

MINUTES FOR THE REGULAR MEETING  
OF THE CORPORATE AUTHORITIES OF THE  
VILLAGE OF CAMPTON HILLS  
1/24/2023  
7:00 p.m.  
Lord of Life Church  
40W605 IL-38, Elburn, IL 60119

**Village President Michael Tyrrell called the meeting to order at 7:00 p.m. (not on recording)**

**1) Roll Call**

**Clerk Quail Called the Roll**

<b>Trustee</b>	<b>Present</b>	<b>Absent</b>	<b>Also Present</b>
Cappell	X		Denise Burchard – Village Administrator
George	X		Clerk Quail
McKelvie	X		Attorney Ryan Morton
Millette	X		Joanne Kalchbrenner with B&F Services
Muncie	X		
White Eagle	X		
President Tyrrell	X		

**2) Pledge of Allegiance**

**3) Public Comments**

The following residents spoke: Hollie Bauron, Charlie Griffey, Timothy Morgan

**4) Consent Agenda – Nondiscussion omnibus vote.**

- a) **Motion to approve** the village board meeting minutes from December 20, 2022, and January 03, 2023
- b) **Motion to approve** payment of bills per Warrant List #23-13

Trustee White Eagle asked to remove 4a  
Trustee George asked to remove 4b

**Trustee White Eagle made a motion to approve 4a 12/20/2022 meeting minutes with a second made by Trustee George**

<b>Roll Call Vote:</b>	<b>AYE: 5</b>	<b>NAY: 0</b>	<b>Abstain: 1</b>	<b>Absent: 0</b>	<b>Motion: Carried</b>
<b>Cappell</b>	X				
<b>George</b>	X				
<b>McKelvie</b>	X				
<b>Millette</b>	X				
<b>Muncie</b>			X		
<b>White Eagle</b>	X				

**Trustee Cappell made a motion to approve 4a 01/03/2023 meeting minutes with a second made by Trustee Millette**

<b>Roll Call Vote:</b>	<b>AYE: 5</b>	<b>NAY: 0</b>	<b>Abstain: 1</b>	<b>Absent: 0</b>	<b>Motion: Carried</b>
<b>Cappell</b>	X				
<b>George</b>	X				
<b>McKelvie</b>			X		

<b>Millette</b>	<b>X</b>
<b>Muncie</b>	<b>X</b>
<b>White Eagle</b>	<b>X</b>

**Trustee George asked about the check that was written to the Campton Township Highway District in the amount of \$54,000.00. Administrator Burchard explained that the village pays 75% of expenses as per the IGA that we have with the Campton Township Highway District.**

**Trustee McKelvie made a motion to approve 4b Warrant List 23-13 with a second made by Trustee Muncie**

**Roll Call Vote:    AYE: 6            NAY: 0            Abstain: 0        Absent: 0    Motion: Carried**

<b>Cappell</b>	<b>X</b>
<b>George</b>	<b>X</b>
<b>McKelvie</b>	<b>X</b>
<b>Millette</b>	<b>X</b>
<b>Muncie</b>	<b>X</b>
<b>White Eagle</b>	<b>X</b>

**5) Department Reports**

**a) Police Department December Report**

Chief Millar gave a breakdown of the submitted report.

**b) Treasurer’s December Report**

Interim Treasurer Hayes stated that we are 2/3 through the fiscal year, in the general fund we have received roughly 84% of our revenues that we budgeted. We have spent roughly 60% of our budget overall amongst all of the departments. We are in very good financial shape for coming year. Revenue projections, per IML, revenues should be budgeted at a slight decrease for the coming year in the general fund revenues. For the motor fuel tax fund, we have received 78% of our budgeted revenues. Road and bridge funds have been collected, and everything has been received.

**c) Building and Zoning December Report**

Administrator Burchard gave an update on the building permits.

**6) Action Items**

**a) Motion to approve O-23-01 – An ordinance amending in its entirety the Village of Campton Hills Zoning Ordinance**

**Trustee McKelvie made a motion to approve O-23-01 with a second made by Trustee White Eagle.**

Trustee McKelvie appreciated the dialogue that the board has had over the years, if an issue comes up, then adjustments should be made.

Trustee Cappell asked to insert a “where as” clause to recognize the ecological considerations that have been put into the ordinance above the very last “where as” clause. “Where as the Corporate Authorities believe that the adoption of the new zoning ordinance will result in a positive ecological

impact upon the village; and” and his second amendment to add to section three where the last word is Village, “as well as consideration of ecological factors of such development.”

