

**MINUTES OF A COMMITTEE OF THE WHOLE MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
January 16, 2018**

CALL TO ORDER

President Gail E. Johnson called the meeting to order at 6:04 p.m.

ROLL CALL

Physically Present: President Gail Johnson and Trustees Ryan Kauffman (attended at 6:15 p.m.), Karin McCarthy-Lange, Pam Parr, Luis Perez and Judy Sollinger.

Absent: Trustee Joe West.

Staff Present: Dan Di Santo, Village Administrator; Christina Burns, AVA/HR Director; Tina Touchette, Village Clerk; Mark Runyon, Asst. Public Works Director; Jeff Burgner, Police Chief; Rod Zenner, Community Development Director; Corinna Cole, Economic Development Director; Jenette Sturges, Community Engagement Coordinator- Marketing; Jay Hoover, Building & Zoning Manager; and David Silverman, Village Attorney.

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

There was no one who participated electronically.

PUBLIC FORUM

Public Forum was opened at 6:04 p.m. There was no one who requested to speak; the Public Forum was closed at 6:04 p.m.

OLD BUSINESS

E.1. Massage Parlor Regulations Discussion

Chief Burgner addressed the Board regarding massage parlor regulations. On November 21, 2017, the Village Board provided staff direction regarding massage parlor zoning and ordinance implementation. This was done as a result of recent complaints and investigations into illegal activity (prostitution) at a few of the currently operating massage businesses in the Village. Staff was directed to develop an ordinance that would license, background check, monitor massage business operations and assist in eliminating illegal activity from occurring at these businesses. Staff was also tasked with providing options regarding zoning restrictions for massage businesses.

Ordinance- "Bodywork Establishments"

Staff researched various ordinances existing in other communities and determined the City of Batavia had an ordinance in place. The police department hosted a business outreach meeting in order to notify current massage businesses that an ordinance was being considered. The goal was to get feedback and input from business owners regarding the ordinance and how it might affect their operation. Approximately eight businesses were at the meeting and there appeared to be no opposition to the ordinance. Chief Burgner provided a brief overview on various sections of the ordinance:

- Licensee is the owner and/or operator of a bodywork establishment
- Village issued Bodywork License is required
 - Exception: Home based bodywork practices operated by a person who has a State massage license and is in compliance with the Village zoning code provisions that apply to home occupations
 - 90 days from the effective date to become compliant

- No person shall provide or permit another person to provide massage therapy or massage services unless the person providing the services is a licensed massage therapist or can provide proof that they are exempt
- Exemptions:
 - Physicians, surgeons, chiropractors, osteopaths, podiatrists, naprapaths, occupational therapists or physical therapists
 - Athletic trainers
 - State licensed physician assistants, practical nurses and registered nurses
 - Barbers, estheticians and cosmetologists
 - Hospitals, sanatoriums, nursing homes, assisted living facilities, home health agencies, hospice programs and other such programs as defined and licensed by the state under 210 Illinois Compiled Statutes
 - Bodywork provided by massage therapy students enrolled in a recognized school
 - Bodywork services performed at the patron's premises, including the patron's place of business or residence
- Exempt from the fingerprinting and background check requirements:
 - Owners who have a current, valid State massage therapy license
 - Employees, agents and any persons performing bodywork services on the premises who have a current, valid State massage therapy license
- License fees:
 - One hundred dollars (\$100.00) for establishments for which bodywork is the primary service being provided
 - Fifty dollars (\$50.00) for establishments for which bodywork is not the primary service being provided
 - Ten dollars (\$10.00) for a massage therapist operating as a sole proprietor
 - In addition to the application fee, the applicant shall provide updated information for all licensed massage therapists and for all persons performing massage services who are exempt with proof of the exemption
- Sanitation and Safety
 - All licensed premises shall be periodically inspected by the Village
- Issuance and Denial of Licenses
 - The Bodywork Commissioner shall approve or deny an application for a license within sixty (60) days from the date that the application was accepted by the Village
 - The Bodywork Commissioner shall either issue a license or notify the applicant in writing that the application has been denied. The license shall be denied if the applicant fails to comply with the requirements
- Display of Licenses
 - Every bodywork establishment shall display, at all times, that the establishment is open for business to the public
 - Shall display the Village license, all massage therapists licenses or certificates and the licenses or certifications of all other people who perform bodywork services on patrons
- Conditions and Restrictions of Licenses
 - Supervision: premises shall be supervised at all times when open for business
 - Sanitary Conditions: Every portion of the establishment shall be kept clean
 - Employee Dress Code: All employees and agents shall be subject to a dress code
 - Separate License For Each Premises: Licenses shall apply only to the premises described in the application
 - Transfer of License: No license is transferable, separate or divisible
 - Minors Prohibited: Persons under the age of eighteen (18) may patronize the establishment only with the presence or written consent of their parent or legal guardian
 - Alcoholic Beverages Prohibited
 - Solicitations Prohibited

