

**MINUTES OF A REGULAR MEETING OF THE  
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES  
OSWEGO VILLAGE HALL  
100 PARKERS MILL, OSWEGO, ILLINOIS  
May 2, 2017**

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

President Gail Johnson called the meeting to order at 7:03 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, 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; 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**

Trustee Karin McCarthy-Lange requested the consideration of electronically attending the May 2, 2017 Regular Village Board meeting. Clerk Touchette confirmed the receipt of an electronic attendance request form from Trustee Karin McCarthy-Lange 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 Karin McCarthy-Lange to Electronically Attend the May 2, 2017 Regular Village Board Meeting.

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to Approve Trustee Karin McCarthy-Lange to Electronically Attend the May 2, 2017 Regular Village Board Meeting.

Aye:	Ryan Kauffman	Luis Perez
	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 Karin McCarthy-Lange was approved to electronically attend the May 2, 2017 Regular Village Board meeting at 7:04 p.m. via phone/audio conference.

**RECOGNITIONS/APPOINTMENTS**

D.1. Character Counts Awards

Julia Van Camp, President of Character Counts, read the letters of nomination; along with Village President, Johnson, they presented the nominees with an award and had their pictures taken.

K.1. Proclamation- Small Business Week, April 30th- May 6th, 2017.

Gerald Staraitis and Edward Lichenstein, members of Fox Valley SCORE, briefly spoke about their organization and an upcoming presentation at the Oswego Library on how to create a business plan. It is an all-volunteer organization with free mentors and mostly free workshops.

President Johnson read the proclamation and presented a copy to Gerald and Edward. Director Cole was also present to recognize Small Business Week and Fox Valley SCORE.

### **PUBLIC FORUM**

The Public Forum was opened at 7:23 p.m.

Brian Preston addressed the Board regarding the unfair treatment on the firing of Jerry Weaver.

Tammy Sartain addressed the Board regarding the termination and treatment of Jerry Weaver.

Eric Carson addressed the Board regarding the termination of Jerry Weaver. He asked what warranted the sudden termination; spoke about his career with the Village; and requested it be made right.

Richard Jepsen addressed the Board regarding the firing of Jerry Weaver. The Village made a poor decision.

Budd Bieber addressed the Board regarding the termination of Jerry Weaver. He had previously worked with Jerry since 1993; always put the Village first. His termination after one failed test is a knee jerk reaction.

Bruce Andrews addressed the Board regarding the termination of Jerry Weaver. Jerry had assisted him with a problem that was corrected quickly. He asked for the Board to reconsider the termination.

William Piechowski addressed the Board regarding the firing of Jerry Weaver. He disagrees with the firing.

Keith Barrett addressed the Board regarding the firing of Jerry Weaver. He stated he made a mistake in moving here.

There was no one else who requested to speak; the Public Forum was closed at 7:33 p.m.

### **STAFF REPORTS**

Village Administrator- Community Conversations for this year are scheduled for June 27<sup>th</sup>, July 11<sup>th</sup>, and August 8<sup>th</sup>.

Public Works- the Village received a violation from the IEPA with regards to water standards. The well was removed from service and the radium filter was replaced. Tests are pending and will be received in mid-May. Radium is a naturally occurring element. The public is not at an immediate risk. There are no concerns. The Village is working with the IEPA and will be sending notices out in the water bill and the newspaper. Additional Board and staff discussion focused on how long the well would be offline; no alarm system for radium detection; takes two weeks to process the results of a test; WRT also monitors the systems; WRT tests annually; Utility Services Director reports to the Public Works Director if there is a problem; what procedures are being put in place; work order system is being created.

Finance Director- electric aggregation contract expires on July 31<sup>st</sup>. Bid are going out tomorrow. Staff will need to make a decision on pricing. The fiscal year budget was emailed to the Village Board this morning; it was sent to staff last week. Refunding of the 2009 bonds will be brought to the Board for vote at the May 16<sup>th</sup> meeting. The Federal Reserve may raise rates in June. Staff will be keeping an eye on the subsidies.

Community Relations Manager-Staff, Public Works and Park District employees inspected Hudson Park and determined that Wine on the Fox could still be held at the park. Attendees should bring chairs instead of blankets.

Event was not held on Mother’s Day weekend this year because the wineries could not attend. Extra tasting tickets will be provided on Sunday to honor all moms.