Trustee George asked to have the number of chickens in RE3 increased from 15 to 25. On page 71, regarding small animals, we have acreage where it talks about acres of 1.25 or more, with regards to the number of horses, the number of small animals, will help coincide with the amount of livestock, similarly regarding small animals. Same thing with RE3 maximum number of small animals could possibly go from 3 to 12 small animals. Trustee George asked to discuss these issues to avoid residents having to ask for a special variance.

Trustee Muncie agreed with what Trustee George stated and that he was open to discuss small animals and livestock.

Village President Tyrrell asked if the dialogue should be re-opened.

Trustee Millette asked if the amount of small animals was just doubled. Specifically speaking about turkeys and guinea pigs. He stated that it would be an easy fix to change numbers. He proposed 6 chickens for R1, R2, R3 lots. He also stated to limit the discussion to just multiplying the amount of small animals by 2 or 3, in table M3, H2F table, if we keep 4-6-6, 15-30-45 for the H2F table, or 5-6-8, 25-30-45. He wanted to start that part of the conversation. He also mentioned fostering. But to go forward on the small animals first and get more information on fostering animals.

Trustee Muncie stated that for R1, R2, and R3 his preference would probably be 8 chickens. He then asked Trustee George if she was saying three times the current number. He said that he would be in favor of multiplying the amount of small animals by three if there are 2 horses on the lot, and so on, 3, 6, 9, 12.

Trustee George stated that she wanted to change the number of chickens from 15 to 25. Her logic was based on what was needed to feed a family raising chickens. Village President Tyrrell made reference to an article from the Daily Herald stating that there was an article about chicken raising in Barrington and Mount Prospect; both landowners stated that raising chickens is expensive. President Tyrrell also made reference to residents that do not agree with the amount animals and that decisions should not be made based on one or two individuals. He stated that there were residents in the audience that were being ignored.

Trustee Cappell stated that he read an article about the avian flu and how it is affecting the wild bird population as well as chickens. He also called out the amount of excrement from a chicken weighing 4 pounds, is .25 pounds, per day, per chicken. He stated that he was comfortable with the table as it is. As far as small animals go, he is good with upping the number of small animals to be that of three times the number of horses. He referenced that his lot is 1.25 acres and that he would have issue with 6 turkeys on a lot of that size. He stated that he would consider upping the amount of small animals on RE2 lots and above to be triple. He also stated that he would be okay with stopping the conversation and approve what was on the table.

Trustee Millette asked about rabbits and stated that 4-6-9-12-18 would be a good number for small animals.

Trustee McKelvie stated that the board was now “majoring in the minors” and that there was already a consensus on the table. He spoke with a few residents that have chickens, and they told him that they were okay with what had been decided upon. If there is an issue, once passed, then the board

should look at it. He then moved to call a question. Trustees Millette and White Eagle moved to move forward with it.

Trustee Muncie then asked if Trustee McKelvie was calling a question on the entire ordinance. Trustee McKelvie stated that there were changes being made to the tables, causing more discussion and that is why he called the question. Trustee Muncie stated that aside from the formatting issues that he had with the ordinance, he was frustrated with Trustee McKelvie's lack of patience and that the board was almost at an agreement. Trustee McKelvie asked "at what point do we have a consensus?"

Trustee Cappell asked Trustee McKelvie if he would be comfortable calling the question "to close the discussion on chickens and livestock". Trustee McKelvie said yes.

Attorney Morton: If I could intervene just for a minute here. It sounds like there was talk of a motion to be made regarding livestock and chickens. If that was formalized into something that could amend it, then that's what could be called and that would end the discussion on that issue. Does that make sense? I'm not sure what someone would move with regard to someone with small animals and chickens but if you just make that motion and then call the question, then there's no discussion and you just vote.

Village President Tyrrell stated that we have a motion to approve ordinance O-23-01, we have a second. We into some discussion and background, the question has been called on O-23-01, which means what happens.

Attorney Morton: You would vote to call that question. So the part of just ending the discussion on chicken and livestock that's not what would actually be called, it would be calling the ordinance.

Clerk Quail stated that there was an amendment on the floor to add what Trustee Cappell asked to have added as "where as".

Attorney Morton: That was my next thing. After the decision on call the question, we would actually need to intervene Trustee Cappell's motion.

