

**MINUTES OF A REGULAR MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
March 16, 2021**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Troy Parlier called the meeting to order at 7:10 p.m. and led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Board Members Physically Present: President Troy Parlier; Trustees James Marter II, Terry Olson, Pam Parr, Judy Sollinger and Brian Thomas.

Board Members Absent: Trustee Luis Perez

Staff Physically Present: Dan Di Santo, Village Administrator; Tina Touchette, Village Clerk; Jeff Burgner, Police Chief; Jennifer Hughes, Public Works Director; Mark Horton, Finance Director; Rod Zenner, Community Development Director; Scott McMaster, Economic Development Director, Joe Renzetti, IT/GIS Director; Jenette Sturges, Community Engagement Coordinator, Marketing; and Karl Ottosen, Village Attorney.

RECOGNITIONS/APPOINTMENTS

E.1 Proclamation- Earth Hour, March 27, 2021

President Parlier read the proclamation.

E.2 Proclamation- Arab American Heritage Month, April 2021

President Parlier read the proclamation.

PUBLIC FORUM

Public Forum was opened at 7:13 p.m.

Russell Pietrowiak addressed the Board regarding the Avanterra development property. He has concerns with the development; property varies and does not fit with adjacent properties; impact on school districts; school board needs to hear from the developer; issue with the private streets and future problems; more sidewalks; how on-street parking will be enforced; how school buses and fire trucks will handle the streets; how the development fits in with the corridor; asked that the Village Board not approve at this time. He thanked Chief Burgner on the Special Olympics even though he lost to the Sheriff. He thanked Trustee Sollinger for making the community better and for her efforts.

There was no one else who requested to speak. The Public Forum was closed at 7:19 p.m.

STAFF REPORTS

Administrator Di Santo- budget workshop is this Saturday at 9:00 a.m. Next Board meeting is Monday, April 5th, due to the election on April 6th.

CONSENT AGENDA

H.1 March 2, 2021 Committee of the Whole Minutes

H.2 March 2, 2021 Regular Village Board Minutes

H.3 Ordinance Allocating the 2021 Village of Oswego Volume Cap of \$3,876,070 to Upper Illinois River Valley Development Authority (UIRVDA).

- H.4 Ordinance Amending Title 3 Chapter 9 Section 10 of the Village Code of Ordinances; Peddlers, Solicitors, and Itinerant Merchants.
- H.5 Ordinance Authorizing the Disposal of Surplus Property Owned by the Village of Oswego; Public Works Vehicle.
- H.6 Ordinance Amending Sections 13.10 and 14.09 of the Village of Oswego Zoning Ordinance. (Application Fees for Rezoning, Special Use Permits, Variances, and Minor Amendments to PUD's)
- H.7 Resolution Authorizing the Execution of a Contract with Geneva Construction Company for Parking Lot and Sidewalk Improvements at Village Hall in the Amount of \$43,046.10.

A motion was made by Trustee Marter II and seconded by Trustee Sollinger to approve the Consent Agenda; Approving the March 2, 2021 Committee of the Whole Minutes; Approving the March 2, 2021 Regular Village Board Minutes; and approving the following ordinances and resolution:

Ordinance No. 21-31; Ordinance Allocating the 2021 Village of Oswego Volume Cap of \$3,876,070 to Upper Illinois River Valley Development Authority (UIRVDA).

Ordinance No. 21-32; Ordinance Amending Title 3 Chapter 9 Section 10 of the Village Code of Ordinances; Peddlers, Solicitors, and Itinerant Merchants.

Ordinance No. 21-33; Ordinance Authorizing the Disposal of Surplus Property Owned by the Village of Oswego; Public Works Vehicle.

Ordinance No. 21-34; Ordinance Amending Sections 13.10 and 14.09 of the Village of Oswego Zoning Ordinance. (Application Fees for Rezoning, Special Use Permits, Variances, and Minor Amendments to PUD's)

Resolution No. 21-R-20; Resolution Authorizing the Execution of a Contract with Geneva Construction Company for Parking Lot and Sidewalk Improvements at Village Hall in the Amount of \$43,046.10.