**CONSENT AGENDA**

- G.1. April 11, 2017 Committee of the Whole Minutes
- G.2. April 11, 2017 Regular Village Board Minutes
- G.3. April 11, 2017 Closed Session Minutes. (Approve, but Not Release)
- G.4. Resolution Relating to Participation by Elected Officials in the Illinois Municipal Retirement Fund.  
**Resolution No. 17-R-40**
- G.5. Ordinance Amending the Adopted Residential Building Code Modifying the Requirements for Automatic Fire Sprinklers. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-20**

A motion was made by Trustee Parr and seconded by Trustee Sollinger to approve the Consent Agenda; Approving the April 11, 2017 Committee of the Whole Minutes; Approving the April 11, 2017 Regular Village Board Minutes; Approving, but not Releasing the April 11, 2017 Closed Session Minutes; and approving the following ordinance and resolution:

**Ordinance No. 17-20**; Ordinance Amending the Adopted Residential Building Code Modifying the Requirements for Automatic Fire Sprinklers.

**Resolution No. 17-R-40**; Resolution Relating to Participation by Elected Officials in the Illinois Municipal Retirement Fund.

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 May 2, 2017 in the Amount of \$888,793.46.

A motion was made by Trustee Sollinger and seconded by Trustee Parr to Approve the Bill List Dated May 2, 2017 in the Amount of \$888,793.46.

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**

- I.1. Ordinance Granting a Special Use Permit for an Amusement Establishment for BJ’s Shooting Located at 1565 and 1567 US Highway 34. (Second Read) **Ordinance No. 17-21**

Director Zenner addressed the Board concerning a special use permit for BJ’s Shooting. The first reading of the ordinance took place at the April 11<sup>th</sup> Board meeting. The Board discussed the proposed use and suggested that the business restrict concealed carry for the patrons to help prevent actual firearms from making their way into the simulation room and being confused with actual firearms. The Chief of Police met with the petitioners to discuss their proposal and agreed to restrict concealed carry. The ordinance was revised to include the restriction of concealed carry. A sign will be placed on the entrances/exits showing guns are not allowed.

There was no further discussion.

A motion was made by Trustee Parr and seconded by Trustee Kauffman to Approve an Ordinance Granting a Special Use Permit for an Amusement Establishment for BJ's Shooting Located at 1565 and 1567 US Highway 34. (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.

I.2. Resolution Approving the Sponsorship Policy for the Village of Oswego. **Resolution No. 17-R-41**

Manager Brown addressed the Board regarding the sponsorship policy for the Village. The Sponsorship Policy was revised based on the comments and direction of the Village Board. The purpose of the policy is to provide specific guidelines for developing and managing sponsorships for Village facilities, events, programs and services. Staff will work with potential sponsors to find a suitable fit that meets the needs of the Village and the potential sponsor. The Village Board will approve all sponsorships related to naming rights and sponsorships that exceed \$20,000. A Board member stated staff did an awesome job. The ordinance is perfect and clear.

There was no further discussion.

A motion was made by Trustee Parr and seconded by Trustee Kauffman to Approve a Resolution Approving the Sponsorship Policy for 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 a roll call vote with six (6) aye votes and zero (0) nay votes.

**NEW BUSINESS**

J.1. Resolution Granting a Public Utility Easement at 3355 Woolley Road; Lot 1- Hummel Trials P.D. Subdivision. **Resolution No. 17-R-42**

Director Hughes addressed the Board regarding the granting of a public utility easement on Woolley Road. The developer of Ashcroft Place Unit 3 is required to widen Woolley Road and bury the overhead utility lines. Commonwealth Edison requires the buried lines be placed in an easement. Given the narrow right-of-way and available space on the property, staff believes that there is sufficient room to bury the Commonwealth Edison lines along the frontage of the new police station. The Village will grant a 10 foot easement parallel to the south property line at Woolley Road. The easement widens out at the west end to accommodate ComEd's switchgear. The switchgear is an above ground box that contains circuit breakers to control the load and protect the system. ComEd is scheduled to commence construction on or about June 12.

There was no further discussion.

**Note:** Lost phone connection with Trustee Karin McCarthy-Lange at 7:51 p.m. Connection was re-established at 7:51 p.m.

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to Approve a Resolution Granting a Public Utility Easement at 3355 Woolley Road; Lot 1- Hummel Trials P.D. Subdivision.

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 Gilbane Building Company to Award a Contract for Construction of the New Police Headquarters for Masonry Systems to A.L.L. Masonry Construction Company in the Amount of \$1,500,775.00. **Resolution No. 17-R-43**

Chief Burgner addressed the Board regarding the awarding a contract for masonry construction at the new Police Headquarters. Bids were opened on April 4, 2017. The low responsible bid for masonry construction totaled \$1,500,775; which is \$137,660 (10%) higher than the estimate of \$1,363,115. The Gilbane Building Company thoroughly reviewed all bids and conducted an interview with the lowest bidder, MPZ Masonry Inc. During the interview, it was determined that MPZ Masonry Inc. personnel failed to bid a significant portion of the project that included all the cast stone work. MPZ Masonry Inc. indicated in writing to the Village that they are unable to perform the contract for the bid package due to the error. Gilbane Building Company recommended awarding the bid to the next lowest bidder. The Development Team is in the process of furthering our value analysis strategies to mitigate the difference between the Construction Document estimate and the bid results.