Trustee White Eagle asked about the other feedback that Trustee Muncie wanted to address. And asked when we take up the friendly addition, could they address Trustee Muncie's issues.

Attorney Morton: If I may make another suggestion, based on what everyone has said, if everyone is just okay with moving on, if you've said your piece, then there doesn't need to be a call of the question and there's just an agreement that you're done talking about chicken and livestock, and you can move onto something else. We don't have to get into all those weeds, if everyone is comfortable with the discussion that's already occurred.

Trustee Millette then asked if he could make an amendment to add what was just discussed about the chickens and small animals.

Trustees White Eagle and McKelvie both stated that they were not there.

President Tyrrell then asked if the board was lifting or modifying the conditions either way.

Trustee McKelvie asked how to move forward to get to the formatting or other discussion.

President Tyrrell asked if the board would be okay to outline what Trustee Muncie wanted to discuss.

Trustee White Eagle stated that she wanted to move on and put the chickens and small animals to bed. If Trustee Muncie has other things, then we can discuss. Any ordinance is subject to revision, challenges, if there are issues. Let's go with what we have and move along.

Trustee Cappell stated that the point of calling a question, means to stop discussion of what the original motion was. He then asked for a vote.

Attorney Morton stated that there needed to be a vote on calling the question.

Trustee White Eagle then asked for an explanation of what was being voted on.

Attorney Morton, then explained, "your vote here would be to call the question of the approval of the ordinance. I would then interject that we would then talk about amending the ordinance, not the zoning ordinance itself because that's necessary first. But we would talk about the "where as" clause. If this motion to call the question is approved.

Trustee Muncie asked for clarification.

Attorney Morton: So, if the motion to call the question is approved, the ordinance would be approved.

Trustee White Eagle removed her second on the motion from Trustee McKelvie's having called a question. Trustee McKelvie then removed his motion to call a question.

Trustee Muncie asked Trustee Millette to make a motion to change the verbiage in table M3 of pages 71/72.

**Trustee Millette made a motion to change table M3 maximum number of small animals as presented 4-6-8-10-12 to read 4-9-12-15-18, second by Trustee Muncie.**

**Clerk Quail called the roll**

<b>Roll Call Vote:</b>	<b>AYE: 4</b>	<b>NAY: 2</b>	<b>Abstain: 0</b>	<b>Absent: 0</b>	<b>Motion: Carried</b>
<b>Cappell</b>		<b>X</b>			
<b>George</b>	<b>X</b>				
<b>McKelvie</b>		<b>X</b>			
<b>Millette</b>	<b>X</b>				
<b>Muncie</b>	<b>X</b>				
<b>White Eagle</b>	<b>X</b>				

**Trustee Muncie then proposed an amendment to H(2f) to be maximum number of chickens in the table for R3, R2, R1 to be maximum of 8-8-8, second by Trustee Millette.**

**Clerk Quail called the roll**

<b>Roll Call Vote:</b>	<b>AYE: 4</b>	<b>NAY: 3</b>	<b>Abstain: 0</b>	<b>Absent: 0</b>	<b>Motion: Not Carried</b>
<b>Cappell</b>		<b>X</b>			
<b>George</b>	<b>X</b>				
<b>McKelvie</b>		<b>X</b>			
<b>Millette</b>	<b>X</b>				
<b>Muncie</b>	<b>X</b>				
<b>White Eagle</b>		<b>X</b>			
<b>Village President</b>					

**Tyrrell** X

Trustee Muncie stated that he would go offline and discuss formatting issues with the administrator.

Trustee Muncie then asked to remove corral fences from the ordinance. Administrator Burchard stated that it was overlooked and that it would be taken out.

Trustee Muncie asked to have a 5' foot fence added for livestock enclosures, under M on pages 70 and 71.

**A motion was made to approve ordinance O-23-01, with the amendment as stated by Trustee Muncie to have a 5' foot fence added for livestock enclosures, under M on pages 70 and 71.**

It was then pointed out that the motion from Trustee Cappell to add an additional "where as" was still on the floor.

**Clerk Quail called the roll**

**Roll Call Vote: AYE: 6 NAY: 0 Abstain: 0 Absent: 0 Motion: Carried**

**Cappell X**  
**George X**  
**McKelvie X**  
**Millette X**  
**Muncie X**  
**White Eagle X**  
**Village President**  
**Tyrrell**

Attorney Morton stated to include the amendments that were voted on during discussion to be added to the motion to vote on ordinance O-23-01.

