by Owners at Owners' expense.

D. **Processing Of Building Permits.** No building permit shall be issued until building plans have been submitted, reviewed and approved by the Community

Development Department and the Fire District, and a site plan has been reviewed and approved according to the terms of the Subdivision Ordinance. If the application is denied, the Village shall provide the Owner with a written statement specifying the reasons for denial of the application including specifications of the requirements of law which the application or supporting documents fail to meet. The Village shall issue such building permits upon the Owner's compliance with the forgoing requirements and, the payment of required fees. No permit shall be issued until after recordation of the Final Plat for the phase in which the property that is the subject of the permit is located and streets serving the phase are installed. No construction shall begin until portable toilets are in place in within reasonable proximity of the property for which the permit is issued as determined by the Community Development Department.

E. **Construction Trailers.** The Owner may place one (1) subcontractor supply storage trailer on the Development Parcel as required for development purposes, subject to permitting and approval of the location by the Community Development and Economic Director, and providing that the trailer may remain on the Development Parcel only during active construction of building improvements, and the trailer may not be located within two hundred feet (200') of an existing residence as of the date of this Annexation Agreement. No advertising shall be visible on trailers within two hundred feet (200') of a public road.

F. **Underground Utilities.** Owner shall provide that all existing and new utilities and communications facilities including, but not limited to, telephone, electric and cable television to serve the Development Parcel shall be underground, and this requirement shall be noted on all final plats.

G. **Offsite Easements.** Owner shall be responsible for obtaining all offsite easements for improvements necessary, if any, to serve the Development Parcel, including easements over, under, through or across property that is subject to private property interests, other governmental bodies and public or private utilities. The Village shall cooperate with Owner, to the extent that the Village is able and has authority, in the acquisition of such easements, including the use of the Village's condemnation powers and the exercise of its contract authority, provided that such exercise of authority is not in contravention of the public health, safety and general welfare. To the extent that the Village incurs costs, including legal, engineering and other consulting fees, in cooperating with the Owner to acquire offsite easements for the construction of improvements necessary to serve the Development Parcel, the Owner shall reimburse to the Village such costs and shall indemnify and hold harmless the Village from any and all costs, claims, liabilities, causes of action and other obligations arising in connection with the acquisition of the easements and construction of improvements necessary to serve the Development Parcel. To the extent that the Village is required to become a primary obligor on any agreement to acquire an easement and/or to construct improvements necessary to serve the Development Parcel, the Owner hereby agrees to perform and/or shall guaranty the performance of those obligations and shall indemnify and hold the Village harmless from and against any and all costs, claims, liabilities, causes of action and other obligations arising in connection with those obligations, including reimbursement to the Village for costs incurred to perform those

obligations when the Owner fails or otherwise does not perform them on the Village's behalf. To the extent that any primary obligations to the Village remain for ongoing maintenance, repair and restoration of the improvements, relocation of the improvements or other obligations related to the offsite easements, the Owner agrees to establish covenants to create an association of the successor owners and to obligate them to perform the ongoing obligations connected with the maintenance, repair and restoration of the improvements, relocation of the improvements or other obligations related to the offsite easements; and the Owner agrees to allow the village to establish a back up special service area to fund the payment of the costs associated with those obligations if the association does not satisfy them as provided in Section 11 below.

H. **Model Units.** Village agrees to issue foundation permits to authorize Developer to construct model units, a trailer, or temporary buildings on the Development Parcel for the purpose of marketing the housing units to be sold to the public. Construction of the models may begin prior to Final Plat(s) only when site grading of the model complex is completed, an operating fire hydrant is within three hundred (300') feet of such model, and a continuous paved, hard surface access is available to such model. Said models, trailer, or temporary buildings need not be connected to sewer and water until they are to be occupied as residences as long as sanitary waste is disposed of properly by Developer. Temporary facilities for sanitary waste disposal shall be removed within thirty (30) days after permanent sanitary waste facilities are available for use. Such disposal can include periodic hauling of waste off the site in trucks. The models may be utilized by Developer only as model homes, and may not be occupied prior to the time permanent water and sewer connections are available. No occupancy permits shall be given for model units and no model units may be sold prior to the approval, signing and recordation of the Final Plat and covenants. Each sales center and/or model must include asphalt or other hard surface parking lot with asphalt or other hard surface access, on premise or off premise, and may not include more than one sales trailer. In addition to use of the construction trailer described in paragraph E above, Owner/Developer may utilize the basement and/or garages of the model units for construction offices. Owner/Developer shall be entitled to maintain model homes on the Development Parcel until 90% of the lots within the Development Parcel have been sold, exclusive of the model homes. Any exterior floodlighting, excluding coach lighting of the parking lot area, of the models shall be turned off during the hours from the later of business closing or 8:00 pm. to daybreak.

I. **Construction Traffic.** All construction traffic shall be limited to Forest Ridge Drive, and access to and from Hearthstone Lane shall be limited to emergency access only.

8. **OCCUPANCY PERMITS.**

A. **Occupancy Permits.** No occupancy permit shall be issued for any building, except model building/construction office facilities, on the Development Parcel until the storm sewer, sanitary sewer, water system, streets through binder course, operational streetlights, electric, gas and telephone utility lines are operational and approved by the Village for the phase of development in which such building is located. Non-residential occupancy permits may be issued for model building/construction office

facilities upon inspection and approval by the Community Development Department. For all residential properties, installation of sod in all yards and parkways shall be required as a condition for the issuance of an occupancy permit, subject to subsection C. below.

B. **Processing of Occupancy Permits.** The Village shall issue certificates of occupancy to the Owner once all improvements have been completed, inspected and approved, or issue a letter of denial within said period informing Owner which specific corrections are necessary as a condition to the issuance of a certificate of occupancy stating reference to the section of any applicable code, ordinance or regulation relied upon by the Village in its request for correction.

C. **Temporary Occupancy Certificates.** Owner's inability to install driveways, service walks, public sidewalks, stoops, landscaping, sod and final grading due to adverse weather conditions shall cause the Village to consider issuing a temporary certificate of occupancy pursuant to the relevant Village ordinances, including Chapter 15.52.070 of the North Aurora Code.

9. **DEDICATION OF COMMON IMPROVEMENTS.** All of the required public improvements that uniquely serve the Development Parcel, and which shall not be conveyed to the Village shall be known as the Common Improvements as more specifically described in Section 11 below. The Owner shall be obligated to construct, repair and restore all of the required Common Improvements, and the Owner shall be required to maintain the Common Improvements unless and until such Common Improvements are conveyed or transferred to an association of owners of all of the buildable parcels created in the development and only on condition that, any such dedication, conveyance or transfer may only be after the establishment of an association and covenants created for the purpose of providing for and funding the maintenance of the Common Improvements that will constitute a covenant running with the land and that is binding upon all successors in title. Upon each separate conveyance the then current owner of record shall be released from all obligations under this Agreement arising after the date of such conveyance, as to the portion of the Development Parcel conveyed for which such an association and covenants have been created

An owners' association shall be created and covenants shall be recorded at the time the Final Plat is presented for approval, and the Village shall have the right to withhold Final Plat approval and/or recordation, and to withhold any building permit or occupancy permit, temporary or permanent, until an owners association has been created and covenants conforming to the requirements of this Agreement have been recorded and are in effect.

10. **MAINTENANCE OF COMMON IMPROVEMENTS.** The Common Improvements shall be maintained by the Owner unless and until an association of owners has been created for that purpose pursuant to covenants that are recorded on the entire Development Parcel and run with the land. The Common Improvements for the development shall include, but may not be limited to stormwater control and drainage facilities, including stormwater detention, entry monument, signage and landscaping, parkway trees and other landscaping required as part of the PUD approval and any open



space areas to be managed and maintained by the owners' association. The association shall be responsible for the cost of maintaining, reconstructing, repairing and/or restoring such Common Improvements from financing generated by association assessments.

SSA Establishment. Owner and Village acknowledge that certain elements of the project carry with them Common Improvements construction and maintenance obligations, such as for the Stormwater Management Facility, which may exist beyond the term of this agreement, and thus require special mechanisms to ensure that the Village is protected, especially in the event that title to any of the properties passes to another. Accordingly, prior to Owner conveying all or a part of the Development Parcel to another party, Owner shall petition to the Village for the establishment of a back-up SSA for the on-going maintenance of the Stormwater Management Facilities and/or other Common Improvements, and the establishment thereof shall occur prior to the date of any conveyance of the Development Parcel. In the event, however, that Owner does not convey the Development Parcel, or a portion thereof, to a third party and a portion of the Development Parcel is submitted to the Village as a Development Phase by Owner, or a third party developer or a land lessee, the Owner shall request the establishment of the back-up SSA for the Stormwater Management Facilities and/or other Common Improvements, as the case may be, at such time.

In the event the Village determines that the Common Improvements are not being reasonably and adequately maintained, the Village may repair, restore, reconstruct and maintain the Common Improvements as the Village deems necessary for the public health, safety and welfare, and the Village may be reimbursed the cost for that repair, restoration, reconstruction and maintenance by levying taxes within the Special Service Area to pay for such costs, together with the costs to establish the Special Service area and for administration of those services. The Owner/Developer shall cooperate as reasonably requested in the establishment of the special service area.

## 11. DEVELOPMENT FEES.

A. Effect of Development on Public Services. The Owner understands and acknowledges that the Village is under no obligation to annex the Development Parcel, that one of the considerations of the Village of North Aurora in agreeing to the annexation of the Development Parcel is the effect the development of the Development Parcel will have on the community, particularly the Village, including, but not limited to, the Village of North Aurora, the Fire District, the Messenger Public Library of North Aurora ("Library"), and motor vehicle transportation networks owned and maintained by other governmental bodies in and adjacent to the Village which will service all residents and businesses generated by development within the Development Parcel now and in the future. The Owner understands that the unprecedented rate of growth and development within the Village has created burdens upon local units of government, particularly the Fire District, the Village, and the Library in providing the desired level of services at the same time as the demand for services increases due to new development.

B. **Agreed Monetary Contributions.** Owner is desirous of compensating the Village and other public bodies for the up-front burden on those taxing bodies caused by the development which are incurred prior to the time that any taxes are levied or collected from the development in order to induce the Village to consent to the annexation and development of the Development Parcel in the Village. The Owner understands that its agreement to satisfy such conditions is materially relied upon by the Village in entering into this Annexation Agreement. Owner acknowledges that such monetary contributions are fair, reasonable, and in amounts reasonably necessary to provide for the various public services intended and are necessary to accommodate the additional service needs generated by annexation and development of the Development Parcel. The Owner further understands and specifically agrees that such monetary contributions shall be binding pursuant to this Agreement on all successors, assigns, and transferees, shall run with the land and shall apply whenever the Development Parcel is to be developed and shall become due and payable as a condition to the issuance of building permits. The monetary contributions as a condition of this Agreement for the annexation and development of the Development Parcel in North Aurora summarized in the document attached hereto as Exhibit L.

12. **OTHER FEES.** Owner acknowledges that it has been informed about all other Village fees, permits and charges imposed by the Village. All building permit and building inspection fees for any improvement constructed upon the Development Parcel shall be due and payable upon issuance of a building permit for that improvement. The fees and charges are reflected in Exhibit L.

The Developer agrees that all third-party review, inspection and consulting fees incurred by the Village are subject to change and shall be reimbursed to the Village by the Developer. All Development Fees are reflected on Exhibit L.

13. **LAND/CASH ORDINANCE.** In addition to the Agreed Monetary Contributions identified in Section 11.B. above, the Owner acknowledges and agrees that it will be subject to the terms of the Village's land/cash ordinance for the benefit of the public school system(s) and the applicable park district(s), which requirements are set forth in the Subdivision Ordinance, and the Owner further agrees, that the land/cash contributions shall not be strictly limited in their use by the public school(s) and by the park district(s) to the acquisition of land but shall be available for use by the public school(s) and park district(s) for capital improvements.

14. **REIMBURSEMENT.** The Developer shall reimburse the Village for all attorneys fees, engineering design and review, construction engineering, planning consultants and costs incurred by the Village in connection with the processing and review of all matters pertaining to the Property, this Annexation Agreement, including the drafting and negotiation hereof and all matters pertaining to the concept plan, preliminary subdivision/PUD plans, final subdivision/PUD plans or plats, engineering and all other matters related to the development of the Property during the entire term of this Agreement or until the Property is fully developed and all Public Improvements are accepted by the Village, whichever is later. The Developer shall reimburse the Village promptly after receipt by the Developer of invoices for such fees and costs. If such amounts are not paid within

thirty (30) days from receipt of the invoice, the Village shall have no obligation to proceed or to act upon any element of the development of the Property, nor to issue any permits of any type, until payment of such reimbursement amount which is due has been made in full.

15. **CELL TOWER.** The cellular tower shall be annexed as a legal, nonconforming use, subject to the general provisions for cell towers in the North Aurora Code. The ground equipment on the cell tower site shall be screened with a solid fence in materials to be approved by the Community and Economic Development Director. The cell tower will become subject to the North Aurora Code provisions generally from the date of annexation.

16. **DISCONNECTION.** Owner agrees not to petition for disconnection from Village without Village approval under any statutory provision and agrees that if the Development Parcel were disconnected from the Village (a) the growth prospects and plan and zoning ordinances of the Village would be unreasonably disrupted; (b) if disconnected, substantial disruption will result to existing municipal services facilities, such as, but not limited to, sewer systems, street lighting, water distribution, garbage collection and fire protection; and (c) if disconnected, the Village would be unduly harmed through the loss of tax and utility revenue in the future.

17. **REQUIREMENTS OF OTHER JURISDICTIONS.** It is agreed that the Village is not liable or responsible for any restrictions on Village's obligations under this Agreement that may be required or imposed by any other governmental bodies or agencies having jurisdiction over the Development Parcel, Village or Owner. However, the Village will use its best efforts and shall cooperate in a manner to further the issuance of permits by other governmental bodies or agencies as may be necessary for the development of the Development Parcel in accordance with the terms of this Agreement.

18. **BINDING EFFECT AND TERM.** This Agreement shall be binding upon and inure to the benefit of the parties hereto, successors in interest, assignees, lessees, and upon any successor municipal authorities of the Village and successor municipalities for the period of twenty (20) years from the date hereof. During the term of this Agreement, the transferees, assigns and successors in title who acquired more than one buildable parcel or subdivided lot of property subject to this Agreement shall be jointly and severally liable for the performance of this Agreement, except for the following:

A. The original Owner shall not be liable for the performance of this Agreement if the conditions Section 27 below are satisfied;

B. Any person who acquires a single improved parcel or subdivided lot who occupies that parcel or subdivided lot as a resident or business owner;

C. Any person who acquires multiple improved parcels or subdivided lots that are contiguous who occupies those parcels or subdivided lots as a resident or business owner.

D. Neither the original Owner nor any transferees, assigns and successors in title shall be liable for the performance of this Agreement once all terms are satisfied and all warranties have expired.

19. **COVENANT RUNNING WITH THE LAND.** This Agreement constitutes a covenant running with the land and is binding upon the parties hereto, all grantees, successors in interest, assigns and lessees, and successor Village Board.

20. **HOLD HARMLESS AND INDEMNIFICATION.** In the event a claim is made against the Village, or if the Village is made a party-defendant in any legal proceeding arising out of or in connection with the annexation, zoning, or the physical development of the Development Parcel, the Owner shall defend the Village and hold the Village harmless from all claims, liabilities, losses, taxes, judgments, costs and fees, including expenses and reasonable attorney fees, in connection therewith. The Village shall reasonably cooperate in the defense of such proceedings.

21. **MODIFICATIONS.** This Agreement may be modified only by the procedures established by law, in force from time to time, that were required for its initial approval. Village and the Owner of record of any portion of the Development Parcel, even if not the Owner named herein, may agree to modify this Agreement with respect to such portion of the Development Parcel. This agreement may be amended by the Village and the owner of record of a portion of the subject realty as to the provisions applying exclusively thereto, without the consent of the owners of other portions of the subject realty not affected by this amendment.

22. **SEPARABILITY.** The provisions hereof shall be deemed to be separable; and if any section, paragraph, clause, provisions or item herein shall be held invalid, the invalidity of such section, paragraph, clause, provision, or item shall not affect any other provision of this Agreement.

23. **COOPERATION.** Village and Owner shall do all things necessary or appropriate to carry out the terms and provisions of this Agreement and to aid and assist each other in carrying out the terms and objectives of this Agreement and the intentions of the parties as reflected by said terms, including the terms of the PUD Ordinance to be passed concurrently with the annexation of the Development Parcel. Both Village and Owner shall act in good faith, reasonably and promptly with respect to all consents, approvals and actions required or requested of it or taken by it hereunder or in connection with the development of the Development Parcel. During the term of this Agreement, Owner may continue its current uses on the Development Parcel including farming and general agricultural uses as to those portions of the Development Parcel not then developed.

24. **NOTICE.** Unless otherwise notified in writing, all notices, requests and demands shall be in writing and shall be delivered personally or be mailed by certified mail, return receipt requested, postage prepaid, addressed as follows:

If to Village: Village Administrator  
VILLAGE OF NORTH AURORA  
25 East State Street  
North Aurora, IL 60542

With a copy to: Drendel & Jansons Law Group  
111 Flinn Street  
Batavia, IL 60510

If to Owner: Nick Lamagna  
LMN OPPORTUNITIES LLC  
1921 W. Wilson Street, #151  
Batavia, IL 60510

With a copy to: William F. Bochte  
BOCHTE, KUZNIAR & NAVIGATO, P.C.  
2580 Foxfield Road, Suite 200  
St. Charles, IL 60174

25. **RECORDING.** This Agreement shall be recorded in the County Recorder of Deeds Office by the Village.

26. **REMEDIES.**

A. This Agreement shall be enforceable in any court of competent jurisdiction by either the Village or Owner, or any successor or successors in title or interest in any manner, or assigns of said parties. Enforcement may be sought by mandamus or any other appropriate action at law or in equity to secure the performance of the covenants, agreements, conditions and obligations contained herein.

B. In the event of a material breach of this Agreement, the parties agree that the Village or Owner shall have a period of sixty (60) days after such notice to correct such alleged breach prior to the seeking of any remedy provided for herein.

C. If any party to this Agreement shall fail to perform any of these obligations hereunder, and the party or parties affected by such default shall have given written notice of such default to the defaulting party, and such defaulting party shall have failed to cure such default within sixty (60) days after the receipt of such default notice, then, in addition to any and all other remedies that may be available, either in law or equity, the party or parties affected by such default shall have the right (but not the obligation) to take such action as in its or their reasonable discretion and judgment shall be necessary to cure such default. In such event, the defaulting party hereby agrees to pay and reimburse the party or

parties affected by such default for all reasonable attorneys' fees, costs and expenses incurred by it or them in connection with action taken to cure such default.

27. **OWNER'S RIGHT TO CONVEY.** Nothing contained in this Agreement shall be construed to restrict or limit the right of Owner to sell or convey all or any portion of the Development Parcel, whether improved or unimproved. Upon transfer of any or all of the Development Parcel, all rights, duties and interest of Owner hereunder shall run to the benefit of and be binding upon Owner's successors in interest. The Owner's obligations shall remain under this Agreement unless a successor owner posts a substituted letter of credit or other surety for all of the incomplete public and common area improvements acceptable to the Village in keeping with the Section 6.C above, which approval and acceptance shall not be unreasonably withheld, conditioned or delayed and provided that the Owner is not in default of this Agreement at the time of the transfer. Within thirty (30) days after the sale, transfer or assignment of substantially all of the Development Parcel or of the Assignment of the beneficial interest in a land trust holding title to the Development Parcel, Owner shall notify Village thereof. The Owner shall continue to remain jointly and severally liable for performance of this Agreement after transfer any portion or all of the Development Parcel, together with all transferees, assigns and successors in title who acquired more than one buildable parcel or subdivided lot, until such time that a successor owner accepts the responsibility for fulfilling the development obligations for all public improvements, common area improvements and/or performance guarantees, and posts an acceptable letter of credit or other surety for such public improvements, common area improvements and/or performance guarantees as provided herein.

28. **VILLAGE'S AUTHORITY.** Owner hereby acknowledges that the Village is not a home rule municipality and is subject to limitations on the power and authority of all like non-home rule units. If, for reason that the Village is not a home rule municipality, this Agreement is deemed invalid under existing law, such determination of invalidity shall not be deemed a default by the Village under this Agreement. In such case, the Owner agrees to cooperate with the Village in restructuring the Agreement to accomplish both parties' ends to satisfy the current laws and in accordance with the power and authority of the Village vested in it by statute. Only after such reasonable efforts have been made to restructure the Agreement, and if all efforts fail after a reasonable time, shall the failure of the Village to facilitate the Agreement by virtue of its non-home rule statute be deemed a default.

29. **EXCULPATION OF CORPORATE AUTHORITIES.** The parties acknowledge and agree that the individuals who are members of the group consisting of the Corporate Authorities are entering into this Agreement in their official capacities as members of such group and shall have no personal liability in their individual capacities.

30. **ENTIRE AGREEMENT.** This Agreement sets forth all the promises, inducements, agreements, conditions and understandings between Owner and the Village relative to the subject matter thereof, and there are no promises, Agreements, conditions or understandings, either oral or written, express or implied, between them, other than are herein set forth.

31. **ELECTRONIC DELIVERY; COUNTERPARTS.** This Agreement and any signed agreement or instrument entered into in connection with this Agreement, and any amendments hereto or thereto, may be executed in one or more counterparts, all of which shall constitute one and the same instrument. Any such counterpart, to the extent delivered by means of a facsimile machine or by .pdf, .tif, .gif, .peg or similar attachment to electronic mail (any such delivery, an "Electronic Delivery") shall be treated in all manner and respects as an original executed counterpart and shall be considered to have the same binding legal effect as if it were the original signed version thereof delivered in person. At the request of any party hereto, each other party hereto or thereto shall re-execute the original form of this Agreement and deliver such form to all other parties. No party hereto shall raise the use of Electronic Delivery to deliver a signature or the fact that any signature or agreement or instrument was transmitted or communicated through the use of Electronic Delivery as a defense to the formation of a contract and each such party forever waives any such defense, except to the extent such defense relates to lack of authenticity.

**IN WITNESS WHEREOF**, the parties have set their hands and seals on the date first above written.

**VILLAGE OF NORTH AURORA, ILLINOIS,  
an Illinois municipal corporation**

By: \_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

**OWNER: LMN OPPORTUNITIES LLC, a  
Wyoming limited liability company**

By: \_\_\_\_\_  
Managing - Member

## **EXHIBIT A**

(Legal Description of the Development Parcel)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 929.09 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE 242.38 FEET, THENCE DUE NORTH 1,613.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89 DEGREES 02 MINUTES EAST ALONG SAID SOUTH LINE 242.39 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING, THENCE DUE SOUTH 1,621.20 FEET TO THE POINT OF BEGINNING, THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

Pin 15-06-200-008



## **EXHIBIT B**

Plat of Annexation

THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 8 EAST  
OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

**P.P.N. 15-000-204-005**  
THAT PART OF THE NORTH-EAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NORTH-EAST QUARTER; THENCE NORTH 89°15'11" WEST ALONG THE SOUTH LINE OF SAID QUARTER 629.06 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°15'11" WEST ALONG SAID SOUTH LINE 242.38 FEET; THENCE DUE NORTH 1513.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89°02' EAST ALONG SAID SOUTH LINE 242.35 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING; THENCE DUE NORTH 1521.20 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF ARLORA, KANE COUNTY, ILLINOIS.



ILLINOIS STATE PLANE, NAD 83, EAST ZONE

204.45A SQUARE FEET = 9.06 ACRES

[illegible]

## **EXHIBIT C**

### **Annexation Petition**

**TO:** The Village President and Board of Trustees  
of the Village of North Aurora, Kane County, Illinois

**FROM:** **LMN OPPORTUNITIES LLC,**  
a Wyoming limited liability company

**SUBJECT:** Annexation approval

The Petitioner, **LMN OPPORTUNITIES LLC**, a Wyoming limited liability company respectfully states under oath:

1. Petitioner is the sole owner of record of the following legally described land ("Development Parcel") comprising approximately 30 acres commonly known as 38 W Oak Street, North Aurora, Illinois, Aurora Township, Kane County, Illinois and legally described as follows:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 929.09 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE 242.38 FEET, THENCE DUE NORTH 1,613.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89 DEGREES 02 MINUTES EAST ALONG SAID SOUTH LINE 242.39 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING, THENCE DUE SOUTH 1,621.20 FEET TO THE POINT OF BEGINNING, THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

2. The Development Parcel is not situated within the limits of any municipality but is contiguous to the Village of North Aurora, Kane County, Illinois, and no electors reside in the territory being annexed.

3. The Development Parcel is located outside the municipal boundaries of the Village in unincorporated Kane County, Illinois (hereinafter the "County"), and the Development Parcel is not located within the corporate boundaries of any municipality; and

4. The foregoing statements of fact are true to the best of Petitioner's knowledge and information.


Petitioner respectfully requests:

- A. That the Petitioner and the governing body of the Village of North Aurora enter into a mutually acceptable annexation agreement for the annexation and development of the Development Parcel.
  - B. That the above-described Development Parcel be annexed to the Village of North Aurora by ordinance of the corporate authorities of the Village of North Aurora pursuant to §7-1-8 of the Illinois Municipal Code, as amended.
  - C. That the above-described Development Parcel be zoned in accordance with the annexation agreement, to-wit: R-3 General Residential District.
  - D. That the existing cell on the Development Parcel be annexed as a legal nonconforming use
5. That such other action be taken as is appropriate in the premises.

Dated this 20 day of MAY, 2021.

Petitioners:

**LMN OPPORTUNITIES LLC,**  
a Wyoming limited liability company

By:   
Nick Lamagna- Member-Manager

Subscribed and sworn to  
before me this 20 day of May, 2021



This instrument prepared by:  
**WILLIAM F. BOCHTE**  
**BOCHTE, KUZNIAR & NAVIGATO, P.C.**  
2580 Foxfield Road, Suite 200  
St. Charles, IL 60174  
P: (630) 377-7770  
F: (630) 377-3479  
wbochte@bknlaw.com



## **EXHIBIT D**

Ordinance classifying the Development Parcel as as R-3 General Residence District



**VILLAGE OF NORTH AURORA  
KANE COUNTY, ILLINOIS**

**Ordinance No. \_\_\_\_\_**

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**ORDINANCE ZONING**  
**9.05 ACRES OF PROPERTY SITUATED AT**  
**38W229 OAK STREET NORTH AURORA, IL**  
**TO THE R-3 GENERAL RESIDENCE ZONING DISTRICT**

---

**Adopted by the  
Board of Trustees and President  
of the Village of North Aurora  
this \_\_\_\_ day of \_\_\_\_\_, 2021**

**Published in Pamphlet Form  
by authority of the Board of Trustees of the  
Village of North Aurora, Kane County, Illinois,  
this \_\_\_\_ day of \_\_\_\_\_, 2021  
by \_\_\_\_\_.**

**Signed \_\_\_\_\_**

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

**AN ORDINANCE ZONING  
9.05 ACRES OF PROPERTY SITUATED AT  
38W229 OAK STREET NORTH AURORA, IL  
TO THE R-3 GENERAL RESIDENCE ZONING DISTRICT**

**WHEREAS**, LMN OPPORTUNITIES LLC, a Wyoming limited liability company, (“Owner”) is the owner of record of approximately 9.05 acres of real property commonly known as 38W229 Oak Street, North Aurora, IL, legally described in the document attached hereto and incorporated herein as Exhibit “A”, which is attached hereto and made a part hereof (hereinafter sometimes referred to as "Property"); and

**WHEREAS**, on \_\_\_\_\_, 2021, the Ordinance annexing the Property to the Village of North Aurora (hereinafter referred to "Village") was passed, subject to the complete execution and recording of the approved Annexation Agreement and payment of the fees associated with the annexation (“Annexation Conditions”), which annexation is effective on the happening of the Annexation Conditions; and

**WHEREAS**, Owner has made request to zone the Property as R-3 General Residence District pursuant to the Zoning Provisions of the North Aurora Municipal Code (hereinafter referred to as the "Zoning Code"); and

**WHEREAS**, a public hearing was held before the Plan Commission of the Village of North Aurora (hereinafter referred to as the "Plan Commission"), on September 21, 2020; and

**WHEREAS**, the Plan Commission has recommended approval to zone the Property as R-3 General Residence District in keeping with the criteria for map amendment evidenced in the minutes of the Plan Commission meeting on September 21, 2020 attached hereto and incorporated herein by reference as Exhibit B (the “Plan Commission Recommendation”); and

**WHEREAS**, the President and Board of Trustees of the Village have concluded that the reasons set forth in the Plan Commission recommendation for approval are well founded and are consistent with the Zoning Code and other ordinances of the Village; and

**WHEREAS**, the President and the Board of Trustees of the Village have determined that the best interests of the Village will be attained by zoning the Property in the R-3 General Residence Zoning District.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS, AS FOLLOWS:**



**SECTION 1:** The foregoing recitals are incorporated herein as though they were fully set forth herein.

**SECTION 2:** The President and Board of Trustees of the Village of North Aurora adopt the findings of the Plan Commission described in the Plan Commission Recommendation.

**SECTION 3:** The Property shall be and is hereby zoned in the R-3 General Residence Zoning District.

**SECTION 4:** The zoning of the Property shall survive the Annexation Agreement, subject to any zoning changes that are approved subsequent to this Ordinance in keeping with the provisions of the North Aurora Code that govern zoning changes and the applicable State law on zoning.

**SECTION 5:** This Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form, as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Jessi Watkins, Village Clerk

## **EXHIBIT A**

(Legal Description of the Property)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 929.09 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE 242.38 FEET, THENCE DUE NORTH 1,613.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89 DEGREES 02 MINUTES EAST ALONG SAID SOUTH LINE 242.39 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING, THENCE DUE SOUTH 1,621.20 FEET TO THE POINT OF BEGINNING, THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

Pin 15-06-200-008

## **EXHIBIT B**

### **Plan Commission Recommendation**

**VILLAGE OF NORTH AURORA  
PLAN COMMISSION MEETING MINUTES  
SEPTEMBER 1, 2020**

**CALL TO ORDER**

Vice Chairperson Duncan called the meeting to order.

**ROLL CALL**

**In attendance:** Vice Chairperson Jennifer Duncan, Commissioners Anna Tuohy, Aaron Anderson, Tom Lenkart, Doug Botkin, Mark Bozik and Connie Holbrook

**Not in attendance:** Chairman Mike Brackett

**Staff in attendance:** Village Administrator Steve Bosco, Community & Economic Development Director Mike Toth and Information Technology Manager Dave Arndt

**APPROVAL OF MINUTES**

**1. Approval of Plan Commission Minutes dated March 3, 2020**

Motion for approval made by Commissioner Bozik and seconded by Commissioner Lenkart. All in favor.  
**Motion approved.**

**PUBLIC HEARING**

**1. Petition #20-04 (38W229 Oak Street): The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:**

- 1) Establishment of the R-3 General Residence District zoning
- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
- 3) Site Plan Approval
- 4) Preliminary Final Plat of Subdivision

Vice Chairperson Jennifer Duncan opened the public hearing.

