

**MINUTES OF A REGULAR MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
May 12, 2020**

Pursuant to Executive Order 2020-07 signed by Governor Pritzker and Guidance Provided by Legal Counsel, the Village of Oswego may conduct all or portions of this meeting by use of telephonic or electronic means. Instructions on public access to this meeting are available through the link within the agenda.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Troy Parlier called the meeting to order at 7:09 p.m. and led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Board Members Physically Present: President Troy Parlier and Trustees James Marter, Terry Olson, Luis Perez and Brian Thomas.

Board Member Attended Electronically: Trustee Pam Parr, Judy Sollinger

Staff Physically Present: Dan Di Santo, Village Administrator; Tina Touchette, Village Clerk; Jeff Burgner, Police Chief; Mark Horton, Finance Director; Jenette Sturges, Community Engagement Coordinator, Marketing; and Joe Renzetti, IT/GIS Director.

Staff Attended Electronically: Christina Burns, Asst. Village Administrator; Jennifer Hughes, Public Works Director; Rod Zenner, Community Development Director; Corinna Cole, Economic Development Director; Carri Parker, Purchasing Manager; Susan Quasney, Project Engineer; Jay Hoover, B&Z Manager; Karl Ottosen, Village Attorney; and Ryan Morton, Village Attorney.

RECOGNITIONS/APPOINTMENTS

E.1 Police Commission- Re-Appoint Jeffrey Hahn for a Term to Expire April 30, 2023.

A motion was made by Trustee Thomas and seconded by Trustee Perez to approve the Re-appoint of Jeffrey Hahn for a Term to Expire April 30, 2023.

Aye:	James Marter II	Terry Olson
	Pam Parr	Luis Perez
	Judy Sollinger	Brian Thomas

Nay: None

The motion was declared carried by an omnibus roll call vote with six (6) aye votes and zero (0) nay votes.

E.2 Employee Service Awards

a. Jay Hoover- 5 Years of Service (Building & Zoning Department)

President Parlier presented him with a certificate; Director Zenner briefly noted his contribution to the Village; 14,400 building permits have been processed in the past five years.

PUBLIC FORUM

Public Forum was opened at 7:14 p.m. Public comment was extended to allow comment through email, via phone call and attendance through the Zoom meeting. Administrator Di Santo read the comments received via email:

Darla Marshall addressed the Board regarding the music venue; do not approve the music venue; project is not wanted by the taxpayers; not essential in this time of crisis; not enough financial information to support moving forward; no further public dollars should be used for the project.

Shane Wade addressed the Board regarding opening Oswego; each citizen has a right to protect their own health and family; losing rights; extending the executive order has been declared unconstitutional; state is broke; needs are not being met; discriminated against; more deaths from financial issues versus the virus; social distancing; increase in suicides and domestic violence; statistics are inconsistent; could do much better without Governor Pritzker's order; open up and give citizens back their rights.

Colleen Schmidt addressed the Board regarding the three vacant parcels of land adjacent to her property in Steeplechase; east of the new Delta Sonic car wash; what is the status of the land; is it being developed; hopes the Village will continue to cut the overgrown weeds this year.

Christopher Nevin addressed the Board, on behalf of his father, regarding the 7-11 in the community; slots will help them continue to be a staple in Oswego; give a great man a peace of mind.

Jack Sherlock addressed the Board regarding the Governor's phases; Kendall County is grouped in with Cook County and Chicago; has the Village or County developed a separate plan similar to Peoria; actions of the Governor have been ruled by the courts as being beyond his scope of authority; if the Village or County goes past 6/1 deadline and is still in phase 2; is the Village or County going to develop an opening plan outside the State's plan.

Two people requested to be called:

Jack Sherlock addressed the Board regarding the Governor's phases; asked if the Village was aware of when Phase 3 would happen; Peoria, Elmhurst and other counties don't want to be attached to Cook County. He asked for answers; thanked him for his comments.

Tony Kizhakkekluttu addressed the Board regarding video gaming at gas stations; he represents gas station owners; they need the help to continue paying payroll.

There were no Zoom meeting participants who wished to speak.

There was no one else who requested to speak; the Public Forum was closed at 7:23 p.m.

STAFF REPORTS

G.1 Non-Essential Expenditures: Oswego Senior Center, Kendall Area Transit

Asst. Administrator Burns addressed the Board regarding Senior Center and KAT expenditures.

Oswego Senior Center

The Oswego Senior Center has, in the past, received \$40,000 annually from the Village to support their community services and operations. This amount is paid in four installments of \$10,000. Please see the attached letter of request to continue funding for the Senior Center at this level. The Senior

Center continues to provide support to Oswego's senior community even while their regular in-person programming is suspended under the stay at home order.

