

**MINUTES OF A REGULAR MEETING OF THE
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
September 5, 2017**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Gail Johnson called the meeting to order at 6:15 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, Luis Perez and Judy Sollinger.

Absent: Trustee Joe West.

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- Special Events; Mark Horton, Finance Director; Corinna Cole, Economic Development Director; Jay Hoover, Building & Zoning Manager; Joe Renzetti, IT/GIS Manager; Jenette Sturges, Community Engagement Coordinator- Marketing; 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. Proclamation Honoring Michele Brown

President Johnson briefly spoke about Michele's history and accomplishments with the Village. President Johnson read the Proclamation. Michele Brown thanked President Johnson, the Village Board and staff; she briefly spoke about history with the Village; she learned so much.

D.2. Certificate of Recognition- Karen Knight, Historic Preservation Commission

Director Zenner briefly spoke about Karen's history and accomplishments as part of the Historic Preservation Commission (HPC); served on HPC since 2002 and has been the Chairperson from 2005 to the present; has been part of selecting 54 properties pf the season; recognized by the State of Illinois. President Johnson read the recognition.

Two Proclamations were moved from the President's Report:

K.2. Proclamation- Chamber of Commerce Week, September 11-15, 2017

President Johnson read the Proclamation. Angie Hibben, President of the Oswego Chamber of Commerce, and fellow Chamber Board members were present to accept the Proclamation.

K.1. Proclamation- National Suicide Prevention Awareness Month

President Johnson noted that Alderman Joel Frieders from Yorkville reached out to municipalities in Illinois asking them proclaim September as National Suicide Prevention Awareness Month. President Johnson read the Proclamation and presented the Proclamation to Roseanne.

D.3. Employee Service Award

- a. Shane Burgwald- 10 Years of Service (Police Department) Could not attend.
- b. Drew Santa- 15 Years of Service (Police Department) Could not attend.
- c. Patrick Wicyk- 15 Years of Service (Police Department) Could not attend.

President Johnson congratulated them on their years of service.

PUBLIC FORUM

The Public Forum was opened at 7:16 p.m.

Anne Engelhardt addressed the Board regarding Kendall County PADS. She is the Executive Director of Kendall County PADS. PADS began in October 2010 and has provided shelter to 397 men, women and children with 8,970 overnight stays and more than 27,000 meals served. PADS operates in seven different locations with each site hosting one night per week from mid-October to mid-April from 7:00 p.m. to 7:00 a.m. PADS is a non-for-profit program that relies on donations and volunteers. More than 600 volunteers are needed to operate efficiently. PADS offers food, snacks, water, showers, pre-paid laundry cards, transportation, GAP program, social workers and respect. Need over 100 volunteers by October 15th. She will be coming back at a future date to share ideas with the Board regarding employment opportunities. She encouraged everyone to go to the website: kendallcountypads.org. Pamphlets were provided to the Board and staff.

Carol Issak addressed the Board regarding her opposition to the Local Motor Fuel Tax and the Food & Beverage Tax. Employees were hired back at large salaries; new police department is being built; need other options; why the new police department needs a community room when the rooms at the fire department or at Village Hall can be used; already raised taxes; where are the taxes going; where is the TIF money; why residents are being punished; can go to another community.

Jerry Bannister addressed the Board regarding his opposition to the Local Motor Fuel Tax and the Food & Beverage Tax. He lives in unincorporated Oswego and owns a home in town. We will hear it's the fault of Illinois; it's the fault of online sales; fault of the previous Board President; Oswego residents will suffer if the Village keeps taking their money; easy to spend other people's money; whether the Board wants taxes or a simple town with simple taste; go back to the drawing board and come up with other ways; vote no on tax increases.

Dale Christenson addressed the Board regarding his opposition to the Delta Sonic project. He provided the Board members with information regarding a message from the Village President; the strategic plan; trade areas; economic incentive policy; Plan Commission staff reports; economic development; gas only cars production; police activity reports; traffic data; industry data from NACS; emails; sound barriers and class action lawsuits.

Linda Porter addressed the Board regarding her opposition to the Local Motor Fuel Tax and the Food & Beverage Tax. Taxes are already high in Kendall County; State raised taxes to 4.95% permanently; seniors are all on fixed income; what kind of help will be provided to residents; freeze property taxes.

Jessie Alanis addressed the Board regarding his opposition to the Local Motor Fuel Tax and the Food & Beverage Tax. Offended because people say they are raising taxes for the children; Thomas Jefferson had no such vision; tax increases force you to participate in government; government should be preserving our liberties. He quoted Thomas Jefferson.