Valerie Shoger, 1473 Hearthstone Lane, stated that she is concerned about the number of units in each building. At the April 15, 2019 meeting, it was stated that the proposed development would consist of luxury units. Shoger feels that the excessive number of units and decreased square footage does not appear to be luxurious and will not enhance the surrounding neighborhoods. She is concerned that there is not much staggering of the units and they give off a “building blocks” appearance.

Keely, (Zoom screen name), stated that she also has the same concerns as Shoger. She asked what the benefit is to connecting Hearthstone Lane to Forest Ridge Drive. Keely asked how the units can be advertised as luxury but still be reasonably priced. She stated that she is also concerned about the storm water and asked what the plan is for drainage.

Austin Curran, 1417 Hearthstone Lane, stated that he had similar concerns as the previous residents since it impacts their neighborhood more than any other. Curran asked why the Village is considering townhomes over single family residences. He is also concerned about water drainage in the area and would like to hear more about the retention pond that is proposed. Curran stated that he is concerned about how it will impact the value of homes in the area and how it could also lead to an increase of traffic.

Cheryl Stetter, resident in Windstone Place, stated that one of her biggest concerns is the impact of drainage. Stetter agrees with the other residents about the townhomes being classified as luxurious when they will be facing an empty field. She asked if they are planning on allowing renters since that deters away from the luxury feel.

Sonja Flores-Gomez, 87 Windstone Drive, stated that she has the same concerns as everyone else. Flores-Gomez believes that the number of units is excessive for such a small parcel of land. Reducing the number of units or adding a park should be considered. She is concerned that there is going to be a large increase of traffic and that drainage is going to become an issue.

The petitioner, Nick Lamagna, LMN Opportunities, Inc., responded to the concerns and questions of the residents in attendance. He stated that the layout of the townhomes cannot be avoided in order to accommodate drainage. The Comprehensive Plan for this particular area supports the development of townhomes, which is why the developer chose to pursue this route. Lamagna stated that the size of the townhome does not determine whether or not the units are luxurious. Rather, it's the façade, open floor plan, and the materials that create the luxury feel. Lamagna explained that the units will not be renter-occupied and will be buyer owned. There is a lack of premium quality homes in the area and they are hoping to fill that void.

Community and Economic Development Director Mike Toth, displayed an image from the Comprehensive Plan showing the parcel in which the townhomes will be located. He stated that there is an intergovernmental agreement with the Village of North Aurora and Kane County Department of Transportation for Oak Street in between Randall Road and Orchard Road, which does call for an intersection at Forest Ridge Drive. This is continued south to connect with Hearthstone Lane and to allow secondary access to the property.

Ray Sikkema, Webster, McGrath & Ahlberg, Ltd., discussed the drainage concerns brought up by the residents. He stated that the wetlands exist above the northern drainage basin on the property. Since the wetland is protected, unfortunately there is nothing that can be done for drainage for that particular portion of the property. Drainage will flow into the north detention basin and the overflow will then travel through the drain tile. Sikkema explained they will be improving drainage flow by incorporating a 12" storm sewer that will be connected to the existing drain tile. He stated that the units will be similar in height to the adjacent properties on Windstone.

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Vice Chairperson Jennifer Duncan opened the public hearing. There were no public comments. Jennifer Duncan then closed the public portion of the hearing.

## **NEW BUSINESS**

1. **Petition #20-04 (38W229 Oak Street):** The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:

- 1) Establishment of the R-3 General Residence District zoning

- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
- 3) Site Plan Approval
- 4) Preliminary Final Plat of Subdivision

Community and Economic Development Director Mike Toth stated that this item was previously presented to the Village Board on April 15, 2019 for a concept review only. At that time no action was taken and the project was favored by the Village Board. Since then, the petitioner has worked on the proposed development to get it where it is today. The 8.63 acre property is currently zoned as a Farming District in unincorporated Kane County. The applicant is proposing five (5) townhouse buildings, each consisting of six (6) units, and one (1) two-family dwelling. Toth stated that the comprehensive plan does recommend single-family attached dwellings for this area of land.

The petitioner is requesting that the property shall be zoned as R-3 General Residence District. At this time, a map amendment is not being pursued since the property has not been annexed into the Village. The property meets all of the bulk requirements for the R-3 General Residence District. Toth stated that the special use request is required since the property is greater than two (2) acres. There are two (2) deviations from the zoning code being requested for the development. The use standards in Chapter 11 of the Zoning Ordinance state that garages shall be rear or side loaded. Toth stated that the proposed development will be oriented towards the west (Forest Ridge Drive) and will therefore be front loaded garages. The deviation is supported to have the garages as front loaded in order to minimize the traffic to the east and keep everything on Forest Ridge Drive. Toth explained that parking is permitted on Forest Ridge Drive, but the larger driveways should accommodate more vehicles which will eliminate excessive parking on the street. The second deviation relates to onsite trees. Per the Zoning Ordinance, multi-family properties shall have one (1) tree per 500 square feet of lot area. Toth stated that the landscape plan represents a barrier to the east and also factors in drainage for the property. Deviations have been granted in the past for lot landscaping. Toth stated that there is a condition that the parkway trees will be of variety per the subdivision ordinance. Site plan approval is required for all townhome developments. Toth explained that the building footprints were included in order to allow the engineers to consider site detention and storm water management.

Toth acknowledged that staff recommends approval for the special use request based on the understanding that four (4) conditions are met. Any unit that has a side wall facing the street shall include a front façade in order to eliminate the appearance of blank walls. All site improvements shall be confined within the building footprints. Trees that meet a specific standard will be evaluated by the Village for preservation. Finally, all parkway tree species will be provided per the Subdivision Ordinance. Toth recommended an additional condition that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only.

Nick Lamagna stated that he has been working closely with Mike Toth and the Village of North Aurora in order to meet all criteria and guidelines set by the Village. He stated that the proposed townhomes will have a luxury appeal and will be comparable to the other multi-family developments in the area. Lamagna believes there is a shortage of luxury rentals in the area and stated that this development will provide people with a larger living space, especially in a time where many people are working from home. Matt Haylock, Archamerica, Inc., stated that they created a fresh looking façade with cooler hues of color. Various types of material are being used including stone along the base, cement board, and standing seam aluminum on the eaves, along with other textures and materials to create a contemporary appearance. Haylock described the interior of the townhomes, which include three (3) and four (4) bedroom units, both with an open concept. The units range from 2,000 – 2,400 square feet, depending on the number of bedrooms.

**Plan Commission Comments:**

Commissioner Bozik stated that he shares concerns with the lack of on-street parking. He asked what the plan is for Outlot B, which is the cell tower. Bozik asked if anything will be done to make that area aesthetically pleasing. He stated that the location of the two-unit building seems awkward and suggests a single-family residence instead. Lamagna responded that the driveways had already been readjusted to accommodate the parking concerns. He stated that the cell tower will remain in the same location. Lamagna explained that the Comprehensive Plan called for attached homes, so the duplex made sense.

Toth stated that when a property is annexed into the Village, there are certain fees that are paid to the Village of North Aurora. When this development comes in, a fee will be paid that will go to the Park District and School District within North Aurora. Toth asked about the possibility of having a cul-de-sac installed and Sikkema responded that Fire Departments are not in favor of cul-de-sacs if longer than 1,000 feet, which would be the case for this development. Bozik stated that North Aurora's Fire District does not allow cul-de-sacs over 300 feet.

Commissioner Botkin stated that his questions had been answered and he had no further comments.

Commissioner Lenkart stated that the presentation was very thorough and thought the exterior looked nice. Lenkart asked if anyone has reached out to the property owner of the parcel to the west. Toth responded that he spoke to the property owner years ago and has not heard of any developments on the property. Toth stated that the west side of Forest Ridge Drive does not have sidewalks or parkway trees. This will be discussed during the hearing process. Lenkart stated that a four (4) bedroom townhome could potentially have multiple vehicles, which means cars could be parked all along the street, creating congestion. Sikkema responded that the driveways are 16' wide, which will accommodate for two (2) cars in the driveway and two (2) cars in the garage. Lenkart asked how wide the street was. Sikkema responded that the street from curb to curb is 28'. It will be tight, but there is room to accommodate traffic.

Toth reminded the Plan Commission that the engineering still has to go through final engineering, so this is not the final plan for the development.

Commissioner Holbrook stated that her questions had been answered and she had no further comments.

Commissioner Tuohy asked what the cost point will be for the units. Lamagna responded that they do not have the information right now due to the market changing with COVID-19. He stated that a ballpark range would be \$275,000 - \$325,000. Tuohy stated she shares the same concerns about parking and would like to have the concern looked into. She asked if a traffic study has been completed. Toth responded that it has not. He stated that there is a density formula in the subdivision ordinance that calculates the fees for developments. Based on the density formula, the townhomes could bring in 71 new residents. Toth indicated that staff would look into the road width of Forest Ridge Drive to see if this could be accommodating for parking concerns. Tuohy asked if there will be a sidewalk on the property. Toth responded there is one proposed on the eastern side of the property and along Oak Street. Tuohy asked if a crosswalk was being installed from the south side to the north side. Toth responded that the plan does not call for a crosswalk. Tuohy stated that children will be crossing the street to Jewel Middle School and it could be a hazard. Toth responded that a stop sign was installed at White Oak Drive to the east to help move pedestrians safely. Tuohy asked if there will be a Homeowners Association (HOA). Toth responded that there will be an HOA which will be included in the annexation agreement. Tuohy asked if garbage will be picked up at the end of the driveways. Lamagna responded yes. Tuohy stated she agrees that the front elevation makes it hard to differentiate one unit from the other. Lenkart stated that the development area has enough room to stagger the buildings so it creates more depth to the townhomes. Haylock responded that the buildings will be staggered 8' and the individual units are staggered 2' to 3'. Tuohy stated she had no more questions.

Commissioner Anderson asked how long LMN Opportunities has been in business and how many projects have been completed similar to this. Jared Osmond, LMN Opportunities, responded that he has completed many projects in the area, including townhome developments. Lamagna stated they use different entities for their developments and collectively, they have over 50 years of experience. Anderson asked if financing has been secured for the project. Osmond responded that they have the money secured for the development. Anderson asked if there are turn lanes coming off of Oak Street. Toth responded there will be a turn lane into the property both east and west bound. Toth asked if there will be a decelerated lane for people turning right into the property going eastbound. Sikkema responded that there currently is not one being proposed, but it could be looked into if necessary.

Bozik asked how they will accommodate on-street parking. Toth responded that staff recommended the proposed layout of the townhomes, since it would make the most sense for traffic. He explained that staff will look into the width of Forest Ridge Drive.

Toth recommended that the fifth condition be added for the special use approval which would state that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only. Bozik recommended a sixth condition to add fencing around the cell tower.

Motion for approval for the establishment of the R-3 General Residence District zoning made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – Yes. **Motion approved.**

Motion for approval of the special use to allow a Planned Unit Development with deviations from the Zoning Ordinance with the two (2) conditions being added, for a total of six (6) conditions, made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

Motion for approval of the site plan made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – No. **Motion approved.**

Motion for approval of the preliminary final plat of subdivision made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Mike Toth presented the background information on the petition. Toth stated that the property at 119 Butterfield is located in the I-1 District and is the location of the former Backyard Builders business. The motor vehicle repair business is operating under a temporary use Ordinance that was granted by the Village Board as the zoning wasn't approved when they moved onto the property. Toth then explained the various zoning options afforded to the business operator. The business operator chose to go through the text amendment. Establishing the use as a permitted use would allow them greater flexibility if they one day owned the property. Toth then went through the various I-1 District properties in the Village. The motor repair use is quasi-commercial/industrial. Toth then listed the classification status of the use in other zoning districts. Toth stated that he did not advise that the business operator pursue the rezoning of the property, but could support the text amendment as the use is commercial in nature. Toth noted the three (3) use standards included in the Zoning Ordinance, which would still apply if the use was a permitted use.



The petitioner, Derek Knuth, stated that he is the owner of Red's Garage. He stated that he wants this property to be his 'forever home' and eventually would like to purchase the property.

**Plan Commission Comments:**

Commissioner Tuohy asked about internal site circulation. Knuth responded, there is an access drive located next to the building. Tuohy asked about chemical removal. Knuth stated that they have a company that comes to remove the chemicals.

Toth reminded the Plan Commission that the petition is not a special use and the motor vehicle repair use would become a permitted use on all I-1 District properties.

Commissioner Lenkart asked about the hours of operations. Knuth responded, Monday through Friday 8:00 a.m. – 6:00 p.m. and Saturday 8:00 a.m. - noon. Lenkart then mentioned the previous Walmart petition and how they made them move the auto repair from the east side of the building to the west side of the building to keep it away from the townhomes. He then asked how the noise will be kept low. Knuth responded, all work will be inside and the lifts are located on the other side of the building. The doors will also remain closed. Lenkart asked about the north end of the property. Knuth responded, that area is gravel. Lenkart stated that he wouldn't want any storage there. Toth mentioned that the use has to operate inside and the area to the north is a deteriorated limestone. Parking would be prohibited there unless they were to install asphalt or concrete. Lenkart stated that noise travels and he doesn't want to inconvenience the neighbors. Vice Chairperson Duncan mentioned that the property is an industrial property.

Commissioner Anderson asked about the \$4,300 filing fee. He asked if there was a way to lower that fee. Toth responded, \$4,000 is an escrow deposit and the filing fee is \$300. The petitioner was only asked to deposit \$1,000 into an escrow account.

Commissioner Bozik stated they've done nice improvements and welcomed them to town.

Motion for approval of the special use made by Commissioner Bozik and seconded by Commissioner Anderson. Vote: Tuohy – Yes, Holbrook – Yes, Lenkart – Yes, Botkin – Yes. **Motion approved.**

**OLD BUSINESS** – None

**PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES**

Mike Toth noted the two items for the October 6<sup>th</sup> Plan Commission agenda. Those items include a new restaurant in Orchard Commons and a craft cannabis growing facility on South Street. Commissioner Tuohy asked about the mixed use building at Randall Crossing. Toth stated that the foundation is in and some of the underground plumbing work has been completed on that project. Toth then gave a brief update on the North Aurora Smiles project.

**ADJOURNMENT**

Motion to adjourn made by Commissioner Lenkart and seconded by Commissioner Bozik. All in favor. **Motion approved.**

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Natalie Stevens', with a long horizontal flourish extending to the right.

Natalie Stevens  
Acting Village Clerk

**EXHIBIT E**

PUD Ordinance



**VILLAGE OF NORTH AURORA  
KANE COUNTY, ILLINOIS**

**Ordinance No. \_\_\_\_\_**

---

**ORDINANCE GRANTING A SPECIAL USE FOR AN R-3  
GENERAL RESIDENCE ZONING DISTRICT PLANNED UNIT DEVELOPMENT  
ON PROPERTY LOCATED AT 38W229 OAK STREET NORTH AURORA, IL TO BE  
KNOWN AS THE FOREST RIDGE TOWNHOME DEVELOPMENT**

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**Adopted by the  
Board of Trustees and President  
of the Village of North Aurora  
this \_\_\_\_ day of \_\_\_\_\_, 2021**

**Published in Pamphlet Form  
by authority of the Board of Trustees of the  
Village of North Aurora, Kane County, Illinois,  
this \_\_\_\_ day of \_\_\_\_\_, 2021  
by \_\_\_\_\_.**

**Signed \_\_\_\_\_**

**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE GRANTING A SPECIAL USE FOR AN R-3  
GENERAL RESIDENCE ZONING DISTRICT PLANNED UNIT DEVELOPMENT  
ON PROPERTY LOCATED AT 38W229 OAK STREET NORTH AURORA, IL TO BE  
KNOWN AS THE FOREST RIDGE TOWNHOME DEVELOPMENT**

**WHEREAS**, LMN OPPORTUNITIES LLC, a Wyoming limited liability company, ("Petitioner") has filed an application for a Special Use for a R-3 General Residence Zoning District Planned Unit Development with respect to real property commonly known as 38W229 Oak Street, North Aurora, IL, legally described in the document attached hereto and incorporated herein by reference as Exhibit "A" (hereinafter sometimes referred to as "Property"); and

**WHEREAS**, Petitioner is the record owner of the Property (the "Owner"); and

**WHEREAS**, the Property consists of approximately 9.05 acres; and

**WHEREAS**, the Property is zoned in the R-3 General Residence District pursuant to the Zoning provisions of the North Aurora Municipal Code (hereinafter the "Zoning Ordinance"); and

**WHEREAS**, the Property has been annexed to the Village of North Aurora (hereinafter "Village") by Ordinance No. \_\_\_\_\_ subject to the terms of an Annexation Agreement approved by Ordinance No. \_\_\_\_\_ that provides for the terms of the Special Use/Planned Unit Development;

**WHEREAS**, the Petitioners desire to develop the Property as an R-3 General Residence District planned unit development in accordance with the following plans and standards (hereinafter collectively referred to as the "Development Plan"):

1. The Preliminary Plan, prepared by Webster, McGrath and Ahlberg, LTD. as its Project No. 44164 and dated October 28, 2020, is attached hereto and incorporated herein as Exhibit B (hereinafter "Preliminary Plan") is hereby approved for the development of the Development Parcel;

2. The Preliminary Plat prepared by Webster McGrath & Ahlberg, Ltd dated January 29, 2019, is attached hereto and incorporated herein as Exhibit C (hereinafter "Preliminary Plat") is hereby approved for the development of the Development Parcel;

3. The Preliminary Landscaping Plan prepared by Webster McGrath & Ahlberg, Ltd dated July 21, 2020, is attached hereto and incorporated herein as Exhibit D (hereinafter "Preliminary Landscaping") are hereby approved for the development of the Development Parcel;

4. The Preliminary Elevations prepared by ARCH/AMERICA dated November 6, 2020, are attached hereto and incorporated herein as Exhibit E (hereinafter "Preliminary Elevations") is hereby approved for the development of the Development Parcel; and

5. The Preliminary Floor Plans prepared by ARCH/AMERICA dated September 1, 2020, are attached hereto and incorporated herein as Exhibit F (hereinafter "Preliminary Floor Plans") are hereby approved for the development of the Development Parcel.

(Altogether the Preliminary Plan, Preliminary Plat, Preliminary Landscaping, Preliminary Elevation and Preliminary Floor Plans are hereinafter called the "Preliminary Plans & Plat".)

**WHEREAS**, a public hearing was held on the application before the Plan Commission of the Village of North Aurora (hereinafter referred to as the "Plan Commission"), on September 21, 2020; and

**WHEREAS**, the Plan Commission has recommended approval of the application subject to the conditions included in Section 3 below; and

**WHEREAS**, the President and Board of Trustees of the Village hereby adopt the findings described in the Plan Commission Recommendation memorialized in the minutes of the Plan Commission meeting attached hereto and incorporated herein by reference as Exhibit G; and

**WHEREAS**, the Petitioners have submitted all documentation required by the Village for its review of the proposed development; and

**WHEREAS**, the President and the Board of Trustees of the Village of North Aurora have determined that the best interests of the Village will be attained by granting to the special use for a planned development consistent with the Preliminary Plans & Plat.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** The recitals set forth above are incorporated herein as findings of fact by the President and Board of Trustees of the Village of North Aurora.

**SECTION 2:** That a Special Use for a R-3 General Residence District Planned Development shall be and is hereby granted to allow the Property consistent with the Preliminary Plans & Plat, the terms and conditions of the Annexation Agreement and the terms and conditions of this Ordinance, and the cell tower parcel shall be considered a legal, nonconforming use.

**SECTION 3:** That all deviations from the Zoning and Subdivision provisions of the North Aurora Municipal Code contained in the Preliminary Plans & Plat and Annexation Agreement, subject to the following conditions, are hereby approved:

1. Units having side walls facing a street shall be designed with elements of a front façade, including doors and/or windows, to avoid the appearance of blank walls.
2. All site improvements, including, but not limited to decks, patios and porches, shall be meet the requirements of the Zoning Ordinance and meet the yard setbacks required of the R-3 General Residence District.
3. Any tree of good quality larger than six inches in diameter when measured twelve (12) inches above the ground, which are not located within fifteen (15) feet of or within a building footprint, within the road footprint or in those areas listed Section 16.12.010.C.3.a of the Subdivision Ordinance, shall be tagged by the petitioner and evaluated by the Village for preservation.
4. Parkway tree species shall be provided in accordance with Section 16.12.190.C.8 of the North Aurora Subdivision.
5. Construction traffic shall be limited to Forest Ridge Drive with restricted emergency access at Hearthstone Lane.
6. All ground cell tower equipment shall be screened with a solid fence to be approved by the Community Development Director.

**SECTION 4:** That the right of the Petitioners, its successors and assigns to develop the Property in accordance with the Development Plan is hereby vested, subject to the terms and conditions of the Development Plan and Annexation Agreement.

**SECTION 5:** That the Special Use for an R-3 General Residence District Planned Development shall survive the Annexation Agreement, subject to any changes to the zoning or the PUD that are approved subsequent to this Ordinance pursuant to the zoning provisions of the North Aurora Code.

**SECTION 6:** That this Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form, as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Jessi Watkins, Village Clerk

## **EXHIBIT A**

### **Legal Description of Property**

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 929.09 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE 242.38 FEET, THENCE DUE NORTH 1,613.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89 DEGREES 02 MINUTES EAST ALONG SAID SOUTH LINE 242.39 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING, THENCE DUE SOUTH 1,621.20 FEET TO THE POINT OF BEGINNING, THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

Pin 15-06-200-008



## **EXHIBIT B**

### **Preliminary Plan**



## **EXHIBIT C**

Preliminary Plat

THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH, RANGE 8 EAST  
OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.



## BASIS OF BEARINGS

ILLINOIS STATE PLANE, NAD 83, EAST ZONE

## LAND AREA

204,450 SQUARE FEET = 9.06 ACRES



- |                 |                 |
|-----------------|-----------------|
| =====           | * BOUNDARY LINE |
| -----           | * LOT LINE      |
| --- -- -- -- -- | * EASEMENT LINE |
| .....           | * RETRACK LINE  |

### LEGEND

- |   |                         |
|---|-------------------------|
| 0 | pequeño PISO-FRIG       |
| 6 | Pequeño PISO            |
| 4 | GRANDE PISO DE CONCRETO |
|   | SE = 1.500.000.000.000  |

Put submitted responses to	Submit to BSA to
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
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NO.	Description	By	FOREST RIDGE PLAT OF SUBDIVISION		
		LOCATION	33W229 OAK STREET NORTH AURORA, IL		
		PREPARED FOR	COLUMBIAN MANAGEMENT, INC. 4215 BRANDL ROAD, SUITE 311 BURNHAM, IL 60010 TEL 630-581-1000		
WEBSTER, MCGRAW & AHLERS LTD.			JOB #	61561	SCALE: 1"=100'
			JOB P.	BC	BC
LAND SURVEYING • CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE Over a Century of Service to our Clients 287 South Main Street, Wheaton, Illinois 60187 (630) 931-1000, ext. 200 • www.wma-il.com			FILE #	KANSAS ME-384-004	

## KANE, 06-3042-08

RECORD OF DEEDS

RECORDED OF DEEDS

**PRESIDENT**

STATE OF ILLINOIS  
COUNTY OF KANE) SS

ACCEPTED AND APPROVED, THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_

\_\_\_\_\_  
COUNTY ENGINEER

## OWNERS/OWNERS

BY: \_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

## VILLAGE ENGINEER

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-00394  
LICENSE EXPIRES NOVEMBER 30, 2020

BY: CHAUDMAN

ATTEST: \_\_\_\_\_  
SECRETARY

THAT PART OF THE NORTH-EAST QUARTER OF SECTION 8, TOWNSHIP 38 NORTH RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTH-EAST QUARTER, THENCE NORTH 88° 15' 15" WEST ALONG SAID SOUTH LINE TO THE NORTH-EAST CORNER OF SAID NORTH-EAST QUARTER, BEING 120.00 FEET; BEG. 1. BEG. 2. BEG. 3. BEG. 4. BEG. 5. BEG. 6. BEG. 7. BEG. 8. BEG. 9. BEG. 10. BEG. 11. BEG. 12. BEG. 13. BEG. 14. BEG. 15. BEG. 16. BEG. 17. BEG. 18. BEG. 19. BEG. 20. BEG. 21. BEG. 22. BEG. 23. BEG. 24. BEG. 25. BEG. 26. BEG. 27. BEG. 28. BEG. 29. BEG. 30. BEG. 31. BEG. 32. BEG. 33. BEG. 34. BEG. 35. BEG. 36. BEG. 37. BEG. 38. BEG. 39. BEG. 40. BEG. 41. BEG. 42. BEG. 43. BEG. 44. BEG. 45. BEG. 46. BEG. 47. BEG. 48. BEG. 49. BEG. 50. BEG. 51. BEG. 52. BEG. 53. BEG. 54. BEG. 55. BEG. 56. BEG. 57. BEG. 58. BEG. 59. BEG. 60. BEG. 61. BEG. 62. BEG. 63. BEG. 64. BEG. 65. BEG. 66. BEG. 67. BEG. 68. BEG. 69. BEG. 70. BEG. 71. BEG. 72. BEG. 73. BEG. 74. BEG. 75. BEG. 76. 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AS SHOWN BY THE ANNEXED PLAT, WHICH IS A CORRECT AND TRUE REPRESENTATION OF SAID SURVEY, ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

WE FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS WITHIN THE CORPORATE LIMITS OF NORTH AURORA, ILLINOIS, WHICH HAS AUTHORIZED A COMPREHENSIVE PLAN AND WHICH IS EXERCISING THE SPECIAL POWER AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE AS HERETOFORE AND HEREAFTER AMENDED.

WE FURTHER CERTIFY THAT THIS PROPERTY IS WITHIN ZONE X (UNSHADED) AS DESIGNATED BY THE FLOOD INSURANCE RATE MAP FOR THE VILLAGE OF NORTH AURORA, ILLINOIS, COMMUNITY-PANEL NUMBER 1700290348, DATED AUGUST 3, 2008.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND CORPORATE SEAL AT WHEATON, ILLINOIS, THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_.

WEBSTER, McGRATH AND AHLBERG, LTD.

STATE OF ALABAMA)  
COUNTY OF CLAY) ss

TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR ANY PART THEREOF, OR THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS HAVE BEEN MADE FOR COLLECTION AND OVERFLOW OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR THAT THE SUBDIVISION HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD FOR DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_.

ENGINEER

NAME OF ATTORNEY \_\_\_\_\_

STATE OF ILLINOIS  
COUNTY OF KANE


I, \_\_\_\_\_, COUNTY CLERK OF DU PAGE COUNTY,  
ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES,  
NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO  
REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INVOLVED IN THE ANNEXED  
PLAT. I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN  
CONNECTION WITH THE ANNEXED PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK AT WHEATON, DU PAGE  
COUNTY, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
A.D. 20 \_\_\_\_\_.

COUNTY CLERK

BY: \_\_\_\_\_  
ILLINOIS LAND SURVEYOR NO. \_\_\_\_\_  
LICENSE EXPIRATION DATE: NOVEMBER 30, 2020  
267 S. NAPERVILLE STREET  
WHEATON, ILLINOIS 60187  
(630) 948-7503



Roll	Case	Description	By	<b>FOREST RIDGE PLAT OF SUBDIVISION</b>			
				LOCATION	38W228 OAK STREET NORTH AURORA, IL		
<b>WEBSTER, MCGRAW &amp; AULSEN'S LTD.</b>				PREPARED FOR	FOREST RIDGE MANAGEMENT, INC. 432 S. RANDALL ROAD, SUITE 115 BURNHAM, IL 60149 630-294-1800		
				EXP. DATE	1/15/2018	SCALE	1"=100'
LAND SURVEYOR • CIVIL ENGINEER • LANDMARKING ARCHITECTURE <i>are a Company of Service to our Client</i> 287 South Main Street • Wheaton, Illinois 60157 630-469-1000 • Fax 630-469-1001 • www.vva.com				APPROVED	BC	BC	
				FILED BY	KAC MC GRAW		

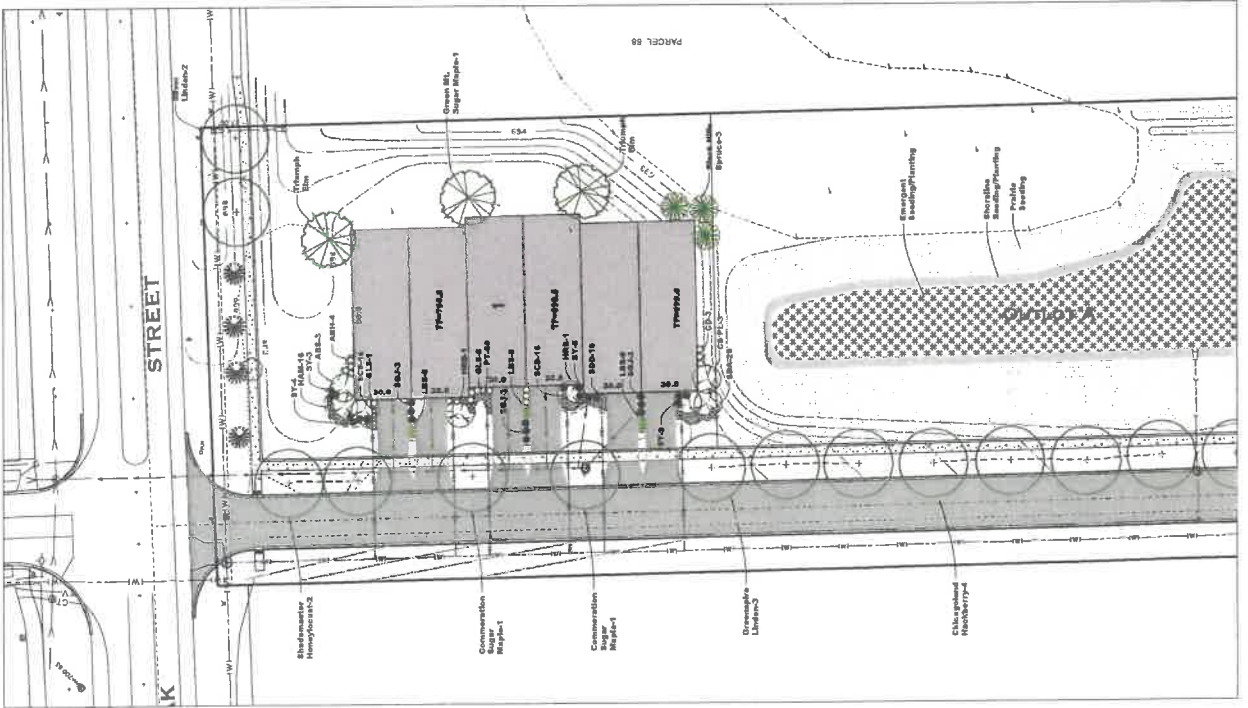
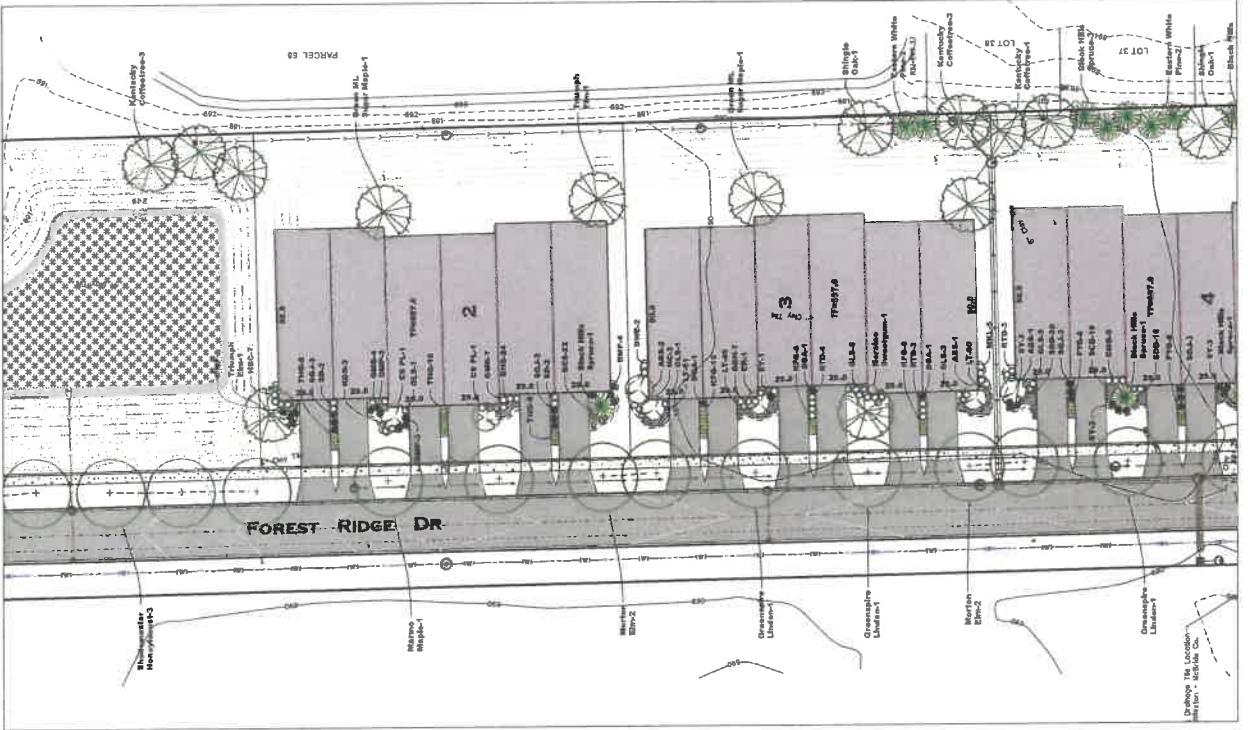
## **EXHIBIT D**

### **Preliminary Landscaping**

LANDSCAPE  
PLAN - NORTH[illegible]

WEBSER, MCGATH & AHLBERG, LTD.  
**WMA**  
 AND AFFILIATES - CONSTRUCTION - COMMERCIAL ARCHITECTURE  
 Over 100 Years of Service to Clients  
 207 BALTIMORE STREET, THUNDER BAY, ONTARIO  
 P6B 5G9/909-7900 FAX 909-7910  
 E-mail: [webser@wma.on.ca](mailto:webser@wma.on.ca)  
 1-800-995-1011

**FOREST RIDGE TOWNHOMES**  
**FOREST RIDGE & OAK STREET, NORTH AURORA, IL**  
Prepared For:  
**ENSURING MANAGEMENT, INC.**  
142 S. Raymond Road, Suite 151  
Aurora, IL 60019  
815-292-0995







**FOREST RIDGE TOWNHOMES**  
FOREST RIDGE & OAK STREET, NORTH AURORA, IL

ENDURING MANAGEMENT, INC.

