

**MINUTES OF A COMMITTEE OF THE WHOLE MEETING  
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES  
OSWEGO VILLAGE HALL  
100 PARKERS MILL, OSWEGO, ILLINOIS  
February 4, 2020**

**CALL TO ORDER**

President Troy Parlier called the meeting to order at 6:01 p.m.

**ROLL CALL**

Physically Present: President Troy Parlier and Trustees James Marter, Terry Olson, Pam Parr, Judy Sollinger and Brian Thomas.

Absent: Trustee Luis Perez.

Staff Present: Dan Di Santo, Village Administrator; Christina Burns, Asst. Village Administrator/HR Director; Tina Touchette, Village Clerk; Jeff Burgner, Police Chief; Mark Horton, Finance Director; Jennifer Hughes, Public Works Director; Susan Quasney, Village Engineer; Rod Zenner, Community Development Director; Julie Hoffman, Community Engagement Coordinator, Special Events; Joe Renzetti, IT/GIS Manager; Jay Hoover, Building & Zoning Manager; Carri Parker, Purchasing Manager; Corinna Cole, Economic Development Director; and Ryan Morton, Village Attorney.

**CONSIDERATION OF AND POSSIBLE ACTIONS ON-ANY REQUESTS FOR ELECTRONIC PARTICIPATION IN MEETING**

There was no one who requested to electronically participate.

**PUBLIC FORUM**

Public Forum was opened at 6:01 p.m. There was no one who requested to speak; the Public Forum was closed at 6:01 p.m.

**OLD BUSINESS**

There was no Old Business.

**NEW BUSINESS**

F.1. Village Code Amendments for Mobile Food Vending

- a) Food & Beverage Tax
- b) Vending on Private Property

Director Horton and Clerk Touchette addressed the Board regarding mobile food vending. The Village adopted an Ordinance establishing a Food & Beverage Tax effective October 1, 2017. The tax was imposed on all retail food facilities and retail liquor facilities with some exemptions. Food trucks and mobile food vending are not exempt. Staff has had trouble the past two years with getting mobile food vendors to remit the tax. Many of the mobile food vendors are out of town businesses which leaves staff with limited enforcement power in getting them to pay the tax. Staff put forth a number of enforcement ideas including requiring the mobile food vendors to have a valid Village registration and licensing permit; putting the responsibility on the brick and mortar businesses to make sure the mobile food vendors complied. Staff also had the Police stop and ask for the Village registration/license. None of the ideas had much success. Additional staff discussion led to the idea of exempting mobile food vendors from the Food & Beverage Tax and registration requirements for vending on private property. Mobile food vendors would still be required to get a license from the Village if vending on public property. The license is \$200/year; which more than offsets the loss of any Food & Beverage Tax the Village may receive from the mobile food vendors.

Food Trucks have gained in popularity with several businesses allowing them to locate on their property as a marketing tool for their business. Oswego local merchants have not expressed any major concerns about the mobile food vendors, but, rather, have welcomed them as they are bringing more foot traffic to the downtown. Mobile food vendors are increasing in popularity at many events as patrons welcome the food choices and price while attending. Staff believes the increase in attendance at events, in the downtown or in Oswego, is a positive step for the local economy. Staff provided a spreadsheet showing the amount of taxes collected over the past two years:

- FY19 total revenue= \$496.27
- FY20 total revenue= \$1,564.52

Staff recommended the exemption of the Food & Beverage Tax and the elimination of the need to register if vending on private property. This relieves the burden on staff, the business contracting mobile food vendors and to the mobile food vendors themselves. The City of Yorkville recently passed an amendment at their January 28, 2020 meeting removing the need for mobile food vendors to register if vending on private property. A code amendment for the elimination of the registration is on the Regular Village Board meeting for vote. Staff will be bringing the request for a vote on the tax exemption at a future meeting.