Trustee Perez noted that his spouse is a part time employee of the Senior Center; there is no conflict of interest after consulting with the attorney; wanted to disclose this information to promote transparent government.

Trustee Sollinger noted that she consulted with the ethics attorney and will be abstaining from voting on the Senior Center item; the Senior Center does so much for the community.

Susan Schauer, OSC Center Director, addressed the Board regarding the annual funding from the Village. They have continued working and trying to connect with 400 members; food bank deliveries; greatly appreciate the continued support.

Wally Hamlin, President of OSC Board of Directors, addressed the Board regarding the annual funding from the Village. Thank you for the many years of partnership and helping to serve those who are 60 years old and older; have not been closed for all the services, screenings and calls to citizens; sanitizing the center in anticipation of re-opening; provide nutrition services with less than ten people and social distancing; low and desirable lease; social distancing without social isolation; strongest Board at OSC; using crisis to improve how they serve people; keeping director position vacant; every dollar put into people.

Board, staff and OSC representative's discussion focused on serving of meals are suspended by the Governor; will continue once they re-open; meal funding; permanent location; assured that nothing would happen to the Senior Center; thank you for doing welfare calls; whether fundraising has increased; continue to educate; cultivating new donors; wanting new grants; have to look out for older groups; PPP was applied for and granted; reduced staff hours; bringing employees back and paying them; increasing the funding by 10% in the future; Oswego is known for standing by senior citizens in the community; wanting to be more available to the public through various programs; additional 10% on top of the current donation; encouraging all local government bodies to the same; they rely on Township for a revenue stream. There was no further discussion.

Kendall Area Transit

The Village entered into a new, three-year contract with Kendall Area Transit in 2018. The Village's annual commitment is \$47,000, though the contract permits the Village to cancel the contract with 60 days' notice. The first half of the Village's payment is made in July. KAT provides transit services within the community through its Dial-A-Ride program, including door-to-door paratransit services. On an average month, KAT provides 750 rides to Oswego residents, or approximately 9,000 rides annually. Oswego's funding serves as a local match for additional federal funding for the program.

Mike Neuenkirchen, KAT Program Director, addressed the Board regarding the request. He understands there are pressures; received \$170,000 locally in Kendall County and secured an additional \$1.4 million in Federal and State funding; KAT has remained an essential service through the pandemic; proud of staff; continues to operate and sustain the service; tremendous response from the community.

Board, staff and Director discussion focused on how the crisis has affected the service; decrease in demand; cleaning and sanitizing vehicles; wheelchair bound individuals; higher expenses; Federal government wants personnel to continue being employed; ridership down; federally funded program; total support for them; consensus was to proceed with the annual commitment; KAT to let the Village know if there is anything more they need. There was no further discussion.

G.3 Direction on Mosquito Abatement, Contractual Street Sweeping, and Pavement Condition Analysis

Item was moved from the May 12, 2020 Committee of the Whole meeting.

Director Hughes and Engineer Quasney addressed the Board regarding the following items:

Mosquito Abatement

- \$87,000
- Larvicide - standalone catch basin treatments including backyard at \$39,310.00
- Adulticide - truck spraying at \$7,686.00 per treatment

Mosquito control is recommended by local health departments, CDC, IDPH, as well as many other agencies and organizations, to protect public health from life-threatening diseases that can be spread to humans through the bite of a mosquito, including Zika, Dengue, Malaria, West Nile Virus and several varieties of Encephalitis, among others. Some communities choose not to provide this service and accordingly, it has been designated as non-essential for the purposes of budget discussions. The Village has a contract with Clarke Environmental Mosquito Control, for the past five years, to provide the following services: general services, surveillance and monitoring, larval control (tablets dispersed in storm catch basins) and adult control (truck spray applications). All methods of applications are based on Clarke's monitoring process through mosquito trapping. The full program is recommended but at minimum, catch basin treatment is necessary. COVID is not transmitted through mosquitos. Staff recommends moving with both larvicide and adulticide services for full vector control as West Nile Virus has been detected in mosquitos located within the Village in past years.

Contractual Street Sweeping

- \$43,500

The Village conducts three sweeps annually: spring (to clean debris left over from the winter), summer (August), and late fall (after the completion of the leaf collection program). The contract also provides as-needed services for special events and emergencies such as a windstorm. The purpose of this program is to remove debris from the gutters to provide sanitation and storm drainage paths. Several years ago, the Village contracted out this work due to the need to replace the sweeper and to free manpower to perform other duties. Staff rehabilitated the Village's sweeper so that it is available to sweep parade routes and respond to small emergencies. The contract is due to be renewed at the May 26, 2020 Village Board meeting. Staff recommends renewing the contract but cancelling the August sweep at a contract deduction of \$13,137 in FY21. Seasonal issues could change the contract amount. Status to be provided at a future meeting.

