

**MINUTES OF A REGULAR MEETING OF THE  
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES  
OSWEGO VILLAGE HALL  
100 PARKERS MILL, OSWEGO, ILLINOIS  
January 17, 2017**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

President Gail Johnson called the meeting to order at 7:04 p.m. and led the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

Physically Present: President Gail Johnson; Trustees Ryan Kauffman, Karin McCarthy-Lange, Pam Parr and Judy Sollinger

Absent: Trustees Luis Perez and 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; Mark Horton, Finance Director; Rod Zenner, Community Development Director; Michele Brown, Community Relations Manager; Tyler Grace, Administrative Intern; and James Murphy, Village Attorney.

**PUBLIC FORUM**

The Public Forum was opened at 7:07 p.m.

Ray Mertens addressed the Board with concerns regarding the concrete plant. Need to protect all property owners; how the property is zoned; think about everyone before making a decision.

Vince Zaccardi addressed the Board with concerns regarding the concrete plant. Need education and good communication between the Village and residents and all impacts a concrete plant would have.

David Piazza addressed the Board with concerns regarding the concrete plant. He just bought a house in Hunt Club. He picked the house because of the quiet area.

Carol Rybicki addressed the Board with concerns regarding the concrete plant and the strip mall on Route 71. She thought all development would be residential; not sure why all the commerce is coming into the Village; how a concrete plant would affect the taxes; no one caring about the residents; how residents will be able to get in and out of Budd Road.

There was no one else who requested to speak; the Public Forum was closed at 7:14 p.m.

Administrator Di Santo briefly spoke about the development proposal for Fox Ridge Stone. Some of the property is not in the Village and would not be in the Village's control. Staff is working on a draft annexation that may take several weeks to draft. Sign-up sheets are available for those who want to be contacted when the item goes to the Village Board for discussion. Further discussion focused on giving the community a chance to get ahead of the item; keeping the public informed as to when the item would be going to the Board; Village Board is the final decision maker; quarry is not in the Village limits; currently zoned M-1; concrete plant would also be zoned M-1; needing details on health concerns and environmental impact; Village not in a rush to get the item done; want to do more vetting.

**STAFF REPORTS**

Village Administrator- Intergovernmental Legislative meeting is scheduled for February 2<sup>nd</sup> at 9 a.m. at Village Hall. This will be a public meeting.

Community Relations Manager- Oswego Light Festival is scheduled for January 21<sup>st</sup> from 5pm-9pm on Main

Street. Oswego Connects- not too late to sign up. Some Village Commissions will be available for anyone who wishes to sign-up to be a member of a Commission. Deadline is February 1<sup>st</sup>.

**CONSENT AGENDA**

- G.1. January 3, 2017 Committee of the Whole Minutes
- G.2. January 3, 2017 Regular Village Board Minutes. (Approve, but Not Release) “but Not Release” was noted in error. Minutes are to be approved as read.
- G.3. January 3, 2017 Closed Session Minute (Approve, but Not Release)
- G.4. Resolution Authorizing Final Acceptance of Public Improvements for the White Oak Senior Housing Phase II, Lots 3 and 4 of the Resubdivision of Lot 5 of Orchard Woods, Effective January 18, 2017; and Release of Project Surety #106165490. **Resolution No. 17-R-04**
- G.5. Ordinance Granting a Variance to Increase the Allowable Wall Signage by 22 Square Feet for a Total of 47 Square Feet for Hand & Stone Massage and Facial Spa Located at 3050 Route 34. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-06**
- G.6. Ordinance Granting a Special Use Permit for an Athletic Training Facility for Fit Kid Located at 118E Kirkland Circle. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-07**

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Sollinger to approve the Consent Agenda; Approving the January 3, 2017 Committee of the Whole Minutes; Approving the January 3, 2017 Regular Village Board Minutes; Approving, but not Releasing the January 3, 2017 Closed Session Minutes; and approving the following ordinances and resolution:

**Ordinance No. 17-06**; Ordinance Granting a Variance to Increase the Allowable Wall Signage by 22 Square Feet for a Total of 47 Square Feet for Hand & Stone Massage and Facial Spa Located at 3050 Route 34.

