

**MINUTES OF A REGULAR MEETING OF THE
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
March 21, 2017**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Gail Johnson called the meeting to order at 7:01 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, Judy Sollinger and Joe West.

Trustee Luis Perez attended electronically at 7:07 p.m.

Staff Present: Dan Di Santo, Village Administrator; Christina Burns, AVA/HR Director; Tina Touchette, Village Clerk; Jennifer Hughes, Public Works Director; Jeff Burgner, Police Chief; Rod Zenner, Community Development Director; Michele Brown, Community Relations Manager; Mark Horton, Finance Director; Jay Hoover, Building & Zoning Manager; Corinna Cole, Economic Development Director; Dave Silverman, Village Attorney; and Greg Jones, Village Attorney.

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

President Johnson stated a Trustee requested the consideration of electronically attending tonight's meeting. Clerk Touchette confirmed the receipt of an electronic attendance request form from Trustee Luis Perez who is away on Business. President Johnson requested the following motion after it was determined there was a quorum:

C.1. Motion to Approve Trustee Luis Perez to Electronically Attend the March 21, 2017 Regular Village Board Meeting.

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to Approve Trustee Luis Perez to Electronically Attend the March 21, 2017 Regular Village Board Meeting.

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

Nay: None

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

Trustee Luis Perez was approved to electronically attend the March 21, 2017 Regular Village Board meeting at 7:07 p.m. via phone/audio conference.

RECOGNITIONS/APPOINTMENTS

D.1. Oath of Office

a. James C. Novy- Patrol Officer

Chief Burgner briefly spoke about James Novy's background. Tim Murray and Ron Elvin from the Police Commission were present. President Gail Johnson administered the oath of office.

K.1. Proclamation- Mayor's Day of Recognition for National Service, April 4, 2017- Item Moved up from the President's Report.

President Johnson read the proclamation and presented a copy to the members of the Senior Services Associates. She additionally stated that local mayors will be volunteering at the food pantry on April 7th and reminded everyone of the Community Day of Service scheduled for April 29th.

K.2. Proclamation- Earth Hour, 8:30 PM - 9:30 PM, March 25, 2017- Item Moved up from the President's Report.

President Johnson read the proclamation.

PUBLIC FORUM

The Public Forum was opened at 7:14 p.m.

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

STAFF REPORTS

Village Administrator- due to the elections, there will be no Village Board meeting on April 4th. The next scheduled Board meeting is April 11th. It was a successful Drivedown. Senator Holmes submitted a bill to assist with the vacancy in the old Dominick's building. He thanked everyone who attended the Drivedown.

F.1. Milly's Cafe Presentation and Request for Liquor License/Video Gaming.

Staff was approached by Fadi Mohammed with a request to open a video gaming/deli business to be located at 1561 Route 34; strip mall near Tuffy Auto Service. Mr. Mohammed is here to present a concept plan for the location. Mr. Mohammed stated he is the owner of Hana's in Bradley; Hana's opened one year ago; owns three Boost Mobile stores and will be opening a fourth; owner of New York City deli for 4 years; customer service is most important; will run monthly events and specials every week; employs ten people; five gaming machines with payouts from \$2.00-\$500; serving beer and wine; not a lot of customers drink; customer rewards cards; deli will have boars head meat and cheeses; will offer 6-7 varieties; fresh food cut daily; will also serve macaroni and potato salad, chips, cookies and cupcakes; give back to the community through turkey drives, food drives and giveaways.

Board and staff discussion focused on what drew him to Oswego; hours will be from 9am-1am; getting away from the intention of gaming parlors; not wanting another gaming parlor in Oswego; supporting because of the location; in favor of attracting other businesses that may come in to the strip mall; staff has received interest from 8 other gaming parlor businesses; restricting the number of gaming parlors; demand for gaming parlors; gaming parlors can bring in foot traffic; considering based on the location; whether customers are having to wait to game on the machines; not wanting Oswego to be considered a gaming community; business would be approximately 1,200 square feet with a lounge area; size would be half of Stella's; what it would look like in two years; if underserved, how many machines can the Village hold; making sure the business plan will work; needing better curb appeal and interior layout; staff directed to move forward in the process. Two Board members are opposed. Applicant will need to provide an exterior and interior layout before bringing back to the Board for approval.