There was no further discussion.

A motion was made by Trustee Sollinger and seconded by Trustee West to Approve a Resolution Authorizing Gilbane Building Company to Award a Contract for Construction of the New Police Headquarters for Masonry Systems to A.L.L. Masonry Construction Company in the Amount of \$1,500,775.00.

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 Removing Certain Properties From The Main Street/Washington Street Redevelopment Project Area. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-22**

Director Zenner addressed the Board regarding the removal of certain properties from the TIF district. After adopting the ordinances necessary to create the Main Street/Water Street Redevelopment Plan and TIF District, the Village sent the ordinances to Kendall County as required by law. In working with Kendall County, it was determined that there were a group of parcels that did not qualify to be included in the redevelopment plan; including parcels located outside the corporate boundary of the Village of Oswego. These parcels included the islands within the Fox River and approximately four parcels along Route 31. The statute allows the Village to amend the boundary to address these parcels through an ordinance. Removing the parcels will not adversely impact the eligibility factors relied upon in establishing the Main Street/Washington Street redevelopment Project Area or the Redevelopment Plan. The properties being removed are not located within the Village of Oswego.

There was no further discussion.

A motion was made by Trustee Kauffman and seconded by Trustee Parr to Approve an Ordinance Removing Certain Properties From The Main Street/Washington Street Redevelopment Project Area. (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 Authorizing the Approval of a Purchase and Sale Agreement with Andrew Trasatt for 63 Washington Street, Oswego IL. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-23**

Director Cole addressed the Board regarding a purchase and sale agreement for 63 Washington Street. The Village was recently approached by Andrew Trasatt and John Leahy regarding the constructing of a 3,500 square foot casual restaurant and bar on the property. Trasatt and Leahy are the owners of two successful restaurants – Potter’s Place and Jimmy’s Grill – in downtown Naperville. Their Oswego proposal features a 3,000 square foot first floor patio and a smaller second floor balcony; both facing Washington Street. Public improvements are also anticipated, including streetscape upgrades for Washington Street and parking. The Purchase and Sale Agreement designates Trasatt as the purchaser of the 63 Washington Street property. Before closing, the agreement prescribes a 90-day inspection period for Trasatt to pursue necessary development approval through the public review process, including:

- Submitting development plans and zoning applications
- A public hearing with the Plan Commission to evaluate the development
- Engineering analysis and review

After the conclusion of inspection period, the Village Board will consider the approval of a Redevelopment Agreement (“RDA”) with Mr. Trasatt for the 63 Washington Street property. The RDA will:

- Outline all development terms
- Finalize the property’s development plan
- Establish the use of any Village incentives, including
  - The use of TIF increment to finance the project
  - Adjustments to property’s purchase price
- Allow Mr. Trasatt to close on the property

Should Mr. Trasatt or the Village fail to enter into an RDA within the timeframe, the PSA will terminate and the Village will continue to own the property. Mr. Trasatt introduced himself and stated he is moving forward through the process; downtown Oswego is an untapped opportunity; bought the Naperville Potter’s in 2001; hoping to hold a grand opening one year from now.

There was no further discussion.

A motion was made by Trustee Sollinger and seconded by Trustee West to Approve an Ordinance Authorizing the Approval of a Purchase and Sale Agreement with Andrew Trasatt for 63 Washington Street, Oswego IL. (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.

### **PRESIDENT’S REPORT**

K.1. Proclamation- Small Business Week, April 30th- May 6th, 2017; see Recognitions/Appointments section.

K.2. Proclamation- Municipal Clerks Week, May 7 - 13, 2017

K.3. Proclamation- National Police Week, May 14 - 20, 2017

President Johnson read the Proclamations.

She hopes to see everyone at Wine on the Fox.

### **TRUSTEE REPORTS**

There were no Trustee Reports.

### **CLOSED SESSION**

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

- a. Pending and Probable Litigation [5 ILCS 120/2(c)(11)]
- b. Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel [5 ILCS 120/2(c)(1)]
- c. Collective Bargaining, Collective Negotiating Matters, Deliberations Concerning Salary Schedules [5 ILCS 120/2(c)(2)]
- d. Sale, Lease, and/or Acquisition of Property [5 ILCS 120/2(c)(5) & (6)]

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

Nay: None

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

The Board adjourned to Closed Session at 8:05 p.m.

The Board returned to open session at 9:45 p.m.; all remaining members still present.

### **ADJOURNMENT**

A motion was made by Trustee Sollinger and seconded by Trustee Parr to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 9:46 p.m.

Tina Touchette  
Village Clerk