- Hours Of Operation: No establishment shall be kept open for any purpose between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. of the following day
- Inspections: The Bodywork Commissioner or their authorized representative may inspect each bodywork establishment and the books and records of the establishment
- Residence Prohibited: No one shall reside in the bodywork establishment, and no one shall be allowed to remain overnight in the bodywork establishment premises
- Open Door During Business Hours: The main entry to the bodywork establishment shall be open and unlocked all hours that the establishment is open for and doing business
- Open Sign: A sign indicating the premises is open for business shall be maintained at all times
- Sale, Transfer or Relocation of Establishment
 - Upon the sale, transfer or relocation of a bodywork establishment, the license shall become immediately null and void, and a new license shall be required if a successor bodywork establishment is intended in the same location
- Enforcement
 - The Bodywork Commissioner, Police Department and Community Development department shall have the authority and the duty to enforce the provisions and to delegate enforcement authority as the bodywork commissioner deems necessary and appropriate for the health, safety and welfare of the public
- Bodywork Commissioner
 - Charged with the administration of licensing and ordinances relating to bodywork establishments
 - Shall be apprised of all warnings and citations issued to bodywork establishments and persons
 - Has the authority to suspend a bodywork establishment license without a hearing
- Suspension without a Hearing
 - A bodywork establishment license may be suspended upon the issuance of a written order stating the reason for the suspension without prior notice or hearing for not more than seven (7) days
 - A license may be suspended temporarily without hearing for the following reasons:
 - ✓ Continued operation of the licensed premises will immediately threaten the welfare of the community
 - ✓ Bodywork services are being performed in the premises, but no person employed by the business has a valid state massage therapy license or is exempt from licensing
 - ✓ A person who manages, supervises, is employed by, or was present at the bodywork establishment has been arrested and charged with any criminal activity in connection with the bodywork establishment or is otherwise charged with any conduct involving sexual activity

Zoning

The Zoning Ordinance currently allows massage parlors as a permitted use in the B-1, B-2, and B-3 zoning districts. At the November 21st Committee of the Whole meeting, staff discussed proposing to amend the Zoning Ordinance that would change massage parlors from a permitted use to a special use in the Ordinance. This will require potential new businesses to go through the special use permit process which requires a public hearing before the Planning and Zoning Commission with final approval by the Village Board. Staff believes that reputable businesses will not be deterred by the special use process. All existing massage parlors would be grandfathered and allowed to continue under the Zoning Ordinance as a non-conforming use.

Establishing massage as a special use could cause an issue with massage therapists operating that may be operating as a home occupation. In this business model, the business may see customers in their home or operate out of the home and travel to the customer's residence to provide service. If the Village establishes the requirement of a special use permit, it would prohibit it as a home occupation

use. Staff is of the opinion that though the special use permit process could be helpful in regulating the massage parlors, the licensing process is a more effective way of addressing the recent issues with this type of use. Staff recommended that massage parlors remain a permitted use in the B-1, B-2, and B-3 zoning Districts and allowed as a home occupation.