2292



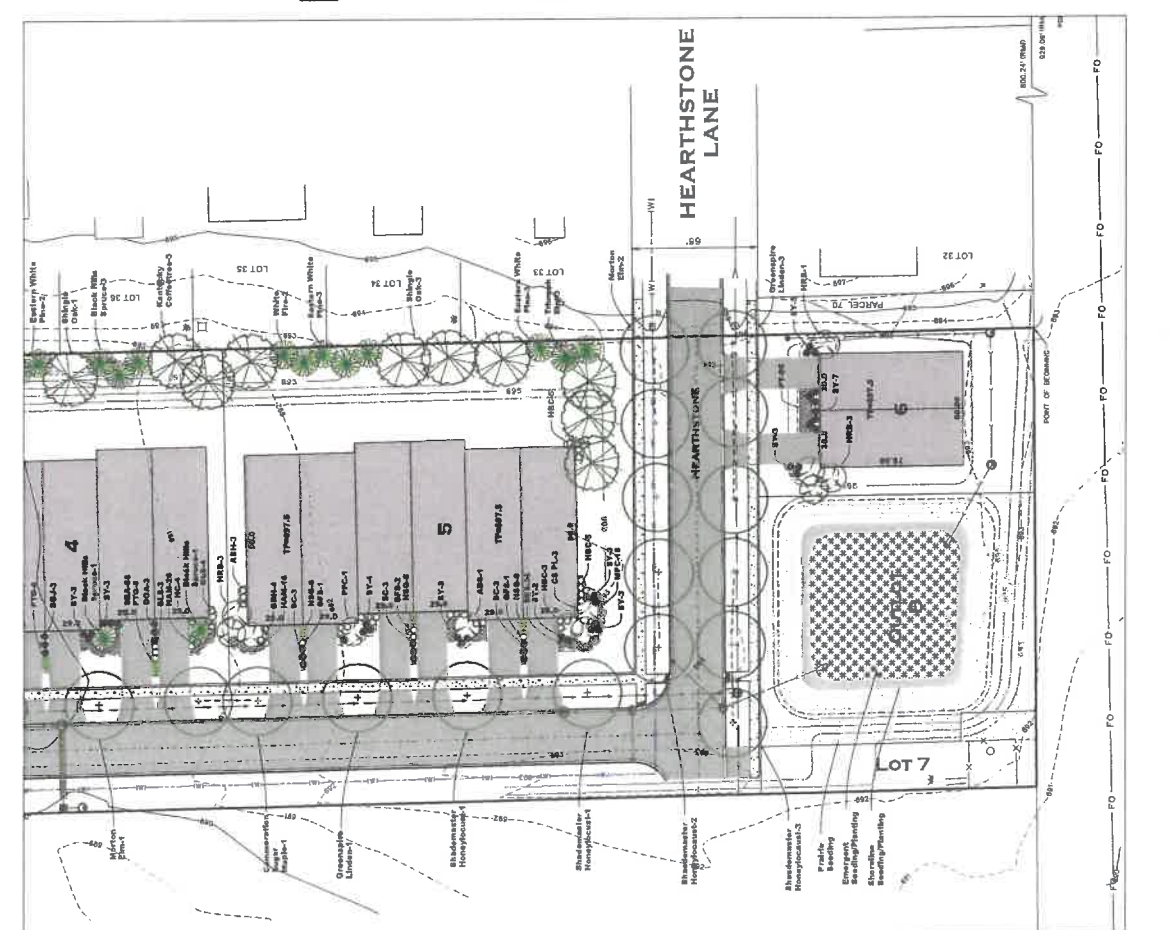
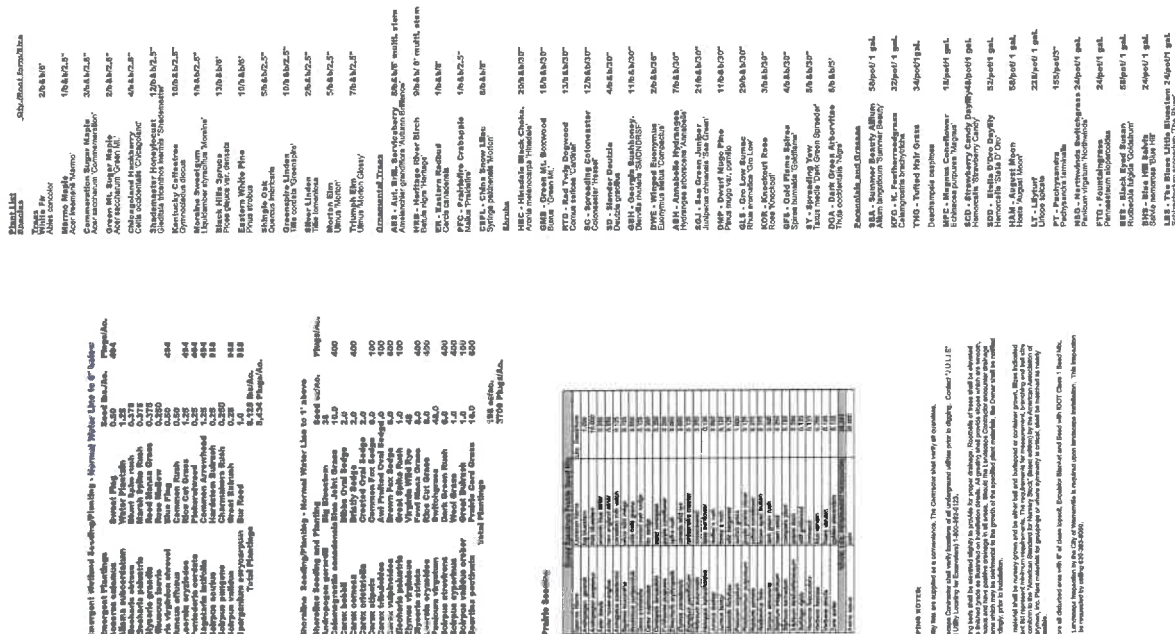
at 100 Years of Service to Clients

17

DATE	DESCRIPTION	AMOUNT	CHECK NO.	CHECK DATE	DEPOSIT DATE	DEPOSIT AMOUNT	BALANCE
12/1/2020	Initial deposit	100.00	1001	12/1/2020	12/1/2020	100.00	100.00
12/15/2020	Payment received	50.00	1002	12/15/2020	12/15/2020	150.00	150.00
12/31/2020	Year-end balance				12/31/2020	150.00	150.00

LANDSCAPE  
PLAN - SOUTH

L-2





## **EXHIBIT E**

### **Preliminary Elevations**

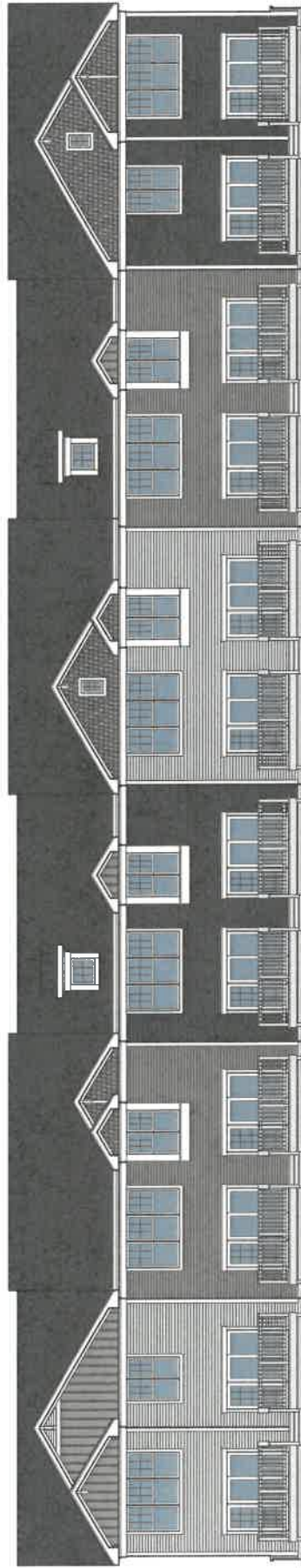


**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601

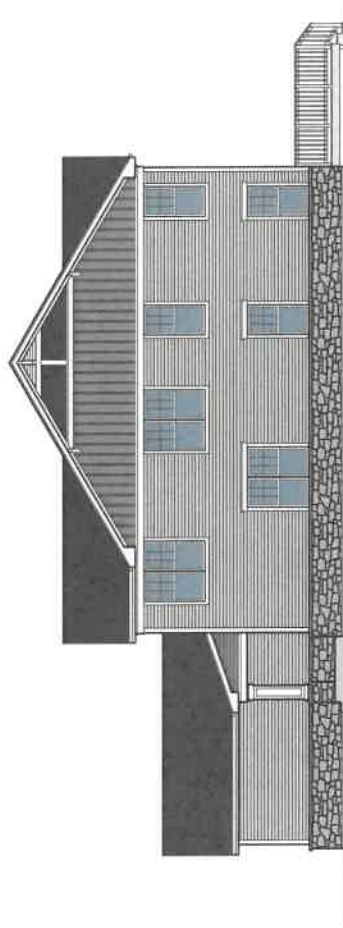
## 6 Unit Building - Front Elevation



PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 NOVEMBER 6, 2020  
 ARCHAMERICA JOB NO. 19111



**Rear Elevation**



**End Elevation**

**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601

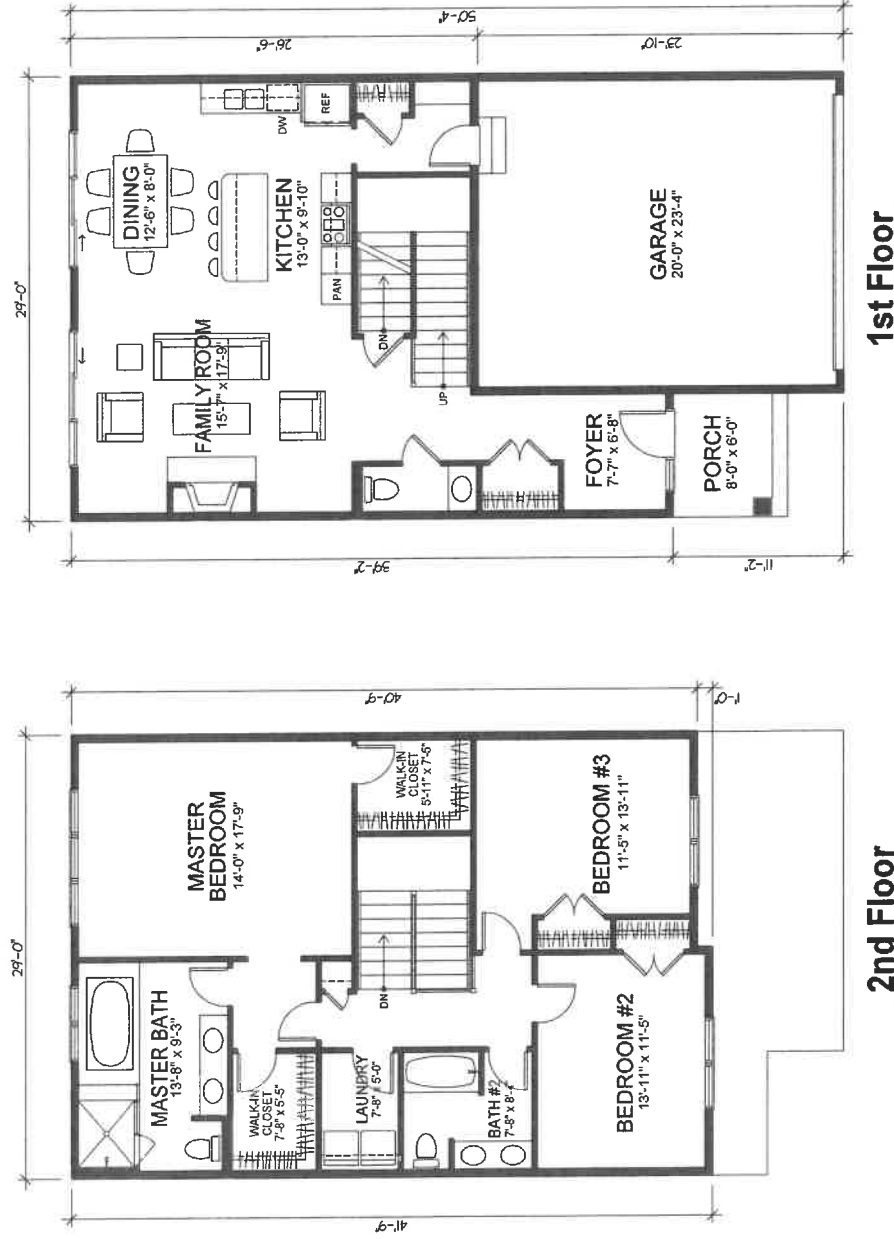
**6 Unit Building - Elevations**



PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 NOVEMBER 6, 2020  
ARCHAMERICA JOB NO. 13119

## **EXHIBIT F**

### **Preliminary Floor Plans**



1st FLOOR	876 s.f.
2nd FLOOR	1,122 s.f.
2nd FLOOR	1,998
GARAGE	492 s.f.

PROPOSED TOWNHOME DEVELOPMENT

# Forest Ridge Townhomes

FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

SEPTEMBER 1, 2020  
ArchAmerica, Inc. 18112

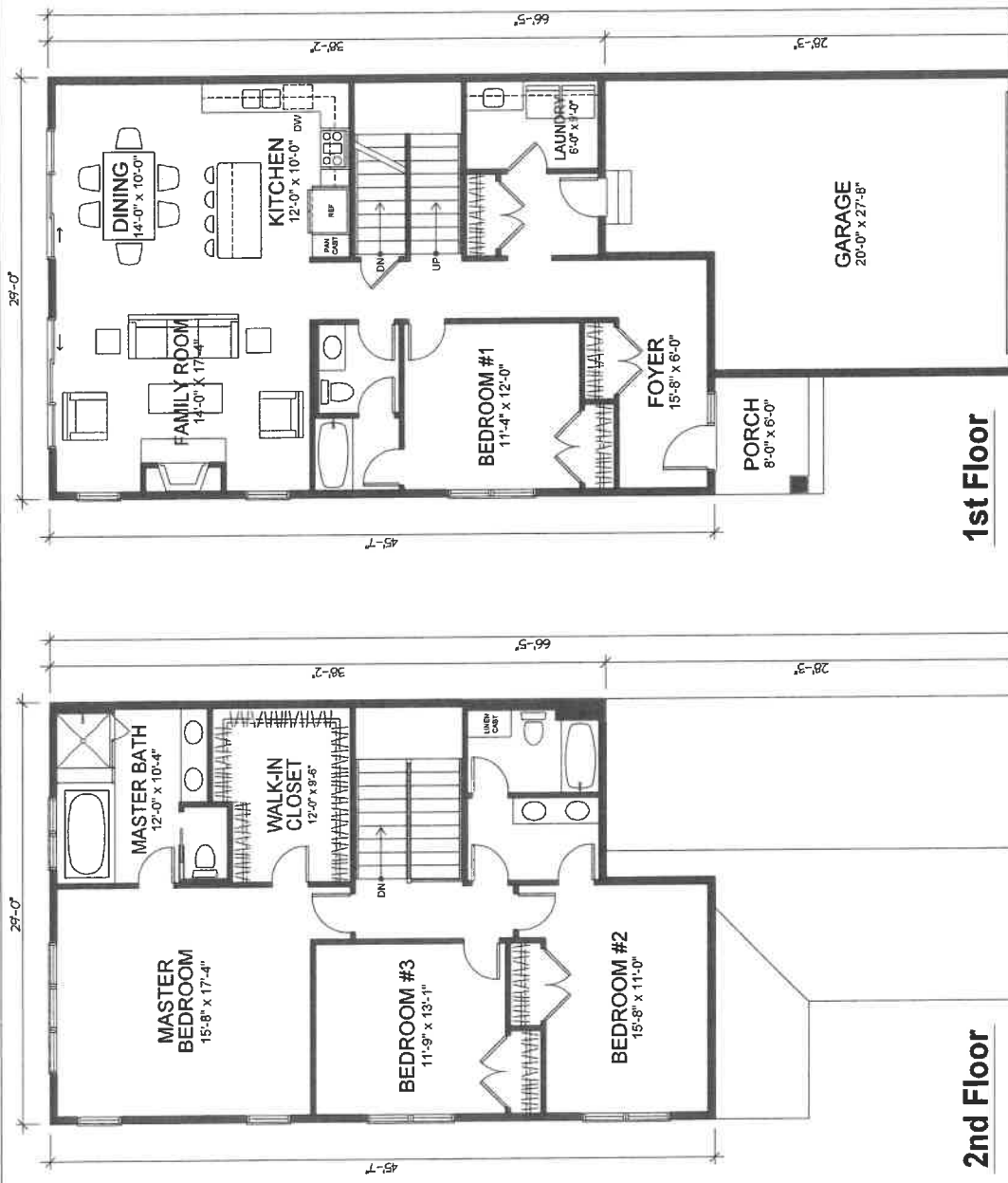
## 3 Bedroom Townhome



**ARCHAMERICA**

34121 N. US 45, Suite 213  
Graylake, Illinois 60030

Phone 847-336-6600  
Fax 847-336-6601



1st FLOOR	1,229 s.f.
2nd FLOOR	1,137 s.f.
2nd FLOOR	2,366 s.f.
GARAGE	527 s.f.

**1st Floor**

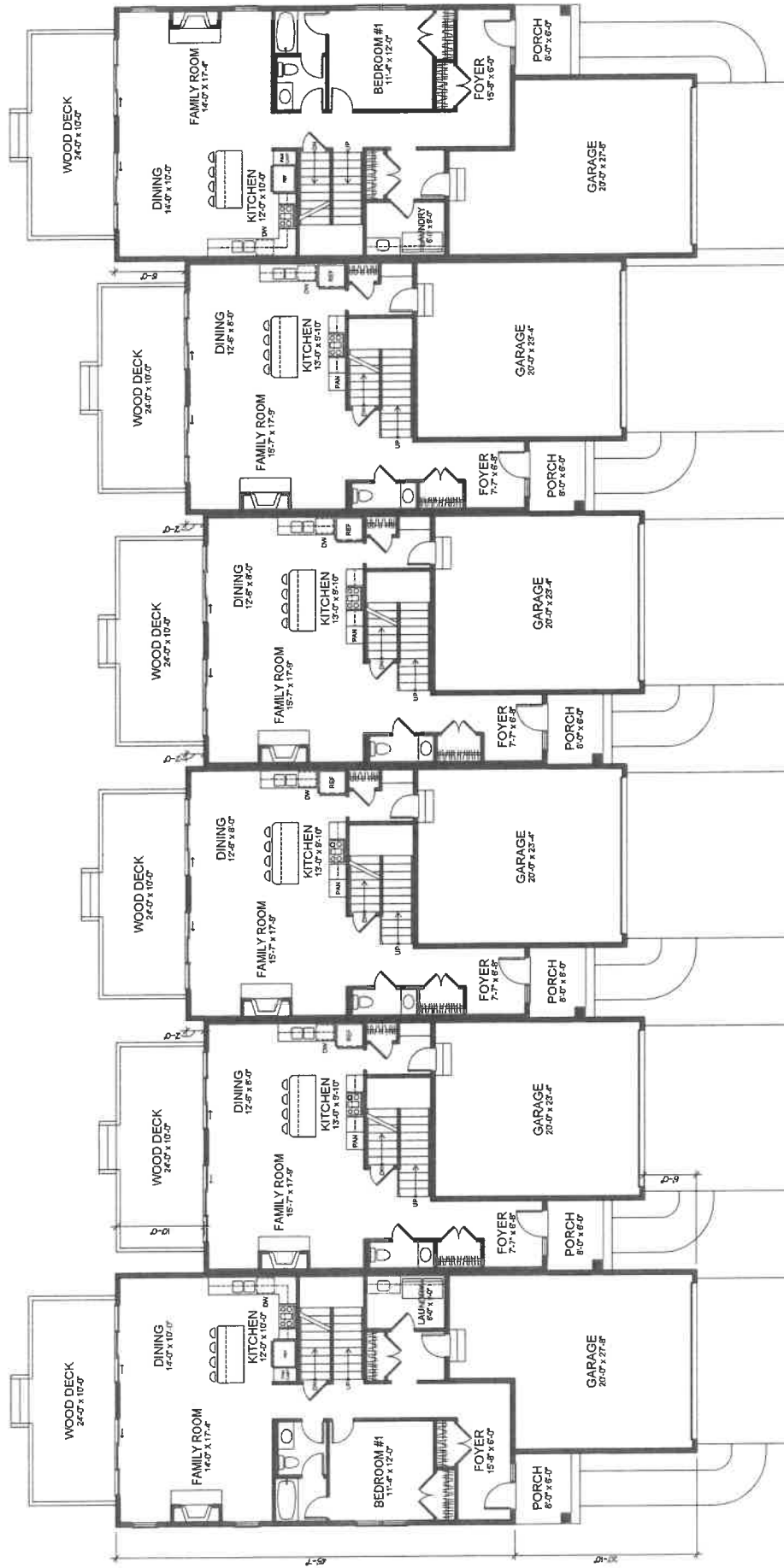
**2nd Floor**

PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 SEPTEMBER 1, 2020  
ARCHAMERICA 200-100-1011

**4 Bedroom Townhome**

**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Graylake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601





PROPOSED TOWNHOME DEVELOPMENT

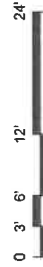
# Forest Ridge Townhomes

FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

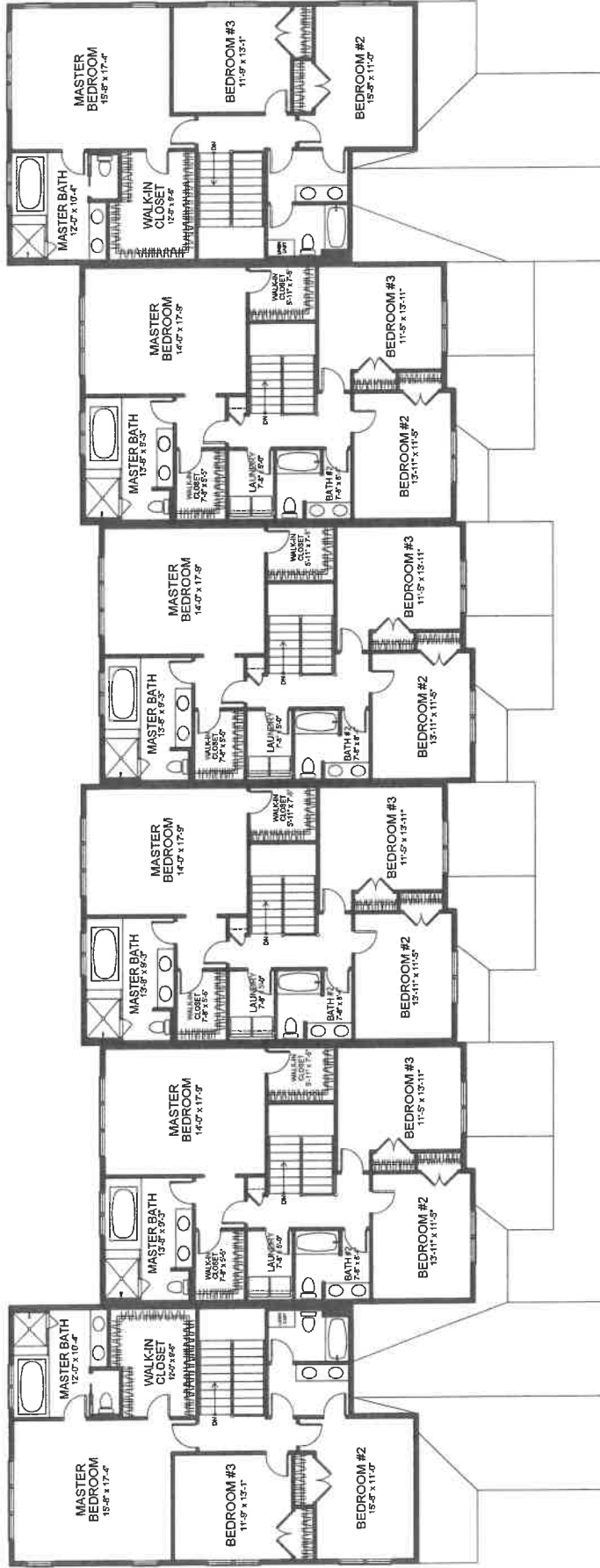
SEPTEMBER 1, 2020

REVISED 10/16/19

## 6 Unit Building - 1st Floor Plan



34121 N US 45, Suite 213  
Graylake, Illinois 60030  
Phone 847-335-6600  
Fax 847-335-6601



PROPOSED TOWNHOME DEVELOPMENT

# Forest Ridge Townhomes

FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

SEPTEMBER 1, 2020

PROJECT NO. 100.118

## 6 Unit Building - 2nd Floor Plan



**ARCH AMERICA**

34121 N. US 45, Suite 213  
Graylake, Illinois 60030

Phone 847-335-6600  
Fax 847-335-6601



## **EXHIBIT G**

### **Plan Commission Recommendation**

**VILLAGE OF NORTH AURORA  
PLAN COMMISSION MEETING MINUTES  
SEPTEMBER 1, 2020**

**CALL TO ORDER**

Vice Chairperson Duncan called the meeting to order.

**ROLL CALL**

**In attendance:** Vice Chairperson Jennifer Duncan, Commissioners Anna Tuohy, Aaron Anderson, Tom Lenkart, Doug Botkin, Mark Bozik and Connie Holbrook

**Not in attendance:** Chairman Mike Brackett

**Staff in attendance:** Village Administrator Steve Bosco, Community & Economic Development Director Mike Toth and Information Technology Manager Dave Arndt

**APPROVAL OF MINUTES**

**1. Approval of Plan Commission Minutes dated March 3, 2020**

Motion for approval made by Commissioner Bozik and seconded by Commissioner Lenkart. All in favor.  
**Motion approved.**

**PUBLIC HEARING**

**1. Petition #20-04 (38W229 Oak Street): The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:**

- 1) Establishment of the R-3 General Residence District zoning
- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
- 3) Site Plan Approval
- 4) Preliminary Final Plat of Subdivision

Vice Chairperson Jennifer Duncan opened the public hearing.

Valerie Shoger, 1473 Hearthstone Lane, stated that she is concerned about the number of units in each building. At the April 15, 2019 meeting, it was stated that the proposed development would consist of luxury units. Shoger feels that the excessive number of units and decreased square footage does not appear to be luxurious and will not enhance the surrounding neighborhoods. She is concerned that there is not much staggering of the units and they give off a “building blocks” appearance.

Keely, (Zoom screen name), stated that she also has the same concerns as Shoger. She asked what the benefit is to connecting Hearthstone Lane to Forest Ridge Drive. Keely asked how the units can be advertised as luxury but still be reasonably priced. She stated that she is also concerned about the storm water and asked what the plan is for drainage.

Austin Curran, 1417 Hearthstone Lane, stated that he had similar concerns as the previous residents since it impacts their neighborhood more than any other. Curran asked why the Village is considering townhomes over single family residences. He is also concerned about water drainage in the area and would like to hear more about the retention pond that is proposed. Curran stated that he is concerned about how it will impact the value of homes in the area and how it could also lead to an increase of traffic.

Cheryl Stetter, resident in Windstone Place, stated that one of her biggest concerns is the impact of drainage. Stetter agrees with the other residents about the townhomes being classified as luxurious when they will be facing an empty field. She asked if they are planning on allowing renters since that deters away from the luxury feel.

Sonja Flores-Gomez, 87 Windstone Drive, stated that she has the same concerns as everyone else. Flores-Gomez believes that the number of units is excessive for such a small parcel of land. Reducing the number of units or adding a park should be considered. She is concerned that there is going to be a large increase of traffic and that drainage is going to become an issue.