Michael Hatten addressed the Board regarding Ashcroft Walk. Residents are in favor of Westpoint Builders; would like to see the subdivision completed and finished; in support of the builder.

There was no one else who requested to speak; the Public Forum was closed at 7:47 p.m.

STAFF REPORTS

Economic Development Director- introduced Jenette Sturges, Community Engagement Coordinator- Marketing, to the Board and briefly spoke about her background, qualifications and future projects.

Police Chief- updated the Board regarding the new Police Headquarters change order. To date, the project is on budget for contract items by approximately \$12,553.05. This includes numerous credits as well as some additional contract increases that were within the Village Administrator's spending authority. Miscellaneous value engineering items from multiple contractors in the amount of \$682,671.00 were also deducted from the different contracts. The changes are as follows:

Mass Excavation/Earthwork

- Overall credit = \$28,165.31

Masonry

- Increase of \$3,736.26
 - Changes in drawings from DR1 to DR3 construction documents

Steel

- Increase of \$11,876.00
 - Changes in drawings from DR1 to DR3 construction documents

Finance Director- the FY19 financial calendar was distributed to the Board. He asked the Board to review the dates and let him know of any issues. The budget workshop is scheduled for Saturday, March 3, 2018.

CONSENT AGENDA

- G.1. August 15, 2017 Committee of the Whole Minutes
- G.2. August 15, 2017 Special Village Board Minutes
- G.3. August 15, 2017 Closed Session Minutes (Approve, but Not Release)
- G.4. Ordinance Amending Title 3 Chapter 7; Decrease Class "D" Liquor License for Noodles & Company Located at 2336 US Highway 34. (First Read of Ordinance, Waiver of Second Read)
Ordinance No. 17-46
- G.5. Ordinance Amending Title 3 Chapter 7; Increase Class "C" Liquor License for Kiss My Dish Soul Kitchen LLC, Located at 4542 State Route 71. (First Read of Ordinance, Waiver of Second Read)
Ordinance No. 17-47
- G.6. Resolution Authorizing the Execution of a Contract with National Wash Authority, LLC d/b/a Midwest Mobile Washers in the Amount of \$33,800 for Water Tower Cleaning of the Five (5) Water Towers Throughout the Village. **Resolution No. 17-R-82**
- G.7. Ordinance Amending Title 1 of the Village Code of Ordinances; Appointments. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-48**

A motion was made by Trustee Sollinger and seconded by Trustee McCarthy-Lange to approve the Consent Agenda; Approving August 15, 2017 Committee of the Whole Meeting Minutes; Approving the August 15, 2017 Special Village Board Minutes; Approving, but not Releasing the August 15, 2017 Closed Session Minutes; and approving the following ordinances and resolution:

Ordinance No. 17-46; Ordinance Amending Title 3 Chapter 7; Decrease Class "D" Liquor License for Noodles & Company Located at 2336 US Highway 34.

Ordinance No. 17-47; Ordinance Amending Title 3 Chapter 7; Increase Class "C" Liquor License for Kiss My Dish Soul Kitchen LLC, Located at 4542 State Route 71.

Ordinance No. 17-48; Ordinance Amending Title 1 of the Village Code of Ordinances; Appointments.

Resolution No. 17-R-82; Resolution Authorizing the Execution of a Contract with National Wash Authority, LLC d/b/a Midwest Mobile Washers in the Amount of \$33,800 for Water Tower Cleaning of the Five (5) Water Towers Throughout the Village.

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

Nay: None
Absent: Joe West

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

BILL LIST

H.1. Approve Bill List Dated September 5, 2017 in the Amount of \$1,611,538.95.

A motion was made by Trustee Parr and seconded by Trustee Sollinger to Approve the Bill List Dated September 5, 2017 in the Amount of \$1,611,538.95.

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

Nay: None
Absent: Joe West

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

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

J.1. Resolution Authorizing the Execution of a Highway Permit Agreement with the Oswegoland Park District. **Resolution No. 17-R-83**

Director Hughes addressed the Board regarding a permit needed to replace bridges at Fox Bend golf course. The Oswegoland Park District needs to replace bridges at the Fox Bend Golf Course located at 3516 US Highway 34, Due to the necessity to access one of the bridges from US Highway 34, the Illinois Department of Transportation requires a permit. By policy, the local municipality must be the permit holder. The Village proposes an intergovernmental agreement in which the Park District insures, indemnifies, and holds harmless the Village.

There was no further discussion.