Aye: James Marter II Terry Olson
Pam Parr Judy Sollinger
Brian Thomas

Nay: None
Absent: Luis Perez

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

BILL LIST

I.1 Approve Bill List Dated March 16, 2021 in the Amount of \$675,924.68.

Board member asked what the FY22 items were in the list. Items refer to portions being charged to FY22.

A motion was made by Trustee Parr and seconded by Trustee Sollinger to approve the Bill List Dated March 16, 2021 in the Amount of \$675,924.68.

Aye: James Marter II Terry Olson
Pam Parr Judy Sollinger
Brian Thomas

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.

OLD BUSINESS

J.1 Resolution Ratifying the Village President's Executive Orders and Extending Declaration of Local Emergency and Disaster **Resolution No. 21-R-21**

A motion was made by Trustee Marter II and seconded by Trustee Thomas to approve the Resolution Ratifying the Village President's Executive Orders and Extending Declaration of Local Emergency and Disaster.

There was no discussion.

Aye: James Marter II Terry Olson
Pam Parr Judy Sollinger
Brian Thomas

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.

NEW BUSINESS

K.1 Approve a Concept Plan for Avanterra at the Property Located at the Southeast Corner of Wolf's Crossing and (Future) Douglas Road to Allow for the Development of 148 Built-for-Rent Housing Units.

A motion was made by Trustee Marter II to approve a Concept Plan for Avanterra at the Property Located at the Southeast Corner of Wolf's Crossing and (Future) Douglas Road to Allow for the Development of 148 Built-for-Rent Housing Units. There was no second motion. President Parlier asked again for a second motion. No second motion was made. Applicant was directed to present the concept plan.

Applicant, Eric Thom, and Attorney, Russ Whitaker, presented the concept plan to the Board.

Local Experience

- Continental Properties Company is the developer, owner and operator of the recently built Springs of Oswego.
 - Started in Fall 2017, broke ground in Summer 2018
 - Leasing began in Spring 2019 and at 95% occupancy in Fall 2020
- Great experience with the Village; tremendous success in lease-up and operations

Avanterra Concept

- Builds upon Springs brand
 - 57 kids at the Springs currently
 - Projecting Avanterra will have around 39 kids
- Oswego is the ideal community for this housing type
- Great schools
- Unique housing type that will kickstart the Wolf's Crossing corridor
 - Located at Wolf's Crossing Road and Douglas Road at the southwest corner
 - 22.81 acres
 - Location is half the size of the Springs
- Purpose-built homes for lease
- All the benefits of living in a detached home with none of the homeowner obligations
- Managed by operations team
- Detached homes
 - Limited duplex and triplex one-bedroom homes

- One - two car attached garage for most homes
- Designed for millennials and empty nesters
- 148 homes
 - 899-1,891 sq. ft.
 - 1 or 2 car garages or off-street parking
 - 9- 1 bedroom at avg. rent of \$1,830
 - 52- 2 bedrooms at avg. rent of \$2,295
 - 65- 3 bedrooms at avg. rent of \$2,650
 - 22- 4 bedrooms at avg. rent of \$3,070
- Walking trails
- Private yards for each home; fenced yards available
- Pet playground
- Pet spa
- Car care center
- Clubhouse with pool
- 24 hour resident fitness center

Land Use

- Annex to R4 district with PUD overlay
- Dedicating additional 75 feet ROW for Wolf's Crossing expansion
- Extending utilities to get to the location
 - Water extension approx.. 850 LF
 - Sewer extension approx.. 1,000 LF
- Extending Douglas Road to the project

After the presentation, there was a brief debate on whether the agenda item could be discussed by the Board and questions asked to the applicant. Majority of the Board agreed to table the item with no vote taken on the concept plan.

A motion was made by Trustee Thomas and seconded by Trustee Olson to table the Avanterra discussion.