The petitioner, Nick Lamagna, LMN Opportunities, Inc., responded to the concerns and questions of the residents in attendance. He stated that the layout of the townhomes cannot be avoided in order to accommodate drainage. The Comprehensive Plan for this particular area supports the development of townhomes, which is why the developer chose to pursue this route. Lamagna stated that the size of the townhome does not determine whether or not the units are luxurious. Rather, it's the façade, open floor plan, and the materials that create the luxury feel. Lamagna explained that the units will not be renter-occupied and will be buyer owned. There is a lack of premium quality homes in the area and they are hoping to fill that void.

Community and Economic Development Director Mike Toth, displayed an image from the Comprehensive Plan showing the parcel in which the townhomes will be located. He stated that there is an intergovernmental agreement with the Village of North Aurora and Kane County Department of Transportation for Oak Street in between Randall Road and Orchard Road, which does call for an intersection at Forest Ridge Drive. This is continued south to connect with Hearthstone Lane and to allow secondary access to the property.

Ray Sikkema, Webster, McGrath & Ahlberg, Ltd., discussed the drainage concerns brought up by the residents. He stated that the wetlands exist above the northern drainage basin on the property. Since the wetland is protected, unfortunately there is nothing that can be done for drainage for that particular portion of the property. Drainage will flow into the north detention basin and the overflow will then travel through the drain tile. Sikkema explained they will be improving drainage flow by incorporating a 12" storm sewer that will be connected to the existing drain tile. He stated that the units will be similar in height to the adjacent properties on Windstone.

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Vice Chairperson Jennifer Duncan opened the public hearing. There were no public comments. Jennifer Duncan then closed the public portion of the hearing.

## **NEW BUSINESS**

1. **Petition #20-04 (38W229 Oak Street):** The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:
  - 1) Establishment of the R-3 General Residence District zoning

- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
- 3) Site Plan Approval
- 4) Preliminary Final Plat of Subdivision

Community and Economic Development Director Mike Toth stated that this item was previously presented to the Village Board on April 15, 2019 for a concept review only. At that time no action was taken and the project was favored by the Village Board. Since then, the petitioner has worked on the proposed development to get it where it is today. The 8.63 acre property is currently zoned as a Farming District in unincorporated Kane County. The applicant is proposing five (5) townhouse buildings, each consisting of six (6) units, and one (1) two-family dwelling. Toth stated that the comprehensive plan does recommend single-family attached dwellings for this area of land.

The petitioner is requesting that the property shall be zoned as R-3 General Residence District. At this time, a map amendment is not being pursued since the property has not been annexed into the Village. The property meets all of the bulk requirements for the R-3 General Residence District. Toth stated that the special use request is required since the property is greater than two (2) acres. There are two (2) deviations from the zoning code being requested for the development. The use standards in Chapter 11 of the Zoning Ordinance state that garages shall be rear or side loaded. Toth stated that the proposed development will be oriented towards the west (Forest Ridge Drive) and will therefore be front loaded garages. The deviation is supported to have the garages as front loaded in order to minimize the traffic to the east and keep everything on Forest Ridge Drive. Toth explained that parking is permitted on Forest Ridge Drive, but the larger driveways should accommodate more vehicles which will eliminate excessive parking on the street. The second deviation relates to onsite trees. Per the Zoning Ordinance, multi-family properties shall have one (1) tree per 500 square feet of lot area. Toth stated that the landscape plan represents a barrier to the east and also factors in drainage for the property. Deviations have been granted in the past for lot landscaping. Toth stated that there is a condition that the parkway trees will be of variety per the subdivision ordinance. Site plan approval is required for all townhome developments. Toth explained that the building footprints were included in order to allow the engineers to consider site detention and storm water management.

Toth acknowledged that staff recommends approval for the special use request based on the understanding that four (4) conditions are met. Any unit that has a side wall facing the street shall include a front façade in order to eliminate the appearance of blank walls. All site improvements shall be confined within the building footprints. Trees that meet a specific standard will be evaluated by the Village for preservation. Finally, all parkway tree species will be provided per the Subdivision Ordinance. Toth recommended an additional condition that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only.

Nick Lamagna stated that he has been working closely with Mike Toth and the Village of North Aurora in order to meet all criteria and guidelines set by the Village. He stated that the proposed townhomes will have a luxury appeal and will be comparable to the other multi-family developments in the area. Lamagna believes there is a shortage of luxury rentals in the area and stated that this development will provide people with a larger living space, especially in a time where many people are working from home. Matt Haylock, Archamerica, Inc., stated that they created a fresh looking façade with cooler hues of color. Various types of material are being used including stone along the base, cement board, and standing seam aluminum on the eaves, along with other textures and materials to create a contemporary appearance. Haylock described the interior of the townhomes, which include three (3) and four (4) bedroom units, both with an open concept. The units range from 2,000 – 2,400 square feet, depending on the number of bedrooms.

**Plan Commission Comments:**

Commissioner Bozik stated that he shares concerns with the lack of on-street parking. He asked what the plan is for Outlot B, which is the cell tower. Bozik asked if anything will be done to make that area aesthetically pleasing. He stated that the location of the two-unit building seems awkward and suggests a single-family residence instead. Lamagna responded that the driveways had already been readjusted to accommodate the parking concerns. He stated that the cell tower will remain in the same location. Lamagna explained that the Comprehensive Plan called for attached homes, so the duplex made sense.

Toth stated that when a property is annexed into the Village, there are certain fees that are paid to the Village of North Aurora. When this development comes in, a fee will be paid that will go to the Park District and School District within North Aurora. Toth asked about the possibility of having a cul-de-sac installed and Sikkema responded that Fire Departments are not in favor of cul-de-sacs if longer than 1,000 feet, which would be the case for this development. Bozik stated that North Aurora's Fire District does not allow cul-de-sacs over 300 feet.

Commissioner Botkin stated that his questions had been answered and he had no further comments.

Commissioner Lenkart stated that the presentation was very thorough and thought the exterior looked nice. Lenkart asked if anyone has reached out to the property owner of the parcel to the west. Toth responded that he spoke to the property owner years ago and has not heard of any developments on the property. Toth stated that the west side of Forest Ridge Drive does not have sidewalks or parkway trees. This will be discussed during the hearing process. Lenkart stated that a four (4) bedroom townhome could potentially have multiple vehicles, which means cars could be parked all along the street, creating congestion. Sikkema responded that the driveways are 16' wide, which will accommodate for two (2) cars in the driveway and two (2) cars in the garage. Lenkart asked how wide the street was. Sikkema responded that the street from curb to curb is 28'. It will be tight, but there is room to accommodate traffic.

Toth reminded the Plan Commission that the engineering still has to go through final engineering, so this is not the final plan for the development.

Commissioner Holbrook stated that her questions had been answered and she had no further comments.

Commissioner Tuohy asked what the cost point will be for the units. Lamagna responded that they do not have the information right now due to the market changing with COVID-19. He stated that a ballpark range would be \$275,000 - \$325,000. Tuohy stated she shares the same concerns about parking and would like to have the concern looked into. She asked if a traffic study has been completed. Toth responded that it has not. He stated that there is a density formula in the subdivision ordinance that calculates the fees for developments. Based on the density formula, the townhomes could bring in 71 new residents. Toth indicated that staff would look into the road width of Forest Ridge Drive to see if this could be accommodating for parking concerns. Tuohy asked if there will be a sidewalk on the property. Toth responded there is one proposed on the eastern side of the property and along Oak Street. Tuohy asked if a crosswalk was being installed from the south side to the north side. Toth responded that the plan does not call for a crosswalk. Tuohy stated that children will be crossing the street to Jewel Middle School and it could be a hazard. Toth responded that a stop sign was installed at White Oak Drive to the east to help move pedestrians safely. Tuohy asked if there will be a Homeowners Association (HOA). Toth responded that there will be an HOA which will be included in the annexation agreement. Tuohy asked if garbage will be picked up at the end of the driveways. Lamagna responded yes. Tuohy stated she agrees that the front elevation makes it hard to differentiate one unit from the other. Lenkart stated that the development area has enough room to stagger the buildings so it creates more depth to the townhomes. Haylock responded that the buildings will be staggered 8' and the individual units are staggered 2' to 3'. Tuohy stated she had no more questions.

Commissioner Anderson asked how long LMN Opportunities has been in business and how many projects have been completed similar to this. Jared Osmond, LMN Opportunities, responded that he has completed many projects in the area, including townhome developments. Lamagna stated they use different entities for their developments and collectively, they have over 50 years of experience. Anderson asked if financing has been secured for the project. Osmond responded that they have the money secured for the development. Anderson asked if there are turn lanes coming off of Oak Street. Toth responded there will be a turn lane into the property both east and west bound. Toth asked if there will be a decelerated lane for people turning right into the property going eastbound. Sikkema responded that there currently is not one being proposed, but it could be looked into if necessary.

Bozik asked how they will accommodate on-street parking. Toth responded that staff recommended the proposed layout of the townhomes, since it would make the most sense for traffic. He explained that staff will look into the width of Forest Ridge Drive.

Toth recommended that the fifth condition be added for the special use approval which would state that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only. Bozik recommended a sixth condition to add fencing around the cell tower.

Motion for approval for the establishment of the R-3 General Residence District zoning made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – Yes. **Motion approved.**

Motion for approval of the special use to allow a Planned Unit Development with deviations from the Zoning Ordinance with the two (2) conditions being added, for a total of six (6) conditions, made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

Motion for approval of the site plan made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – No. **Motion approved.**

Motion for approval of the preliminary final plat of subdivision made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Mike Toth presented the background information on the petition. Toth stated that the property at 119 Butterfield is located in the I-1 District and is the location of the former Backyard Builders business. The motor vehicle repair business is operating under a temporary use Ordinance that was granted by the Village Board as the zoning wasn't approved when they moved onto the property. Toth then explained the various zoning options afforded to the business operator. The business operator chose to go through the text amendment. Establishing the use as a permitted use would allow them greater flexibility if they one day owned the property. Toth then went through the various I-1 District properties in the Village. The motor repair use is quasi-commercial/industrial. Toth then listed the classification status of the use in other zoning districts. Toth stated that he did not advise that the business operator pursue the rezoning of the property, but could support the text amendment as the use is commercial in nature. Toth noted the three (3) use standards included in the Zoning Ordinance, which would still apply if the use was a permitted use.

The petitioner, Derek Knuth, stated that he is the owner of Red's Garage. He stated that he wants this property to be his 'forever home' and eventually would like to purchase the property.

**Plan Commission Comments:**

Commissioner Tuohy asked about internal site circulation. Knuth responded, there is an access drive located next to the building. Tuohy asked about chemical removal. Knuth stated that they have a company that comes to remove the chemicals.

Toth reminded the Plan Commission that the petition is not a special use and the motor vehicle repair use would become a permitted use on all I-1 District properties.

Commissioner Lenkart asked about the hours of operations. Knuth responded, Monday through Friday 8:00 a.m. – 6:00 p.m. and Saturday 8:00 a.m. - noon. Lenkart then mentioned the previous Walmart petition and how they made them move the auto repair from the east side of the building to the west side of the building to keep it away from the townhomes. He then asked how the noise will be kept low. Knuth responded, all work will be inside and the lifts are located on the other side of the building. The doors will also remain closed. Lenkart asked about the north end of the property. Knuth responded, that area is gravel. Lenkart stated that he wouldn't want any storage there. Toth mentioned that the use has to operate inside and the area to the north is a deteriorated limestone. Parking would be prohibited there unless they were to install asphalt or concrete. Lenkart stated that noise travels and he doesn't want to inconvenience the neighbors. Vice Chairperson Duncan mentioned that the property is an industrial property.

Commissioner Anderson asked about the \$4,300 filing fee. He asked if there was a way to lower that fee. Toth responded, \$4,000 is an escrow deposit and the filing fee is \$300. The petitioner was only asked to deposit \$1,000 into an escrow account.

Commissioner Bozik stated they've done nice improvements and welcomed them to town.

Motion for approval of the special use made by Commissioner Bozik and seconded by Commissioner Anderson. Vote: Tuohy – Yes, Holbrook – Yes, Lenkart – Yes, Botkin – Yes. **Motion approved.**

**OLD BUSINESS** – None

**PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES**

Mike Toth noted the two items for the October 6<sup>th</sup> Plan Commission agenda. Those items include a new restaurant in Orchard Commons and a craft cannabis growing facility on South Street. Commissioner Tuohy asked about the mixed use building at Randall Crossing. Toth stated that the foundation is in and some of the underground plumbing work has been completed on that project. Toth then gave a brief update on the North Aurora Smiles project.

**ADJOURNMENT**

Motion to adjourn made by Commissioner Lenkart and seconded by Commissioner Bozik. All in favor. **Motion approved.**

Respectfully Submitted,

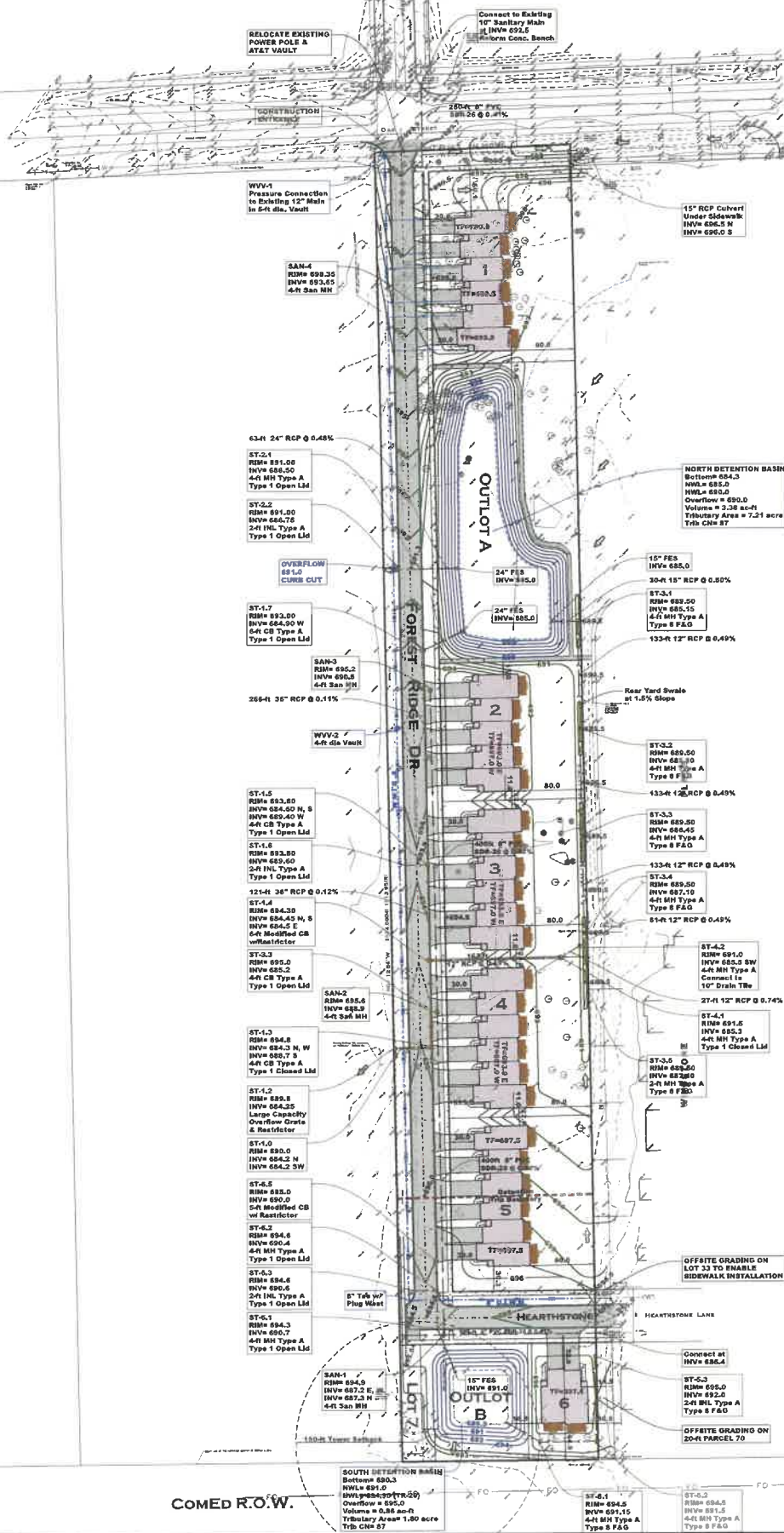


Natalie Stevens  
Acting Village Clerk

## **EXHIBIT F**

### **Preliminary Plan**





COMED R.O.W.

SOUTH DETENTION BASIN  
Bottom: 630.3  
RWL: 631.0  
Overflow: 632.0  
Volume: 0.28 ac-ft  
Trib. Area: 1.80 acre  
Trib. Ch: 87

ST-4.1  
RIM: 634.2  
INV: 631.15  
4-ft MH Type A  
Type 8 F&G

ST-4.2  
RIM: 634.5  
INV: 631.5  
4-ft MH Type A  
Type 8 F&G

WEBSTER, MCGRATH & AHLBERG, LTD.



Over 100 Years of Service to Clients

307 SOUTH MAPLEWOOD ROAD, MAPLEWOOD, ILLINOIS 60541  
TEL: 630-580-7000 FAX: 630-580-7001  
WWW.WMA-ILL.COM

**FOREST RIDGE TOWNHOMES**  
FOREST RIDGE & OAK STREET, NORTH AURORA, IL

Prepared For:  
**ENDURING MANAGEMENT, INC.**  
143 S. Randall Road, Suite 101  
Bolingbrook, IL 60440  
630-329-0050



C-1

**PRELIMINARY  
ENGINEERING**

DATE	BY	CHKD	APP'D	DESCRIPTION
04-03-2019	J. A. A.	J. A. A.	J. A. A.	Final Design
07-19-2019	J. A. A.	J. A. A.	J. A. A.	Revised per Planning Commission
07-31-2020	J. A. A.	J. A. A.	J. A. A.	Add Lot 7 for Common Tower & Building 7
08-20-2020	J. A. A.	J. A. A.	J. A. A.	Revised per Updated Narrative to Submittal 10
09-17-2020	J. A. A.	J. A. A.	J. A. A.	Revised Architectural Building Layouts
10-20-2020	J. A. A.	J. A. A.	J. A. A.	Revised 1 L&B & Add Path around Detention Basin

## **EXHIBIT G**

Preliminary Plat

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST  
OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.



ILLINOIS STATE PLANE, NAD 83, EAST ZONE

314,456 SQUARE FEET = 0.05 ACRES



NAME: _____ ADDRESS: _____	NAME: _____ ADDRESS: _____
-------------------------------	-------------------------------

NO	DATE	DESCRIPTION	BY	<b>FOREST RIDGE</b> <b>PLAT OF SUBDIVISION</b>			
				LOCATION	<b>36W229 OAK STREET</b> <b>NORTH AURORA, IL</b>		
				PREPARED FOR:	<b>ENGINEERING MANAGEMENT, INC</b> <b>505 S. RANDALL ROAD, SUITE 111</b> <b>AURORA, IL 60007-1909</b> <b>630 286 5900</b>		
<b>WEBSTER, MCGRAW &amp; AHLBERG LTD.</b>  <b>LAND SURVEYING • CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE</b>				ROW #	44154	DATE	11/14/00
<i>Over a Century of Service to our Clients</i> 387 South Riverside Road - Wheaton, Illinois 60157 TEL: 630.834.0000 FAX: 630.834.0001				BLVD	BC	BC	
				FILE #	RANK: NE 30-004064		SHEET # ( of )

## KANE 08-364-CA

**RECORDER OF DEEDS**

RELATIONSHIP OF DE LOS

**PRESIDENT**

## COUNTY ENGINEER

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 20\_\_\_\_

BY \_\_\_\_\_  
NOTARY PUBLIC

VILLAGE ENGINEER

By \_\_\_\_\_  
CHURMAN

ATTN: \_\_\_\_\_  
#0210976102

## WEBSTER, McGRATH AND ALBERG, LTD.

## ENDOFFR

OWNER OR ATTORNEY

## COUNTY CLERK

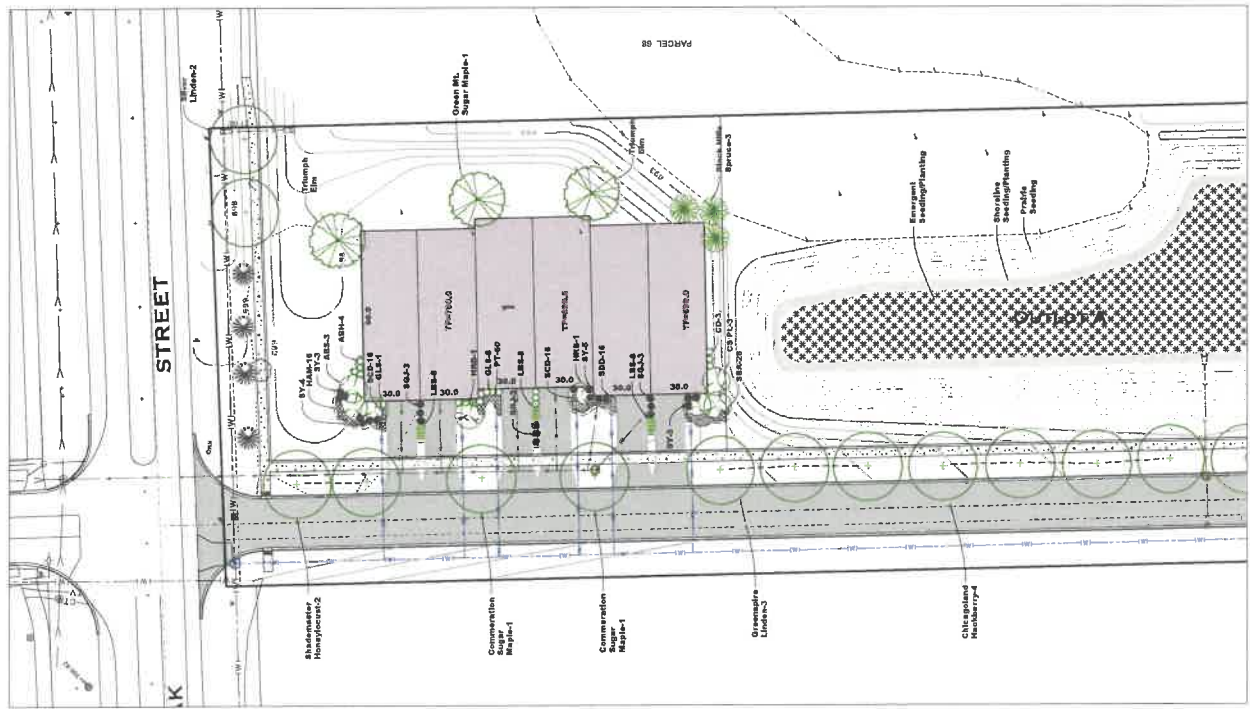
BY: \_\_\_\_\_  
ILLINOIS LAND SURVEYOR NO. \_\_\_\_\_  
LICENSE EXPIRATION DATE: NOVEMBER 30, 2025  
207 S. NAPERVILLE STREET  
WHEATON, ILLINOIS 60187  
(800) 866-7603



NO.	DATE	DESCRIPTION	BY	<div style="text-align: center;"> <b>FOREST RIDGE PLAT OF SUBDIVISION</b> </div>
				LOCATION 30W225 OAK STREET NORTH AURORA, IL
				PREPARED FOR: <b>EDUARD MARGARET, INC.</b> 501 S. RANDALL ROAD, SUITE 111 AURORA, IL 60010 TEL: 312.598.5555
				JOB # <b>A1154</b> DATE <b>01-26-18</b> SCALE <b>"=100'</b>
				SURV. <b>BC</b> DESIGNED <b>BC</b> CHECKED <b>BC</b>
				FILE # <b>KANG</b> HSE <b>06-04-00</b> SHEET # <b>1</b> of <b>1</b>

## **EXHIBIT H**

### **Preliminary Landscaping**







## **EXHIBIT I**

### **Preliminary Elevations**



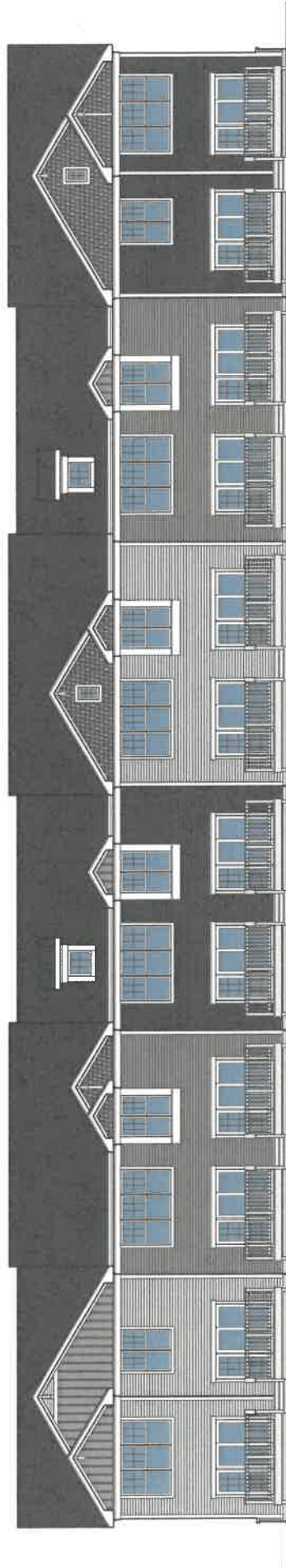


**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601

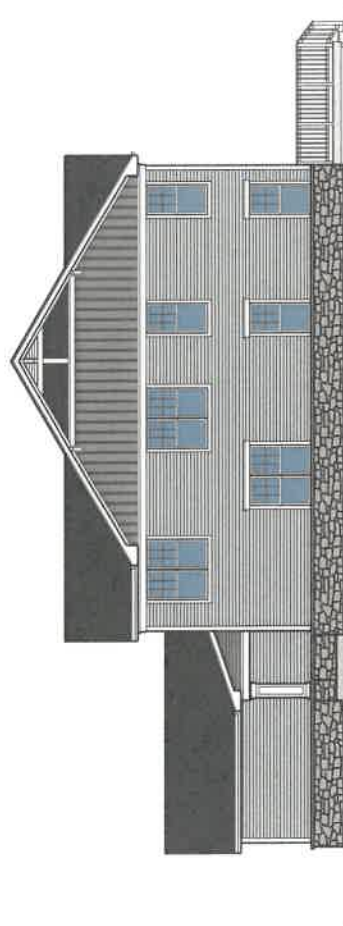
## 6 Unit Building - Front Elevation



PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 NOVEMBER 6, 2020  
 ARCHAMERICA JOB No. 15118



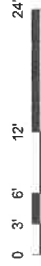
**Rear Elevation**



**End Elevation**

**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-5600  
 Fax 847-336-5601

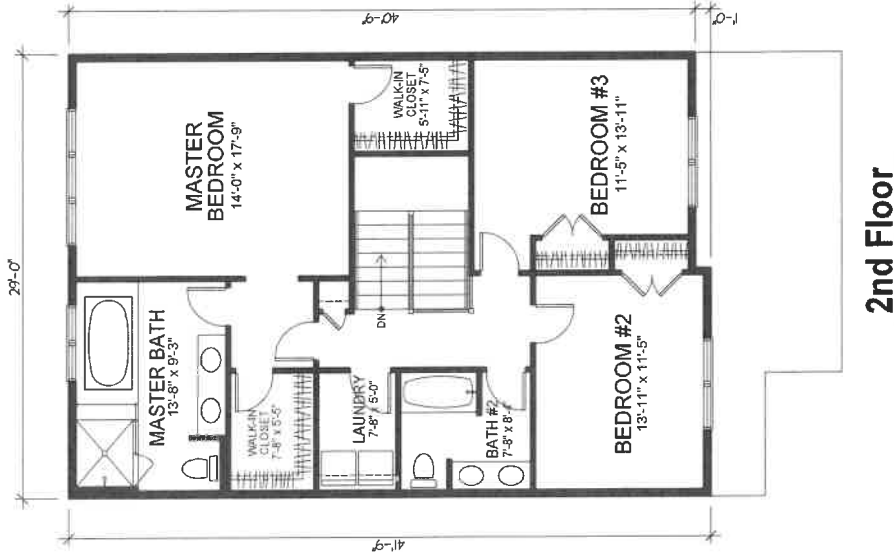
**6 Unit Building - Elevations**



PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 NOVEMBER 6, 2020  
 ARCHAMERICA, INC. 14111

## **EXHIBIT J**

### **Preliminary Floor Plans**



1st FLOOR	876 s.f.
2nd FLOOR	1,122 s.f.
2nd FLOOR	1,988
GARAGE	492 s.f.

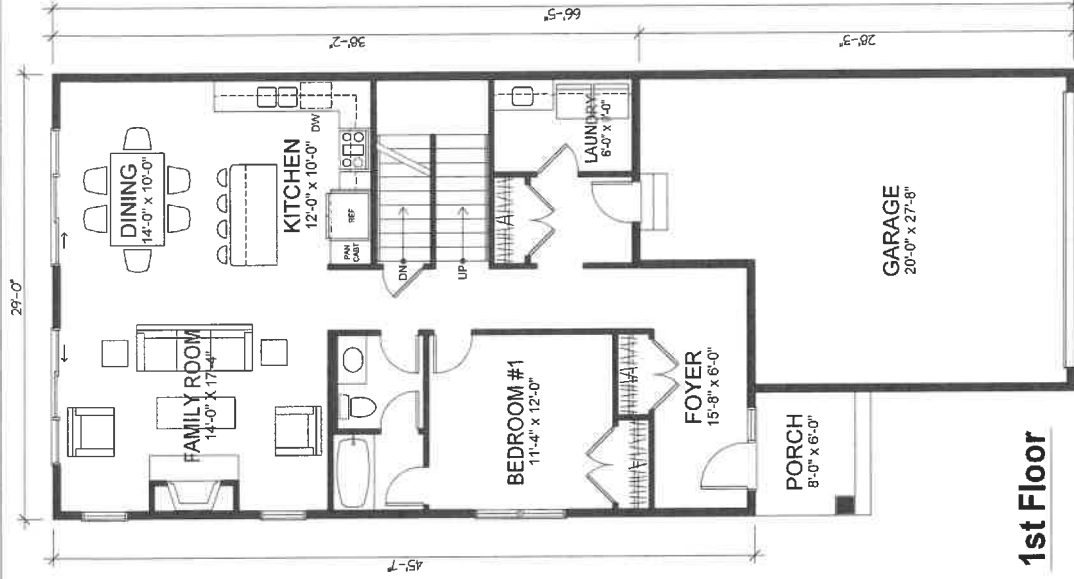
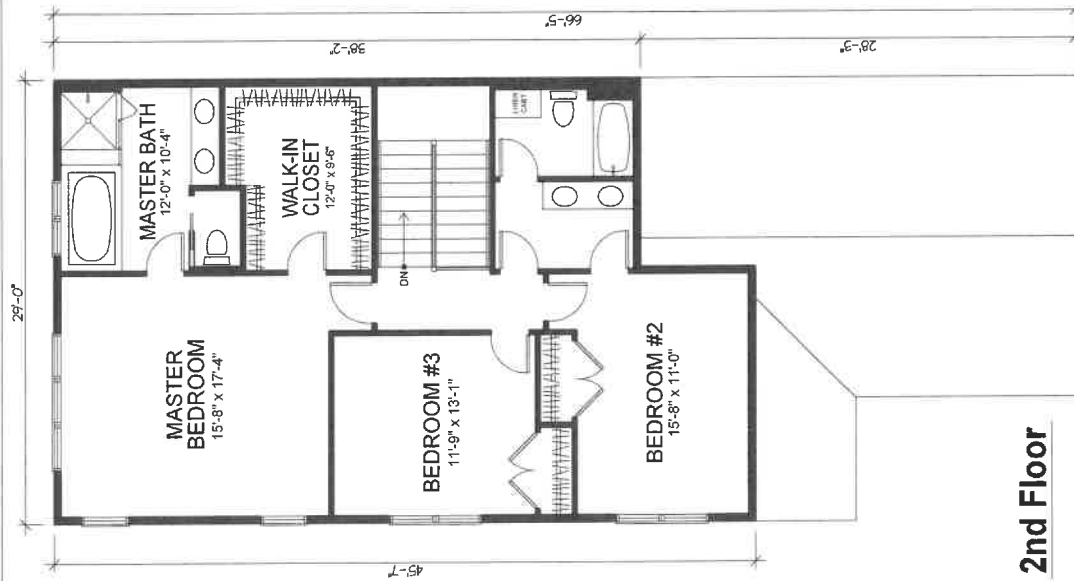
**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-5600  
 Fax 847-336-5601

## 3 Bedroom Townhome



## Forest Ridge Townhomes

PROPOSED TOWNHOME DEVELOPMENT  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 SEPTEMBER 1, 2020  
 Addendum 20 No. 0011



1st Floor	1,229 s.f.
2nd Floor	1,137 s.f.
2nd Floor	2,366 s.f.
Garage	527 s.f.

