

**MINUTES OF A REGULAR MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
August 20, 2019**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Troy Parlier called the meeting to order at 7:16 p.m. and led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

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

Staff Present: Dan Di Santo, Village Administrator; Christina Burns, AVA/HR Director; Tina Touchette, Village Clerk; Jeff Burgner, Police Chief; Jennifer Hughes, Public Works Director; Mark Horton, Finance Director; Rod Zenner, Community Development Director; Julie Hoffman, Community Engagement Coordinator, Special Events; Jay Hoover; B&Z Manager; Joe Renzetti, IT Manager; Karl Ottosen, Village Attorney; and Ryan Morton, Village Attorney.

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

There was no one who attended electronically.

RECOGNITIONS/APPOINTMENTS

D.1. Retirement - Deputy Chief of Police, James H. Jensen

Chief Burgner recognized James Jensen for his 26 years of service; he briefly spoke of his history with the department and noted those who attended. Previous Village President, Gail Johnson, briefly spoke about how they met and told a story about the new police headquarters. President Parlier said a few words and read the proclamation recognizing him. James Jensen thanked his family, Chief Burgner, the men and women of the PD, Board, staff, Sheriff Baird and Chief Wunsch. James Jensen started his new role as the Chief of Police for the City of Yorkville.

D.2. Oath of Office

a. Kevin R. Norwood - Deputy Chief of Police

Chief Burgner briefly spoke of his history and service with the PD. President Parlier administered the oath of office. His wife pinned his badge on him.

D.3. Proclamation- Childhood Cancer Awareness Month, September

President Parlier read the proclamation.

PUBLIC FORUM

Public Forum was opened at 7:36 p.m. There was no one who requested to speak; the Public Forum was closed at 7:36 p.m.

STAFF REPORTS

Discussion on Water Rate Reduction- continued discussion from the August 20, 2019 Committee of the Whole meeting.

Board and staff discussion focused on study of future water needs; preliminary study done years ago; excess in Water Fund moved to Capital Fund; couldn't transfer funds in 2018 because there were no funds; forward thinking into next year; amount a resident or business would get back is \$1.80 for every 5,400 gallon per month; net is after reduction; water funds cannot pay for projects other than water projects; current rates still above what the projections are; obligation to be fair and honest with the amount lost over the next couple years; projects continually move; new meters give more accurate readings; would foresee higher revenues; everyone has their own philosophy; critical situation in the past with major changes to the water system; most usage is in the summer months; depends on weather patterns; higher revenue due to usage and growth; will have a better picture in October or November; discuss the 10 cents during the budget workshop; coming up with other ideas to allocate and spend the money; short term cash flow game; bring back to a future meeting for vote; needing to start somewhere. Board to contact staff with questions. There was no further discussion.

CONSENT AGENDA

- G.1. August 6, 2019 Committee of the Whole Minutes
- G.2. August 6, 2019 Regular Village Board Minutes
- G.3. August 6, 2019 Closed Session Minutes-1 (Approve and Release)
- G.4. August 6, 2019 Closed Session Minutes-2 (Approve and Release)
- G.5. Ordinance Amending the Annual Budget of the Village of Oswego For the Fiscal Year Commencing May 1, 2019 Adopted By Ordinance No. 19-26. **Ordinance No. 19-40**; next three years; numbers will be adjusted; will save money on the project.

A motion was made by Trustee Perez and seconded by Trustee Parr to approve the Consent Agenda; Approving the August 6, 2019 Committee of the Whole Minutes; Approving the August 6, 2019 Regular Village Board Minutes; Approving and Releasing the August 6, 2019 Closed Session Minutes-1; Approving and Releasing the August 6, 2019 Closed Session Minutes-2; and approving the following ordinance:

Ordinance No. 19-40; Ordinance Amending the Annual Budget of the Village of Oswego For the Fiscal Year Commencing May 1, 2019 Adopted by Ordinance No. 19-26.

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

H.1. Approve Bill List Dated August 20, 2019 in the Amount of \$755,824.34.

A motion was made by Trustee Sollinger and seconded by Trustee Olson to approve the Bill List Dated August 20, 2019 in the Amount of \$755,824.34.

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

There was no Old Business.

NEW BUSINESS

J.1. Ordinance Granting a Fifth Amendment to the Final Planned Unit Development (PUD) for Prairie Market Lot 1 for a Cell Tower. **Ordinance No. 19-41**

Director Zenner addressed the Board regarding a cell tower. The petitioner is requesting approval of a Major Change to the PUD for Lot 1 of Prairie Market with a Special Use Permit for a Communications Tower to be located at the southern end of Lot 1 behind the Best Buy/DSW stores and Gerry Centennial Plaza. The proposed tower will be 125 feet in height and will allow for up to 4 carriers to be located on the tower. The leased space will be 20 feet by 36 feet and fenced in by a chain link fence with a barbed wire top. The tower will be approximately 350 feet from the nearest corner of the residential building in the Springs apartment complex. The Planning and Zoning Commission reviewed the request at a public hearing on June 13, 2019. The petitioner provided coverage simulation maps showing the service coverage in the area pre and post installation of the tower. The Commission discussed the need for additional screening of the equipment at the base of the tower. Since the Commission's recommendation, the petitioner has revised the site plan to include additional landscaping around the base of the tower to screen the ground equipment.