A motion was made by Trustee Kauffman and seconded by Trustee Sollinger to approve the Resolution Authorizing the Execution of a Highway Permit Agreement with the Oswegoland Park District.

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

Nay: None
Absent: Joe West

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

Pam Parr
Judy Sollinger

Luis Perez

Nay: None

Absent: Joe West

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

J.4. Fiscal Sustainability- Implementing New Revenue Sources

a. Ordinance Amending Title 3 Chapter 36 of the Village Code of Ordinances; Local Motor Fuel Tax. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-51**

b. Ordinance Amending Title 3 Chapter 37 of the Village Code of Ordinances; Food & Beverage Tax. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-52**

Background

Staff presented the Financial Forecast on June 6th at the Committee of the Whole meeting. The Forecast pointed out existing revenue sources would not keep pace with expenditures going forward. Staff presented new revenue options and recommendations at the Financial Sustainability workshop held on August 15th. Discussion centered on specific revenues to provide funding for General Fund operations, Capital Improvement Fund capital projects and Vehicle Fund fleet replacements. The focus was on the long term sustainability for all three Funds. The Village Board directed staff to prepare ordinances for two specific revenue sources and bring forward to a subsequent Board meeting.

Administrator Di Santo addressed the Board regarding new revenue sources. Last Fall, discussions took place after noticing State income and sales taxes were not coming in and were becoming flat. Strategic Plan sessions were held over last Winter where fiscal sustainability was discussed. The Village relies heavily on sales tax. To balance this year's budget, \$700,000 was transferred from the Capital Fund to the General Fund and took away from the new road program; cannot do this anymore. A revenue workshop was held on June 1st this year to discuss revenues, expenses and options. The Village relies on personnel to provide services. Before the recession, there were 134 full time employees; now down to 119. The Village did not hire people back to the level it was before. Several new revenues were presented at the workshop. On August 15th, the Board met again to discuss revenues, State's budget, changing habits in retail, rising costs of pensions and bringing more development to Oswego. The State's budget will cost the Village \$400,000 this year. Oswego is the leader in Illinois for shared services. Target revenue is \$3.5 million which will sustain the Village out 5 years; just over \$1 million will get the Village through the next 1-2 years. The Village needs to continue to focus on economic development. The Village provides services such as maintenance, snow removal, leaf pick-up, tree removal, special events and road program. By not doing Capital projects, costs will be more in the long run.

Local Motor Fuel Tax

Imposing a four cents (\$0.04) per gallon tax on fuel sales made within the Village. The tax is estimated to generate \$600,000 annually to be used for roadway improvements and roadway maintenance. Plainfield, Aurora and Naperville all impose this tax. Least impact on a Village resident.

Food & Beverage Tax

Imposing a one percent (1.0%) tax on sales of food and beverages prepared for immediate consumption. The tax is estimated to generate \$500,000 to be used to support General Operating costs. Aurora and Naperville both have this tax, but their rates are higher. Not a direct impact on a Village resident. Tax is consumption based.

Board and staff discussion focused on community of growth; attracting more people to Oswego; more diverse housing options; timing on when the Village was notified by the State on losing \$400,000 this year; the 2% fee

never came up over the past ten years; whether the State tax increase amount is set in stone or if it will be more; cannot sustain going forward; shouldn't rely so heavily on sales tax; should have added revenue taxes previously; capital infrastructure is the death to the Village if not addressed now; whether there is more increases coming from the State; someone could propose a higher increase; needing staff to tighten up the budget; three months of reserves in expenditures; bulk of revenue received from the State; only have three months of revenue to keep the Village going, would prefer 4-5 months; online sales and the collecting of taxes for local municipalities is a Federal issue; Federal government has been working for 16 years on how to collect taxes locally; municipalities have no control over collecting online sales; State is getting online sales tax; not a big topic for the State; wanting to continue to grow rather than die.

There was no further discussion.

A motion was made by Trustee Perez and seconded by Trustee Parr to approve an Ordinance Amending Title 3 Chapter 36 of the Village Code of Ordinances; Local Motor Fuel Tax.

Aye: Ryan Kauffman
Pam Parr
Judy Sollinger

Karin McCarthy-Lange
Luis Perez

Nay: None

Absent: Joe West

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

b. Ordinance Amending Title 3 Chapter 37 of the Village Code of Ordinances; Food & Beverage Tax. (First Read of Ordinance, Waiver of Second Read) **Ordinance No. 17-52**

A motion was made by Trustee Perez and seconded by Trustee Parr to approve an Ordinance Amending Title 3 Chapter 37 of the Village Code of Ordinances; Food & Beverage Tax.