**Ordinance No. 17-07**; Ordinance Granting a Special Use Permit for an Athletic Training Facility for Fit Kid Located at 118E Kirkland Circle.

**Resolution No. 17-R-04**; Resolution Authorizing Final Acceptance of Public Improvements for the White Oak Senior Housing Phase II, Lots 3 and 4 of the Resubdivision of Lot 5 of Orchard Woods, Effective January 18, 2017; and Release of Project Surety #106165490.

Aye: Ryan Kauffman	Judy Sollinger
Karin McCarthy-Lange	Pam Parr

Nay: None

Absent: Luis Perez and Joe West

The motion was declared carried by omnibus roll call vote with four (4) aye votes and zero (0) nay votes.

**BILL LIST**

- H.1. Approve Bill List Dated January 3, 2017 in the Amount of \$826,987.30.

On-line training bill is for the Lynda training program that employees use for various training purposes.

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to Approve the Bill List Dated January 3, 2017 in the Amount of \$826,987.30.

Aye: Ryan Kauffman	Judy Sollinger
Karin McCarthy-Lange	Pam Parr

Nay: None

Absent: Luis Perez and Joe West

The motion was declared carried by a roll call vote with four (4) aye votes and zero (0) nay votes.

- H.2. Approve Bill List Dated January 17, 2017 in the Amount of \$595,308.21.

A motion was made by Trustee Sollinger and seconded by Trustee Parr to Approve the Bill List

Dated January 17, 2017 in the Amount of \$595,308.21.

Aye: Ryan Kauffman Judy Sollinger

Karin McCarthy-Lange Pam Parr

Nay: None

Absent: Luis Perez and Joe West

The motion was declared carried by a roll call vote with four (4) aye votes and zero (0) nay votes.

### **OLD BUSINESS**

There was no Old Business.

### **NEW BUSINESS**

J.1. Resolution Authorizing an Intergovernmental Agreement Regarding Levies and Maintenance Activities Related to the Morgan Creek Drainage District Within the Village of Oswego (Subject to Village Administrator and Village Attorney Review). **Resolution No. 17-R-05**

Administrator Di Santo presented an agreement, on behalf of Director Hughes, relating to the Morgan Creek Drainage District. Certain persons living within the boundary of the Morgan Creek drainage area petitioned the court in the summer of 2014 to activate the Morgan Creek Drainage District. The judge ruled the District had never been dissolved and that it could be “re-activated”. The petitioners requested the judge confirm the boundary of the district, the centerline of the creek, the right-of-way along the creek, and allow the district to levy. The Village objected to the petitions regarding the process for defining the boundary, centerline, and right-of-way of the district. The Village also objected to the methodology for establishing the assessments for residential and farm properties.

Over the past year and a half, the Village’s Public Works Director and Attorney worked with the District’s engineer and attorney to develop an intergovernmental agreement to resolve the Village’s objection to the petitions. The District agrees to resolve the issues related to the boundary, centerline, and right-of-way within proscribed times. The agreement outlines how the parties will interact with respect to development and construction within the boundary. The agreement also requires the District to “modify its Assessment Petition to recognize the diminished impact of properties which utilize appropriate stormwater management facilities to control the rate of stormwater drainage”. The judge has scheduled a hearing for February 7, 2017. The Village Attorney recommended the Village Board approve the agreement prior to the hearing.

Staff and Board discussion focused on persons living within the drainage area would pay a \$10 per year fee to help maintain the drainage area; fee will appear on the annual tax bill; agreement is the best way to make sure residents are protected; private attorneys may still continue with the case; no guarantee the fee would not be increased; need to watch who is being elected to the Drainage District Board; 75% of the fees to be spent on maintaining the drainage.