CONSENT AGENDA

- G.1. March 4, 2017 Special Committee of the Whole Minutes
- G.2. March 7, 2017 Committee of the Whole Minutes
- G.3. March 7, 2017 Regular Village Board Minutes
- G.4. March 7, 2017 Closed Session Minutes (Approve, but Not Release)

- G.5. Resolution Authorizing the Village of Oswego to Join the Conservation in Our Community Program with the Conservation Foundation, for an Amount Not-to-Exceed \$3,000. **Resolution No. 17-R-22**; second year of the annual renewal.
- G.6. Approve the Annual Zoning Map
- G.7. Resolution approving a PrairieFest Parade and the Temporary Closure of US Highway 34 in the Village of Oswego. **Resolution No. 17-R-23**

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to approve the Consent Agenda; Approving the March 4, 2017 Special Committee of the Whole Minutes; Approving the March 7, 2017 Committee of the Whole Minutes; Approving the March 7, 2017 Regular Village Board Minutes; Approving, but not Releasing the March 7, 2017 Closed Session Minutes; and approving the following resolutions:

Resolution No. 17-R-22; Resolution Authorizing the Village of Oswego to Join the Conservation in Our Community Program with the Conservation Foundation, for an Amount Not-to-Exceed \$3,000.

Resolution No. 17-R-23; Resolution approving a PrairieFest Parade and the Temporary Closure of US Highway 34 in the Village of Oswego.

Aye: Ryan Kauffman	Judy Sollinger
Karin McCarthy-Lange	Pam Parr
Luis Perez	Joe West

Nay: None

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

BILL LIST

H.1. Approve Bill List Dated March 21, 2017 in the Amount of \$545,919.37.

A motion was made by Trustee Parr and seconded by Trustee Sollinger to Approve the Bill List Dated March 21, 2017 in the Amount of \$545,919.37.

Aye: Ryan Kauffman	Judy Sollinger
Karin McCarthy-Lange	Pam Parr
Luis Perez	Joe West

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. Resolutions Authorizing Gilbane Building Company to Award Contracts for Construction of the New Police Headquarters - Site Improvements.

Chief Burgner provided the Board with information concerning the awarding of contracts for the new Police Headquarters. The bidding strategy to construct the new police facility includes a three-phase bidding process in order to complete the project. Bids were opened on March 10, 2017 for Building Concrete Work, Mass Excavation, Grading & Site Demo and Site Utilities. The low bids for construction totaled \$2,647,468 which is 3% lower than the Construction Document estimate of \$2,728,366. The construction manager thoroughly reviewed all bids and conducted interviews with winning bidders. Gilbane Building Company has recommended awarding of bids as stated in the draft resolutions. Chief Burgner also noted the groundbreaking ceremony for the new headquarters is scheduled for Thursday at 10:00 a.m.

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to Approve a Resolution Authorizing Gilbane Building Company to Award Contracts for Construction of the New Police Headquarters for Building Concrete Work to Concrete by Wagner in the Amount of \$1,176,040.00. **Resolution No. 17-R-24**

Aye: Ryan Kauffman Judy Sollinger
 Karin McCarthy-Lange Pam Parr
 Luis Perez Joe West

Nay: None

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

A motion was made by Trustee Parr and seconded by Trustee Kauffman to Approve a Resolution Authorizing Gilbane Building Company to Award Contracts for Construction of the New Police Headquarters for Mass/Building Excavation and Site Demolition Work to S&K Excavating & Trucking, Inc. in the Amount of \$1,025,500.00. **Resolution No. 17-R-25**

Aye: Ryan Kauffman Judy Sollinger
 Karin McCarthy-Lange Pam Parr
 Luis Perez Joe West

Nay: None

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

A motion was made by Trustee Sollinger and seconded by Trustee Parr to Approve a Resolution Authorizing Gilbane Building Company to Award Contracts for Construction of the New Police Headquarters for Site Utilities Work To Bisping Construction Company in the Amount of \$445,928.00. **Resolution No. 17-R-26**