Board and staff discussion focused on businesses concerned with mobile food vendors blocking businesses during special events; needing to have a conversation with Azavar; Oswego Brewing Company requested elimination of the requirements; mobile food vendors do not need to register if they are vending as part of a permitted special event; locally collected tax; examples of public property would be Adams St. or Harrison St.; keeping the public property licensing process; Village Clerk is creating efficiencies; saving money on the backend; Clerk has done a great job; elimination of the tax and registration requirement makes sense. There was no further discussion.

## F.2. Provide Direction on an Architect/Engineer RFP and the Plan for Summer 2020 Related to the Entertainment Venue Site.

Administrator Di Santo addressed the Board regarding an architect/engineer for the entertainment venue site. On October 1, 2019, the Village Board authorized the execution of a donation agreement for Lot 7 in Oswego Junction Phase 2, by local business owner Kevin Fialko. The donation agreement requires the Village to develop “a venue for outdoor live performance and music entertainment and events to be enjoyed by the general public” on the site within 3 years. On January 14, 2020, the Village Board discussed the plan to design, construct and operate the future entertainment venue site during the Committee of the Whole. The only direction received during the discussion was to proceed with design and acoustical engineering contracts. During the Village Board meeting that evening, the Village Board authorized the execution of an agreement with Schoppe Design, Inc. for design services. Based on the discussion during the January 14, 2020 Committee of the Whole, staff recommends beginning a Request for Proposals (RFP) process to select the project architect and engineer. Staff from various departments, as well as Schoppe Design, weighed in on the RFP.

The RFP seeks architects and engineers that have significant, current experience in the development, design, and construction of similar buildings and projects. The responding firms will be asked to prepare schematic design plans, traffic engineering, cost estimates, construction documents for public bidding, and construction oversight. The firm will also work cooperatively with Schoppe Design to first develop a Master Plan for the property. A steering team comprised of staff and Village Board members will first review and evaluate the proposals and then review the proposed cost of services. Should the decision be made to move forward with one of the firms, staff would then present a contract to the Village Board for consideration and approval. The proposed construction completion date is May 10, 2021.

Board and staff discussion focused on the intent of the project is for a community concert venue with a covered stage and park; anything further is not the intent; small, easy and cheap; no interest in a Rivers Edge type of venue; of the 66 items in the priority list, this venue didn't rank; currently have budget and water issues; huge difference between management and permanent venue; may be room for an in between; RFP is for a smaller venue; willing to go bigger if someone else was running it and paying for it; band shell for use by schools; pumpkin patch; not a band every weekend; used for other things; understanding the water issues; spending \$750,000 and possible revenue booster for the Village; could spend hundreds of thousands to find out how big to go with the venue; band

shell only; not a Rivers Edge; can expand later; need basic site plans; small scale to begin with and the ability to expand later; modular; opportunity to grow; user friendly. Staff to move forward with modular aspect. There was no further discussion.

**CLOSED SESSION**

A motion was made by Trustee Sollinger and seconded by Trustee Olson to enter into Closed Session for the purposes of discussing the following:

- Pending and Probable Litigation [5 ILCS 120/2(c)(11)]
- Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel [5 ILCS 120/2(c)(1)]
- Collective Bargaining, Collective Negotiating Matters, Deliberations Concerning Salary Schedules [5 ILCS 120/2(c)(2)]
- Sale, Lease, and/or Acquisition of Property [5 ILCS 120/2(c)(5) & (6)]

Aye: James Marter II  
Pam Parr  
Brian Thomas

Terry Olson  
Judy Sollinger

Absent: Luis Perez

Nay: None

The motion was declared carried by a roll call vote with five (5) aye votes and zero (0) nay votes.

The Board adjourned to Closed Session at 6:25 p.m.

The Board returned to open session at 7:02 p.m.; all remaining members still present.

**ADJOURNMENT**

The meeting adjourned at 7:02 p.m.

Tina Touchette  
Village Clerk