Board and staff discussion focused on goal is to balance the enforcing of violations; business friendly approach; no background check needed for those who have a State license; terms of license; clarification from the Village's attorney for the final draft; insurance requirements; work with Clerk's Office on the fees and cost; Police Department will check for State licenses; Bodywork Commissioner in charge of violations and oversight; applications go to the Clerk's Office and disseminated to the Police, Building & Zoning and Community Development for review and follow-up; Police Department takes the lead on the processing of new and renewed applications; Bodywork Commissioner decides whether the business gets a license; unintended consequences for legitimate businesses; burdening legitimate businesses; special use requirement would put unintended consequences on a new business; stay with the license process versus a special use; Village President or their designee would be the Bodywork Commissioner; approvals or denials would be based on staff recommendations; ordinance language gives the Bodywork Commissioner a lot of power; intent was to not bring every license application to the Village Board for approval; suspension without hearing; business would get a hearing within seven days, but the business would close for further investigation; background checks would look for prior convictions of prostitution, using unlicensed massage therapists, arrested for certain activities; not looking to hurt legitimate businesses; emergency suspension for those who do not have employees that are licensed by the State; Yorkville has an ordinance in place; staff has reached out to Montgomery; no home businesses attended the outreach meeting; State licenses for home based businesses are not being checked; websites that are advertising/soliciting sexual activity; Police Department is tracking websites; draft ordinance was presented due to the recent issues in town; staff is reaching out to other communities; businesses always have a right to a hearing; prefer the Bodywork Commissioner be a non-political person/position; recommend the Village Administrator as the Bodywork Commissioner; having the right to change the process if it is not working. There was no further discussion.

NEW BUSINESS

F.1. Strategic Plan Update

Asst. Village Administrator Burns addressed the Board regarding the strategic plan update. This is the second update to the plan.

How we got here

- July 23, 2015- priority setting workshop
- October 16, 2016- priority refresh workshop
- December 2016- strategic plan process
- February 7, 2017- adopt strategic plan
- July 18, 2017- first strategic plan update (preliminary update)

2016 Priority Refresh Workshop

Each were categorized and ranked:

- Downtown Economic Development- Completed
 - Market Alexander Lumber property
 - Market old Village Hall site
- Village-wide Economic Development- Partially completed; still in progress
 - Route 34 vacancies
 - Diversity of retail

- Housing starts
- Conservation Initiatives
 - Municipal code review- still in progress
 - ECO strategic plan under way- still in progress
 - Partnership with Conservation Foundation in place- Completed
- New Police Headquarters- Completed
 - Design under way
 - Summer 2018 completion
- Wolf's Crossing- Completed
 - Phase I environmental under way
 - Seek funding opportunities
- Regional Positioning- Completed
 - BDI report in November
 - Implementation to follow
- Metra- Completed
 - Restart engineering study
 - Seek funding opportunities
- ERP Implementation- Completed
- Bike Path Master Plan- still in progress
- Address IT Staffing Needs- Completed
- Historic District- still in progress
 - Demolition review ordinance under review
- Strategic Plan- Completed
 - Performance measures (UIC study under way)
- Tourism Review- Completed
 - Study completed; currently in staff review for recommendations
- Emergency Operations Exercise- Completed

Asst. Village Administrator Burns read the following and noted each statement is ready to be posted on the Village's website:

Vision

Oswego will continue to be a friendly, caring, and forward-thinking community that provides a high quality of life based upon sustainable growth and a respect for our rich heritage and environment.

Mission

It is our mission to responsibly grow our community, and maintain the public's trust. We do this through the innovative and collaborative delivery of public services that meet the community's quality of life expectations.

Values

Integrity: We are honest, ethical and we honor our commitments.