Aye: Ryan Kauffman Judy Sollinger
 Karin McCarthy-Lange Pam Parr
 Luis Perez Joe West

Nay: None

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

J.2. Resolution Authorizing Participation in the Illinois Joint Purchase for 1,200 tons of Bulk Rock Salt with an Option to Purchase 80%-120% of the Contract Amount for the 2017-2018 Season.
Resolution No. 17-R-27

Director Hughes provided the Board with information regarding the purchase of bulk rock salt. Staff budgeted 2,000 tons for next winter based upon historical data. Due to the mild winter, the Village has used less salt than in past years and still needs to take delivery of approximately 730 tons of the contracted 2,000 tons prior to the end of June. The salt dome is nearing capacity; as are all salt domes in the entire region. Staff believes the Village can reduce the salt purchased next winter to 1,200 tons. Staff recommended the option of purchasing 80-120% (1,440 tons) of the contract amount for the 2017-2018. This option will give the Village the flexibility to adjust the quantity based upon conditions. The Village would run the risk of paying a higher unit price. If the Village chooses to take 80% of the order, the vendor bears the cost of storing the salt until it is sold the following season. Staff is hoping the cost will be lower.

A motion was made by Trustee Kauffman and seconded by Trustee McCarthy-Lange to Approve a Resolution Authorizing Participation in the Illinois Joint Purchase for 1,200 tons of Bulk Rock Salt with an Option to Purchase 80%-120% of the Contract Amount for the 2017-2018 Season.

Aye: Ryan Kauffman Judy Sollinger
Karin McCarthy-Lange Pam Parr
Luis Perez Joe West

Nay: None

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

J.3. Ordinance Appointing a New Registrar and Paying Agent for Certain Outstanding Obligations of the Village of Oswego. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-10**

Director Horton addressed the Board regarding the appointing of a registrar and paying agent. The Village issues bonds to raise capital to pay for various projects within the Village. Each bond issuance requires the services of a Bond Registrar or Paying Agent to pay the bondholders the principal and interest earned on their purchase of the bonds. The Village issued bonds in 2016 and utilized the services of Zions Bank as the Paying Agent for the bond issuance. Zions Bank fees for the services were lower than the vendor used on prior debt issuances. Zions Bank subsequently proposed pricing for using their paying agent services for the other outstanding Village bond issuances. Staff reviewed the proposal and compared the pricing against what is currently paid for each debt issuance. The Village can save approximately \$14,000 over the remaining life of the outstanding debt by having Zions Bank provide paying agent services for two of the Village debt issuances: the Taxable General Obligation Bonds Series 2009 and General Obligation Refunding Bonds, Series 2014.

A motion was made by Trustee West and seconded by Trustee Sollinger to Approve an Ordinance Appointing a New Registrar and Paying Agent for Certain Outstanding Obligations of the Village of Oswego. (First Read of Ordinance, Waiver of Second Read)

Aye: Ryan Kauffman Judy Sollinger
Karin McCarthy-Lange Pam Parr
Luis Perez Joe West

Nay: None

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

J.4. Ordinance Granting a Major Change to the Prairie Market PUD, a Special Use Permit for a Rest Home/Nursing Home, Preliminary and Final PUD, and Subdivision Plat Approval to Allow for an 88 Unit Memory Care and Assisted Living Facility at the Northwest Corner of 5th Street and Yoakum Boulevard. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-11**

Director Zenner addressed the Board regarding an assisted living facility in the Village. The subject property is a vacant parcel located behind the Wal-Mart that was approved for the development of 210 townhome units. The petitioner is requesting approval of a major change to the PUD, a Special Use Permit for a rest home/nursing home, and Preliminary and Final PUD and Subdivision Plat approval to allow for an 87,725 square foot 88-unit memory care and assisted living facility. The Zoning Ordinance allows for rest homes/nursing homes as a special use in the R-4 General Residence District. The petitioner is planning to subdivide 6.08 acres from the 32.8 acre proposed townhome site to allow for the development of the project. The proposed development provides a single building with three uses. The central core is the main gathering place for the residents where most activities will occur. The northern section of the building is a three story assisted living facility. The southern section is a memory care unit. Since this proposed development is a memory care and assisted living facility, the petitioner has requested that the school impact fees be waived since the project will not impact the school system. The School District has reviewed the request and agreed to waive the impact fees for residential development for this project. The property will provide annual property taxes to the School District and other taxing bodies as would normally be assessed for the proposed use.