Aye: Terry Olson Pam Parr
 Judy Sollinger Brian Thomas
 Nay: James Marter II
 Absent: Luis Perez

The motion was declared carried by a roll call vote with four (4) aye votes and one (1) nay vote.

K.2 Ordinance Granting a Major PUD Amendment to Lot 1 of Orchard Plaza to Allow for the Development of a Restaurant With a Drive-Through Located at 3439 Orchard Road. (Popeyes) **Ordinance No. 21-35**

There was no discussion.

A motion was made by Trustee Sollinger and seconded by Trustee Olson to approve an Ordinance Granting a Major PUD Amendment to Lot 1 of Orchard Plaza to Allow for the Development of a Restaurant With a Drive-Through Located at 3439 Orchard Road. (Popeyes)

Aye: James Marter II Terry Olson
 Pam Parr Judy Sollinger
 Brian Thomas
 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.

K.3 Downtown Parking Rules and Regulations

- a) Ordinance Amending Title 9 of Village Code; Parking Restrictions & Overnight Parking
Ordinance No. 21-36
- b) Ordinance Approving Village of Oswego Parking Garage Rules and Regulations
Ordinance No. 21-37
- c) Ordinance Approving a Parking Facilities License Agreement Between the Village of Oswego and Reserve at Hudson Crossing, LLC. **Ordinance No. 21-38**
- d) Ordinance Approving the Declaration of Covenants, Conditions, Restrictions and Easements for Reserve at Hudson Crossing. **Ordinance No. 21-39**

Attorney, Greg Jones noted that the TIF does not identify or prohibit the line item for bond interest in the TIF budget; if a TIF amendment is needed, he will work with Kane McKenna; a TIF amendment is likely; obligated to spend up to \$16 million for the Reserve at Hudson Crossing; will become increasingly difficult to pay the Village back.

Director Zenner addressed the Board regarding the downtown parking rules and regulations. In 2017, the Village entered into a redevelopment agreement (RDA) with Reserve at Hudson Crossing, LLC (Shodeen) to facilitate the development. The RDA provides that the Village will take ownership and possession of the two-level parking garage located on the development's first and second floors. In anticipation of the Village assuming control of the parking garage, staff prepared and negotiated several documents governing the parking garage's use and operation. Documents included:

- Text amendments to Village Code Title 9 designating the parking garage as a public parking facility, limiting the hours during which parking may occur and establishing parking garage regulations;
- Village parking garage rules and regulations establishing administrative procedures governing the parking garage's use;
- A Parking Facility License Agreement between the Village and Shodeen designating certain parking spaces for use by the development's residents, consistent with the RDA;
- Declaration of Covenants, Conditions, Restrictions, and Easements establishing rights, obligations, and duties concerning the ongoing maintenance and operation of the Reserve at Hudson Crossing development.

Parking Text Amendment

The text amendment revises Village Code to acknowledge that the Village owns and operates the parking garage and will allow overnight parking, subject to compliance with the Village's overnight parking permit process. A summary of the proposed changes are as follows:

- Overnight parking (from 2:00AM to 5:00AM) in the parking garage is prohibited without an overnight parking permit.
- Only individuals residing in a specific portion of the Downtown are eligible to apply for an overnight parking permit.
- The Village will issue no more than 2 overnight parking permits to a single address.
- The Village will initially issue up to 185 overnight parking permits. The Village may increase this number in the future at their discretion.

- The permit fee for the first overnight permit issued to a property is \$600 per year. If a resident requests a second overnight permit, the fee for the second permit shall be \$1,000 per year. The Village has the right to charge up to \$1,000 per year per space in accordance with the RDA.
- The Village has the right to revoke a parking permit if the holder violates the Village's regulations.

If the Village issued all 185 overnight permits and charged the proposed annual \$600 permit fee, the Village would collect \$111,000 in permit fee revenue. The Village has estimated the annual costs to maintain the deck between \$30,000 - \$46,000. The proposed fee structure would accommodate the anticipated costs associated with owning and operating the parking garage. The Village must also assume that not all permits will be issued at all times, resulting in a reduction of anticipated revenue. There is also a potential of additional anticipated revenue if an address seeks a second overnight parking permit.