2nd Floor

1st Floor

**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Graylake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601

## 4 Bedroom Townhome

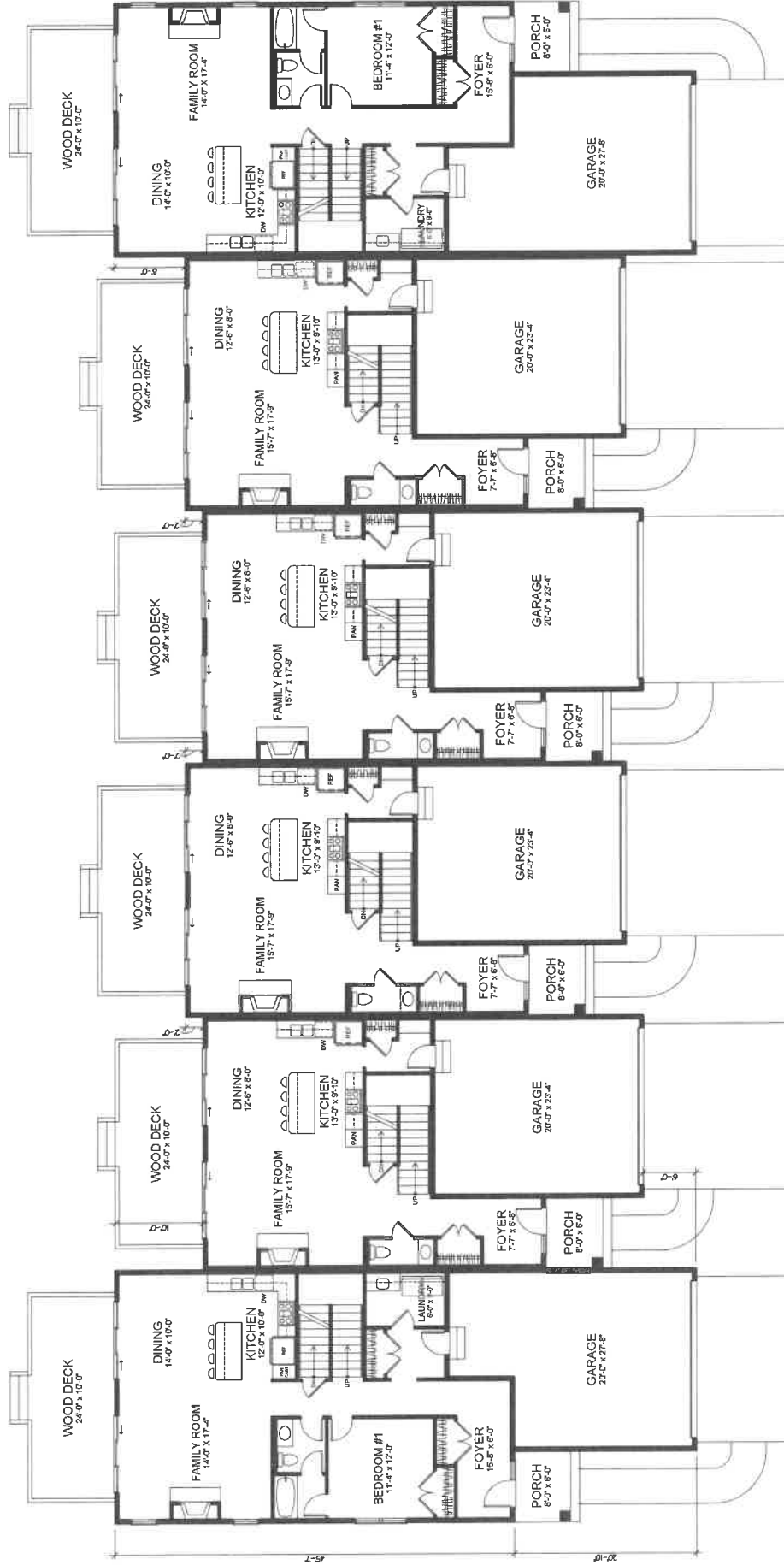


## Forest Ridge Townhomes

FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

SEPTEMBER 1, 2020  
 ARCHAMERICA 2019.10

PROPOSED TOWNHOME DEVELOPMENT

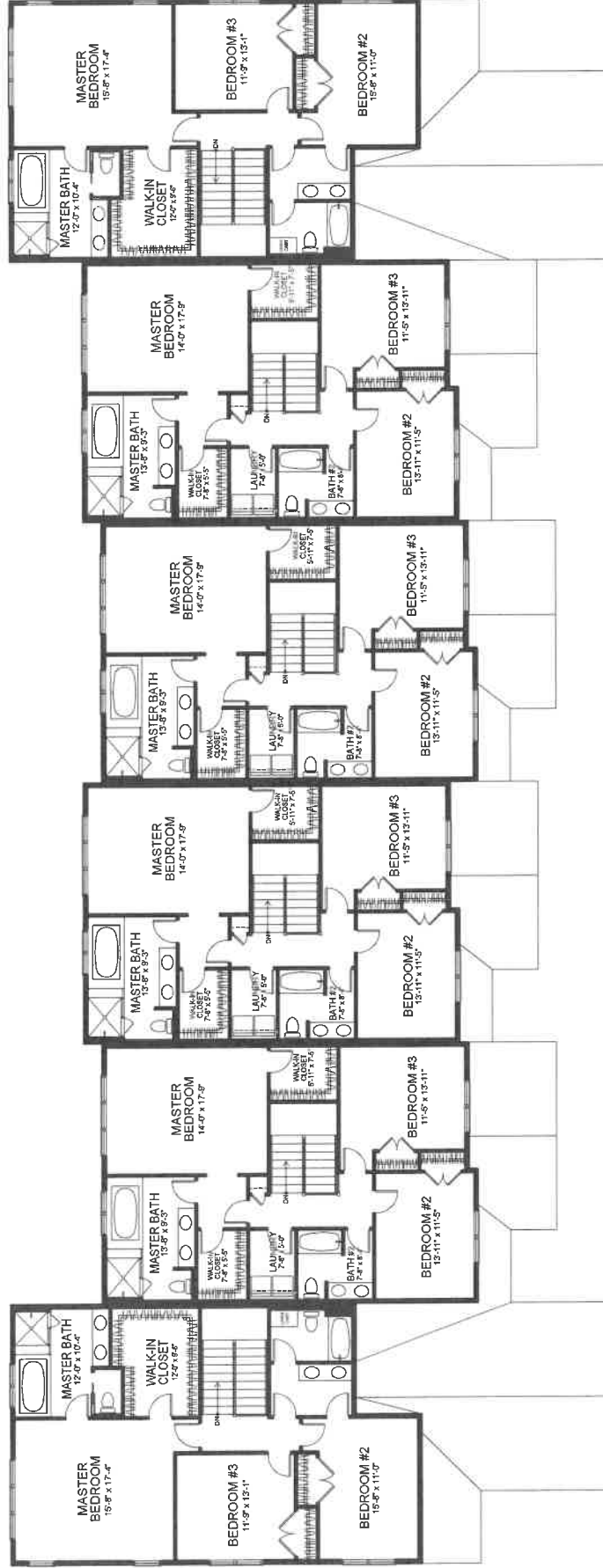


PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 SEPTEMBER 1, 2020  
 ARCHAMERICA, INC. 1915

## 6 Unit Building - 1st Floor Plan



**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601



PROPOSED TOWNHOME DEVELOPMENT

# Forest Ridge Townhomes

FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

SEPTEMBER 1, 2020

ArchAmerica Job No. 8116

## 6 Unit Building - 2nd Floor Plan



**ARCHAMERICA**

34121 N. US 45, Suite 213  
 Graylake, Illinois 60030

Phone 847-336-5600  
 Fax 847-336-5601

**EXHIBIT K**

Letter of Credit



**Exhibit "C"**  
**Form of Letter of Credit**

**LETTER OF CREDIT**

**<FORM>**

Village Clerk  
25 East State Street  
North Aurora, IL 60542

RE: ***IRREVOCABLE LETTER OF CREDIT FOR < DEVELOPER >  
FOR PUBLIC IMPROVEMENTS IN < SUBDIVISION >***

Village Clerk of the Village of North Aurora:

The undersigned, **< Bank >**, hereby establishes our Irrevocable Letter of Credit in favor of **< Developer >** to the Village of North Aurora in the amount of **< Dollar Amount >**. We understand this irrevocable credit is to be used to construct the following improvements in the development known as **< Subdivision >** to be constructed within North Aurora, Illinois:

Streets, sidewalks, street lights, sanitary sewers, storm sewers, on and off site storm water including storm water control detention and retention areas, water lines, recreation facilities, landscaping in common areas, grading, erosion control and such other improvements as specifically required for the development in question in accordance with the final engineering plans for **< Name of Development >** prepared by **< Engineering Firm >** and dated **< Date >**.

The public improvements shall be constructed by **< Developer >** in accordance with plans, specifications and cost estimates prepared by **< Engineer >** and approved by the Village Engineer.

The undersigned agrees this Irrevocable Letter of Credit shall remain in full force and effect and shall relate to any and all amendments or modifications which may be made from time to time to the plans, specifications and cost estimates for such Development without notice from the Village of such amendments or modifications.

This Irrevocable Letter of Credit shall expire on **< Date >**, provided, however, the undersigned shall notify the Village Clerk by certified or registered mail, return receipt requested, at least sixty (60) days prior to the expiration date, that said Letter of Credit is about to expire. In no event shall this Irrevocable Letter of Credit or the obligations contained herein expire except upon said prior written notice, it being expressly agreed by the undersigned that the expiration date shall be extended as required to comply with this notice provision.

We shall make payouts from this irrevocable commitment as follows:

1. Only if we have not been notified by the Village of a default.
2. We shall disburse the funds for labor and materials furnished by contractors in accordance with the sworn statement of the Developer and the certificate of the Village Engineer stating the amount to be disbursed and that such work has been properly completed.
3. In the event notice is sent by the undersigned that this Letter of Credit is about to expire and in the event the Village authorities assert by letter that the Developer will be unable to complete the improvements at least thirty (30) days prior to said expiration date, such failure shall be deemed a default. Upon default, the Developer shall submit a renewed letter of credit at least thirty (30) days prior to the expiration date.

If we receive a resolution of the Village authorities indicating that the Developer has failed to satisfactorily complete or carry on the work of the installation and construction of the required improvements, and such resolution states that the Developer has been notified that the Village finds that a breach of the Developer's obligations has occurred and has not been cured within a 30-day period, then we shall make payments for materials and labor to such contractors or subcontractors retained by the Village who complete the improvements in substantial accordance with the plans and specifications of the Developer, or disburse such funds to the Village as the Village may direct in writing. This Irrevocable Letter of Credit shall be in force for a period to two (2) years and shall remain in effect without regard to any default in payments of sums owed to us by the Developer and without regard to other claims which we may have against the Developer. It is recognized that the Village is permitting the Developer to proceed with the Development expressly upon the guarantee of the irrevocable nature of this commitment. It is further acknowledged that the consideration of this irrevocable commitment is provided by agreements between the undersigned and the Developer. The sum of this credit shall, however, be reduced by the amount of disbursements made from time to time in accordance with the terms set forth herein.

< Bank >

BY: \_\_\_\_\_  
Authorized Signer

## **EXHIBIT L**

### **Fee Schedule**

Forest Ridge Townhome Building Permit Fees	Quantity	Permit Fees (Per Unit)	Notes
Building Permit (per 100 sq. ft.)	\$	30.00	
Plan Review Fee		Consultant review cost +12%	
Sanitary Connection	\$	597.00	
Storm Connection	\$	175.00	
Waterworks Connection	5/8"	1,800.00	
	1"	3,000.00	
	1 1/2"	3,588.00	
Water Meter and Reader		Market Rate	
Water Usage (During Construction)	\$	67.00	
Damage and Nuisance Bond (Refundable)	\$	5,000.00	Per Building
Municipal Services Impact Fee	\$	1,554.00	
Fire District Fee	\$	715.00	
Library Fee	\$	120.00	
Engineering Review Fee	\$	625.00	
Plumbing Inspection Fee	\$	185.00	
Village Traffic Impact Fee	\$	1,800.00	
Park Land Cash	\$	2,475.06	
School Land Cash	3 bed	\$985.60	
	4 bed	\$2,136.00	
School District #129 Capital Impact Fee	3 bed	Fair Market Value Based Fee	
	4 bed	Fair Market Value Based Fee	
Woodman's Food Market, Inc. - Sanitary Sewer Recapture	\$	18,831.75	Plus interest at five percent (5%) per annum



**VILLAGE OF NORTH AURORA  
KANE COUNTY, ILLINOIS**

**Ordinance No. \_\_\_\_\_**

---

**BEING AN ORDINANCE ANNEXING CERTAIN TERRITORY  
TO THE VILLAGE OF NORTH AURORA, ILLINOIS  
TO BE KNOWN AS THE FOREST RIDGE TOWNHOME DEVELOPMENT**

---

**Adopted by the  
Board of Trustees and President  
of the Village of North Aurora  
this \_\_\_\_ day of \_\_\_\_\_, 2021**

**Published in Pamphlet Form  
by authority of the Board of Trustees of the  
Village of North Aurora, Kane County, Illinois,  
this \_\_\_\_ day of \_\_\_\_\_, 2021  
by \_\_\_\_\_.**

**Signed \_\_\_\_\_**

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

**BEING AN ORDINANCE ANNEXING CERTAIN TERRITORY  
TO THE VILLAGE OF NORTH AURORA, ILLINOIS  
TO BE KNOWN AS THE FOREST RIDGE TOWNHOME DEVELOPMENT**

**WHEREAS**, a written petition, signed by the legal owner of record of the land within the territory described in the document attached hereto and incorporated herein as Exhibit A, has been filed with the North Aurora Village Clerk, which territory is located immediately west of the Windstone Development in North Aurora, immediately south of Oak Street, and immediately north of the ComEd easement, commonly known as 38W229 Oak Street North Aurora, IL, which territory is also identified on the Plat of Annexation attached hereto and incorporated herein by reference as Exhibit B (the "Territory"), and the owner is requesting the Property be annexed to the Village of North Aurora; and

**WHEREAS**, there are no electors residing within the said Territory; and,

**WHEREAS**, the Territory is not within the corporate limits of any municipality but is contiguous to the Village of North Aurora; and

**WHEREAS**, no legal notices regarding the intention of the Village to annex the Territory have been sent to a library district or fire protection district because no library district exercises jurisdiction over the Territory, and the Village of North Aurora does not provide fire protection services; and

**WHEREAS**, the legal owner of record of the Territory and the Village of North Aurora have approved and executed, or will execute, a valid and binding annexation agreement relating to the Territory; and

**WHEREAS**, all petitions, documents, and other necessary legal requirements relating to the Territory are in full compliance with the terms of the annexation agreement and with the statutes of the State of Illinois, specifically §7-1-8 of the Illinois Municipal Code; and

**WHEREAS**, it is in the best interests of the Village of North Aurora, Kane County, Illinois, to annex the Territory to the Village of North Aurora.

**NOW, THEREFORE**, be it ordained by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The Territory legally described in Exhibit A and indicated on the Plat of Annexation that is attached as Exhibit B comprising approximately 9.05 acres is hereby annexed to the Village of North Aurora, Illinois.

2. The Community Development Director is hereby directed to record with the Kane County Recorder of Deeds and to file with the Kane County Clerk a certified copy of this Ordinance, together with the accurate map of the territory annexed as appended to this Ordinance.

3. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Jessi Watkins, Village Clerk

**Exhibit A**

**Annexation Petition**



**TO:** The Village President and Board of Trustees  
of the Village of North Aurora, Kane County, Illinois

**FROM:** **LMN OPPORTUNITIES LLC,**  
a Wyoming limited liability company

**SUBJECT:** Annexation approval

The Petitioner, **LMN OPPORTUNITIES LLC**, a Wyoming limited liability company respectfully states under oath:

1. Petitioner is the sole owner of record of the following legally described land ("Development Parcel") comprising approximately 30 acres commonly known as 38 W Oak Street, North Aurora, Illinois, Aurora Township, Kane County, Illinois and legally described as follows:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 929.09 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE 242.38 FEET, THENCE DUE NORTH 1,613.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89 DEGREES 02 MINUTES EAST ALONG SAID SOUTH LINE 242.39 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING, THENCE DUE SOUTH 1,621.20 FEET TO THE POINT OF BEGINNING, THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

2. The Development Parcel is not situated within the limits of any municipality but is contiguous to the Village of North Aurora, Kane County, Illinois, and no electors reside in the territory being annexed.

3. The Development Parcel is located outside the municipal boundaries of the Village in unincorporated Kane County, Illinois (hereinafter the "County"), and the Development Parcel is not located within the corporate boundaries of any municipality; and

4. The foregoing statements of fact are true to the best of Petitioner's knowledge and information.

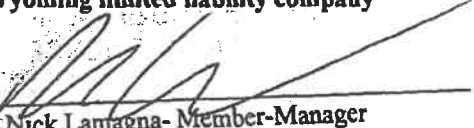
Petitioner respectfully requests:

- A. That the Petitioner and the governing body of the Village of North Aurora enter into a mutually acceptable annexation agreement for the annexation and development of the Development Parcel.
  - B. That the above-described Development Parcel be annexed to the Village of North Aurora by ordinance of the corporate authorities of the Village of North Aurora pursuant to §7-1-8 of the Illinois Municipal Code, as amended.
  - C. That the above-described Development Parcel be zoned in accordance with the annexation agreement, to-wit: R-3 General Residential District.
  - D. That the existing cell on the Development Parcel be annexed as a legal nonconforming use
5. That such other action be taken as is appropriate in the premises.


Dated this 20 day of MAY, 2021.

Petitioners:

LMN OPPORTUNITIES LLC,  
a Wyoming limited liability company

By:   
Nick Lamagna- Member-Manager

Subscribed and sworn to  
before me this 20 day of May, 2021

  
This instrument prepared by:  
WILLIAM F. BOCHTE  
BOCHTE, KUZNIAR & NAVIGATO, P.C.  
2580 Foxfield Road, Suite 200  
St. Charles, IL 60174  
P: (630) 377-7770  
F: (630) 377-3479  
wbochte@bknlaw.com



**Exhibit B**

Plat of Annexation





**VILLAGE OF NORTH AURORA  
KANE COUNTY, ILLINOIS**

**Ordinance No. \_\_\_\_\_**

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**ORDINANCE ZONING**  
**9.05 ACRES OF PROPERTY SITUATED AT**  
**38W229 OAK STREET NORTH AURORA, IL**  
**TO THE R-3 GENERAL RESIDENCE ZONING DISTRICT**

---

**Adopted by the  
Board of Trustees and President  
of the Village of North Aurora  
this \_\_\_\_ day of \_\_\_\_\_, 2021**

**Published in Pamphlet Form  
by authority of the Board of Trustees of the  
Village of North Aurora, Kane County, Illinois,  
this \_\_\_\_ day of \_\_\_\_\_, 2021  
by \_\_\_\_\_.**

**Signed \_\_\_\_\_**

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

**AN ORDINANCE ZONING  
9.05 ACRES OF PROPERTY SITUATED AT  
38W229 OAK STREET NORTH AURORA, IL  
TO THE R-3 GENERAL RESIDENCE ZONING DISTRICT**

**WHEREAS**, LMN OPPORTUNITIES LLC, a Wyoming limited liability company, (“Owner”) is the owner of record of approximately 9.05 acres of real property commonly known as 38W229 Oak Street, North Aurora, IL, legally described in the document attached hereto and incorporated herein as Exhibit “A”, which is attached hereto and made a part hereof (hereinafter sometimes referred to as "Property"); and

**WHEREAS**, on \_\_\_\_\_, 2021, the Ordinance annexing the Property to the Village of North Aurora (hereinafter referred to "Village") was passed, subject to the complete execution and recording of the approved Annexation Agreement and payment of the fees associated with the annexation (“Annexation Conditions”), which annexation is effective on the happening of the Annexation Conditions; and

**WHEREAS**, Owner has made request to zone the Property as R-3 General Residence District pursuant to the Zoning Provisions of the North Aurora Municipal Code (hereinafter referred to as the "Zoning Code"); and

**WHEREAS**, a public hearing was held before the Plan Commission of the Village of North Aurora (hereinafter referred to as the "Plan Commission"), on September 21, 2020; and

**WHEREAS**, the Plan Commission has recommended approval to zone the Property as R-3 General Residence District in keeping with the criteria for map amendment evidenced in the minutes of the Plan Commission meeting on September 21, 2020 attached hereto and incorporated herein by reference as Exhibit B (the “Plan Commission Recommendation”); and

**WHEREAS**, the President and Board of Trustees of the Village have concluded that the reasons set forth in the Plan Commission recommendation for approval are well founded and are consistent with the Zoning Code and other ordinances of the Village; and

**WHEREAS**, the President and the Board of Trustees of the Village have determined that the best interests of the Village will be attained by zoning the Property in the R-3 General Residence Zoning District.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** The foregoing recitals are incorporated herein as though they were fully set forth herein.

**SECTION 2:** The President and Board of Trustees of the Village of North Aurora adopt the findings of the Plan Commission described in the Plan Commission Recommendation.

**SECTION 3:** The Property shall be and is hereby zoned in the R-3 General Residence Zoning District.

**SECTION 4:** The zoning of the Property shall survive the Annexation Agreement, subject to any zoning changes that are approved subsequent to this Ordinance in keeping with the provisions of the North Aurora Code that govern zoning changes and the applicable State law on zoning.

**SECTION 5:** This Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form, as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Jessi Watkins, Village Clerk

## **EXHIBIT A**

(Legal Description of the Property)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 929.09 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE 242.38 FEET, THENCE DUE NORTH 1,613.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89 DEGREES 02 MINUTES EAST ALONG SAID SOUTH LINE 242.39 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING, THENCE DUE SOUTH 1,621.20 FEET TO THE POINT OF BEGINNING, THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

Pin 15-06-200-008



## **EXHIBIT B**

### **Plan Commission Recommendation**

**VILLAGE OF NORTH AURORA  
PLAN COMMISSION MEETING MINUTES  
SEPTEMBER 1, 2020**

**CALL TO ORDER**

Vice Chairperson Duncan called the meeting to order.

**ROLL CALL**

**In attendance:** Vice Chairperson Jennifer Duncan, Commissioners Anna Tuohy, Aaron Anderson, Tom Lenkart, Doug Botkin, Mark Bozik and Connie Holbrook

**Not in attendance:** Chairman Mike Brackett

**Staff in attendance:** Village Administrator Steve Bosco, Community & Economic Development Director Mike Toth and Information Technology Manager Dave Arndt

**APPROVAL OF MINUTES**

**1. Approval of Plan Commission Minutes dated March 3, 2020**

Motion for approval made by Commissioner Bozik and seconded by Commissioner Lenkart. All in favor.  
**Motion approved.**

**PUBLIC HEARING**

**1. Petition #20-04 (38W229 Oak Street): The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:**

- 1) Establishment of the R-3 General Residence District zoning
- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
- 3) Site Plan Approval
- 4) Preliminary Final Plat of Subdivision

Vice Chairperson Jennifer Duncan opened the public hearing.

Valerie Shoger, 1473 Hearthstone Lane, stated that she is concerned about the number of units in each building. At the April 15, 2019 meeting, it was stated that the proposed development would consist of luxury units. Shoger feels that the excessive number of units and decreased square footage does not appear to be luxurious and will not enhance the surrounding neighborhoods. She is concerned that there is not much staggering of the units and they give off a “building blocks” appearance.

Keely, (Zoom screen name), stated that she also has the same concerns as Shoger. She asked what the benefit is to connecting Hearthstone Lane to Forest Ridge Drive. Keely asked how the units can be advertised as luxury but still be reasonably priced. She stated that she is also concerned about the storm water and asked what the plan is for drainage.

Austin Curran, 1417 Hearthstone Lane, stated that he had similar concerns as the previous residents since it impacts their neighborhood more than any other. Curran asked why the Village is considering townhomes over single family residences. He is also concerned about water drainage in the area and would like to hear more about the retention pond that is proposed. Curran stated that he is concerned about how it will impact the value of homes in the area and how it could also lead to an increase of traffic.

Cheryl Stetter, resident in Windstone Place, stated that one of her biggest concerns is the impact of drainage. Stetter agrees with the other residents about the townhomes being classified as luxurious when they will be facing an empty field. She asked if they are planning on allowing renters since that deters away from the luxury feel.

Sonja Flores-Gomez, 87 Windstone Drive, stated that she has the same concerns as everyone else. Flores-Gomez believes that the number of units is excessive for such a small parcel of land. Reducing the number of units or adding a park should be considered. She is concerned that there is going to be a large increase of traffic and that drainage is going to become an issue.

The petitioner, Nick Lamagna, LMN Opportunities, Inc., responded to the concerns and questions of the residents in attendance. He stated that the layout of the townhomes cannot be avoided in order to accommodate drainage. The Comprehensive Plan for this particular area supports the development of townhomes, which is why the developer chose to pursue this route. Lamagna stated that the size of the townhome does not determine whether or not the units are luxurious. Rather, it's the façade, open floor plan, and the materials that create the luxury feel. Lamagna explained that the units will not be renter-occupied and will be buyer owned. There is a lack of premium quality homes in the area and they are hoping to fill that void.

Community and Economic Development Director Mike Toth, displayed an image from the Comprehensive Plan showing the parcel in which the townhomes will be located. He stated that there is an intergovernmental agreement with the Village of North Aurora and Kane County Department of Transportation for Oak Street in between Randall Road and Orchard Road, which does call for an intersection at Forest Ridge Drive. This is continued south to connect with Hearthstone Lane and to allow secondary access to the property.

Ray Sikkema, Webster, McGrath & Ahlberg, Ltd., discussed the drainage concerns brought up by the residents. He stated that the wetlands exist above the northern drainage basin on the property. Since the wetland is protected, unfortunately there is nothing that can be done for drainage for that particular portion of the property. Drainage will flow into the north detention basin and the overflow will then travel through the drain tile. Sikkema explained they will be improving drainage flow by incorporating a 12" storm sewer that will be connected to the existing drain tile. He stated that the units will be similar in height to the adjacent properties on Windstone.

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Vice Chairperson Jennifer Duncan opened the public hearing. There were no public comments. Jennifer Duncan then closed the public portion of the hearing.

## **NEW BUSINESS**

1. **Petition #20-04 (38W229 Oak Street):** The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:

- 1) Establishment of the R-3 General Residence District zoning

- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
- 3) Site Plan Approval
- 4) Preliminary Final Plat of Subdivision

Community and Economic Development Director Mike Toth stated that this item was previously presented to the Village Board on April 15, 2019 for a concept review only. At that time no action was taken and the project was favored by the Village Board. Since then, the petitioner has worked on the proposed development to get it where it is today. The 8.63 acre property is currently zoned as a Farming District in unincorporated Kane County. The applicant is proposing five (5) townhouse buildings, each consisting of six (6) units, and one (1) two-family dwelling. Toth stated that the comprehensive plan does recommend single-family attached dwellings for this area of land.

The petitioner is requesting that the property shall be zoned as R-3 General Residence District. At this time, a map amendment is not being pursued since the property has not been annexed into the Village. The property meets all of the bulk requirements for the R-3 General Residence District. Toth stated that the special use request is required since the property is greater than two (2) acres. There are two (2) deviations from the zoning code being requested for the development. The use standards in Chapter 11 of the Zoning Ordinance state that garages shall be rear or side loaded. Toth stated that the proposed development will be oriented towards the west (Forest Ridge Drive) and will therefore be front loaded garages. The deviation is supported to have the garages as front loaded in order to minimize the traffic to the east and keep everything on Forest Ridge Drive. Toth explained that parking is permitted on Forest Ridge Drive, but the larger driveways should accommodate more vehicles which will eliminate excessive parking on the street. The second deviation relates to onsite trees. Per the Zoning Ordinance, multi-family properties shall have one (1) tree per 500 square feet of lot area. Toth stated that the landscape plan represents a barrier to the east and also factors in drainage for the property. Deviations have been granted in the past for lot landscaping. Toth stated that there is a condition that the parkway trees will be of variety per the subdivision ordinance. Site plan approval is required for all townhome developments. Toth explained that the building footprints were included in order to allow the engineers to consider site detention and storm water management.

Toth acknowledged that staff recommends approval for the special use request based on the understanding that four (4) conditions are met. Any unit that has a side wall facing the street shall include a front façade in order to eliminate the appearance of blank walls. All site improvements shall be confined within the building footprints. Trees that meet a specific standard will be evaluated by the Village for preservation. Finally, all parkway tree species will be provided per the Subdivision Ordinance. Toth recommended an additional condition that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only.

Nick Lamagna stated that he has been working closely with Mike Toth and the Village of North Aurora in order to meet all criteria and guidelines set by the Village. He stated that the proposed townhomes will have a luxury appeal and will be comparable to the other multi-family developments in the area. Lamagna believes there is a shortage of luxury rentals in the area and stated that this development will provide people with a larger living space, especially in a time where many people are working from home. Matt Haylock, Archamerica, Inc., stated that they created a fresh looking façade with cooler hues of color. Various types of material are being used including stone along the base, cement board, and standing seam aluminum on the eaves, along with other textures and materials to create a contemporary appearance. Haylock described the interior of the townhomes, which include three (3) and four (4) bedroom units, both with an open concept. The units range from 2,000 – 2,400 square feet, depending on the number of bedrooms.

