

**MINUTES OF A SPECIAL MEETING OF THE
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
August 15, 2017**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Gail Johnson called the meeting to order at 7:30 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, Karin McCarthy-Lange, Pam Parr, Judy Sollinger and Joe West.

Absent: Trustee Luis Perez

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 Engagement Coordinator; Mark Horton, Finance Director; Corinna Cole, Economic Development Director; 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 requested to attend electronically.

RECOGNITIONS/APPOINTMENTS

D.1. Certificates of Appreciation- Moving Wall Committee

President Johnson thanked the committee on behalf of the Veterans and what it meant to the Veterans in the community. She called each of their names and presented them with certificates of appreciation. Pictures were taken of all the committee members present with President Johnson. Herschel Luckinbill presented the last banner hung at the Moving Wall to President Johnson. Mr. Luckinbill briefly spoke about how Oswego was chosen to display the Moving Wall. The process was started in May 2016; Oswego received the "yes" quickly after; met with Dave Krahn and determined Prairie Point would be the site; Moving Wall organization stated Oswego's presentation was top two presentations; according to the organization, since 1984, Oswego is the only community to put brick paver blocks down for people to walk on in front of the Wall; it was the most moving Moving Wall they've ever seen.

PUBLIC FORUM

The Public Forum was opened at 7:38 p.m.

President Johnson noted all comments relating to Ashcroft Walk will be heard when the item is addressed on the agenda under Old Business.

Lee Hoffer addressed the Board on behalf of the school district and residents regarding impact fees. A study was done in the 1990's by the school district; school district paid \$10,000 for the study which took into consideration the impact to schools with growth; Oswego put the fees in place; any reduction in fees will put a burden on the school district and residents; developers are already getting a good deal; 32% of EAV; Oswego is not fast growing anymore.

Brent Lightfoot addressed the Board regarding impact fees. He is a member of District 308's School Board, but is speaking as a resident. School district's main concern is the funds received by the State; \$6,000 per student is received by the State; costs \$9,000 per student to educate; school district has doubled in size; school district is

\$550 million in debt; transition fees help offset the cost of adding new schools; we know the area and the school district will grow; cannot legally borrow much more money; all impact fees for Churchill were waived and no money came into the school district; it was one of many developments that were built where fees were waived; a reasonable amount should be collected from new development; cannot address this item until the School Board meets on August 21st. He asked that the Village Board delay action on the impact fee item until the School Board can meet and respond back to the Village. President Johnson asked whether the school district reached out to other communities to ask them to raise their fees. They are considerably lower than Oswego. He additionally stated that whatever the Village does will impact the rest of the communities; he started on the School Board in April of this year; in 2014, discussion took place for the property at Wolf's Crossing and Route 30; School Board's position then was if the Village Board wanted to lower impact fees, then it would be fine, but the School Board wanted to remain whole.

Terry Anderson congratulated the Board and staff for getting to the vision of what we want for a town. He also addressed the Board regarding Ashcroft Walk. He met with Westpoint Builders; family owned business; impressed with the way they do business; head of company took questions and did not walk away from questions; productive meeting. He encouraged the Village Board to give them the best consideration of their project.

There was no one else who requested to speak; the Public Forum was closed at 7:52 p.m.

STAFF REPORTS

Village Administrator- thanked the residents that came out for the third Community Conversations held at Churchill Elementary. Excellent turnout. He thanked the Mayor, Village Board, public and staff for attending.

CONSENT AGENDA

- G.1. August 1, 2017 Committee of the Whole Minutes
- G.2. August 1, 2017 Regular Village Board Minutes
- G.3. Milly's Cafe'
 - a. Ordinance Amending Title 3 Chapter 7 of the Village Code of Ordinances; Decrease Class "A" Liquor License for Milly's Cafe Located at 1561 US Highway 34. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-39**
 - b. Ordinance Amending Title 3 Chapter 31 of the Village Code of Ordinances; Decrease Class "A" Video Gaming License for Milly's Cafe Located at 1561 US Highway 34. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-40**
- G.4. Resolution Adopting the Revised Fiscal Year 2018 Salary Ranges. **Resolution No. 17-R-76**
- G.5. Resolution Amending the Personnel Policy Manual for the Village of Oswego (Ethics, Workplace Violence) **Resolution No. 17-R-77**