A motion was made by Trustee Parr and seconded by Trustee Kauffman to Approve an Ordinance Granting a Major Change to the Prairie Market PUD, a Special Use Permit for a Rest Home/Nursing Home, Preliminary and Final PUD, and Subdivision Plat Approval to Allow for an 88 Unit Memory Care and Assisted Living Facility at the Northwest Corner of 5th Street and Yoakum Boulevard and School impact fees are waived for this project, if the use converts to a use that would allow school age children to live there, then school impact fees would be assessed at that time. (First Read of Ordinance, Waiver of Second Read)

Aye: Ryan Kauffman Judy Sollinger
 Karin McCarthy-Lange Pam Parr
 Luis Perez Joe West

Nay: None

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

J.5. Ordinance Amending Title 3 Chapter 7; Alcoholic Beverages. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-12**

Clerk Touchette addressed the Board regarding changes to the Village’s code concerning alcoholic beverages. This is one of the larger code amendments with quite a few changes that need to be made to get the Village up to speed with State and Federal laws. Some of the changes include:

- Adding language to include:
 - Zoning requirements
 - Dramshop insurance
 - Clarification on homemade brewed beverages
 - Assessment of late fees for non-renewal of local and/or State license
 - Fees for lost, misplaced or additional copies of license
 - Updates to temporary liquor license section based on the recent update to the Special Event Village code
 - BASSET (Beverage Alcohol Sellers and Servers Education) requirements per the Illinois Liquor Commission
 - Happy Hour and Infusion regulations; this went into effect through the State on July 15, 2015
- Replacing language as it relates to:
 - Closing hours
 - ✓ Major change to the hours permitted on Sundays
 - Previously allowed from 10:00 a.m. to 1:00 a.m.
 - Staff is proposing 7:00 a.m. to 1:00 a.m.

Board and staff discussion focused on the change on Sunday morning; language in code was outdated language.

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Kauffman to Approve an Ordinance Amending Title 3 Chapter 7; Alcoholic Beverages. (First Read of Ordinance, Waiver of Second Read)

Aye: Ryan Kauffman Judy Sollinger
 Karin McCarthy-Lange Pam Parr
 Luis Perez Joe West

Nay: None

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

J.6. Ordinance Authorizing the Approval of a Purchase and Sale Agreement with Shodeen Group, LLC for 59 S. Adams Street. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-13**

Director Cole addressed the Board regarding a purchase and sale agreement with Shodeen Group, LLC. In September 2016, the Village Board approved a TIF District to activate reinvestment in Downtown. On December 29, 2016, the Village Board purchased 59 S. Adams Street, through bonds, in the amount of \$1,492,500 in order to accelerate, and ultimately control, the development of the property. Immediately following the closing in January 2017, staff solicited development proposals from several area developers. After reviewing potential developers, the Village project team recommended the Geneva based Shodeen Group, LLC as the preferred developer. Shodeen proposes to develop a multi-story, mixed-use development on the site including residential units, commercial space, and a public parking deck on the 59 S. Adam’s Street property. The Purchase and Sale Agreement designates Shodeen as the purchaser of the 59 S. Adams Street property. Before closing, the agreement prescribes a nine-month “inspection period” for Shodeen to pursue necessary development approval through the public review process, including:

- Submittal of formal development plans for the subject property
- A public hearing before the Planning and Zoning Commission for rezoning and Preliminary/Final PUD approval
- Engineering analysis and review

After the conclusion of inspection period, the Village Board will consider the approval of a Redevelopment Agreement (“RDA”) with Shodeen for the 59 S. Adams Street property:

- RDA will outline all development terms
- Finalize the development plan for the site
- Establish the use of any Village incentives, including:
 - The use of TIF increment to finance the project
 - Adjustments to purchase price, due to a demonstrated and quantifiable necessity
- Allow Shodeen to close on the 59 S. Adams Street property

Should Shodeen or the Village fail to enter into an RDA within that timeframe, the Purchase and Sale Agreement will be terminated and the Village will continue to own the property. Dave Patzelt, President of Shodeen, was present to answer questions. All are excited for the project.