**Plan Commission Comments:**

Commissioner Bozik stated that he shares concerns with the lack of on-street parking. He asked what the plan is for Outlot B, which is the cell tower. Bozik asked if anything will be done to make that area aesthetically pleasing. He stated that the location of the two-unit building seems awkward and suggests a single-family residence instead. Lamagna responded that the driveways had already been readjusted to accommodate the parking concerns. He stated that the cell tower will remain in the same location. Lamagna explained that the Comprehensive Plan called for attached homes, so the duplex made sense.

Toth stated that when a property is annexed into the Village, there are certain fees that are paid to the Village of North Aurora. When this development comes in, a fee will be paid that will go to the Park District and School District within North Aurora. Toth asked about the possibility of having a cul-de-sac installed and Sikkema responded that Fire Departments are not in favor of cul-de-sacs if longer than 1,000 feet, which would be the case for this development. Bozik stated that North Aurora's Fire District does not allow cul-de-sacs over 300 feet.

Commissioner Botkin stated that his questions had been answered and he had no further comments.

Commissioner Lenkart stated that the presentation was very thorough and thought the exterior looked nice. Lenkart asked if anyone has reached out to the property owner of the parcel to the west. Toth responded that he spoke to the property owner years ago and has not heard of any developments on the property. Toth stated that the west side of Forest Ridge Drive does not have sidewalks or parkway trees. This will be discussed during the hearing process. Lenkart stated that a four (4) bedroom townhome could potentially have multiple vehicles, which means cars could be parked all along the street, creating congestion. Sikkema responded that the driveways are 16' wide, which will accommodate for two (2) cars in the driveway and two (2) cars in the garage. Lenkart asked how wide the street was. Sikkema responded that the street from curb to curb is 28'. It will be tight, but there is room to accommodate traffic.

Toth reminded the Plan Commission that the engineering still has to go through final engineering, so this is not the final plan for the development.

Commissioner Holbrook stated that her questions had been answered and she had no further comments.

Commissioner Tuohy asked what the cost point will be for the units. Lamagna responded that they do not have the information right now due to the market changing with COVID-19. He stated that a ballpark range would be \$275,000 - \$325,000. Tuohy stated she shares the same concerns about parking and would like to have the concern looked into. She asked if a traffic study has been completed. Toth responded that it has not. He stated that there is a density formula in the subdivision ordinance that calculates the fees for developments. Based on the density formula, the townhomes could bring in 71 new residents. Toth indicated that staff would look into the road width of Forest Ridge Drive to see if this could be accommodating for parking concerns. Tuohy asked if there will be a sidewalk on the property. Toth responded there is one proposed on the eastern side of the property and along Oak Street. Tuohy asked if a crosswalk was being installed from the south side to the north side. Toth responded that the plan does not call for a crosswalk. Tuohy stated that children will be crossing the street to Jewel Middle School and it could be a hazard. Toth responded that a stop sign was installed at White Oak Drive to the east to help move pedestrians safely. Tuohy asked if there will be a Homeowners Association (HOA). Toth responded that there will be an HOA which will be included in the annexation agreement. Tuohy asked if garbage will be picked up at the end of the driveways. Lamagna responded yes. Tuohy stated she agrees that the front elevation makes it hard to differentiate one unit from the other. Lenkart stated that the development area has enough room to stagger the buildings so it creates more depth to the townhomes. Haylock responded that the buildings will be staggered 8' and the individual units are staggered 2' to 3'. Tuohy stated she had no more questions.

Commissioner Anderson asked how long LMN Opportunities has been in business and how many projects have been completed similar to this. Jared Osmond, LMN Opportunities, responded that he has completed many projects in the area, including townhome developments. Lamagna stated they use different entities for their developments and collectively, they have over 50 years of experience. Anderson asked if financing has been secured for the project. Osmond responded that they have the money secured for the development. Anderson asked if there are turn lanes coming off of Oak Street. Toth responded there will be a turn lane into the property both east and west bound. Toth asked if there will be a decelerated lane for people turning right into the property going eastbound. Sikkema responded that there currently is not one being proposed, but it could be looked into if necessary.

Bozik asked how they will accommodate on-street parking. Toth responded that staff recommended the proposed layout of the townhomes, since it would make the most sense for traffic. He explained that staff will look into the width of Forest Ridge Drive.

Toth recommended that the fifth condition be added for the special use approval which would state that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only. Bozik recommended a sixth condition to add fencing around the cell tower.

Motion for approval for the establishment of the R-3 General Residence District zoning made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – Yes. **Motion approved.**

Motion for approval of the special use to allow a Planned Unit Development with deviations from the Zoning Ordinance with the two (2) conditions being added, for a total of six (6) conditions, made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

Motion for approval of the site plan made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – No. **Motion approved.**

Motion for approval of the preliminary final plat of subdivision made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Mike Toth presented the background information on the petition. Toth stated that the property at 119 Butterfield is located in the I-1 District and is the location of the former Backyard Builders business. The motor vehicle repair business is operating under a temporary use Ordinance that was granted by the Village Board as the zoning wasn't approved when they moved onto the property. Toth then explained the various zoning options afforded to the business operator. The business operator chose to go through the text amendment. Establishing the use as a permitted use would allow them greater flexibility if they one day owned the property. Toth then when through the various I-1 District properties in the Village. The motor repair use is quasi-commercial/industrial. Toth then listed the classification status of the use in other zoning districts. Toth stated that he did not advise that the business operator pursue the rezoning of the property, but could support the text amendment as the use is commercial in nature. Toth noted the three (3) use standards included in the Zoning Ordinance, which would still apply if the use was a permitted use.

The petitioner, Derek Knuth, stated that he is the owner of Red's Garage. He stated that he wants this property to be his 'forever home' and eventually would like to purchase the property.

**Plan Commission Comments:**

Commissioner Tuohy asked about internal site circulation. Knuth responded, there is an access drive located next to the building. Tuohy asked about chemical removal. Knuth stated that they have a company that comes to remove the chemicals.

Toth reminded the Plan Commission that the petition is not a special use and the motor vehicle repair use would become a permitted use on all I-1 District properties.

Commissioner Lenkart asked about the hours of operations. Knuth responded, Monday through Friday 8:00 a.m. – 6:00 p.m. and Saturday 8:00 a.m. - noon. Lenkart then mentioned the previous Walmart petition and how they made them move the auto repair from the east side of the building to the west side of the building to keep it away from the townhomes. He then asked how the noise will be kept low. Knuth responded, all work will be inside and the lifts are located on the other side of the building. The doors will also remain closed. Lenkart asked about the north end of the property. Knuth responded, that area is gravel. Lenkart stated that he wouldn't want any storage there. Toth mentioned that the use has to operate inside and the area to the north is a deteriorated limestone. Parking would be prohibited there unless they were to install asphalt or concrete. Lenkart stated that noise travels and he doesn't want to inconvenience the neighbors. Vice Chairperson Duncan mentioned that the property is an industrial property.

Commissioner Anderson asked about the \$4,300 filing fee. He asked if there was a way to lower that fee. Toth responded, \$4,000 is an escrow deposit and the filing fee is \$300. The petitioner was only asked to deposit \$1,000 into an escrow account.

Commissioner Bozik stated they've done nice improvements and welcomed them to town.

Motion for approval of the special use made by Commissioner Bozik and seconded by Commissioner Anderson. Vote: Tuohy – Yes, Holbrook – Yes, Lenkart – Yes, Botkin – Yes. **Motion approved.**

**OLD BUSINESS** – None

**PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES**

Mike Toth noted the two items for the October 6<sup>th</sup> Plan Commission agenda. Those items include a new restaurant in Orchard Commons and a craft cannabis growing facility on South Street. Commissioner Tuohy asked about the mixed use building at Randall Crossing. Toth stated that the foundation is in and some of the underground plumbing work has been completed on that project. Toth then gave a brief update on the North Aurora Smiles project.

**ADJOURNMENT**

Motion to adjourn made by Commissioner Lenkart and seconded by Commissioner Bozik. All in favor. **Motion approved.**

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Natalie Stevens', followed by a long horizontal line extending to the right.

Natalie Stevens  
Acting Village Clerk



**VILLAGE OF NORTH AURORA  
KANE COUNTY, ILLINOIS**

**Ordinance No. \_\_\_\_\_**

---

**ORDINANCE GRANTING A SPECIAL USE FOR AN R-3  
GENERAL RESIDENCE ZONING DISTRICT PLANNED UNIT DEVELOPMENT  
ON PROPERTY LOCATED AT 38W229 OAK STREET NORTH AURORA, IL TO BE  
KNOWN AS THE FOREST RIDGE TOWNHOME DEVELOPMENT**

---

**Adopted by the  
Board of Trustees and President  
of the Village of North Aurora  
this \_\_\_\_ day of \_\_\_\_\_, 2021**

**Published in Pamphlet Form  
by authority of the Board of Trustees of the  
Village of North Aurora, Kane County, Illinois,  
this \_\_\_\_ day of \_\_\_\_\_, 2021  
by \_\_\_\_\_.**

**Signed \_\_\_\_\_**



**ORDINANCE No. \_\_\_\_\_**

**AN ORDINANCE GRANTING A SPECIAL USE FOR AN R-3  
GENERAL RESIDENCE ZONING DISTRICT PLANNED UNIT DEVELOPMENT  
ON PROPERTY LOCATED AT 38W229 OAK STREET NORTH AURORA, IL TO BE  
KNOWN AS THE FOREST RIDGE TOWNHOME DEVELOPMENT**

**WHEREAS**, LMN OPPORTUNITIES LLC, a Wyoming limited liability company, ("Petitioner") has filed an application for a Special Use for a R-3 General Residence Zoning District Planned Unit Development with respect to real property commonly known as 38W229 Oak Street, North Aurora, IL, legally described in the document attached hereto and incorporated herein by reference as Exhibit "A" (hereinafter sometimes referred to as "Property"); and

**WHEREAS**, Petitioner is the record owner of the Property (the "Owner"); and

**WHEREAS**, the Property consists of approximately 9.05 acres; and

**WHEREAS**, the Property is zoned in the R-3 General Residence District pursuant to the Zoning provisions of the North Aurora Municipal Code (hereinafter the "Zoning Ordinance"); and

**WHEREAS**, the Property has been annexed to the Village of North Aurora (hereinafter "Village") by Ordinance No. \_\_\_\_\_ subject to the terms of an Annexation Agreement approved by Ordinance No. \_\_\_\_\_ that provides for the terms of the Special Use/Planned Unit Development;

**WHEREAS**, the Petitioners desire to develop the Property as an R-3 General Residence District planned unit development in accordance with the following plans and standards (hereinafter collectively referred to as the "Development Plan"):

1. The Preliminary Plan, prepared by Webster, McGrath and Ahlberg, LTD. as its Project No. 44164 and dated October 28, 2020, is attached hereto and incorporated herein as Exhibit B (hereinafter "Preliminary Plan") is hereby approved for the development of the Development Parcel;

2. The Preliminary Plat prepared by Webster McGrath & Ahlberg, Ltd dated January 29, 2019, is attached hereto and incorporated herein as Exhibit C (hereinafter "Preliminary Plat") is hereby approved for the development of the Development Parcel;

3. The Preliminary Landscaping Plan prepared by Webster McGrath & Ahlberg, Ltd dated July 21, 2020, is attached hereto and incorporated herein as Exhibit D (hereinafter "Preliminary Landscaping") are hereby approved for the development of the Development Parcel;

4. The Preliminary Elevations prepared by ARCH/AMERICA dated November 6, 2020, are attached hereto and incorporated herein as Exhibit E (hereinafter "Preliminary Elevations") is hereby approved for the development of the Development Parcel; and

5. The Preliminary Floor Plans prepared by ARCH/AMERICA dated September 1, 2020, are attached hereto and incorporated herein as Exhibit F (hereinafter "Preliminary Floor Plans") are hereby approved for the development of the Development Parcel.

(Altogether the Preliminary Plan, Preliminary Plat, Preliminary Landscaping, Preliminary Elevation and Preliminary Floor Plans are hereinafter called the "Preliminary Plans & Plat".)

**WHEREAS**, a public hearing was held on the application before the Plan Commission of the Village of North Aurora (hereinafter referred to as the "Plan Commission"), on September 21, 2020; and

**WHEREAS**, the Plan Commission has recommended approval of the application subject to the conditions included in Section 3 below; and

**WHEREAS**, the President and Board of Trustees of the Village hereby adopt the findings described in the Plan Commission Recommendation memorialized in the minutes of the Plan Commission meeting attached hereto and incorporated herein by reference as Exhibit G; and

**WHEREAS**, the Petitioners have submitted all documentation required by the Village for its review of the proposed development; and

**WHEREAS**, the President and the Board of Trustees of the Village of North Aurora have determined that the best interests of the Village will be attained by granting to the special use for a planned development consistent with the Preliminary Plans & Plat.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF NORTH AURORA, KANE COUNTY, ILLINOIS, AS FOLLOWS:

**SECTION 1:** The recitals set forth above are incorporated herein as findings of fact by the President and Board of Trustees of the Village of North Aurora.

**SECTION 2:** That a Special Use for a R-3 General Residence District Planned Development shall be and is hereby granted to allow the Property consistent with the Preliminary Plans & Plat, the terms and conditions of the Annexation Agreement and the terms and conditions of this Ordinance, and the cell tower parcel shall be considered a legal, nonconforming use.

**SECTION 3:** That all deviations from the Zoning and Subdivision provisions of the North Aurora Municipal Code contained in the Preliminary Plans & Plat and Annexation Agreement, subject to the following conditions, are hereby approved:

1. Units having side walls facing a street shall be designed with elements of a front façade, including doors and/or windows, to avoid the appearance of blank walls.
2. All site improvements, including, but not limited to decks, patios and porches, shall be meet the requirements of the Zoning Ordinance and meet the yard setbacks required of the R-3 General Residence District.
3. Any tree of good quality larger than six inches in diameter when measured twelve (12) inches above the ground, which are not located within fifteen (15) feet of or within a building footprint, within the road footprint or in those areas listed Section 16.12.010.C.3.a of the Subdivision Ordinance, shall be tagged by the petitioner and evaluated by the Village for preservation.
4. Parkway tree species shall be provided in accordance with Section 16.12.190.C.8 of the North Aurora Subdivision.
5. Construction traffic shall be limited to Forest Ridge Drive with restricted emergency access at Hearthstone Lane.
6. All ground cell tower equipment shall be screened with a solid fence to be approved by the Community Development Director.

**SECTION 4:** That the right of the Petitioners, its successors and assigns to develop the Property in accordance with the Development Plan is hereby vested, subject to the terms and conditions of the Development Plan and Annexation Agreement.

**SECTION 5:** That the Special Use for an R-3 General Residence District Planned Development shall survive the Annexation Agreement, subject to any changes to the zoning or the PUD that are approved subsequent to this Ordinance pursuant to the zoning provisions of the North Aurora Code.

**SECTION 6:** That this Ordinance shall be in full force and effect from and after its passage and approval and publication in pamphlet form, as provided by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
Mark Gaffino, Village President

ATTEST:

\_\_\_\_\_  
Jessi Watkins, Village Clerk

## **EXHIBIT A**

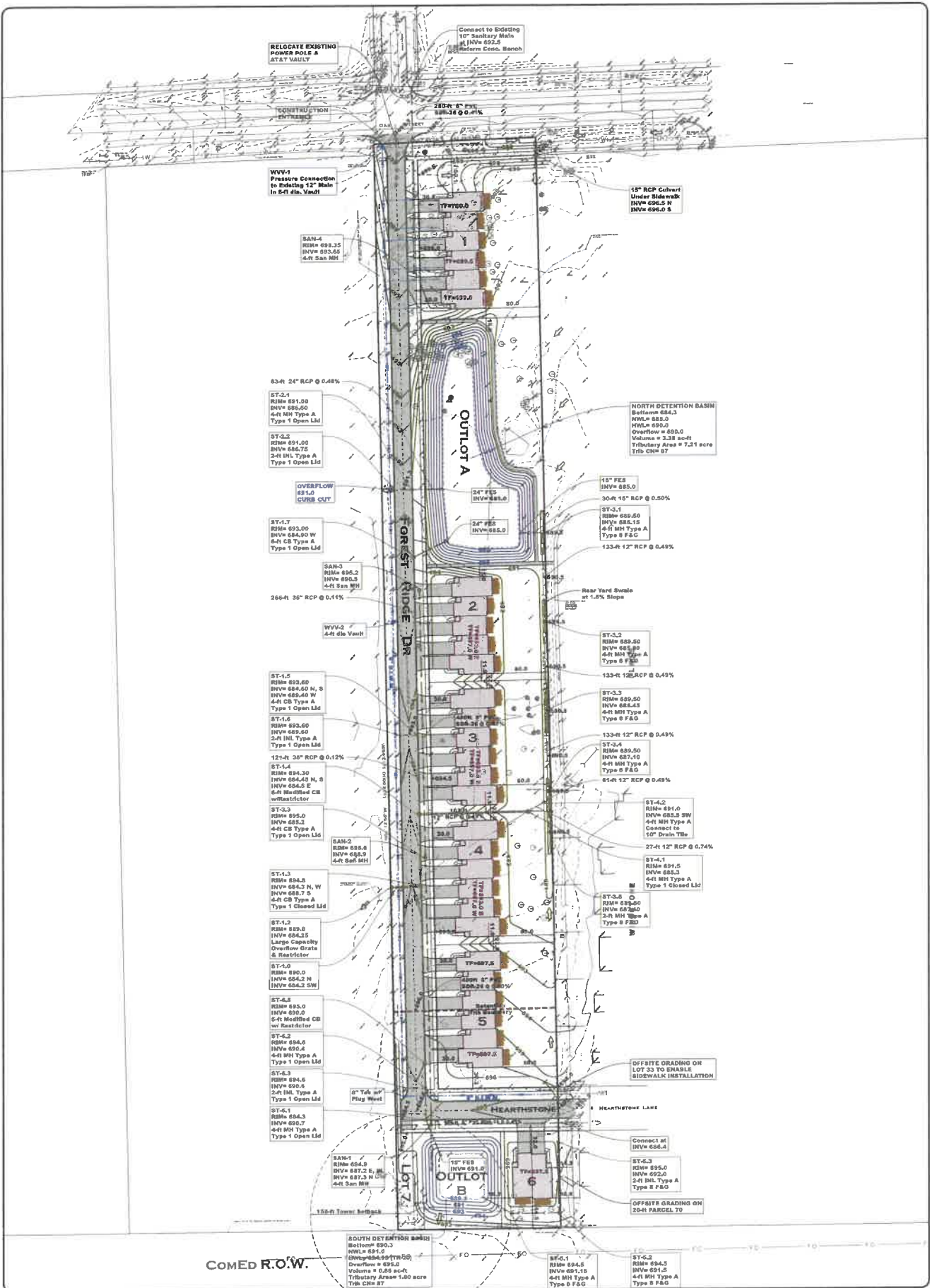
### **Legal Description of Property**

THAT PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 929.09 FEET FOR THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 15 MINUTES 11 SECONDS WEST ALONG SAID SOUTH LINE 242.38 FEET, THENCE DUE NORTH 1,613.95 FEET TO THE SOUTH LINE OF OAK STREET, THENCE NORTH 89 DEGREES 02 MINUTES EAST ALONG SAID SOUTH LINE 242.39 FEET TO A LINE DRAWN DUE NORTH FROM THE POINT OF BEGINNING, THENCE DUE SOUTH 1,621.20 FEET TO THE POINT OF BEGINNING, THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.

Pin 15-06-200-008

## **EXHIBIT B**

### Preliminary Plan



**COMED R.O.W.**

**WEBSTER, McGRATH & AHLBERG, LTD.**

**WMA**

LAND SURVEYING • CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE

Over 100 Years of Service to Clients

307 North Dearborn Road, Webster, Illinois 60597  
Ph: 630.666.7050 • Web: www.wma-llc.com  
Project: Forest Ridge Townhomes, 143-0001-14

**FOREST RIDGE TOWNHOMES**  
FOREST RIDGE & OAK STREET, NORTH AURORA, IL

Prepared For:  
**ENDURING MANAGEMENT, INC.**  
143 E. Randall Road, Suite 151  
Bolingbrook, IL 60440  
630.386.0598

**PRELIMINARY ENGINEERING**

**C-1**

REV	DATE	DESCRIPTION	BY
1	04-03-2018	Revised per Stamp-Change review	RLS
2	01-18-2019	Revised per Stamp-Change review	RLS
3	07-21-2020	Add Lot 7 for Corner Tower & Building Ties	RLS
4	08-20-2020	Revised per Consultant Comments to Review Ties	RLS
5	08-17-2020	Show Architectural Building Layouts	RLS
6	10-29-2020	Revised 1 Line & Add Path around Detention Basin	RLS

Scale: 1" = 20'-0"

North Arrow

## **EXHIBIT C**

Preliminary Plat

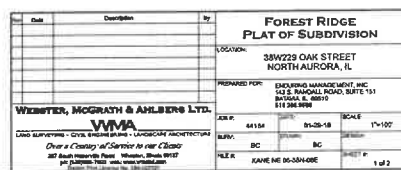


THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 32 NORTH, RANGE 11 EAST  
OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF AURORA, KANE COUNTY, ILLINOIS.



ILLINOIS STATE PLANE, NAD 83, EAST ZONE

**LAND AREA**  
394,456 SQUARE FEET = 9.06 ACRES



100

## RECORDER OF DEEDS

**VILLAGE BOARD APPROVAL**

COUNTY ENGINEER CERTIFICATE

**OWNER'S CONSENT**

### VILLAGE ENGINEER'S CERTIFICATE

**PERMISSION TO RECORD**

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ ) ss.

### PLAN COMMISSION

### SURVEYOR'S CERTIFICATE

BY  
NOVARY PUTRA

172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-11

### SURFACE WATER STATEMENT

**COUNTY CLERK**

CHOMER

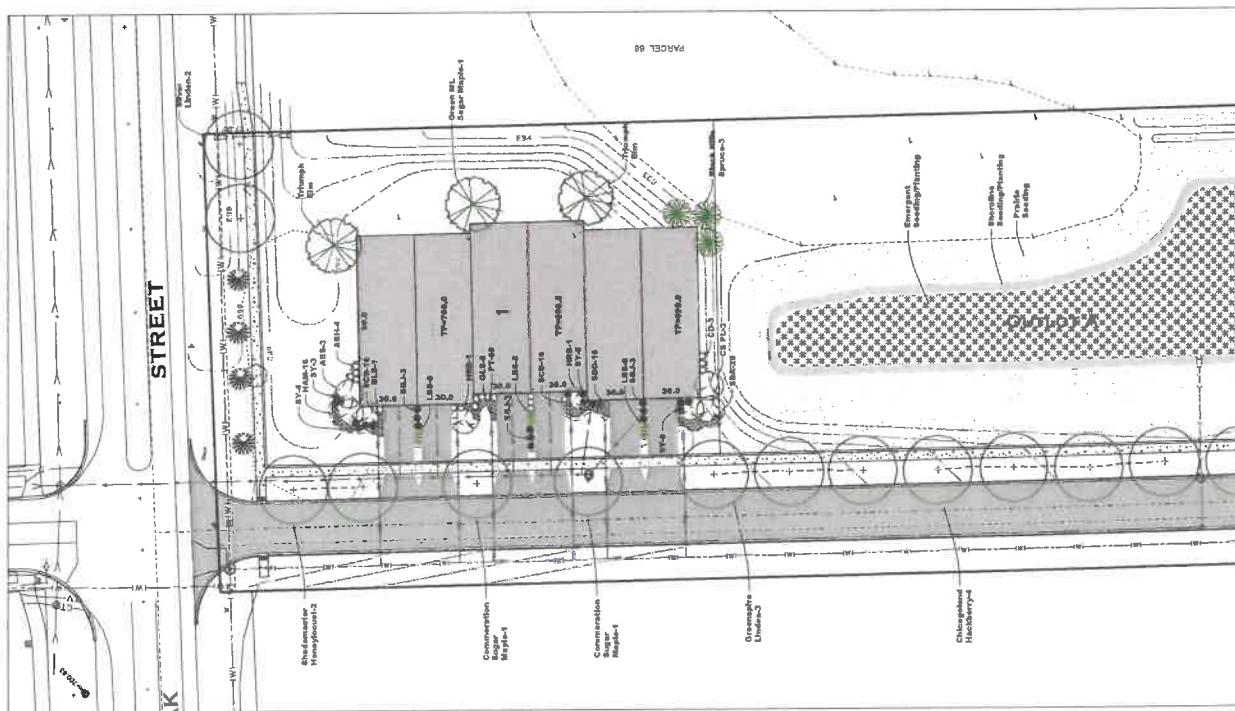
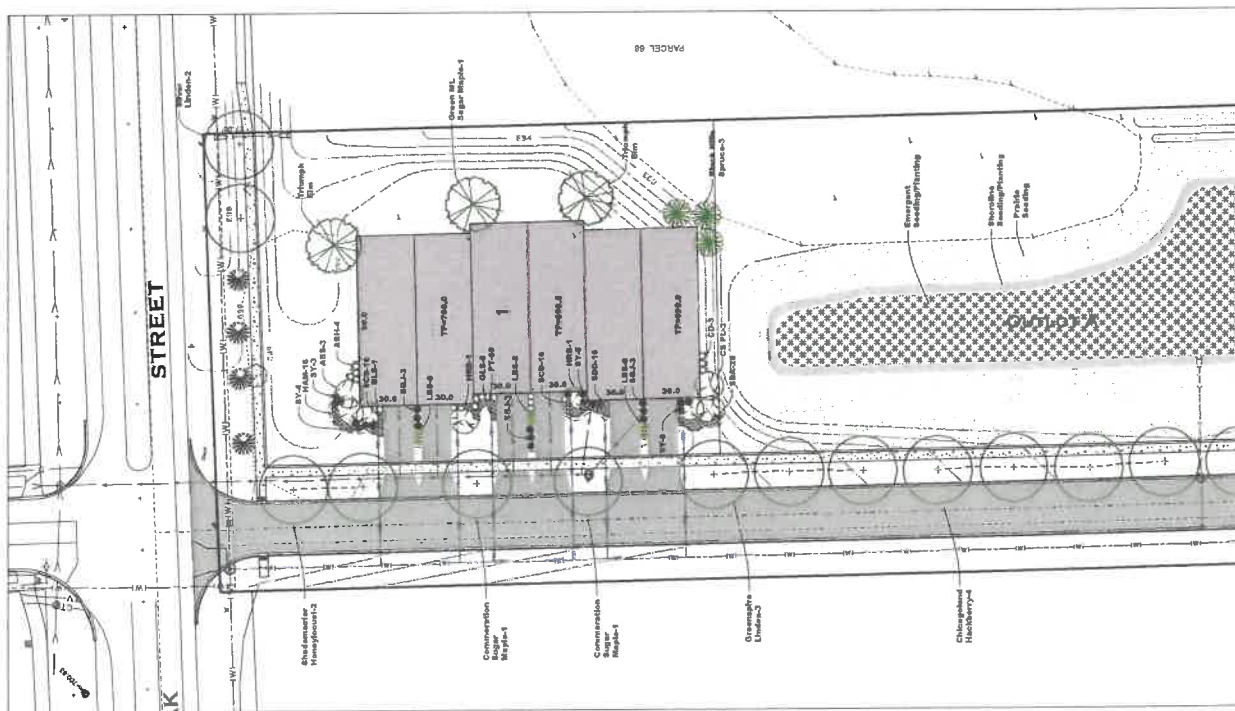
OWNER OR ATTORNEY

COUNTY CLERK

NO.	DATE	DESCRIPTION	BY	FOREST RIDGE PLAN OF SUBDIVISION			
				SECTION 31W22S 04E STREET WORTH ALABAMA, IL			
				FOR BUCKHORN MANAGEMENT, INC. 1515 S. RANDALL ROAD, SUITE 115 BURLINGTON, IL 61210 815.264.8634			
WEBSTER, McGRATH & ARLBERG LTD., 				JOB NO. 46184	DATE 5-12-2018	SCALE 1"=100'	
LAND SURVEYING • CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE Over a Century of Service in our Cities 281 South Michigan Road, Wheaton, Illinois 60187 Tel. (630)938-1821 with voice mail				BY JC	CHECKED BC	SHEET # 2 of 3	

## **EXHIBIT D**

### **Preliminary Landscaping**





## **EXHIBIT E**

### **Preliminary Elevations**





**ARCHAMERICA**  
34121 N. US 45, Suite 213  
Grayslake, Illinois 60030  
Phone 847-336-6600  
Fax 847-336-6601

PROPOSED TOWNHOME DEVELOPMENT

## Forest Ridge Townhomes

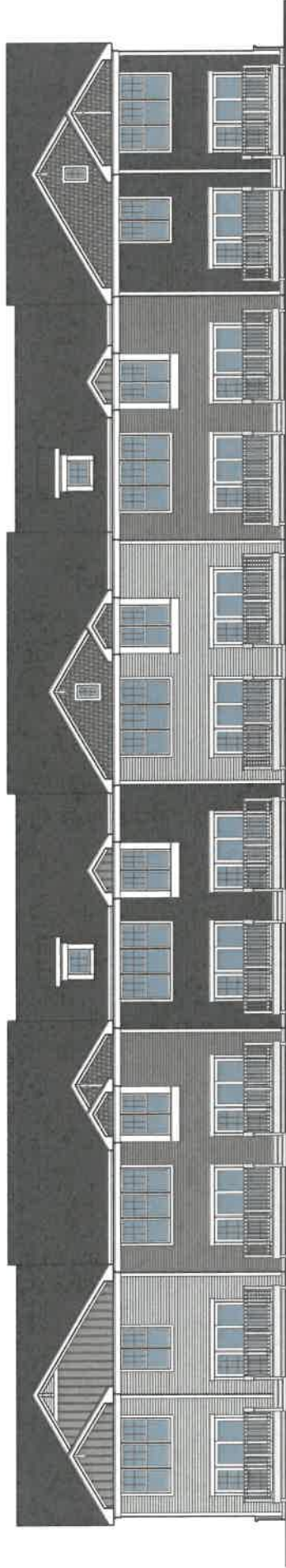
FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