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to approve the Consent Agenda; Approving August 1, 2017 Committee of the Whole Meeting Minutes; Approving the August 1, 2017 Regular Village Board Minutes; and approving the following ordinances and resolutions:

Ordinance No. 17-39; Ordinance Amending Title 3 Chapter 7 of the Village Code of Ordinances; Decrease Class "A" Liquor License for Milly's Cafe Located at 1561 US Highway 34.

Ordinance No. 17-40; Ordinance Amending Title 3 Chapter 31 of the Village Code of Ordinances; Decrease Class "A" Video Gaming License for Milly's Cafe Located at 1561 US Highway 34.

Resolution No. 17-R-76; Resolution Adopting the Revised Fiscal Year 2018 Salary Ranges.

Resolution No. 17-R-77; Resolution Amending the Personnel Policy Manual for the Village of Oswego (Ethics, Workplace Violence).

Aye: Ryan Kauffman
Pam Parr
Joe West

Karin McCarthy-Lange
Judy Sollinger

Nay: None

- Increase budget for MFT road program
 - Original budget- \$600,000
 - Increase by \$11,761 for public improvements
 - Final budget= \$611,761
- Establish budgets for the TIF fund accounts
 - Original budget- \$0
 - Increase by \$22,719 for engineering services
 - Increase by \$45,359 for legal services
 - Increase by \$45,036 for misc. professional services
 - Increase by \$2,128 for advertising, bids and records
 - Increase by \$1,494,287 for other capital expenses
 - Final budget as noted in above increases
- Increase the interest budget for the Debt Service Fund
 - Original budget= \$410,394
 - Increase by \$633,613 for bond payments-interest
 - Final budget= \$1,044,007
- Increase the pension payments budget for the Police Pension Fund
 - Original budget= \$534,000
 - Increase by \$81,024 for pension payments
 - Final budget= \$615,024

Each Fund has sufficient reserves to cover the increased expenditures. The MFT Fund road program expenditures ended up greater than budgeted to complete the program. The budget for the TIF Fund needs to be established for expenditures occurring after the TIF Fund creation in September, 2016. The Debt Service Fund budget will be amended for the additional interest paid for the 2016 General Obligation Bonds issued in June, 2017. The Police Pension Fund budget is amended for the increased pension payments made to retirees. There was no additional discussion.

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to approve the Ordinance Amending the Annual Budget for the Village of Oswego for the Fiscal Year Commencing May 1, 2016 Adopted by Ordinance 16-23.

Aye: Ryan Kauffman Pam Parr Joe West	Karin McCarthy-Lange Judy Sollinger President Gail E. Johnson
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Nay: None
Absent: Luis Perez

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

J.5. Resolution Providing for the Retirement of Certain Municipal Indebtedness by the Use of Motor Fuel Tax Funds. **Resolution No. 17-R-79**

Director Horton addressed the Board regarding payment of debt service. The Fiscal Year 2017 Motor Fuel Tax Fund Budget has \$262,500 allocated to transfer to the Debt Service Fund to pay a portion of the June 15th and December 15th principal and interest payments for the General Obligation Series 2007B Bonds. These bonds were refunded with the issuance of the General Obligation Bonds, Series 2013 and 2014 Bonds. The Illinois Department of Transportation (IDOT) requires a resolution be passed by the Village and filed with IDOT for approval to use MFT funds for this expenditure. The Village has used Motor Fuel Tax funds to pay a portion of the interest and principal payments on outstanding municipal debt of the Village. Specifically, the bond issuances used to complete the Douglas Road reconstruction project. There was no additional discussion.

A motion was made by Trustee Sollinger and seconded by Trustee Parr to approve the Resolution Providing for

the Retirement of Certain Municipal Indebtedness by the Use of Motor Fuel Tax Funds.