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to Approve an Ordinance Authorizing the Approval of a Purchase and Sale Agreement with Shodeen Group, LLC for 59 S. Adams Street. (First Read of Ordinance, Waiver of Second Read)

Aye:	Ryan Kauffman	Judy Sollinger
	Karin McCarthy-Lange	Pam Parr
	Luis Perez	Joe West

Nay: None

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

J.7. 2017 Road Project:

- 1) Approval of a Resolution for Maintenance Under the Illinois Highway Code in the Amount of \$900,000 of Motor Fuel Tax Funds in Fiscal Year 2018. **Resolution No. 17-R-28**

Director Hughes addressed the Board regarding the need to pass a resolution each year prior to the expenditure of Motor Fuel Tax Funds. Staff proposes to resurface the following streets:

- Orchard Avenue from Windcrest Drive to Bolder Hill Pass
- Windcrest Drive from Orchard Avenue to Lombardy Lane
- Bonhannon Circle - All
- Angela Circle - All
- Judith Circle – All
- Plank Drive – Templeton Drive to north limit
- Stonehill Drive – Woolley Road to north limit
- Templeton Drive – Plainfield Road to Stonehill Road
- Ashcroft Lane – Deerpath Trail to Arboretum Way

Project schedule:

- 3/21/17 – Approval of engineering contract
- 4/14/17 – Preliminary plans to Village/IDOT for review
- 4/27/17 & 5/4/17 – Bid notice published
- 5/9/17 – Bid opening
- 5/16/17 – Village Board Approval
- 7/10/17 – No work during Moving Wall and Independence Day
- 8/18/17 – Completion Date

A motion was made by Trustee Sollinger and seconded by Trustee Parr to Approve a Resolution for Maintenance Under the Illinois Highway Code in the Amount of \$900,000 of Motor Fuel Tax Funds in Fiscal Year 2018.

Aye: Ryan Kauffman Judy Sollinger
Karin McCarthy-Lange Pam Parr
Luis Perez Joe West

Nay: None

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

2) Approval of a Resolution Authorizing the Execution of a Professional Engineering Services Contract with HR Green in an Amount 7.5% of the Approved Engineer’s Estimate of Cost for Street Resurfacing of Various Streets Utilizing Motor Fuel Tax Funds. **Resolution No. 17-R-29**

A motion was made by Trustee Sollinger and seconded by Trustee McCarthy-Lange to Approve a Resolution Authorizing the Execution of a Professional Engineering Services Contract with HR Green in an Amount 7.5% of the Approved Engineer’s Estimate of Cost for Street Resurfacing of Various Streets Utilizing Motor Fuel Tax Funds.

Aye: Ryan Kauffman Judy Sollinger
Karin McCarthy-Lange Pam Parr
Luis Perez Joe West

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

K.1. Proclamation- Mayor's Day of Recognition for National Service, April 4, 2017; see Recognitions/Appointments section.

K.2. Proclamation- Earth Hour, 8:30 PM - 9:30 PM, March 25, 2017; see Recognitions/Appointments section.

- OswegoConnects was a great first time event. She thanked Trustee Parr.
- The new Police Headquarters groundbreaking is scheduled for Thursday at 10:00 am.
- Trustee Sollinger will be President Pro Tem while President Johnson is out of town.

TRUSTEE REPORTS

Trustee McCarthy-Lange

- Enjoyed the Springfield Drivedown; good conversations.

Trustee West

- Very informative trip to Springfield.

Trustee Sollinger

- Springfield Drivedown was productive.

Trustee Parr

- Had a conversation with the Village's current adjudication officer. She would like someone to look into the ordinance concerning handicap placards and the possibility of only issuing a \$50 fine instead of a \$350 fine for not displaying the placard. Attorney Silverman will look into the ordinance.

Trustee Kauffman

- OswegoConnects was fun.

President Gail Johnson thanked all of staff.

CLOSED SESSION

There was no Closed Session

ADJOURNMENT

A motion was made by Trustee Kauffman and seconded by Trustee McCarthy-Lange 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