Accountability: We take responsibility for our actions, and are transparent in the fulfillment of our public duties

Innovative: We value creative thinking and problem solving in our service to the public

Pride in work performed: We value a commitment to excellence and pride in the performance of our work

Community: We believe in contributing to something greater than ourselves

The strategic plan establishes priorities for 2017 through 2020. It is a one-page document that is very useful in prioritizing. The final document defines five strategic priorities:

- Financial Stability
- Infrastructure Maintenance and Expansion
- Community Engagement
- Effective Growth and Development
- Productive and Engaged Workforce

Each priority includes a range of desired outcomes, key outcome indicators, targets and strategic initiatives. Based on the priorities, staff developed proposed steps and timelines in order to make progress toward each strategic priority. Initiatives were updated into a master tracking spreadsheet, which includes 170 tasks in support of the plan. 103 tasks were originally due as of January 15, 2017. Of those, 61 are completed. The remaining tasks are revised, pending, ongoing or in progress. The breakdown is as follows:

	Completed	Ongoing	Revised	Pending
Comm. Engagement	4	1	9	0
Finance	7	0	3	0
Growth	26	2	6	2
Operations	9	1	10	0
Workforce	15	6	1	0
Total	61	10	29	2

Financial Sustainability

The Village made significant progress in reducing reliance on sales tax by implementing a food and beverage tax and a gas tax. The Board adopted the revenues because they were shared by non-residents. The additional revenues will also help the Village meet its financial obligations relating to “mega-projects” and other necessary capital improvements in the future.

Target status:

- Revenues exceed expenditures in General Fund: Achieved for FY18; budget in progress for FY19
- Sales tax not to exceed 35% of total revenue
- Funding options identified for megaprojects by 2020

Strategic Initiatives:

- Conduct analysis of megaprojects: Analysis under way; on target for 2020
- Create a revenue strategy: New revenues adopted in 2017; Complete
- Analyze programs for cost-effectiveness: Delayed due to other priorities; on track for completion in 2018

Infrastructure Maintenance and Expansion

The Strategic Plan focuses on ensuring ongoing maintenance of the Village’s infrastructure as well as planning for three key “megaprojects”: a new water source, Wolf’s Crossing and Metra.

Target Status:

- Sustainable water source connected by 2026. Further Lake Michigan analysis under way. Project remains on target for 2026.
- Wolf’s Crossing: Secure \$14 million in funding for Section 1 of Wolf’s Crossing by 2020. Phase 1 engineering for the entire project is wrapping up this winter, which is the first step for eligibility

in project funding. On target for date, however funding goal may shift based on project cost and available resources.

- Metra: expansion to Oswego is a high priority project by 2018. Timeline may be delayed as staff waits for Metra's feasibility study. Lobbying continues for inclusion into next CMAP planning document.
- CIP funding in place to meet current needs: Staff annually reviews and updates the CIP to prioritize projects. Updates to be discussed and updated in conjunction with the FY19 budget.

Strategic Initiatives:

- Water source decision process: Additional analysis under way. Target date for final decision is the end of 2018.
- Water plan implementation: Will follow source decision.
- Master plan- Wolf's Crossing: Phase 1 engineering set for completion this winter.
- Funding strategy-Wolf's Crossing: follow Phase 1 engineering and project plan.
- Phase I-Metra Study: Currently under way. Timeline is under Metra's authority.
- Metra Lobbying strategy: Joint letter to be sent to CMAP this spring.

Community Engagement

The Village transitioned to a new staffing model to integrate Community Relations and Economic Development. This transition period strained staff resources, resulting in some re-prioritizing of community engagement initiatives. The Regional Positioning Plan was launched and are currently planning for the Phase 2 launch. The integration of Community Relations and Economic Development has brought new perspectives to the strategic priority. Staff is exploring different strategic initiatives to better meet the outcome of Community Engagement. An update of this initiative will be presented in the July 2018 Strategic Plan update.

Target Status:

- ___% increase in online visits: Will begin tracking this metric with Comprehensive Communication Plan.
- ___% increase in hotel/motel revenue: May be modified based on tourism plan approach to include broader tourism metrics than hotel stays.
- 2% increase in public satisfaction with services: Community survey to be completed in 2018 and 2020.
- ___% increase in attendance per year: 2017 was intended to set a baseline: Staff recommends eliminating this goal because of logistic and cost constraints in measuring attendance in favor of new metrics that target clearer success factors, such as financial sustainability and overall perception of events.
- Number of business retention visits conducted annually
- ___% of surveyed participants report a positive view of event
- Event hard costs are covered with sponsorship and general event revenue
- ___% report feeling connected: Based on 2018 Community Survey set for this summer.