Aye: Ryan Kauffman
Pam Parr
Joe West

Karin McCarthy-Lange
Judy Sollinger

Nay: None

Absent: Luis Perez

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

J.6. New Police Headquarters Construction:

Chief Burgner addressed the Board regarding the contract for Casework for the new Police Headquarters. The first Casework bid package was originally opened on May 23, 2017. The lowest bid came in at \$694,321 which was \$392,778 higher than the Construction Document estimate of \$301,543.00. The Casework bids opened on May 23, 2017 were rejected due to being over budget. The Development Team worked with HOK and Gilbane to conduct value engineering to work towards reducing the casework cost and rebid the Casework package. The second round of bids for Casework were opened on July 10, 2017. The low bid totaled \$432,321.00, which is \$130,778.00 (43%) higher than the Construction Document estimate of \$301,543.00. Although the Village Board will approve the contract for the full bid amount, it will be with the understanding that the contractor (Hargrave Builders) will provide value engineering options to help in reducing the overall cost. These options, as well savings from other bid packages, will assist in aligning the overall bids with the budget. Any change orders will be within the Village guidelines set by Village Ordinance, which is an allowance of a 20% change to the original contract amount. The construction manager thoroughly reviewed all bids and conducted interviews with the lowest responsible bidders. Gilbane Building Company recommended awarding a contract with Hargrave Builders in the amount of \$432,321. There was no additional discussion.

- a. Resolution Authorizing Gilbane Building Company to Award Contracts for Construction of the New Police Headquarters for Casework to Hargrave Builders, Inc. in the Amount of \$432,321.00.

Resolution No. 17-R-80

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Kauffman to approve the Resolution Authorizing Gilbane Building Company to Award Contracts for Construction of the New Police Headquarters for Casework to Hargrave Builders, Inc. in the Amount of \$432,321.00.

Aye: Ryan Kauffman
Pam Parr
Joe West

Karin McCarthy-Lange
Judy Sollinger

Nay: None

Absent: Luis Perez

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

J.7. Ordinance Amending Ordinance 15-66 “An Ordinance Establishing Development Impact Fees for the Village of Oswego,” by Establishing Separate and Distinct Development Impact Fees for Townhome and Multi-Family Residential Units (First Read of Ordinance, Waiver of Second Read). **Ordinance No. 17-45**

Administrator Di Santo addressed the Board regarding development impact fees for townhomes and multi-family residential units. In 2014, the Village of Oswego, School District 308, Oswego Library District, Oswegoland Park District and the Oswego Fire Protection District hired Ehlers and Associates to recommend changes to the development impact fees in place at that time. The result of the study was a new streamlined development impact fee that was adopted by the Village Board on November 3, 2015. At the time the study was approved, staff was aware that the fees may be cost prohibitive to multi-family developments. On December 7, 2015, staff received a proposal to conduct a follow-up study on multi-family development impact fees at a cost of \$25,500. Rather than incur the expense at that time, staff opted to conduct internal research on multi-family impacts and work with

potential developers on fees that work with their pro formas. Since 2015, staff has been approached by a few townhome developers interested in building in Oswego. Each developer has said that the development impact fees are cost prohibitive. As such, staff began researching the true impacts of multi-family development.

According to staff research, multi-family homes produce 47%-51% less residents and 37%-48% less vehicle trips than single-family homes. Much of these impacts are attributed to the lesser number of bedrooms in multi-family residential units. The typical single-family home in Oswego is built with 4 bedrooms, while the typical townhome or apartment is built with 1-2 bedrooms. Based on staff’s research, the population and transportation impact of a multi-family unit is 42-50% less than a single-family unit. Before recommending a fee adjustment, staff vetted the numbers through two townhome developers interested in building in Oswego. Ashcroft Walk has 210 townhome units and Seasons of Southbury has 162 townhome units. The potential developers of these respective communities requested impact fee reductions between 47-58%. Based on staff research supporting a 42-50% reduction and the developer request of a 47-58% reduction, staff tested a 45% reduction with both developers. In both cases, the developers agreed that they could make a 45% reduction work and would begin building as soon as possible. If the fee reduction is enacted, developers would still be responsible for building permit fees, water/sewer tap on fees, school and park land/cash donations, etc. Development impact fees are paid on a per unit basis. A townhome building with five units would pay \$32,037.50 and an apartment building with 20 units would pay \$128,150.