Board and staff discussion focused on tower is a new request; fencing and landscaping materials. There was no further discussion.

A motion was made by Trustee Sollinger and seconded by Trustee Olson to approve an Ordinance Granting a Fifth Amendment to the Final Planned Unit Development (PUD) for Prairie Market Lot 1 for a Cell Tower.

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.

J.2. Ordinance Approving an Amendment to the Development Agreement for the Estates of Fox Chase. **Ordinance No. 19-42**

Director Zenner addressed the Board regarding an amendment to the Estates of Fox Chase. In 2017, the petitioner, K. Hovnanian, approached the Village with a proposal to develop 68 of the single-family lots that were owned by the original developer. The remaining 25 lots were under separate ownership and are not part of the original development agreement. As the original developer was not available to complete the final improvements and responsibilities, the petitioner and the Village entered into a development agreement to outline the responsibilities of each party to facilitate the development of the residential lots. Highlights of the agreement were:

- As part of the approved annexation agreement, there was a small lot and proposed improvements including a fishing dock that were to be installed as part of a Park District dedication. The Park District decided not to accept the park improvement, so Lot 114 was originally left for an open space lot for a park site to be maintained by the Homeowner's Association. Unfortunately, a Homeowner's Association was not established for the subdivision. Therefore, it is recommended that the lot be redeveloped with one or two single-family residential lots to assure the parcel is maintained in the future.

- Advertising signage will be allowed along Mill Road and at the intersection of Orchard and Mill Road in the commercial section of the Fox Chase Development.
- The Village completed the final improvements to the streets in the unfinished subdivision in the past year. The petitioner agrees to pay a fee of \$2,100 per residential lot. This fee was determined by taking the total cost the Village paid to finish the streets divided by the number of vacant lots.
- The development had an approved landscape plan and berm along Mill Road. Some sections of the landscape have been installed; many areas need repair and installation. The petitioner agreed to complete the work per the approved plan. Since the petitioner had control of 60% of the lots, they requested the Village fund the remaining 40% (\$12,422) of the costs with the intent of the Village recapturing those costs when the remaining lots developed. (The petitioner will pay a fee of \$496.88 per lot for the 21 additional lots to reimburse the Village's costs of the \$12,422 fee.)
- The builder agrees to pay the impact fees as based upon the exhibit attached to the agreement. These fees are a hybrid of the existing current structure for building permits. Land/cash dedication to schools and parks is determined with the current land/cash value. Impact fees are adjusted to reflect the impact fees intended in the approved Annexation Agreement.

The petitioner has now come forward with the intent to acquire an additional 21 lots in the Estates of Fox Chase (leaving 4 lots remaining). The agreement would incorporate the 21 lots into the same agreement as the 68 lots they acquired in 2017. They would comply with the same terms and conditions as well as contribute their share for the landscaping improvements per the original agreement.

Board and staff discussion focused on no HOA; only active SSA in the Village; maintenance of the pond and landscaping; Park District said no to the park; west end by the pond. There was no further discussion.

A motion was made by Trustee Olson and seconded by Trustee Thomas to approve an Ordinance Approving an Amendment to the Development Agreement for the Estates of Fox Chase.

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

Happy Birthday to Trustee Sollinger. VetFest is this weekend. Very successful Drive N' Dine with over 1,000 people attending.

K.1. Proclamation- National Suicide Prevention Awareness Month
President Parlier read the proclamation.

TRUSTEE REPORTS

Trustee Thomas- congratulations to James Jensen and Kevin Norwood.

Trustee Perez- spirited water rate discussion; local media and update people on the downtown development.

Trustee Marter- Happy Birthday to Trustee Sollinger; pleasure working with James Jensen and Kevin Norwood; congrats and thank you.

Conduct a survey of residents regarding cannabis, taxes, sales, and usage; looking for public view of cannabis. Administrator Di Santo noted that staff is working on a cannabis presentation at the September 3, 2019 Committee of the Whole meeting; possible public survey before the next meeting. Additional discussion focused on application process; adding a disclosure to the survey; Lake Zurich has a survey on their website; easier to do surveys; may not have the time to do a survey correctly; always want a valid survey; whether to require name and address to limit the survey to Oswego residents; a Village issued cannabis license would need to be created; needing additional input before making a decision; create email address for comments.

CLOSED SESSION

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

- a. Pending and Probable Litigation
- b. Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel
- c. Collective Bargaining, Collective Negotiating Matters, Deliberations Concerning Salary Schedules
- d. Sale, Lease, and/or Acquisition of Property

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.

The Board adjourned to Closed Session at 8:33 p.m.

The Board returned to open session at 9:23 p.m.; all remaining members still present.

ADJOURNMENT

A motion was made by Trustee Sollinger and seconded by Trustee Perez to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 9:24 p.m.

Tina Touchette
Village Clerk