Pavement Condition Analysis

The Village conducted a scientific pavement analysis in 2014. The budget includes funds to update the study and capture information on pavement markings, curb ramps, and traffic signs to assist in developing an asset management program for these items. Pavement analysis is a means to catch pavement deterioration at the right time; not capable of doing in-house; would take three months if down in-house; significant investment in time; IMS trucks are capable of analyzing through deflection and ultrasonic testing. The schedule is being driven by the availability of the equipment to perform the work.

Three options are available:

- 1) Approve full analysis= \$115,560

- 2) Approve, but without GIS= \$69,160
- 3) Decline for one year

Staff recommends option three; deferring the project until a future date and having staff perform a visual screen of the road.

Board and staff discussion focused on how many roads resurfaced in past six years; 4-5 miles per year; 160 miles total in the Village; past has been small compared to what is coming in the future; whether the recommendation will affect the health of the roads; looking at data, talking to personnel and gathering resident complaints; can't drive all the streets; can get by for another year or two; study done in 2014; number of roads needing to be reconstructed versus resurfaced; Ogden Falls is in bad shape; downtown streets skewed the numbers; target is by the dollar amount and not necessarily on the number of miles; several factors go into determining the worst streets; revenue uncertainty; consider again in the future;

CONSENT AGENDA

- H.1 April 21, 2020 Committee of the Whole Minutes
- H.2 April 21, 2020 Regular Village Board Meeting
- H.3 PrairieFest Parade
 - a) Resolution Rescinding Resolution No. 20-R-17; A Resolution Approving a PrairieFest Parade and the Temporary Closure of U.S. Highway 34 in the Village of Oswego. **Resolution No. 20-R-35**
 - b) Resolution Approving a PrairieFest Parade and the Temporary Closure of U.S. Highway 34 in the Village of Oswego. **Resolution No. 20-R-36**

A motion was made by Trustee Marter II and seconded by Trustee Olson to approve the Consent Agenda; Approving the April 21, 2020 Special Committee of the Whole Minutes; Approving the April 21, 2020 Regular Village Board Minutes; and approving the following resolutions:

Resolution No. 20-R-35; Resolution Rescinding Resolution No. 20-R-17; A Resolution Approving a PrairieFest Parade and the Temporary Closure of U.S. Highway 34 in the Village of Oswego.

Resolution No. 20-R-36; Resolution Approving a PrairieFest Parade and the Temporary Closure of U.S. Highway 34 in the Village of Oswego.

Aye: James Marter II	Terry Olson
Pam Parr	Luis Perez
Judy Sollinger	Brian Thomas

Nay: None

The motion was declared carried by an omnibus roll call vote with six (6) aye votes and zero (0) nay votes.

BILL LIST

I.1 Approve Bill List Dated May 12, 2020 in the Amount of \$819,682.79.

A motion was made by Trustee Perez and seconded by Trustee Sollinger to approve the Bill List Dated May 12, 2020 in the Amount of \$819,682.79.

Aye: James Marter II	Terry Olson
Pam Parr	Luis Perez
Judy Sollinger	Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

OLD BUSINESS

I.1. Resolution Ratifying the Village President’s Executive Orders and Extending Declaration of Local Emergency and Disaster. **Resolution No. 20-R-37**

A motion was made by Trustee Thomas and seconded by Trustee Olson to approve the Resolution Ratifying the Village President’s Executive Orders and Extending Declaration of Local Emergency and Disaster.

Aye: James Marter II Terry Olson
Pam Parr Luis Perez
Judy Sollinger Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

NEW BUSINESS

K.1 Ordinance Granting a Major Amendment to Lot 1 of Prairie Market Resubdivision Number 1; Raising Cane's. **Ordinance No. 20-24**

Director Zenner addressed the Board regarding Raising Cane’s. The applicant is requesting approval to allow for the development of a restaurant with a drive-through and outdoor dining area. The proposed new structure will be approximately 3,352 square feet. The proposed development will also include a drive-through and an outdoor dining area. Four “Raising Cane’s” wall signs, each measuring approximately 30 square feet in size, are proposed on each of the building’s elevations. The front elevation also includes a 17 square foot “One Love” sign, the interior side elevation includes a 32 square foot “Blue Dog” sign and the exterior side elevation includes a 140 square foot “Raising Cane’s” painted mural.