Staff recommended reducing DIF for townhomes, apartments and condos by 45% across the board as noted below:

Government Unit	Current Fee	Revised Fee	Difference
Village of Oswego	\$5,645.07	\$3,104.79	(\$2,540.28)
School District 308	\$4,429.25	\$2,436.09	(\$1,993.16)
Oswego Fire Protection	\$403.66	\$222.01	(\$181.65)
Oswegoland Park District	\$756.69	\$416.18	(\$340.51)
Oswego Public Library	\$415.46	\$228.50	(\$186.96)
TOTAL	\$11,650.00	\$6,407.50	(\$5,242.50)

Comparable Communities

The Committee asked staff to research what other communities charge for townhome impact fees. Staff conducted a survey and found the following:

Per Townhome Unit	Oswego (current)	Oswego (proposed)	Plainfield	Montgomery	Joliet	Yorkville	Sugar Grove	New Lenox
Impact Fees	\$11,650	\$6,407.50	\$2,877	\$398	\$4,457	\$4,409	\$5,899.22	\$3,357.60

The Village’s current fee far exceeds comparable communities and even the proposed fee would be the highest.

School District 308

Staff also met with School District 308 to determine their view of the fee reduction. District 308 confirmed they have the capacity to serve the students in the proposed Seasons of Southbury and Ashcroft Walk developments; however, the Seasons of Southbury students would likely be bused to a different Junior High School than Traughber (where the rest of Southbury attends). At this time, District 308 cannot offer a formal opinion on the lowering of the impact fees. The School Board has not had the topic of reducing the fees on their agenda and the District’s main concern is their funding from the State of Illinois. According to the District, without more certainty on funding from the State, they cannot support the lowering of the impact fees. Certainty from the State

Aye: Ryan Kauffman
Pam Parr
Joe West

Karin McCarthy-Lange
Judy Sollinger

Nay: None

Absent: Luis Perez

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

PRESIDENT'S REPORT

- Realtor spoke to her husband and requested he tell the Village Board thank you for all the energy and excitement that the Board is generating in Oswego; Oswego is a hot market and they can't keep houses on their listings long enough or have enough people willing to sell.
- Received an email from Cathy Spencer at Public Works. Someone came into Public Works to ask her to tell the Village Board thank you for all they are doing for the town.
- It is important that there is excitement happening; some has been intentional through the branding and marketing campaigns; some has been momentum. Staff is working really hard and should be very proud of those things.
- Thanked the Village Board with regards to the revenue discussion. Revenue discussion are never fun; really took the time to look at revenue options and solutions that won't affect just the Village residents; will give the Village revenues needed for the next couple years; it's never a politically astute thing to do ever; do feel politicians that do, have the best interest of the community at heart. Thanked the Board for being part of the discussion.

TRUSTEE REPORTS

Trustee McCarthy-Lange- loved the ribbon cutting at LongHorn Steakhouse; excited to see more things happening.

Trustee West- thanked President Johnson for recognizing the Veteran's as part of the Moving Wall. Also enjoyed the new steakhouse in town. Thanked staff members who came out for CabCab; nice to see them out representing Oswego.

Trustee Kauffman- inquired into the Village offering the ability to use bitcoins or other encrypted type currency as an option for payments down the road; may have some legal issues that may need to be worked out first; Illinois and Delaware are the two States who are forward thinking when it comes to this arena; jump on the bandwagon in allowing for decentralized encryption.

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
Pam Parr
Joe West

Karin McCarthy-Lange
Judy Sollinger

Nay: None

Absent: Luis Perez

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

The Board adjourned to Closed Session at 9:01 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 9:45 p.m.

Tina Touchette
Village Clerk