*2016 survey had 88% of respondents satisfied or very satisfied with the quality of life in Oswego

Strategic Initiatives (current)

- Complete and Implement Regional Positioning Plan: Completed; launching phase 2.
- Implement Tourism Plan: Discussions under way with Aurora Area CVB to determine best course of action for Oswego's tourism effort.
- Develop marketing plan for Village services: Delayed due to new Community Engagement Coordinator onboarding. Targeted to begin in 2018.
- Create internal service response to citizen feedback: part of ERP
- Conductive community Survey: Budgeted for summer 2018.

- Marketing and promotion programs for community events: In progress; delayed due to staff transition.

Effective Growth and Development

The Village has made the most significant progress with this strategic priority. Enhancing the Downtown has been a key priority for the Village Board.

Target Status:

- =>Two groundbreakings by July 2019 in TIF District: On pace to achieve with 59 S. Adams and development interest in old Village Hall block.
- TIF EAV growth is greater than overall Oswego EAV growth. Staff is still defining this target.
- Commercial investment increases annually. Current investment is focused on the Downtown.
- =>100 new residential units under permit/year: 2017 did not hit the target, however, staff anticipates continued residential growth in the community over the next several years.

Strategic Initiatives:

- 59 S. Adams project plan: Redevelopment agreement approved on schedule; development to begin this year.
- Old Village Hall Block Plan: Staff recently received an engineering analysis for necessary improvements on the block; currently working with interested developers.
- TIF District marketing plan: Staff is actively marketing several potential developments in downtown.
- Residential development strategy: Staff is regularly reviewing fees, talking with developers about potential impediments and pro-actively contacting developers to build interest in Oswego. Formal program begins in 2018.
- Economic development strategic plan: Timeline modified due to staffing changes. On course for completion this year.

Target:

- 41 new residential permits in 2017; expect increase in 2018
- Monitoring commercial investment trends; \$4M in 2015; \$15M in 2016; \$3.4M in 2017

Productive and Engaged Workforce

Achieving the other strategic priorities is made possible by fostering a positive work environment that gets the most of its employees, ensuring they have the skills and resources necessary to serve the community.

Target Status:

- Develop a long-term projection for service delivery and staffing: Continued work with shared service ideas, as well as preparing for upcoming retirements is under way.
- 50% or > of non-entry-level positions filled from within: The Village is not currently on target, will be launching a leadership development program in the next year in order to encourage skill development and facilitate succession planning.
- Of the eight positions hired, no non-entry positions filled from within
- Achieve average engagement score on six metrics of 4.0 by 2020; in 2017 it was 3.8
- Accountable organization: 75% goals achieved

Strategic Initiatives:

- ERP implementation – establish best practices/operating process: Implementation on schedule with appropriate analysis and documentation taking place with each module.
 - Will take 2.5 years to implement
 - Finance went “live” in October 2017

- Three of the five modules will be implemented in 2018
- Shared services initiatives: Regular meetings ongoing; planning for a shared Facilities Manager position beginning in spring 2018.
- Create leadership development program: Planning currently under way, with program launching in summer 2018.
- Conduct employee survey: Annual survey completed in August.

Board and staff discussion focused on how to better define community engagement outcomes; work order and project management are the last two modules in the ERP program; quantifiable numbers; “Whatever happened to.....” follow-up items was provided; thankful to the Board for approving the strategic plan; good to have something to look back on; opportunity for second license in Sales Force; budget challenge; continuous improvement; second year winner of the budget challenge was Linda Ebinger; created an online process for renewals of business registrations; saved money and staff time; Village Administrator to provide recognition information in the weekly report to the Board; whether the plan is on the right track. There was no further discussion.

CLOSED SESSION

There was no Closed Session held.

ADJOURNMENT

The Committee of the Whole meeting adjourned at 7:01 p.m.

Tina Touchette
Village Clerk