**A motion was made by Trustee McKelvie to approve zoning ordinance O-23-01 with a second by Trustee White Eagle.**

**Clerk Quail called the roll**

**Roll Call Vote: AYE: 6 NAY: 0 Abstain: 0 Absent: 0 Motion: Carried**

**Cappell X**  
**George X**  
**McKelvie X**  
**Millette X**  
**Muncie X**  
**White Eagle X**  
**Village President**  
**Tyrrell**

**Trustee Cappell made a motion for the following text to be added into the record to represent a justification for the deliberation and decisions made throughout the**

**creation of the new zoning ordinance, with a second from Trustee McKelvie.** It pertains to no content of the ordinance. It is a statement of deliberation process. "A zoning ordinance imposes such reasonable limitations upon the right of a property owner to use [one's] property as [one] pleases, as may be determined by considerations of public health, safety, and welfare. But [one] may not use [their] property as [one] pleases without regard for [their] neighbors, or the effect of [their] actions upon the welfare and prosperity of the whole community of which [one] is a part. Nor is a zoning ordinance merely a temporary matter. It is an integral part of public planning, which takes the long view. The use of land is a granted right, but the land itself remains long after individuals who have exercised such rights have passed away. Rural zoning contemplates not only benefits in the present, but also seeks to conserve our resources for future generations." (Source: "From the Forward to the Boulder County Zoning Resolution, Feb. 4, 1944." Boulder Co. Zoning Ordinance, Article 4, Boulder County Land Use Code, March 29, 2022; with corrections for current language usages.)

**By a show of hands Trustees Cappell, McKelvie, George, Millette, and Muncie voted yea, with Trustee White Eagle voting nay. The motion carried.**

- b) **Motion to approve O-23-02** – An Ordinance amending Title 7 of the Village Code of Campton Hills, Kane County, Illinois, Relating to Removal of Snow and Ice

**A motion was made by Trustee Cappell and seconded by Trustee Millette.**

**Clerk Quail called the roll**

<b>Roll Call Vote:</b>	<b>AYE: 6</b>	<b>NAY: 0</b>	<b>Abstain: 0</b>	<b>Absent: 0</b>	<b>Motion: Carried</b>
<b>Cappell</b>	<b>X</b>				
<b>George</b>	<b>X</b>				
<b>McKelvie</b>	<b>X</b>				
<b>Millette</b>	<b>X</b>				
<b>Muncie</b>	<b>X</b>				
<b>White Eagle</b>	<b>X</b>				
<b>Village President Tyrrell</b>					

**7) Current Discussion Items**

- a) **Review of FY2023-24 Village Meeting Calendar**  
Administrator Burchard called out the dates that were modified on the 05/01/2023-04/30/2024 calendar

**8) Items – Parking Lot (90-day limit will be placed on future items)**

**9) Additional Information Items**

Village President Tyrrell stated that he asked Trustee Millette to submit legislative reports to the board once a quarter.

**10) CLOSED SESSION – There was no closed session**

Move that the Village Board go into closed session as permitted by the Open Meetings Act to discuss one or more of the following matters:

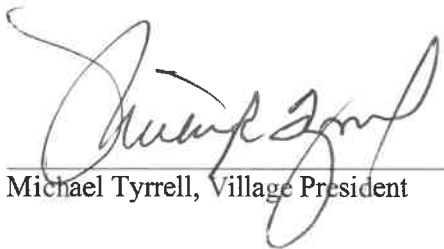
- a) Litigation that is filed and pending or is probable or imminent. 2(c)(11)
- b) Collective negotiating matters. 2(c)(2)
- c) Appointment, employment, compensation, discipline, performance, or dismissal of specific employees or officials, including legal counsel. 2(c)(1) & (3)
- d) Section 2.06(d) of the Open Meetings Act (5 ILCS 120/2.06(d)) requires that public bodies review minutes of closed meetings for potential release approximately every six months.

**11) Next Meeting: February 7, 2023**

**Trustee White Eagle made a motion with a second by Trustee Muncie to adjourn the meeting.**

**12) Adjournment: Meeting adjourned at 8:37 p.m.**

Approved this 7th day of March 2023



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Michael Tyrrell, Village President



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Dorothea Stipetic, Deputy Clerk