A motion was made by Trustee Parr and seconded by Trustee McCarthy-Lange to Approve a Resolution Authorizing an Intergovernmental Agreement Regarding Levies and Maintenance Activities Related to the Morgan Creek Drainage District Within the Village of Oswego. (Subject to Village Administrator and Village Attorney Review).

Aye: Ryan Kauffman Judy Sollinger

Karin McCarthy-Lange Pam Parr

Nay: None

Absent: Luis Perez and Joe West

The motion was declared carried by a roll call vote with four (4) aye votes and zero (0) nay votes.

J.2. Resolution Authorizing an Assignment Agreement with HovSite Hunt Club, L.L.C. for the Detention Basin Maintenance, Acceptance of Detention Basins, and Release of Project Surety #1016906.  
**Resolution No. 17-R-06**

Administrator Di Santo presented an agreement, on behalf of Director Hughes, for the detention basin maintenance, acceptance of detention basins and release of surety. The Developer (HovSite Hunt Club, LLC) entered into an agreement with the Hunt Club at Oswego Homeowners Association (the "Association") on December 12, 2016. The agreement called for the developer to pay the Association \$50,790.00 to maintain the basins for five years. The Developer has agreed to assign their rights to enforce the agreement to the Village. The Village has worked to ensure that the Association has sufficient funds to complete the remaining maintenance work. The assignment agreement provides the Village the mechanism to ensure that the maintenance work is completed and that the Association does not divert the funds for other purposes. Releasing the Developer from the remaining work serves several purposes.

Staff and Board discussion focused on the HOA taking control of the maintenance of the basins; work would be completed over the next couple years; basins to be maintained per Village standards; public improvements, overall mass earthwork and erosion control surety is being released.

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to Approve a Resolution Authorizing an Assignment Agreement with HovSite Hunt Club, L.L.C. for the Detention Basin Maintenance, Acceptance of Detention Basins, and Release of Project Surety #1016906.

Aye: Ryan Kauffman                      Judy Sollinger  
      Karin McCarthy-Lange            Pam Parr

Nay: None

Absent: Luis Perez and Joe West

The motion was declared carried by a roll call vote with four (4) aye votes and zero (0) nay votes.

### **PRESIDENT'S REPORT**

President Johnson thanked the residents who took time to speak to the Board regarding Fox Ridge Stone. Petitioner will be advised that the Village Board needs to know the health risks involved.

President Johnson is a new member of the MetroWest Northwest Water Planning Alliance Board. She noted the aquifer is drying; a representative from Will County attended the meeting; starting on conservation measures; all schools need to test the water in their schools.

The State of the Village is scheduled for February 22<sup>nd</sup> at Kendall 11 Theater.

### **TRUSTEE'S REPORTS**

Trustee McCarthy-Lange

- LunaFest is scheduled for February 4<sup>th</sup> at 3pm in the Board room at Village Hall. Please visit [lunafest.org](http://lunafest.org) for more information.

Trustee Sollinger

- She received a call from the American Legion stating they were not notified of the light show. Staff noted that only a small portion of Main Street would be closed from Jackson to Washington; the Legion was notified via email.

- She inquired into whether Groot was sold. Staff noted the Village is still in contract with them and that the sale should not affect the Village.

Trustee Parr

- Vietnam Moving Wall is coming this year and will be in the Village through July 3<sup>rd</sup>. Would like to know what the public and committee would think of having fireworks on July 3<sup>rd</sup> to accommodate the event and whether it is feasible to do a joint fireworks show with Montgomery. Staff to discuss more and obtain costs and feedback from the committee. Staff to bring back to the Board at the February 7<sup>th</sup> meeting.

Trustee Kauffman

- He thanked everyone for coming out this evening. He has tried to answer all emails sent to him regarding Fox Ridge Stone. He additionally stated that we all live in this community and care very much; the Board is open-minded; resident voices have been heard.

**CLOSED SESSION**

There was no Closed Session held.

**ADJOURNMENT**

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 7:46 p.m.

Tina Touchette  
Village Clerk