NOVEMBER 6, 2020

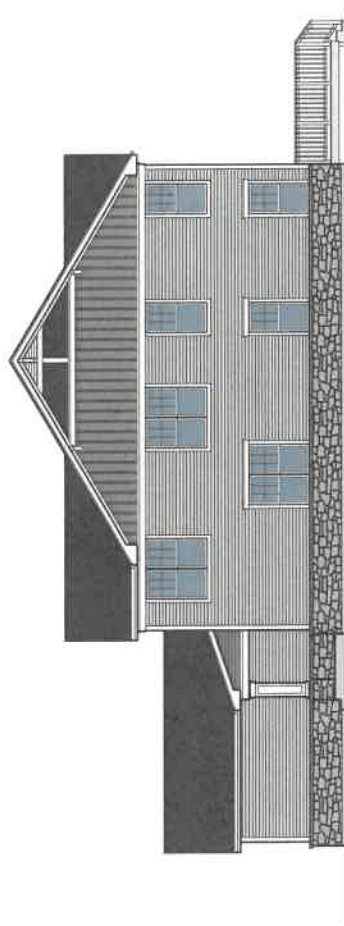
ARCHAMERICA JOB NO. 13116

### 6 Unit Building - Front Elevation





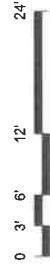
**Rear Elevation**



**End Elevation**

**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601

**6 Unit Building - Elevations**

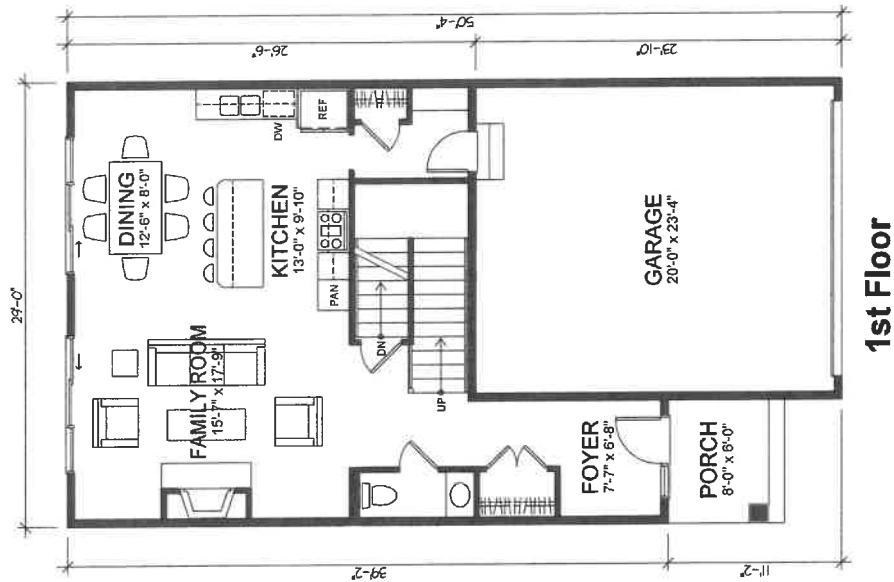
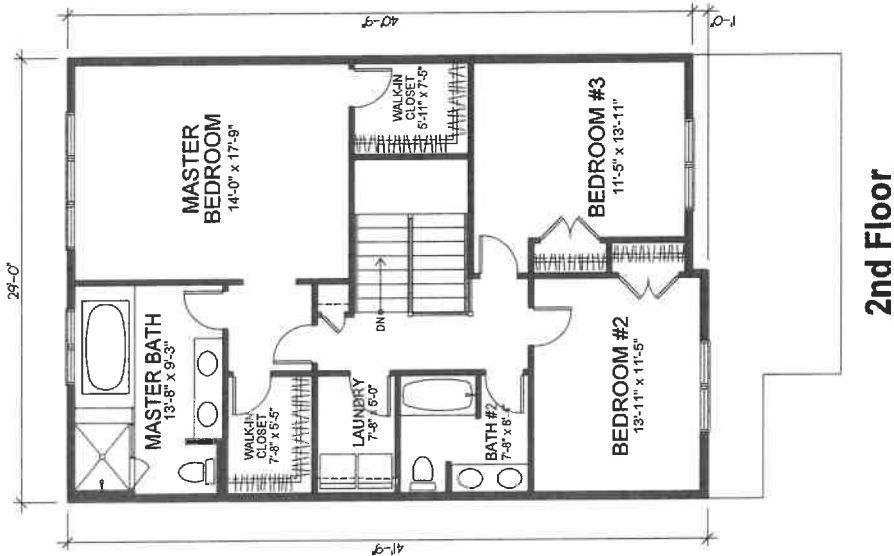


PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 NOVEMBER 6, 2020  
 ARCHAMERICA JOB NO. 19119



## **EXHIBIT F**

### **Preliminary Floor Plans**



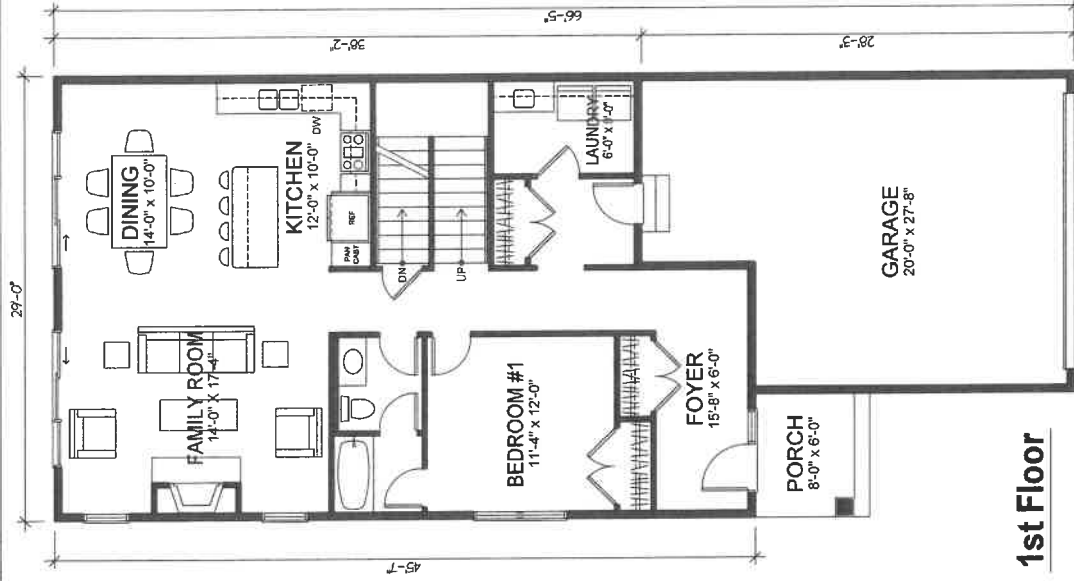
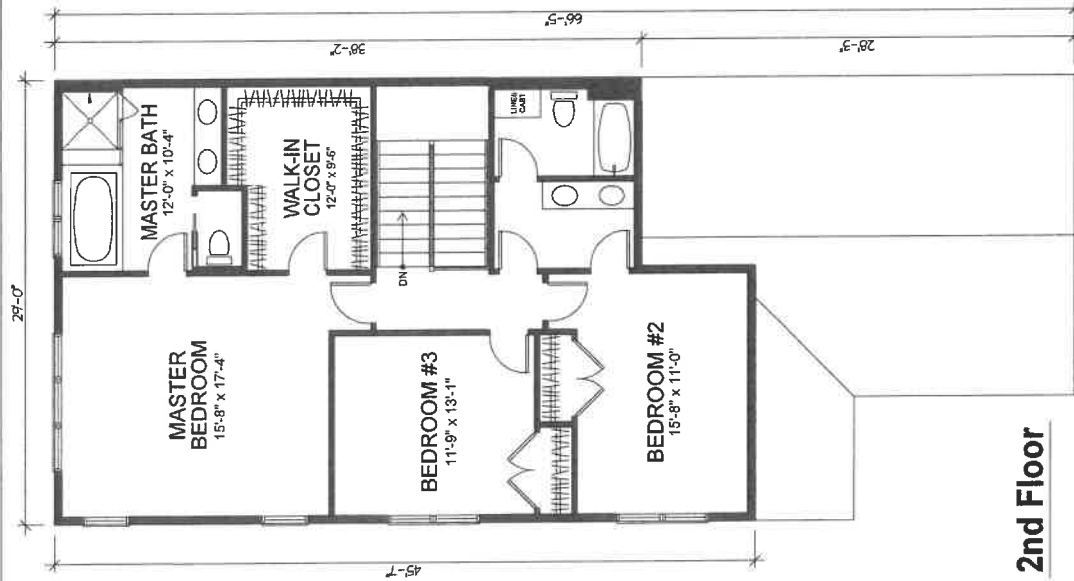
1st FLOOR	876 s.f.
2nd FLOOR	1,122 s.f.
2nd FLOOR	1,998
GARAGE	492 s.f.

**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Graylake, Illinois 60030  
 Phone 847-335-6600  
 Fax 847-335-6601

### 3 Bedroom Townhome



PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 SEPTEMBER 1, 2020  
 ARCHAMERICA JOB NO. 10118



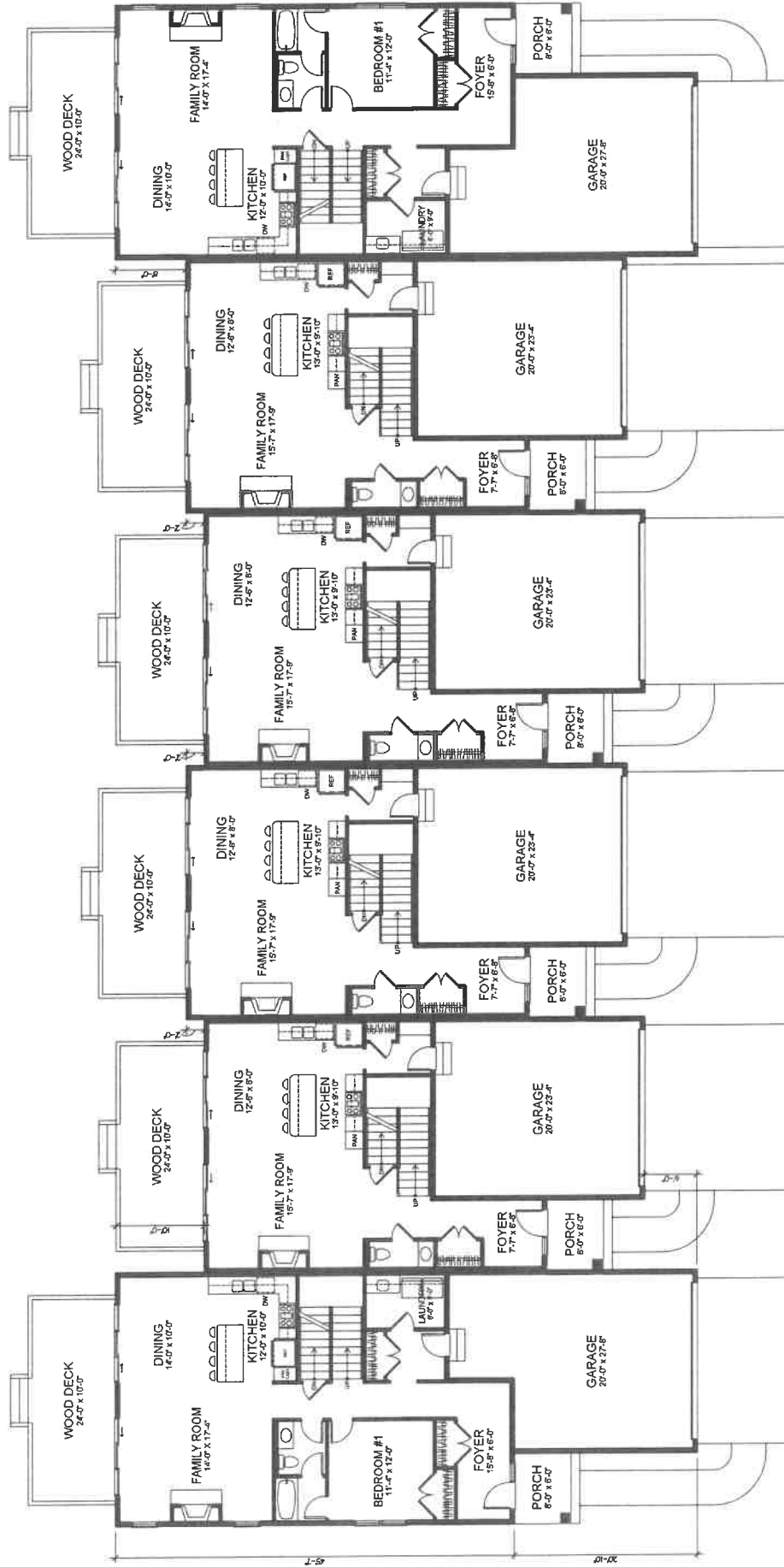
1st FLOOR	1,229 s.f.
2nd FLOOR	1,137 s.f.
2nd FLOOR	2,386 s.f.
GARAGE	527 s.f.

**ARCHAMERICA**  
 34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030  
 Phone 847-336-6600  
 Fax 847-336-6601

## 4 Bedroom Townhome



PROPOSED TOWNHOME DEVELOPMENT  
**Forest Ridge Townhomes**  
 FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS  
 SEPTEMBER 1, 2020  
 ARCHAMERICA JOB NO. 1716



PROPOSED TOWNHOME DEVELOPMENT

# Forest Ridge Townhomes

FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

SEPTEMBER 1, 2020

Revised for No. 1014

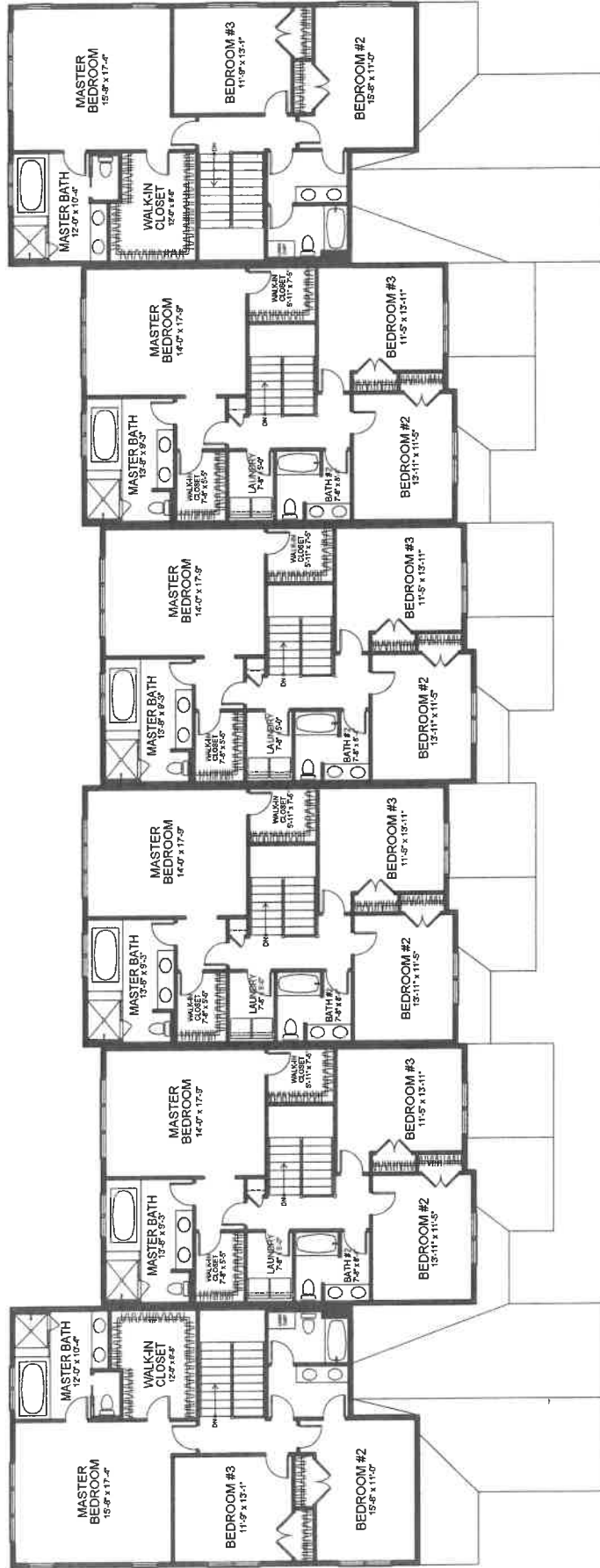
## 6 Unit Building - 1st Floor Plan

**ARCHAMERICA**

34121 N. US 45, Suite 213  
 Grayslake, Illinois 60030

Phone 847-336-6600  
 Fax 847-336-6601





PROPOSED TOWNHOME DEVELOPMENT

# Forest Ridge Townhomes

FOREST RIDGE & OAK STREET NORTH AURORA, ILLINOIS

SEPTEMBER 1, 2020  
 Addendum No. 10

## 6 Unit Building - 2nd Floor Plan



**ARCHAMERICA**

34121 N. US 45, Suite 213  
 Graylake, Illinois 60030

Phone 847-336-6600  
 Fax 847-336-6601

## **EXHIBIT G**

### **Plan Commission Recommendation**

**VILLAGE OF NORTH AURORA  
PLAN COMMISSION MEETING MINUTES  
SEPTEMBER 1, 2020**

**CALL TO ORDER**

Vice Chairperson Duncan called the meeting to order.

**ROLL CALL**

**In attendance:** Vice Chairperson Jennifer Duncan, Commissioners Anna Tuohy, Aaron Anderson, Tom Lenkart, Doug Botkin, Mark Bozik and Connie Holbrook

**Not in attendance:** Chairman Mike Brackett

**Staff in attendance:** Village Administrator Steve Bosco, Community & Economic Development Director Mike Toth and Information Technology Manager Dave Arndt

**APPROVAL OF MINUTES**

**1. Approval of Plan Commission Minutes dated March 3, 2020**

Motion for approval made by Commissioner Bozik and seconded by Commissioner Lenkart. All in favor.  
**Motion approved.**

**PUBLIC HEARING**

- 1. Petition #20-04 (38W229 Oak Street): The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:**
  - 1) Establishment of the R-3 General Residence District zoning
  - 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
  - 3) Site Plan Approval
  - 4) Preliminary Final Plat of Subdivision

Vice Chairperson Jennifer Duncan opened the public hearing.

Valerie Shoger, 1473 Hearthstone Lane, stated that she is concerned about the number of units in each building. At the April 15, 2019 meeting, it was stated that the proposed development would consist of luxury units. Shoger feels that the excessive number of units and decreased square footage does not appear to be luxurious and will not enhance the surrounding neighborhoods. She is concerned that there is not much staggering of the units and they give off a "building blocks" appearance.

Keely, (Zoom screen name), stated that she also has the same concerns as Shoger. She asked what the benefit is to connecting Hearthstone Lane to Forest Ridge Drive. Keely asked how the units can be advertised as luxury but still be reasonably priced. She stated that she is also concerned about the storm water and asked what the plan is for drainage.

Austin Curran, 1417 Hearthstone Lane, stated that he had similar concerns as the previous residents since it impacts their neighborhood more than any other. Curran asked why the Village is considering townhomes over single family residences. He is also concerned about water drainage in the area and would like to hear more about the retention pond that is proposed. Curran stated that he is concerned about how it will impact the value of homes in the area and how it could also lead to an increase of traffic.

Cheryl Stetter, resident in Windstone Place, stated that one of her biggest concerns is the impact of drainage. Stetter agrees with the other residents about the townhomes being classified as luxurious when they will be facing an empty field. She asked if they are planning on allowing renters since that deters away from the luxury feel.

Sonja Flores-Gomez, 87 Windstone Drive, stated that she has the same concerns as everyone else. Flores-Gomez believes that the number of units is excessive for such a small parcel of land. Reducing the number of units or adding a park should be considered. She is concerned that there is going to be a large increase of traffic and that drainage is going to become an issue.

The petitioner, Nick Lamagna, LMN Opportunities, Inc., responded to the concerns and questions of the residents in attendance. He stated that the layout of the townhomes cannot be avoided in order to accommodate drainage. The Comprehensive Plan for this particular area supports the development of townhomes, which is why the developer chose to pursue this route. Lamagna stated that the size of the townhome does not determine whether or not the units are luxurious. Rather, it's the façade, open floor plan, and the materials that create the luxury feel. Lamagna explained that the units will not be renter-occupied and will be buyer owned. There is a lack of premium quality homes in the area and they are hoping to fill that void.

Community and Economic Development Director Mike Toth, displayed an image from the Comprehensive Plan showing the parcel in which the townhomes will be located. He stated that there is an intergovernmental agreement with the Village of North Aurora and Kane County Department of Transportation for Oak Street in between Randall Road and Orchard Road, which does call for an intersection at Forest Ridge Drive. This is continued south to connect with Hearthstone Lane and to allow secondary access to the property.

Ray Sikkema, Webster, McGrath & Ahlberg, Ltd., discussed the drainage concerns brought up by the residents. He stated that the wetlands exist above the northern drainage basin on the property. Since the wetland is protected, unfortunately there is nothing that can be done for drainage for that particular portion of the property. Drainage will flow into the north detention basin and the overflow will then travel through the drain tile. Sikkema explained they will be improving drainage flow by incorporating a 12" storm sewer that will be connected to the existing drain tile. He stated that the units will be similar in height to the adjacent properties on Windstone.

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Vice Chairperson Jennifer Duncan opened the public hearing. There were no public comments. Jennifer Duncan then closed the public portion of the hearing.

## **NEW BUSINESS**

1. **Petition #20-04 (38W229 Oak Street):** The petitioner, LMN Opportunities, Inc., requests the following actions on the subject property:

- 1) Establishment of the R-3 General Residence District zoning



- 2) Special use to allow a Planned Unit Development with deviations from the Zoning Ordinance
- 3) Site Plan Approval
- 4) Preliminary Final Plat of Subdivision

Community and Economic Development Director Mike Toth stated that this item was previously presented to the Village Board on April 15, 2019 for a concept review only. At that time no action was taken and the project was favored by the Village Board. Since then, the petitioner has worked on the proposed development to get it where it is today. The 8.63 acre property is currently zoned as a Farming District in unincorporated Kane County. The applicant is proposing five (5) townhouse buildings, each consisting of six (6) units, and one (1) two-family dwelling. Toth stated that the comprehensive plan does recommend single-family attached dwellings for this area of land.

The petitioner is requesting that the property shall be zoned as R-3 General Residence District. At this time, a map amendment is not being pursued since the property has not been annexed into the Village. The property meets all of the bulk requirements for the R-3 General Residence District. Toth stated that the special use request is required since the property is greater than two (2) acres. There are two (2) deviations from the zoning code being requested for the development. The use standards in Chapter 11 of the Zoning Ordinance state that garages shall be rear or side loaded. Toth stated that the proposed development will be oriented towards the west (Forest Ridge Drive) and will therefore be front loaded garages. The deviation is supported to have the garages as front loaded in order to minimize the traffic to the east and keep everything on Forest Ridge Drive. Toth explained that parking is permitted on Forest Ridge Drive, but the larger driveways should accommodate more vehicles which will eliminate excessive parking on the street. The second deviation relates to onsite trees. Per the Zoning Ordinance, multi-family properties shall have one (1) tree per 500 square feet of lot area. Toth stated that the landscape plan represents a barrier to the east and also factors in drainage for the property. Deviations have been granted in the past for lot landscaping. Toth stated that there is a condition that the parkway trees will be of variety per the subdivision ordinance. Site plan approval is required for all townhome developments. Toth explained that the building footprints were included in order to allow the engineers to consider site detention and storm water management.

Toth acknowledged that staff recommends approval for the special use request based on the understanding that four (4) conditions are met. Any unit that has a side wall facing the street shall include a front façade in order to eliminate the appearance of blank walls. All site improvements shall be confined within the building footprints. Trees that meet a specific standard will be evaluated by the Village for preservation. Finally, all parkway tree species will be provided per the Subdivision Ordinance. Toth recommended an additional condition that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only.

Nick Lamagna stated that he has been working closely with Mike Toth and the Village of North Aurora in order to meet all criteria and guidelines set by the Village. He stated that the proposed townhomes will have a luxury appeal and will be comparable to the other multi-family developments in the area. Lamagna believes there is a shortage of luxury rentals in the area and stated that this development will provide people with a larger living space, especially in a time where many people are working from home. Matt Haylock, Archamerica, Inc., stated that they created a fresh looking façade with cooler hues of color. Various types of material are being used including stone along the base, cement board, and standing seam aluminum on the eaves, along with other textures and materials to create a contemporary appearance. Haylock described the interior of the townhomes, which include three (3) and four (4) bedroom units, both with an open concept. The units range from 2,000 – 2,400 square feet, depending on the number of bedrooms.

### **Plan Commission Comments:**

Commissioner Bozik stated that he shares concerns with the lack of on-street parking. He asked what the plan is for Outlot B, which is the cell tower. Bozik asked if anything will be done to make that area aesthetically pleasing. He stated that the location of the two-unit building seems awkward and suggests a single-family residence instead. Lamagna responded that the driveways had already been readjusted to accommodate the parking concerns. He stated that the cell tower will remain in the same location. Lamagna explained that the Comprehensive Plan called for attached homes, so the duplex made sense.

Toth stated that when a property is annexed into the Village, there are certain fees that are paid to the Village of North Aurora. When this development comes in, a fee will be paid that will go to the Park District and School District within North Aurora. Toth asked about the possibility of having a cul-de-sac installed and Sikkema responded that Fire Departments are not in favor of cul-de-sacs if longer than 1,000 feet, which would be the case for this development. Bozik stated that North Aurora's Fire District does not allow cul-de-sacs over 300 feet.

Commissioner Botkin stated that his questions had been answered and he had no further comments.

Commissioner Lenkart stated that the presentation was very thorough and thought the exterior looked nice. Lenkart asked if anyone has reached out to the property owner of the parcel to the west. Toth responded that he spoke to the property owner years ago and has not heard of any developments on the property. Toth stated that the west side of Forest Ridge Drive does not have sidewalks or parkway trees. This will be discussed during the hearing process. Lenkart stated that a four (4) bedroom townhome could potentially have multiple vehicles, which means cars could be parked all along the street, creating congestion. Sikkema responded that the driveways are 16' wide, which will accommodate for two (2) cars in the driveway and two (2) cars in the garage. Lenkart asked how wide the street was. Sikkema responded that the street from curb to curb is 28'. It will be tight, but there is room to accommodate traffic.

Toth reminded the Plan Commission that the engineering still has to go through final engineering, so this is not the final plan for the development.

Commissioner Holbrook stated that her questions had been answered and she had no further comments.

Commissioner Tuohy asked what the cost point will be for the units. Lamagna responded that they do not have the information right now due to the market changing with COVID-19. He stated that a ballpark range would be \$275,000 - \$325,000. Tuohy stated she shares the same concerns about parking and would like to have the concern looked into. She asked if a traffic study has been completed. Toth responded that it has not. He stated that there is a density formula in the subdivision ordinance that calculates the fees for developments. Based on the density formula, the townhomes could bring in 71 new residents. Toth indicated that staff would look into the road width of Forest Ridge Drive to see if this could be accommodating for parking concerns. Tuohy asked if there will be a sidewalk on the property. Toth responded there is one proposed on the eastern side of the property and along Oak Street. Tuohy asked if a crosswalk was being installed from the south side to the north side. Toth responded that the plan does not call for a crosswalk. Tuohy stated that children will be crossing the street to Jewel Middle School and it could be a hazard. Toth responded that a stop sign was installed at White Oak Drive to the east to help move pedestrians safely. Tuohy asked if there will be a Homeowners Association (HOA). Toth responded that there will be an HOA which will be included in the annexation agreement. Tuohy asked if garbage will be picked up at the end of the driveways. Lamagna responded yes. Tuohy stated she agrees that the front elevation makes it hard to differentiate one unit from the other. Lenkart stated that the development area has enough room to stagger the buildings so it creates more depth to the townhomes. Haylock responded that the buildings will be staggered 8' and the individual units are staggered 2' to 3'. Tuohy stated she had no more questions.

Commissioner Anderson asked how long LMN Opportunities has been in business and how many projects have been completed similar to this. Jared Osmond, LMN Opportunities, responded that he has completed many projects in the area, including townhome developments. Lamagna stated they use different entities for their developments and collectively, they have over 50 years of experience. Anderson asked if financing has been secured for the project. Osmond responded that they have the money secured for the development. Anderson asked if there are turn lanes coming off of Oak Street. Toth responded there will be a turn lane into the property both east and west bound. Toth asked if there will be a decelerated lane for people turning right into the property going eastbound. Sikkema responded that there currently is not one being proposed, but it could be looked into if necessary.

Bozik asked how they will accommodate on-street parking. Toth responded that staff recommended the proposed layout of the townhomes, since it would make the most sense for traffic. He explained that staff will look into the width of Forest Ridge Drive.

Toth recommended that the fifth condition be added for the special use approval which would state that the entrance to Hearthstone Lane be blocked off during construction and that it be used for emergency purposes only. Bozik recommended a sixth condition to add fencing around the cell tower.

Motion for approval for the establishment of the R-3 General Residence District zoning made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – Yes. **Motion approved.**

Motion for approval of the special use to allow a Planned Unit Development with deviations from the Zoning Ordinance with the two (2) conditions being added, for a total of six (6) conditions, made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

Motion for approval of the site plan made by Commissioner Lenkart and seconded by Commissioner Botkin. Vote: Tuohy – Yes, Holbrook – Yes, Anderson – Yes, Bozik – No. **Motion approved.**

Motion for approval of the preliminary final plat of subdivision made by Commissioner Lenkart and seconded by Commissioner Holbrook. Vote: Tuohy – Yes, Anderson – Yes, Bozik – No, Botkin – Yes. **Motion approved.**

2. **Petition #20-05:** The petitioner, Derek Knuth, requests an amendment to the Zoning Ordinance to allow Motor Vehicle Repair and/or Service as a permitted use in the I-1 Limited Industrial District.

Mike Toth presented the background information on the petition. Toth stated that the property at 119 Butterfield is located in the I-1 District and is the location of the former Backyard Builders business. The motor vehicle repair business is operating under a temporary use Ordinance that was granted by the Village Board as the zoning wasn't approved when they moved onto the property. Toth then explained the various zoning options afforded to the business operator. The business operator chose to go through the text amendment. Establishing the use as a permitted use would allow them greater flexibility if they one day owned the property. Toth then when through the various I-1 District properties in the Village. The motor repair use is quasi-commercial/industrial. Toth then listed the classification status of the use in other zoning districts. Toth stated that he did not advise that the business operator pursue the rezoning of the property, but could support the text amendment as the use is commercial in nature. Toth noted the three (3) use standards included in the Zoning Ordinance, which would still apply if the use was a permitted use.

The petitioner, Derek Knuth, stated that he is the owner of Red's Garage. He stated that he wants this property to be his 'forever home' and eventually would like to purchase the property.

**Plan Commission Comments:**

Commissioner Tuohy asked about internal site circulation. Knuth responded, there is an access drive located next to the building. Tuohy asked about chemical removal. Knuth stated that they have a company that comes to remove the chemicals.

Toth reminded the Plan Commission that the petition is not a special use and the motor vehicle repair use would become a permitted use on all I-1 District properties.

Commissioner Lenkart asked about the hours of operations. Knuth responded, Monday through Friday 8:00 a.m. – 6:00 p.m. and Saturday 8:00 a.m. - noon. Lenkart then mentioned the previous Walmart petition and how they made them move the auto repair from the east side of the building to the west side of the building to keep it away from the townhomes. He then asked how the noise will be kept low. Knuth responded, all work will be inside and the lifts are located on the other side of the building. The doors will also remain closed. Lenkart asked about the north end of the property. Knuth responded, that area is gravel. Lenkart stated that he wouldn't want any storage there. Toth mentioned that the use has to operate inside and the area to the north is a deteriorated limestone. Parking would be prohibited there unless they were to install asphalt or concrete. Lenkart stated that noise travels and he doesn't want to inconvenience the neighbors. Vice Chairperson Duncan mentioned that the property is an industrial property.

Commissioner Anderson asked about the \$4,300 filing fee. He asked if there was a way to lower that fee. Toth responded, \$4,000 is an escrow deposit and the filing fee is \$300. The petitioner was only asked to deposit \$1,000 into an escrow account.