Aye: Ryan Kauffman
Pam Parr
Judy Sollinger

Karin McCarthy-Lange
Luis Perez

Nay: None

Absent: Joe West

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

J.5. Ordinance Approving a Minor Amendment to the Final Planned Unit Development for Ashcroft Place Unit 2; The Townes at Ashcroft Walk. (First Read, Waiver of Second Read) **Ordinance No. 17-53**

Director Zenner addressed the Board regarding an amendment to the Townes at Ashcroft Walk development. On August 15, 2017, the Village Board held the second reading of the ordinance approving the minor amendment to the final PUD for Ashcroft Place Unit 2. At that time, the petitioner had not submitted revised plans addressing staff or resident comments. Staff presented concerns over the lack of brick on each unit, which would contribute to the visual inconsistency between the existing and proposed buildings and a lack of architectural variety. The petitioner noted it would not be financially viable to require brick on all of the front facades of the units, or on the rear and side elevations. Staff recommended denial of the proposed Minor Amendment to the final PUD based on the opinion that the proposed elevations differed substantially from the existing buildings and were visually inconsistent with the design. At the meeting, a handful of residents spoke in favor of and expressed concerns for the project. A total of twelve signed petition letters were submitted from existing residents. Of those, ten letters expressed support for the project and two letters noted support but requested additional brick on the townhomes units.

By a vote of 3-3 by the Village Board, the motion failed. Since the Board meeting on August 15th, the petitioner submitted revised elevations that incorporate brick on the front façades of all of the townhome units. The updated building elevations include two options for brick, which will be determined by the future buyer of each townhome unit:

- 1) Brick on the projecting garage on the front facade
- 2) Brick wainscot / knee wall on the base of the front facade

The petitioner requested the Board consider approval of the revised building elevations. There are no proposed changes to the building separations or the exterior color schemes as presented at the previous Board meetings. While brick is still limited to the front facades, staff is of the opinion that the revised elevations are more consistent with the design of the existing townhome buildings. The additional use of brick on the front facades will help balance the buildings and provide a more harmonious appearance between the existing and proposed buildings. The petitioner will still offer brick upgrades as shown on the proposed model elevation. If one unit in the building chooses the brick upgrade, they will install brick on another unit in that same building to balance the use of brick in the building. The petitioner has indicated their belief that several residents will choose the brick upgrade options, particularly on the larger units, which will provide additional brick on the exterior elevation. Trustee thanked staff and the petitioners.

There was no further discussion.

A motion was made by Trustee Sollinger and seconded by Trustee Kauffman to approve an Ordinance Approving a Minor Amendment to the Final Planned Unit Development for Ashcroft Place Unit 2; The Townes at Ashcroft Walk.

Aye: Ryan Kauffman Pam Parr Judy Sollinger	Karin McCarthy-Lange Luis Perez
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Nay: None

Absent: Joe West

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- National Suicide Prevention Awareness Month; item was presented under Recognitions.

K.2. Proclamation- Chamber of Commerce Week, September 11-15, 2017; item was presented under Recognitions.

K.3. Proclamation- Constitution Week, September 18-24, 2017

President Johnson noted Constitution week as the week of September 18-24, 2017.

Hurricane Harvey- information is available on the Village’s website directing people on where to go to help. Police and Public Works personnel have been put on notice that there may be a need for personnel after the water recedes.

September 16th is thank a Police Officer Day; staff will be changing the clock tower blue for the day.

TRUSTEE REPORTS

Trustee McCarthy-Lange- spoke to the Board of Education on August 21st regarding impact fees. She provided them with information they wanted. At their meeting, they discussed their budget. Their property tax ratio is 88%

residential to 12% business. She would like to see something changed for the Village and for them. The Village has always relied heavily on residential property taxes and that is not a good thing.

Listened to WSPY last week. Librarians from the local area got involved in project called "Bags to Benches". They collected 500 pounds of plastic bags and turned them in and got a free bench. Maybe the ECO Commission can look into this.

Trustee Perez- keep the US Islands and Puerto Rico in our thoughts; they will get slammed by Hurricane Harvey.

Trustee Kauffman- thanked President Johnson for proclaiming National Suicide Month; he lost a friend to suicide back in 1999.

PADS is a wonderful organization; Village staff has volunteered in the past; good and necessary.

CLOSED SESSION

There was no Closed Session held.

ADJOURNMENT

A motion was made by Trustee Kauffman 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 8:37 p.m.

Tina Touchette
Village Clerk