Board, staff and Raising Cane’s consultant discussion focused on don’t have many murals in town; like it better than a sign; it’s always been proposed to be a mural; big project; will be company owned; very few franchises; looking to go back to all company owned; will start the project as soon a they can get a permit; sales have increased since the pandemic; same floor plan as others; will be one the larger restaurants; one of the hottest chains in America; can’t wait for it to open; opportunity to bring them to Oswego came up during ReCon a year ago; return on investment. There was no further discussion.

A motion was made by Trustee Marter II and seconded by Trustee Perez to approve the Ordinance Granting a Major Amendment to Lot 1 of Prairie Market Resubdivision Number 1; Raising Cane's.

Aye: James Marter II Terry Olson
Pam Parr Luis Perez
Judy Sollinger Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

K.2 Ordinance Amending Title 3 Chapter 7 and Title 3 Chapter 31; Alcoholic Beverages and Video Gaming at Gas Stations and Convenience Stores. **Ordinance No. 20-25**

Clerk Touchette addressed the Board regarding video gaming at gas stations and convenience stores. Proposed reclassifications of the Class A, B and F liquor and video gaming license classifications,

recommendations and comparisons for gaming at gas stations and convenience stores and examples of barriers that can implemented were provided.

Recommended requirements:

- Minimum of two (2) ADA accessible public restrooms
- Minimum of one (1) hand sink in each restroom
- Gaming area shall be ADA accessible
- Gaming area shall be less than 50% of the public accessible areas of the establishment and shall be considered ancillary to the primary business
- Food and alcohol service shall be at the discretion of the business owner with the following key requirements:
 - Limited to one drink per hour per customer of beer and wine only in conjunctions with video gaming; and no more than 2 drinks during any one calendar day
 - Beer or wine, in conjunction with video gaming, shall be poured from the original container into a clear container before serving to a patron. No cans or glass containers shall be allowed.
 - Beer or wine service shall only be provided to patrons who are actively playing on video gaming terminals.
 - Beer or wine beverages may not be removed from the designated gaming area at any time.
 - No happy hour practices shall be allowed.
 - No patio, beer garden, or similar area is allowed on the licensed premises for alcohol consumption.
 - No window or any other signage shall be permitted that indicates that alcoholic beverages are available for consumption at the specified premises.

All gas stations and convenience stores, choosing to have video gaming, will still need to apply for the new liquor classification and video gaming license and must be approved at the Village Board level. They will also be subject to all Building & Zoning regulations, current adopted Village, County, State and Accessibility Codes; which includes review and approval of site plans. There was no further discussion.

A motion was made by Trustee Perez and seconded by Trustee Thomas to approve an Ordinance Amending Title 3 Chapter 7 and Title 3 Chapter 31; Alcoholic Beverages and Video Gaming at Gas Stations and Convenience Stores; and Requiring Permanent Barriers.

Aye: James Marter II	Terry Olson
Pam Parr	Luis Perez
Judy Sollinger	Brian Thomas

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

PRESIDENT’S REPORT

L.1 Proclamation- National Public Works Week, May 17-23, 2020; proclamation was read.

L.2 Proclamation- National Poppy Days, May 22, 2020; proclamation was read.

L.3 Proclamation- Honoring High School Seniors- May 2020; proclamation was read.

President Parlier wished Regan Gryder a Happy 10th Birthday; be kind to each other; thank you to the Hilltop Gardners Club for beautifying the downtown; driveway chalk art challenge goes through May 17th; be big, bold and inspiring; Police drone may be out getting pictures of the art; Care-avan is scheduled for this Friday in Boulder Hill and Thompson Junior High area.

TRUSTEE REPORTS

Trustee Marter II- needs four additional Board members to support further discussion of water rates at a future Board meeting. Support was received. Item to be brought to a future meeting.

Trustee Perez- 11,000-12,000 residents work and commute; 15% unemployment rate; be kind to each other; Rush Copley started elective surgeries this week; thanked the Board.

Trustee Thomas- step in the right direction at Copley; unfortunate for high school seniors who are missing out on graduation; thank you for the proclamation; President Parlier noted that the credit goes out to Village Clerk Touchette for the proclamation.

Trustee Sollinger- thank you to all salesclerks; appreciate others and garbage carriers.

Trustee Olson- thank you to Fox River Academy for the Village Hall chalk art; don't forget to complete the census; competing with Montgomery and Yorkville; slightly behind McHenry County.

CLOSED SESSION

There was no Closed Session held.

ADJOURNMENT

A motion was made by Trustee Marter II and seconded by Trustee Thomas to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 8:44 p.m.

Tina Touchette
Village Clerk