Commissioner Bozik stated they've done nice improvements and welcomed them to town.

Motion for approval of the special use made by Commissioner Bozik and seconded by Commissioner Anderson. Vote: Tuohy – Yes, Holbrook – Yes, Lenkart – Yes, Botkin – Yes. **Motion approved.**

**OLD BUSINESS** – None

**PLAN COMMISSIONER COMMENTS AND PROJECT UPDATES**

Mike Toth noted the two items for the October 6<sup>th</sup> Plan Commission agenda. Those items include a new restaurant in Orchard Commons and a craft cannabis growing facility on South Street. Commissioner Tuohy asked about the mixed use building at Randall Crossing. Toth stated that the foundation is in and some of the underground plumbing work has been completed on that project. Toth then gave a brief update on the North Aurora Smiles project.

**ADJOURNMENT**

Motion to adjourn made by Commissioner Lenkart and seconded by Commissioner Bozik. All in favor. **Motion approved.**

Respectfully Submitted,



Natalie Stevens  
Acting Village Clerk



# Memorandum

**To:** Village President and Village Board of Trustees

**Cc:** Steve Bosco, Village Administrator

**From:** Natalie Stevens, Executive Assistant

**Date:** June 2, 2021

**Re:** My Place Hotel Special Event Permit Application

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Attached is a Special Event Registration form submitted by Laura Burke on behalf of the NA Lodging dba My Place Hotel, 1000 Kilbery Lane, North Aurora, seeking a special event permit from the Village of North Aurora.

The event will take place on Saturday, July 17, from 6:00 pm to 11:00 pm in the parking lot of My Place Hotel, please see the attached map. The event requires a special event permit due to the fact alcohol will be served and the event will be using sound amplification equipment until 11:00 pm, which is one hour after the allowed 10:00 pm without a special event permit.

The special event permit application has been submitted; however, the appropriate Certificate of Insurance has yet to be received. The Board can still approve this special event permit dependent upon receiving said Certificate of Insurance before the event.



VILLAGE OF  
**NORTH  
AURORA**  
Crossroads on the Fox

25 East State Street, North Aurora, IL 60542  
P: 630.897.8228 F: 630.897.8258  
[www.northaurora.org](http://www.northaurora.org)

## SPECIAL EVENT PERMIT APPLICATION

**THIS FORM MUST BE COMPLETED IN FULL & SUBMITTED ONE WEEK PRIOR TO THE NEXT SCHEDULED VILLAGE BOARD MEETING TO THE ATTENTION OF THE VILLAGE ADMINISTRATOR**

**Please note:** Block Parties require a separate Block Party Permit be obtained through the North Aurora Police Department. Parades or carnivals require a separate permit be obtained through the Village Administrator's office

Application Date: 5-26-2021

Name of Event: Grand Opening Tapville My Place Hotel

Type of Event: ☐ Festival ☒ Grand Opening ☐ Backyard Party ☐ Other

Location of Event: My Place Hotel 1000 Kilberry Ln North Aurora

Date(s) of Event: SAT JULY 17<sup>th</sup> Hours of Event: 6 to 11pm

Event / Organization Website (if applicable): \_\_\_\_\_

Purpose of the event: grand opening to kick off hotel + tapville inside hotel

Name of sponsoring organization (if applicable): NA Lodging  
(List the organization's legal status, i.e. Partnership, Corporation, LLC, etc.) Non-for-profit: Yes ☐ No ☒

Contact person: Laura Burke

Contact person address: 564 S. Washington St Ste 200

City: Naperville State: IL Zip: 60540

Office Home Phone: 630-364-7316 Cell Phone: [REDACTED] E-mail: \_\_\_\_\_

Organization address: Same as above

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: Livemusic

Will you be using speakers and/or sound equipment at your event? ☒ YES ☐ NO Band

If yes, you must adhere to the Village of North Aurora Noise Ordinance (the North Aurora Noise Ordinance, Title 8, Chapter 8.2 of the Municipal Code is available on-line at [www.vil.north-aurora.il.us](http://www.vil.north-aurora.il.us))

Will alcohol be sold at your event? ☒ YES ☐ NO (Hotel has a liquor license)

If yes, you must submit a completed **Special Event Liquor License Application** prior to the event for approval. Please contact the Village Administrator for details on obtaining a Special Events Liquor License.

tent 20 x 40



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[www.northaurora.org](http://www.northaurora.org)

Will you serve food at your event? ☐ YES ☒ NO

*If yes, Kane County Health Dept. requirements must be met. Kane County Health Dept. 1240 N Highland Ave, Aurora, IL 60506 - (630) 208-3801 [www.kanehealth.com](http://www.kanehealth.com)*

Does your event include the use of a tent or an inflatable device over 400 square feet? ☒ YES ☐ NO

*If yes, approval from the North Aurora Fire Protection District may be required for non-residential events North Aurora Fire District, 2 Monroe St, North Aurora, IL 60542 - (630) 897-9698 <http://www.nafd.org>*

Upon submitting a completed and signed application along with all required documentation, Village staff will review the application. The Village Administrator will notify you if the event has been approved. **Please do not assume that all aspects of the event will be approved; you may be asked to make some changes to your plan based on the availability of services and scheduling of other events.**

The Village of North Aurora reserves the right to cancel any event at any time for reasons deemed necessary by the Village Board of Trustees.

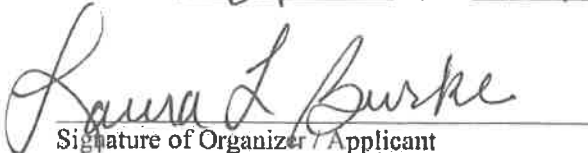
**Submit All COMPLETED Applications to:**

Village of North Aurora  
Attn: Steve Bosco, Village Administrator  
25 E. State St.  
North Aurora, IL 60542  
Phone: (630) 897-8228, ext. 233  
Fax: (630) 897-8258  
[sbosco@northaurora.org](mailto:sbosco@northaurora.org)

The person(s) having executed this application states the information set forth herein is true and correct to the best of his/her/their knowledge and belief.

The undersigned hereby makes application for a Special Events Permit pursuant to the provisions of the North Aurora Village Code in the Village of North Aurora, County of Kane, Illinois and all amendments thereto now in force and effect. The undersigned further acknowledges that he/she/they have read, understand, and will obey the provisions of the North Aurora Village Code as pertaining to this application and subsequent applications.

Dated this 26 day of May, 20 21

  
Signature of Organizer / Applicant





25 East State Street, North Aurora, IL 60542  
P: 630.897.8228 F: 630.897.8258  
www.northaurora.org

### HOLD HARMLESS RELEASE

The Village of North Aurora is not responsible for any accidents or damages to persons or property resulting from a special event; the event coordinator for the sponsoring organization is responsible for ensuring that the organization, event participants and spectators abide by all above conditions, ordinances, village codes and requirements.

The applicant agrees that it will indemnify, hold harmless and defend the Village of North Aurora, its agents, officials, and employees, for and against all injuries, deaths, losses, damages, claims, suits, liabilities, judgments, costs and expenses, including reasonable attorney fees, arising from or in any way related to the organizer's event.

I have the authority from my organization to sign and submit this application on their behalf. I agree to inform the Village of North Aurora of any changes in the application at least 10 days prior to the event. I agree to the terms and conditions listed above.

My Place Hotel

Name of Organizer / Applicant (please print)

Laura L Burke

Signature of Organizer / Applicant

Event coordinator

5.26.2021

Date





\$100 fee

**APPLICATION FOR RESTRICTED TEMPORARY SPECIAL EVENTS LIQUOR PERMIT**

**Special Event Liquor License Class I- 3** Application Date: \_\_\_\_\_

(Non-Profit- I-1 - fee \$50; Non-Profit Outdoor - I-2 - fee \$50; Retail Special Event - I-3 - fee \$50-100)

Name of Organization: My Place Hotel

Date(s) of Event July 17th 2021 Non-for-profit: Yes \_\_\_\_\_ No ☒

Name of Applicant / Contact Person: Laura Burke / Julie Schwarz

Applicant Address: 564 S-WASHINGTON ST STE 200

Applicant: [Redacted] Cell: [Redacted] Email: [Redacted]

Description of Event: Grand opening

Address / Location where Liquor will be served and consumed in conjunction with this event:

1000 Kilbery Ln North Aurora

Hours Liquor will be distributed 6 - 11:00pm  
(Hours limited to Sunday through Thursday - 10:00 a.m. to 11:00 p.m. and Friday and Saturday 10:00 a.m. to 12:00 a.m. midnight)

No person may serve alcoholic liquor pursuant to a special events liquor licensee unless at least one person is present at all times who has been through training approved by the State of Illinois as provided in Section 5.08.365 of the village code, within the last thirty six (36) months. The applicant or designated person has attended and been certified by a BASSET, TAMS or TIPS program licensed by the State of Illinois Liquor Commission within the last 36 months: Yes ☒ No \_\_\_\_\_

Applicant must provide a **Certificate of Insurance** as evidence of liability and dram shop insurance coverage for both the licensee and the owner of the premises where the alcoholic liquor is to be sold. Insurance coverage in the amount of \$1,000,000 is required.

The Person having executed this application being first Duly Sworn on Oath, states that the information set forth herein is true and correct and that they will abide by all Village ordinances.

Signature of Applicant: [Signature] Date: 5/27/2021

Subscribed and sworn to before me this 27 day of May

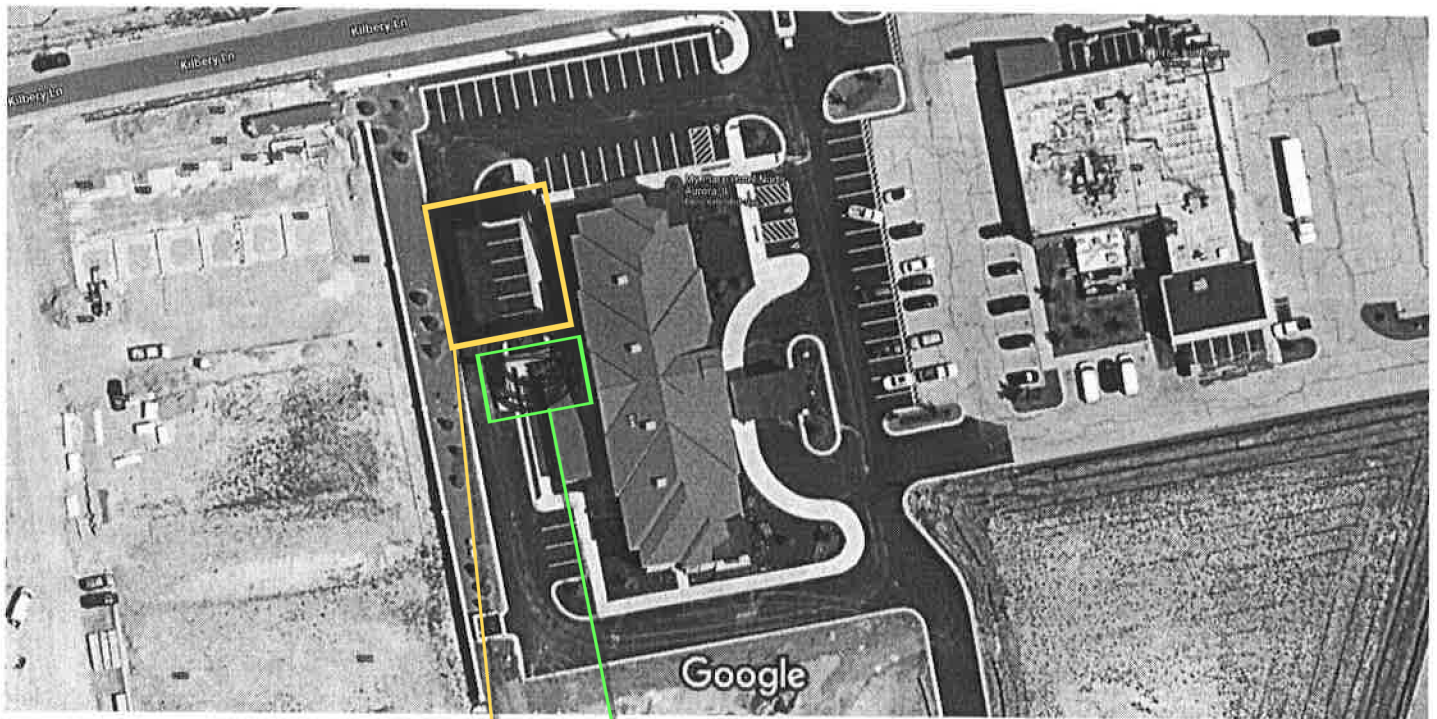
Deborah A Stapleton  
Notary Public



Application approval and issuance of this temporary liquor permit are contingent upon applicant's compliance of North Aurora Municipal Code Chapter 5.08 and all supplemental ordinances pertaining to liquor in the Village of North Aurora.

Temporary Liquor Permit Approved \_\_\_\_\_ Date Approved \_\_\_\_\_

# Google Maps



Imagery ©2021 U.S. Geological Survey, Map data ©2021 20 ft

tent  
111gwr pop up  
enclosed white border  
111gwr pop up



# Memorandum

**To:** Village President and Village Board of Trustees  
**Cc:** Steve Bosco, Village Administrator  
**From:** Natalie Stevens, Executive Assistant  
**Date:** June 2, 2021  
**Re:** Wedding Reception Event on Village-Owned Property

---

Attached is a Special Event Permit Application form submitted by Hannah Isiminger of 301 Long Avenue, North Aurora, seeking a special event permit from the Village of North Aurora.

The event will take place on September 10, 2021, from 2pm to 8pm partially on the Village's property of a right-of-way next to the requester's address of 301 Long Avenue. The event requires a Special Events permit because they plan to use part of the Village's right-of-way.

The special event permit application as well as all necessary documents have been submitted.



## SPECIAL EVENT PERMIT APPLICATION

**THIS FORM MUST BE COMPLETED IN FULL & SUBMITTED ONE WEEK PRIOR TO THE NEXT SCHEDULED VILLAGE BOARD MEETING TO THE ATTENTION OF THE VILLAGE ADMINISTRATOR**

**Please note:** Block Parties require a separate Block Party Permit be obtained through the North Aurora Police Department. Parades or carnivals require a separate permit be obtained through the Village Administrator's office

Application Date: 5/11/21  
Name of Event: wedding reception  
Type of Event: ☐ Festival ☐ Grand Opening ☒ Backyard Party ☐ Other  
Location of Event: 301 Long Ave + Easement Adjacent  
Date(s) of Event: 9/10/21 Hours of Event: 2pm to 8pm  
Event / Organization Website (if applicable): N/A  
Purpose of the event: celebrate wedding

Name of sponsoring organization (if applicable): N/A  
(List the organization's legal status, i.e. Partnership, Corporation, LLC, etc.) Non-for-profit: Yes ☐ No ☐

Contact person: Hannah Isiminger or Joshua Cleveland

Contact person address: 301 Long Ave

City: North Aurora State: IL Zip: 60542

Home Phone: N/A Cell Phone: [REDACTED] E-mail: [REDACTED]

Organization address: N/A

City:  State:  Zip:  Phone:

Will you be using speakers and/or sound equipment at your event? ☐ YES ☒ NO

If yes, you must adhere to the Village of North Aurora Noise Ordinance (the North Aurora Noise Ordinance, Title 8, Chapter 8.2 of the Municipal Code is available on-line at [www.vil.north-aurora.il.us](http://www.vil.north-aurora.il.us))

Will alcohol be sold at your event? ☐ YES ☒ NO

If yes, you must submit a completed **Special Event Liquor License Application** prior to the event for approval. Please contact the Village Administrator for details on obtaining a Special Events Liquor License.



25 East State Street, North Aurora, IL 60542  
P: 630.897.8228 F: 630.897.8258  
[www.northaurora.org](http://www.northaurora.org)

Will you serve food at your event? X YES \_\_\_\_ NO

*If yes, Kane County Health Dept. requirements must be met. Kane County Health Dept. 1240 N Highland Ave, Aurora, IL 60506 - (630) 208-3801 [www.kanehealth.com](http://www.kanehealth.com)*

Does your event include the use of a tent or an inflatable device over 400 square feet? X YES \_\_\_\_ NO

*If yes, approval from the North Aurora Fire Protection District may be required for non-residential events North Aurora Fire District, 2 Monroe St, North Aurora, IL 60542 - (630) 897-9698 <http://www.nafid.org>*

Upon submitting a completed and signed application along with all required documentation, Village staff will review the application. The Village Administrator will notify you if the event has been approved. **Please do not assume that all aspects of the event will be approved; you may be asked to make some changes to your plan based on the availability of services and scheduling of other events.**

The Village of North Aurora reserves the right to cancel any event at any time for reasons deemed necessary by the Village Board of Trustees.

**Submit All COMPLETED Applications to:**

**Village of North Aurora  
Attn: Steve Bosco, Village Administrator  
25 E. State St.  
North Aurora, IL 60542  
Phone: (630) 897-8228, ext. 233  
Fax: (630) 897-8258  
[sbosco@northaurora.org](mailto:sbosco@northaurora.org)**

The person(s) having executed this application states the information set forth herein is true and correct to the best of his/her/their knowledge and belief.

The undersigned hereby makes application for a Special Events Permit pursuant to the provisions of the North Aurora Village Code in the Village of North Aurora, County of Kane, Illinois and all amendments thereto now in force and effect. The undersigned further acknowledges that he/she/they have read, understand, and will obey the provisions of the North Aurora Village Code as pertaining to this application and subsequent applications.

Dated this 11 day of May, 20 21

Signature of Organizer / Applicant





25 East State Street, North Aurora, IL 60542  
P: 630.897.8228 F: 630.897.8258  
www.northaurora.org

### HOLD HARMLESS RELEASE

The Village of North Aurora is not responsible for any accidents or damages to persons or property resulting from a special event; the event coordinator for the sponsoring organization is responsible for ensuring that the organization, event participants and spectators abide by all above conditions, ordinances, village codes and requirements.

The applicant agrees that it will indemnify, hold harmless and defend the Village of North Aurora, its agents, officials, and employees, for and against all injuries, deaths, losses, damages, claims, suits, liabilities, judgments, costs and expenses, including reasonable attorney fees, arising from or in any way related to the organizer's event.

I have the authority from my organization to sign and submit this application on their behalf. I agree to inform the Village of North Aurora of any changes in the application at least 10 days prior to the event. I agree to the terms and conditions listed above.

Hannah Isiminger  
Name of Organizer / Applicant (please print)

[Signature]  
Signature of Organizer / Applicant

5/28/21  
Date



Image capture: Oct 2018 © 2021 Google

North Aurora, Illinois



Street View





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
05/26/2021


THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> HCC Specialty 401 Edgewater Place, Suite 400 Wakefield, MA 01880	<b>CONTACT</b> NAME: PHONE (A/C No, Ext): FAX (A/C, No): E-MAIL: ADDRESS: PRODUCER CUSTOMER ID #:																					
<b>INSURED</b> William & Ruth Isiminger 301 N Long Ave North Aurora, IL 60542	<table border="1"><thead><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr></thead><tbody><tr><td>INSURER A :</td><td>U.S. Specialty Insurance Company</td><td>29599</td></tr><tr><td>INSURER B :</td><td>United States Fire Insurance Company</td><td>21113</td></tr><tr><td>INSURER C :</td><td></td><td></td></tr><tr><td>INSURER D :</td><td></td><td></td></tr><tr><td>INSURER E :</td><td></td><td></td></tr><tr><td>INSURER F :</td><td></td><td></td></tr></tbody></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A :	U.S. Specialty Insurance Company	29599	INSURER B :	United States Fire Insurance Company	21113	INSURER C :			INSURER D :			INSURER E :			INSURER F :		
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COVERAGES		CERTIFICATE NUMBER:		REVISION NUMBER:			
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.							
INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Host Liquor	X		U333140783	05/27/2021	09/13/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000
B	<input checked="" type="checkbox"/> Medical Expense GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC			US01291359	05/27/2021	09/13/2021	GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <b>DEDUCTIBLE</b> <b>RETENTION</b> \$						EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS OTH - ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

<b>DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)</b> The Certificate Holder is added as Additional Insured with respects to our Insured's operations only. This insurance is primary and non-contributory as required by written contract. This coverage is with respect to Hannah Isiminger & Joshua Cleveland Wedding Reception event to be held 09/10/2021 - 09/10/2021 at William & Ruth Isiminger's home North Aurora IL.
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<b>CERTIFICATE HOLDER</b> Village of North Aurora 25 E State St North Aurora, IL 60542	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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# Memorandum



**To:** Village President and Village Board of Trustees

**Cc:** Steve Bosco, Village Administrator

**From:** Natalie Stevens, Executive Assistant

**Date:** June 1, 2021

**Re:** NOARDA Rhythm on the Riverfront Special Events Permit  
Application and Liquor in the Park Request

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The North Aurora River District Alliance (NOARDA) holds their Rhythm on the Riverfront summer concert/movie series in North Aurora Riverfront Park on an annual basis. The Rhythm on the Riverfront summer concert/movie series includes utilizing the gazebo in North Aurora Riverfront Park the fourth Thursday of June and July and the second Thursday of August; please see the attached special event permit applications for further details. The Village has supported these events in the past, as a partner of NOARDA, to encourage people to visit areas along the Fox River in the Village.

NOARDA has indicated that they would like people attending each concert to have a BYOB (bring you own beer/bottle) option. Should the Village Board allow liquor in North Aurora Riverfront Park, which has been allowed at past NOARDA events, the Village can allow BYOB as an option by passing a resolution stating that an event is sponsored by the Village. As such, attached is an application for use of North Aurora Riverfront Park from NOARDA for the Rhythm on the Riverfront summer concert/movie series. Also attached is a resolution designating the concert/movie series as a Village sponsored event where BYOB will be allowed for each of the three events.

If approved, staff will work to have signage in the park designating where liquor is allowed.



VILLAGE OF  
**NORTH  
AURORA**  
Crossroads on the Fox

25 East State Street, North Aurora, IL 60542  
P: 630.897.8228 F: 630.897.8258  
[www.northaurora.org](http://www.northaurora.org)

## SPECIAL EVENT PERMIT APPLICATION

**THIS FORM MUST BE COMPLETED IN FULL & SUBMITTED ONE WEEK PRIOR TO THE NEXT SCHEDULED VILLAGE BOARD MEETING TO THE ATTENTION OF THE VILLAGE ADMINISTRATOR**

**Please note:** Block Parties require a separate Block Party Permit be obtained through the North Aurora Police Department. Parades or carnivals require a separate permit be obtained through the Village Administrator's office

Application Date: 5/25/21

Name of Event: Rhythm on the Riverfront

Type of Event: ☐ Festival ☐ Grand Opening ☐ Backyard Party ☒ Other

Location of Event: Riverfront Park

Date(s) of Event: 6/24/21 + 7/22/21 Hours of Event: 6pm to 9pm

Event / Organization Website (if applicable): \_\_\_\_\_

Purpose of the event: To bring a few hours of joy to residents of North Aurora through music. Free Public Event.

Name of sponsoring organization (if applicable): NOARDA  
(List the organization's legal status, i.e. Partnership, Corporation, LLC, etc.) Non-for-profit: Yes ☒ No ☐

Contact person: Jessica Watkins

Contact person address: 4 N. Grace St.

City: North Aurora State: IL Zip: 60542

Home Phone: \_\_\_\_\_ Cell Phone: [REDACTED] E-mail: [REDACTED]

Organization address: 25 E. State St.

City: North Aurora State: IL Zip: 60542 Phone: \_\_\_\_\_

Will you be using speakers and/or sound equipment at your event? ☒ YES ☐ NO

If yes, you must adhere to the Village of North Aurora Noise Ordinance (the North Aurora Noise Ordinance, Title 8, Chapter 8.2 of the Municipal Code is available on-line at [www.vil.north-aurora.il.us](http://www.vil.north-aurora.il.us))

Will alcohol be sold at your event? ☐ YES ☐ NO

If yes, you must submit a completed **Special Event Liquor License Application** prior to the event for approval. Please contact the Village Administrator for details on obtaining a Special Events Liquor License.



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[www.northaurora.org](http://www.northaurora.org)

Will you serve food at your event? \_\_\_\_ YES ☒ NO

*If yes, Kane County Health Dept. requirements must be met. Kane County Health Dept. 1240 N Highland Ave, Aurora, IL 60506 - (630) 208-3801 [www.kanehealth.com](http://www.kanehealth.com)*

Does your event include the use of a tent or an inflatable device over 400 square feet? \_\_\_\_ YES ☒ NO

*If yes, approval from the North Aurora Fire Protection District may be required for non-residential events North Aurora Fire District, 2 Monroe St, North Aurora, IL 60542 - (630) 897-9698 <http://www.nafd.org>*

Upon submitting a completed and signed application along with all required documentation, Village staff will review the application. The Village Administrator will notify you if the event has been approved. **Please do not assume that all aspects of the event will be approved; you may be asked to make some changes to your plan based on the availability of services and scheduling of other events.**

The Village of North Aurora reserves the right to cancel any event at any time for reasons deemed necessary by the Village Board of Trustees.

**Submit All COMPLETED Applications to:**

Village of North Aurora  
Attn: Steve Bosco, Village Administrator  
25 E. State St.  
North Aurora, IL 60542  
Phone: (630) 897-8228, ext. 233  
Fax: (630) 897-8258  
[sbosco@northaurora.org](mailto:sbosco@northaurora.org)

The person(s) having executed this application states the information set forth herein is true and correct to the best of his/her/their knowledge and belief.

The undersigned hereby makes application for a Special Events Permit pursuant to the provisions of the North Aurora Village Code in the Village of North Aurora, County of Kane, Illinois and all amendments thereto now in force and effect. The undersigned further acknowledges that he/she/they have read, understand, and will obey the provisions of the North Aurora Village Code as pertaining to this application and subsequent applications.

Dated this 25<sup>th</sup> day of May, 20 21

Signature of Organizer / Applicant



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Application Date: 5/25/21  
Name of Event: Rhythm on the Riverfront Movie Night  
Type of Event: ☐ Festival ☐ Grand Opening ☐ Backyard Party ☒ Other  
Location of Event: Riverfront Park  
Date(s) of Event: 8/12/21 Hours of Event: 7 pm to 11 pm  
Event / Organization Website (if applicable): \_\_\_\_\_  
Purpose of the event: Viewing of TBD movie. Free public event.  
Name of sponsoring organization (if applicable): NOARDA  
(List the organization's legal status, i.e. Partnership, Corporation, LLC, etc.) Non-for-profit: Yes ☒ No ☐  
Contact person: Jessica Watkins  
Contact person address: 4 N. Grace St.  
City: North Aurora State: IL Zip: 60542  
Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Organization address: 25 E. State St.  
City: North Aurora State: IL Zip: 60542 Phone: \_\_\_\_\_  
Will you be using speakers and/or sound equipment at your event? ☒ YES ☐ NO

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The person(s) having executed this application states the information set forth herein is true and correct to the best of his/her/their knowledge and belief.

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Dated this 25<sup>th</sup> day of May, 2021

\_\_\_\_\_  
Signature of Organizer / Applicant



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### HOLD HARMLESS RELEASE

The Village of North Aurora is not responsible for any accidents or damages to persons or property resulting from a special event; the event coordinator for the sponsoring organization is responsible for ensuring that the organization, event participants and spectators abide by all above conditions, ordinances, village codes and requirements.

The applicant agrees that it will indemnify, hold harmless and defend the Village of North Aurora, its agents, officials, and employees, for and against all injuries, deaths, losses, damages, claims, suits, liabilities, judgments, costs and expenses, including reasonable attorney fees, arising from or in any way related to the organizer's event.

I have the authority from my organization to sign and submit this application on their behalf. I agree to inform the Village of North Aurora of any changes in the application at least 10 days prior to the event. I agree to the terms and conditions listed above.

Jessica Watkins

Name of Organizer / Applicant (please print)

[Signature]

Signature of Organizer / Applicant

5/25/21

Date

**VILLAGE OF NORTH AURORA**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION DESIGNATING THE NORTH AURORA RIVER DISTRICT ALLIANCE'S RHYTHM ON THE RIVERFRONT SUMMER CONCERT/MOVIE SERIES A VILLAGE SPONSORED EVENT AND ALLOWING THE CONSUMPTION OF LIQUOR IN NORTH AURORA RIVERFRONT PARK**

**WHEREAS**, the Village of North Aurora owns North Aurora Riverfront Park and utilizes the park for Village sponsored events, among other things; and

**WHEREAS**, the Village has the authority under North Aurora Code Title 5, Chapter 5.08, Section 5.08.135.B to allow liquor in Riverfront Park for Village sponsored events pursuant to conditions and limitations established by the Board from time to time; and

**WHEREAS**, the Village of North Aurora partners with the North Aurora River District Alliance (NOARDA) on projects and community events to bring people to the areas along the Fox River in North Aurora; and

**WHEREAS**, NOARDA would like to host their annual summer concert/movie series , "Rhythm on the Riverfront" in North Aurora Riverfront Park on June 24, July 22 and August 12, 2021 from 6:00 p.m. to 11:00 p.m. and any subsequent rain dates as decided by Village staff; and

**WHEREAS**, NOARDA has indicated that they would like patrons attending the Rhythm on the Riverfront Concert/Movie Series to have the ability to be able to bring their own liquor in North Aurora Riverfront Park for consumption on premises; and

**WHEREAS**, the Village approved an ordinance that allows the sale, possession and/or consumption of liquor on Village property under certain conditions and circumstances in North Aurora Riverfront Park for Village sponsored events/series of events; and

**NOW, THEREFORE, BE IT RESOLVED** by the Village President and Board of Trustees of the Village of North Aurora as follows:

Section 1. The NOARDA Rhythm on the Riverfront concert/movie series taking place in North Aurora Riverfront Park on June 24, July 22 and August 12, 2021 are designated as a Village sponsored series of events and any subsequent rain dates as decided by Village staff.

Section 2. Liquor shall be allowed to be brought into North Aurora Riverfront Park for consumption during the hours of the event in keeping with the following conditions and limitations:

A. Liquor must be transported to the Park in compliance with local and state laws pertaining to the transportation of liquor in unopened containers;

B. No open containers of liquor may be removed from or possessed or consumed outside the Park, defined as the area from spillway to the east, the bike path north of State Street and the bike path east of the River (excluding the bike path) and the area running parallel to the northern end of the Village Hall to the bike path, and includes all of the area interior to those boundaries, including the Gazebo and water features.

C. Staff are hereby directed to place appropriate signage around the perimeter of the area, designating the areas beyond which open containers of liquor are not allowed.

D. Liquor may only be removed from the area in sealed containers in keeping with local and state law.

E. Only persons age 21 or older may possess or consume alcohol in the Park, and persons bringing alcohol into the Park shall be responsible to ensure that it is not consumed or in the possession of anyone who is age 20 or younger.

Section 3. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

**BE IT FURTHER RESOLVED** that this Resolution shall take immediate effect from and after its approval.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021

Mark Carroll \_\_\_\_\_

Laura Curtis \_\_\_\_\_

Mark Guethle \_\_\_\_\_

Michael Lowery \_\_\_\_\_

Todd Niedzwiedz \_\_\_\_\_

Carolyn Bird Salazar \_\_\_\_\_

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2021, A.D.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk