# MINUTES OF A REGULAR MEETING OF THE OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES OSWEGO VILLAGE HALL 100 PARKERS MILL, OSWEGO, ILLINOIS

**June 5, 2018** 

#### CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Gail Johnson 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**

Physically Present: President Gail Johnson and Trustees Ryan Kauffman, Pam Parr, Luis Perez, Judy Sollinger and Joe West.

Absent: Trustee Karin McCarthy-Lange

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; Rod Zenner, Community Development Director; Corinna Cole, Economic Development Director; Jay Hoover, B&Z Manager; Jenette Sturges, Community Engagement Coordinator- Marketing; and Dave Silverman, Village Attorney.

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

There was no one who requested to attend electronically.

#### RECOGNITIONS/APPOINTMENTS

D.1. Oath of Office

a. Michael A. Barajas-Sergeant

Chief Burgner briefly spoke about Michael A. Barajas's background and work history. Family and friends were present. Ron Elvin, Police Commission Board Chairperson and Carrie Niesman, Police Commission Member were present. President Johnson administered the oath and swore him in.

#### D.2. Recognitions:

a. Angie Hibben

President Johnson recognized Angie Hibben for her 10 years of service on the Cultural Arts Commission.

#### b. Tamara Moore

President Johnson recognized Tamara Moore for her 3 years of service on the ECO Commission.

#### D.3. Employee Service Award

- a. Andrew Most- 5 Years of Service (Police Department)- Did not attend
- b. Justin Graver- 10 Years of Service (Police Department) Did not attend
- c. Cherese Spears- 15 Years of Service (Police Department) Did not attend
- d. Matthew Unger- 15 Years of Service (Police Department) Did not attend
- e. Christopher Biggs- 20 Years of Service (Police Department)- Did not attend
- f. James Jensen- 25 Years of Service (Police Department)

Chief Burgner briefly spoke about Deputy Chief James Jensen's background, work history and leadership. Congratualtions on 25 years of service on the Police Department.

#### **PUBLIC FORUM**

The Public Forum was opened at 7:25 p.m.

Russell Pietrowiak addressed the Board regarding The Springs project. He is not against the development;

wildlife in the area; sad to see the ECO system go; not in favor of the chainlink fencing; lives in Churchill; long term impact of the building; concerned with the bike path; increase the number of canopy trees; who will be maintaining and owning the landscaping; long term maintenance; easement with the Park District; whether natural plantings will be developed; how the wetlands will be impacted; revist the type of plantings. Additionally, he addressed the Memorial Day parade; not well attended; attendance going down every year; it was hot this year.

There was no one else who requested to speak; the Public Forum was closed at 7:34 p.m.

#### **STAFF REPORTS**

There were no Staff Reports.

#### **CONSENT AGENDA**

- G.1. May 15, 2018 Committee of the Whole Minutes
- G.2. May 15, 2018 Regular Village Board Minutes
- G.3. May 15, 2018 Closed Session Minutes (Approve, but Not Release)
- G.4. Ordinance Authorizing the Disposal of Surplus Property Owned by the Village Of Oswego; Building and Zoning Vehicle #2006, Chevrolet Silverado. (First Read of Ordinance, Waiver of Second Read)

  Ordinance No. 18-29
- G.5. Ordinance Repealing Ordinance No. 17-21 Granting a Special Use Permit for an Amusement Establishment Located at 1565 and 1567 US Highway 34 (First Read, Waiver of Second Read)

  Ordinance No. 18-30
- G.6. Resolution Authorizing the Release of Certain Closed Session Minutes. **Resolution No. 18-R-40**
- G.7. Resolution Approving a Lease with Verizon Wireless to Locate Cellular Equipment on the Fox Chase Water Tower. **Resolution No. 18-R-41**
- G.8. Ordinance Rescinding Section 1 of Ordinance No.12-37 Regarding the Board of Police Commissioners Rules and Regulations for the Village of Oswego, Kendall & Will Counties, Illinois. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 18-31**

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to approve the Consent Agenda; Approving the May 15, 2018 Committee of the Whole Meeting Minutes; Approving the May 15, 2018 Regular Village Board Minutes; Approving, but Not Releasing the May 15, 2018 Closed Session Minutes; and approving the following ordinances and resolutions:

**Ordinance No. 18-29;** Ordinance Authorizing the Disposal of Surplus Property Owned by the Village Of Oswego; Building and Zoning Vehicle #2006, Chevrolet Silverado.

**Ordinance No. 18-30;** Ordinance Repealing Ordinance No. 17-21 Granting a Special Use Permit for an Amusement Establishment Located at 1565 and 1567 US Highway 34

**Ordinance No. 18-31;** Ordinance Rescinding Section 1 of Ordinance No.12-37 Regarding the Board of Police Commissioners Rules and Regulations for the Village of Oswego, Kendall & Will Counties, Illinois.

Resolution No. 18-R-40; Resolution Authorizing the Release of Certain Closed Session Minutes.

**Resolution No. 18-R-41;** Resolution Approving a Lease with Verizon Wireless to Locate Cellular Equipment on the Fox Chase Water Tower.

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West

Nav: None

Absent: Karin McCarthy-Lange

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

#### **BILL LIST**

H.1. Approve Bill List Dated June 5, 2018 in the Amount of \$1,998,179.47.

A motion was made by Trustee Parr and seconded by Trustee Kauffman to approve the Bill List Dated June 5, 2018 in the Amount of \$1,998,179.47.

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West Nav: None

Absent: Karin McCarthy-Lange

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

#### **OLD BUSINESS**

There was no Old Business.

#### **NEW BUSINESS**

J.1. Resolution Authorizing Final Acceptance of Public Improvements for the Kendall Point Drive and Weisbrook Drive Extension, Effective June 7, 2018, and Release of Project Surety LOC# SLC304221.
Resolution No. 18-R-42

Director Hughes addressed the Board regarding the final acceptance and release of project surety. The developer, Kendall Point Bridge, LLC, has completed all required work for this project. No issues were found. There was no further discussion.

A motion was made by Trustee Parr and seconded by Trustee Kauffman to approve a Resolution Authorizing Final Acceptance of Public Improvements for the Kendall Point Drive and Weisbrook Drive Extension, Effective June 7, 2018, and Release of Project Surety LOC# SLC304221.

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West Nay: None

Absent: Karin McCarthy-Lange

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

J.2. Resolution Authorizing Purchase of a 2018 Ford F-150 4x4 Extended Cab Truck from River View Ford, Including All Specified Equipment, in the Amount of \$28,564.00 and the Waiving of the Competitive Public Bidding Requirement. Resolution No. 18-R-43

Manager Hoover addressed the Board regarding the purchase of a truck for Building & Zoning inspectors. The Ford F-150 4x4 extended cab pickup truck will be purchased through River View Ford to replace truck #30. Under Village Purchasing Code Local Business & Resident Preference, the Village Board can authorize the purchase cost with local businesses preference of not more than 5% above the lowest bid. State bid price is \$26,910.00. Local purchase is approximately \$1,330.00 or 4.94% more than the State contract price. This percentage falls within the local purchase option. Suburban Purchasing Cooperative price of \$27,645.00 is \$595.00 or 2% less than the Riverview Ford Price. The Village has done good business with Riverview Ford. There was no further discussion.

A motion was made by Trustee Sollinger and seconded by Trustee West to Approve a Resolution Authorizing Purchase of a 2018 Ford F-150 4x4 Extended Cab Truck from River View Ford, Including All Specified Equipment, in the Amount of \$28,564.00 and the Waiving of the Competitive Public Bidding Requirement.

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West

Nay: None

Absent: Karin McCarthy-Lange

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

J.3. Ordinance Granting a Special Use Permit for a Day Care Center for The Learning Experience Located at 91 Templeton Drive (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 18-32** 

Director Zenner addressed the Board regarding a special use for a day care center to be located at 91 Templeton Drive. The project also requires review and approval of a Final PUD to allow for the development of the site with a one-story, 10,000 square foot building. At this time, staff and the Village's engineering consultant are in the process of reviewing the proposed plans for the Final PUD. The petitioner has requested that the Village Board consider the approval of the Special Use Permit prior to the consideration of the Final PUD and would like preliminary feedback from the Board regarding the proposed site plan and building elevations. If the Village Board wishes to approve the Special Use Permit request, the Final PUD would be brought before the Board for consideration at a later date. There was no further discussion.

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to Approve an Ordinance Granting a Special Use Permit for a Day Care Center for The Learning Experience Located at 91 Templeton Drive (First Read of Ordinance, Waiver of Second Read)

Aye: Ryan Kauffman Pam Parr

Luis Perez Judy Sollinger

Joe West Nay: None

Absent: Karin McCarthy-Lange

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

J.4. Resolution Authorizing Execution of an Information Technology and SCADA Support Services Agreement for 2018-2021 with Concentric Integration and the Waiving of the Competitive Public Bidding Requirement. (Subject to Village Attorney and Village Administrator Approval) **Resolution No. 18-R-44** 

Director Hughes addressed the Board regarding an agreement for SCADA services. Staff recommended the Village enter into an agreement with Concentric Integration to provide the support needed to continue services needed to operate and upgrade the Village's SCADA system. Concentric Integration has been providing this service and has the knowledge of the Village's system. The Village will receive a 5% discount on services with this agreement and annual preventive maintenance inspections are included; along with third party hardware and software renewal support for warranty and license agreements. The contract is broken into two types of work: Fixed Fee Services in the amount of \$25,500 covers the cost of software, hosting and preventative maintenance as defined within the contract; Retained Services in the amount of \$19,500 covers repairs, system improvements, and miscellaneous other work. Staff would like to continue with Concentric Integration and execute the 3-year support agreement utilizing their proactive approach for the support they provide and help to identify other areas in the system that need to be upgraded.

Board and staff discussion focused on saving staff time in monitoring; special projects; maintenance; keeping an eye on pricing; if changing to a new company, it would cost more money for the changeover; Concentric's pricing is fair. There was no further discussion.

A motion was made by Trustee Kauffman and seconded by Trustee Parr to Approve a Resolution Authorizing Execution of an Information Technology and SCADA Support Services Agreement for 2018-2021 with Concentric Integration and the Waiving of the Competitive Public Bidding Requirement. (Subject to Village Attorney and Village Administrator Approval)

Aye: Ryan Kauffman Pam Parr

Luis Perez Judy Sollinger

Joe West

Nay: None

Absent: Karin McCarthy-Lange

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

J.5. Resolution Authorizing Execution of an Amended Professional Engineering Services Contract with HR Green, Increasing the Engineering Inspection Rate from 5.0% to 5.47% of the Final Construction Cost for Street Resurfacing of Various Streets Utilizing Motor Fuel Tax Funds. **Resolution No. 18-R-45** 

Director Hughes addressed the Board regarding an amended contract with HR Green. Staff identified additional work to be completed. HR Green requested to increase the payment for Phase 3 Engineering costs from 5.0% of the construction cost to 5.47%, or \$42,000 of the final construction cost. The request is for an additional \$3,608.60. There was no further discussion.

A motion was made by Trustee Parr and seconded by Trustee Sollinger to Approve a Resolution Authorizing Execution of an Amended Professional Engineering Services Contract with HR Green, Increasing the Engineering Inspection Rate from 5.0% to 5.47% of the Final Construction Cost for Street Resurfacing of Various Streets Utilizing Motor Fuel Tax Funds.

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West

Nay: None

Absent: Karin McCarthy-Lange

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

J.6. Ordinance Approving a Preliminary and Final PUD and Subdivision Plat with a Major Change to the Prairie Market PUD to Allow for the Development of a 280 Unit Apartment Community; The Springs. (First Read of Ordinance, Waiver of Second Read) Ordinance No. 18-33

Director Zenner addressed the Board regarding The Springs development. In 2005, the Village approved an Annexation Agreement for the Prairie Market development. The approved plans called for the development of 210 townhome units on a 32.8 acre site along the south side of the Prairie Market commercial development. In March of 2017, the Village Board approved a Major Amendment to the PUD to allow for the development of an 88 unit assisted living/memory care facility on a 5.3 acre portion located at the intersection of Yoakum and 5<sup>th</sup> Street which has since been revoked to due to lack of development. The overall site has remained undeveloped since its initial approval in 2005. The petitioner is requesting approval of a Major Change to the PUD for Lot 5 of Prairie Market and a Preliminary/Final PUD and Subdivision Plat to allow for the development of a 280 apartment unit complex consisting of 14 apartment buildings and a clubhouse on a 27.48 acre site located on Lot 5 of the Prairie Market development.

#### Site Plan

The proposed site plan consists of 14 apartment buildings. Each apartment building will include 20 units per building, for a total of 280 units. The project will consist of 28 studio apartments, 112 1-bedroom units, 112 2-bedroom units, and 28 3-bedroom units. The development will be a gated community with private streets. Residents will be required to utilize the access gate, near the club house, to enter and exit the site. One full vehicular access point is proposed along Fifth Street. An existing emergency access easement connection with the Prairie Market retail center to the north will remain. No cross-access connections to bordering properties are proposed. Because the property is long and narrow, site access is limited, resulting in a single access road design that extends from the eastern half of the development and loops around the property. Each building is provided with vehicular access along one side of the building, with the other side providing a pedestrian courtyard area that connects to other buildings within the development.

The plan provides for a 4,340 square foot clubhouse, containing guest parking and a swimming pool, to be located near the entrance of the development along Fifth Street. The plan also includes 3 detached garages containing a total of 24 spaces, as well as a small maintenance and car care center for residents. There are two pet park areas within the development to provide a space for residents to bring their dogs and allow them to run within a fenced area. The perimeter of the site will be fenced to provide a separation between the proposed use and the surrounding properties. A 5 foot tall decorative fence is proposed at the front of the development along Fifth Street and a 5 foot black vinyl coated chain link fence is proposed around the remainder of the site. There is currently a path connecting the residents of the Churchill Club to the south with the Prairie Market commercial retail development to the north. A small portion of the path, that is located on the subject property, has not been constructed and was intended to be completed with the development of the site. The proposed fence around the site would prohibit pedestrians from using this path when it is constructed. The petitioner is proposing an extension of the path to be located along the western perimeter of the site. The proposed path will be located outside of the fencing for the apartment development and will connect the existing pedestrian paths for Churchill Club and the Prairie Market shopping center. It will maintain the pedestrian connection for the Churchill Club residents while allowing the proposed apartment development to maintain a fence along its perimeter.

#### **Parking**

The Zoning Ordinance requires 1.5 parking spaces for every studio and 1-bedroom apartments, and 2 parking spaces for apartments containing 2 or more bedrooms. Based on the proposed plan, code requires a total of 490 parking spaces. Overall, the plan provides 112 attached garage parking spaces, 24 detached garage spaces, and 353 surface parking spaces, for a total of 509 spaces. The plan includes 16 parking spaces for the clubhouse and a total of 337 surface parking spaces for the apartment units. In addition to surface parking, both attached and detached garages are provided. Three (3) detached garages include a total of 24 spaces and each of the 14 buildings includes 8 interior garage spaces. In general, parking spaces are located interior to the development and along the northern property line which allows the proposed residential buildings to provide a visual shield between the vehicular traffic and parking areas and the single-family residents to the south in the Churchill Club development.

#### Traffic Analysis

The petitioner has submitted a traffic study prepared by KLOA, Inc. showing a comparison between the estimated traffic generated by the original 2005 approved plan consisting of 210 townhomes, and the current proposed plans by The Springs consisting of 280 apartment units.

Table 1
ESTIMATED TRAFFIC VOLUME COMPARISON – APPROVED AND PROPOSED USES

Land -Use		Weekday Morning Peak Hour			Weekday Evening Peak Hour			Saturday Midday Peak Hour		
Code	Type/Size	In	Out	Total	In	Out	Total	In	Out	Total
Approved Development Plan										
230	210 Townhomes	16	77	93	74	36	110	56	48	104
Current Proposed Development Plan										
220	280 Apartments	28	113	141	112	60	172	79	67	146
	Difference	+12	+36	+48	+38	+24	+62	+23	+19	+42

The proposed plan provides for a left turn in lane for traffic traveling north along 5<sup>th</sup> Street. There is no right turn lane proposed for the southbound traffic along 5<sup>th</sup> Street. The petitioner requested an amendment to the approved plan. Staff evaluated the traffic needs based on the additional units proposed for the site. Given the marginal increase in traffic for the proposed use, the traffic impact for the site would not require the right turn lane for southbound traffic.

#### Elevations

The proposed apartment buildings will be 2 stories in height with a hip roof and gabled roof elements to break up the visual length of the roof. The individual units will have covered balconies and entrance areas along all four sides of the building to provide visual depth and interest to the side elevation and to provide a visual break to the long length of the building. Exterior materials will include masonry and siding to provide a mixture of materials and textures to the elevations and serve to reduce the visual mass of the buildings. There is a large amount of windows to provide natural light into the residential units. The petitioner has also submitted elevations of the proposed clubhouse, detached garages, car and maintenance center, dumpster enclosures, and mail kiosk.

Board, staff and petitioner discussion focused on concerns with density; number of students= 35; Park District recommended the chainlink fence; bikepath has a gap; path connection; Park District does not wish to maintain the property; developer will be responsible for maintaining the property; not a significant impact to traffic; whether security will be on site; gated development; key pad at the gate; will assist guests similar to what you would have in a lobby; supervision at the clubhouse; similar developments located in 17 states; 20,000 units from Minnesota to Florida; developer will maintain the bike path; on-site maintenance personnel; wetlands are not at risk; detention ponds are man made; whether trees are at risk; 9-11 month phasing schedule for clubhouse; every three weeks a building will be built; starting on the east side of the area; completed Summer of 2021; PD and FD will have access to keys through the knox box; whether traffic will be backed up on Fifth Street with tentants or guests tring to get in; gate house is 150 feet away from Fifth Street; on-site property managers; on-call if any issues. Trustee noted that the facility in North Aurora is very nice. There was no further discussion.

A motion was made by Trustee Kauffman and seconded by Trustee Parr to Approve an Ordinance Approving a Preliminary and Final PUD and Subdivision Plat with a Major Change to the Prairie Market PUD to Allow for the Development of a 280 Unit Apartment Community; The Springs. (First Read of Ordinance, Waiver of Second Read)

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West Nay: None

Absent: Karin McCarthy-Lange

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

J.7. Resolution Authorizing Execution of the Booster Pump Station Control Improvements Proposal with Concentric Integration. (Subject to Village Attorney and Village Administrator Approval) Resolution No. 18-R-46

Director Hughes addressed the Board regarding the booster pump station control improvements. The Village has three water pressure zones, Ogden Falls water tower, Well #7 and Well #9 are located within the high-pressure zone. In the event that failure to one or both of these wells occurs, the only way to provide additional water to this zone is via the booster station which pushes water uphill into the high zone from the medium zone. The booster station utilizes two 900 gallon per minute booster pumps to fill the Ogden Falls water tower. The installation of the new modern variable frequency drives (VFD) will allow the station to provide the high zone with constant pressure when the water tower is taken out of service for repairs. Currently the booster station is in need of major repairs and staff recommends having the station upgraded before the vital repairs to Well #7 are scheduled for this fall. Well #7 has been declining in performance in an escalating rate and staff is monitoring the wells performance. Staff recommends the Village enter into an agreement with Concentric Integration to provide the necessary repairs to the equipment and controls to operate the booster station in the manner it was intended. The Village will receive a 5% discount on labor services with this agreement. Insurance requirements have been addressed. There was no further discussion.

A motion was made by Trustee Sollinger and seconded by Trustee Perez to Approve a Resolution Authorizing Execution of the Booster Pump Station Control Improvements Proposal with Concentric Integration and the Waiving of the Public Bid Requirements. (Subject to Village Attorney and Village Administrator Approval)

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West Nay: None

Absent: Karin McCarthy-Lange

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

J.8. Ordinance Approving the First Amendment to the Redevelopment Agreement Between the Village of Oswego and Reserve at Hudson Crossing LLC, 59 S. Adams Street. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 18-34** 

Director Cole addressed the Board regarding an amendment to the RDA for the Reserve at Hudson Crossing. The Redevelopment Agreement governs the terms and timeline of the development, including the use of Village incentives to finance the project. The First Amendment to the RDA extends the following deadlines from June 9<sup>th</sup>, 2018 to September 7, 2018:

- Secure financing
- Provide a construction schedule

The First Amendment to the RDA also extends the deadline to purchase 13-15, 19, and 27 S. Adams Street to November 6, 2018. All other existing RDA terms remain unchanged. Hudson is in close negotiations with a financial institution for project financing and has requested the extension accordingly. There was no further discussion.

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to Approve an Ordinance Approving the First Amendment to the Redevelopment Agreement Between the Village of Oswego and Reserve at Hudson Crossing LLC, 59 S. Adams Street. (First Read of Ordinance, Waiver of Second Read)

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Nay: Joe West

Absent: Karin McCarthy-Lange

The motion was declared carried by a roll call vote with four (4) aye votes and one (1) nay vote.

J.9. Resolution Authorizing Gilbane Building Company to Execute Change Order #ATP-077 to the HVAC Contract with C. Acitelli Heating in the Amount of \$23,000 for the Construction of the New Police Headquarters Project and the Waiving of the Competitive Public Bidding Requirement.

Resolution No. 18-R-47

Chief Burgner addressed the Board regarding a change order to the HVAC contract. During the original bidding process for HVAC work, an alternate bid was requested for the purchase and installation of a snow melt system that would be embedded in the sidewalk at the employee entrance of the new police headquarters. The system would provide assistance in melting snow in an effort to increase safety and reduce the risk of slip and fall situations during snow or icy conditions. The equipment will also decrease the amount of salt that is tracked into the building. It has been determined that funding for this additional work can be covered in the overall budget of the project. Due to the amount of time that has lapsed since the original bid, Gilbane Building Company has confirmed with the HVAC contractor that they would honor their original alternate bid pricing of \$23,000 for this work. The gross change order of \$23,000 represents less than 1% of the awarded contract. Per Section 1-19-11-A(4), change orders exceeding \$15,000 must be approved by the Village Board.

Board and staff discussion focused on bringing a request for an open area garage; this is an older bid, but the contractor is not raising the price. There was no further discussion.

A motion was made by Trustee Kauffman and seconded by Trustee Parr to Approve a Resolution Authorizing Gilbane Building Company to Execute Change Order #ATP-077 to the HVAC Contract with C. Acitelli Heating in the Amount of \$23,000 for the Construction of the New Police Headquarters Project and the Waiving of the Competitive Public Bidding Requirement.

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West

Nay: None

Absent: Karin McCarthy-Lange

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

J.10. Ordinance Authorizing the Approval of a Purchase and Sale Agreement with Imperial Investments, LLC Concerning 113 Main Street. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 18-35** 

Director Cole addressed the Board regarding a purchase and sale agreement. Imperial Investments, L.L.C. is managed by Rick Tollefson, the founder and owner of Boombah, Inc. Imperial owns numerous properties in downtown Yorkville including the building that houses Crusade Burger Bar. Imperial desires to expand their investments into Downtown Oswego by developing 113 Main Street into a three-story mixed use building. Their plan is for a first story "fine dining" restaurant space, a second story office, and third floor residential units. The Purchase and Sale Agreement ("PSA") sets the purchase price at \$60,000, which includes an 120-day inspection period. During the inspection period, Imperial will perform due diligence, and produce preliminary site plans for review by the Planning and Zoning Commission and approval by the Village Board. Before the conclusion of the inspection period, the Village Board is anticipated to consider the approval of a Redevelopment Agreement ("RDA") with Imperial Investments, L.L.C. for the 113 Main Street property. The RDA will:

- Outline all development terms
- Finalize the property's development plan
- Establish the use of any Village incentives, including adjustments to the property's purchase price
- Allow Imperial Investments to close on the property

Should Imperial Investments, or the Village fail to enter into a RDA within that timeframe, the PSA will terminate and the Village will continue to own the property. The planned three-story building is consistent with the Village's Comprehensive Plan and supports the objectives of the Downtown TIF District. There was no further discussion.

A motion was made by Trustee Kauffman and seconded by Trustee Perez to Approve an Ordinance Authorizing the Approval of a Purchase and Sale Agreement with Imperial Investments, LLC Concerning 113 Main Street. (First Read of Ordinance, Waiver of Second Read)

Aye: Ryan Kauffman Pam Parr Luis Perez Judy Sollinger

Joe West

Nay: None

Absent: Karin McCarthy-Lange

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

#### **PRESIDENT'S REPORT**

K.1. Proclamation-Flag Day, June 14, 2018

President Johnson recognized June 14th as Flag Day.

#### **TRUSTEE REPORTS**

Trustee Perez- addressed Director Cole and Jenette Sturges; good job on managing growth.

Trustee Kauffman- excited about projects and interest in town; thank you to Staff.

Trustee Parr- agreed with Trustee Kauffman.

Trustee Sollinger- agreed with Trustee Kauffman.

#### **CLOSED SESSION**

There was no Closed Session held.

### **ADJOURNMENT**

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 8:13 p.m.

Tina Touchette Village Clerk