The Ordinance also revises the Village's overnight parking rules in the Downtown as follows:

- Prohibits overnight parking on Adams Street between Van Buren to North Street
- Prohibits overnight parking on Van Buren Street between Main Street and Adams Street
- Prohibits overnight parking in Village owned lots:
 - Village Hall
 - Parking garage; except by those with an overnight permit
 - Parking lot between Tap House and the river
 - Oswego Entertainment Venue lot
 - New parking lot in Block 11.
- Allow overnight parking on Main Street between Van Buren to Douglas Street. Previously, overnight parking was prohibited in this location.

Upon adoption, staff will enforce this amendment within 30 days. This would allow time for staff to prepare and install appropriate signage for the regulations.

Parking Rules and Regulations

The Parking Rules and Regulations serve as the administrative rules governing the Village's overnight parking program. The rules describe how residents can apply for a permit, what information must be submitted, how the Village will process permit applications, waitlist procedures and the process associated with permit cancellation or termination. The rate for a parking permit will start at \$50 per month (\$600 per year). The rate for a second spot from the same residential address will be \$83.33 per month (\$1,000 per year). The Village has the ability to adjust these fees, per the needs of the Village, to operate the parking facility. The Village Finance Department will manage the permit process.

Parking Facilities License Agreement

The Parking Facility License Agreement implements the parking terms agreed to in the RDA. Specifically, the Agreement allows residents of the Reserves at Hudson Crossing to purchase an overnight parking permit in accordance with the terms of the Village's permit program, establishes procedures for the Village to temporarily close portions of the parking garage for maintenance and limits how parking spaces can be used. The Agreement also prohibits Shodeen from imposing an additional parking fee on tenants. This Agreement is consistent with the RDA's terms and allows the Village to adjust the overnight permit fee over time.

Declaration of Covenants, Conditions, Restrictions and Easements (CCRs)

The CCRs outline the rights and responsibilities (maintenance, ownership, etc.) of the Village and the Reserve at Hudson Crossing, LLC once the Village assumes ownership of the parking garage. The parking garage, residential units and commercial space are all part of a single structure. Among other

things, the CCRs clarify what part of the structure the Village owns, which parts Shodeen owns, the parties' rights to access and use certain parts of the structure and maintenance obligations.

Board and staff discussion focused on residents of the Reserve will need a permit if they are parking a car in the parking garage overnight; thirty exemptions, per year, are allowed for overnight parking; once approved, staff will schedule a closing and open to the public in a couple weeks; installation of cameras; forgiveness for guest parking; on-street parking exemptions are available; can request on-line; can make changes in the future if issues; what happens if garage is full and they need to park on the street; license plate would be on file and an officer can run the plate to see if they have a permit; Village opted to go with a license plate reader (LPR) versus a vehicle display; taking poll on what residents want; what happens if resident has a loaner vehicle; residents can notify the PD of a loaner vehicle; if a ticket is issued in error, the PD has provisions in place; adding language to accommodate; finance issues the permit; working off license plates is the easiest; PD is open 24/7; LPR program is ideal; if the process becomes problematic, then would come back to the Board for a change; PD has point of contact with Shodeen about issues and can assist the resident; getting opinions and suggestions; Village can handle with our own internal procedures; prefer not to have dedicated parking spaces; no restrictions; parking where it's convenient for the resident; plates will be scanned manually in the beginning and then switching to LPR; eliminating displaying of parking permit; finance staff reviewed different permitting software; will process manually until the building is fully leased; online forms are being used to streamline the application process; finance will process and enter into internal program for PD to view and run reports; will use this process for the first year or so; have a database linked into current system; looking into an automated system in the future; ticket for a violation is \$55.00 for overnight parking; will look into revenue numbers after full occupancy; maintenance around \$30,000-\$46,000; comparable to other communities; amount of PD and Public Works time on maintenance; costs will mostly come from contractors and consultants; how arrived at cost of permit fee; RDA allows up to \$1,000 per year; \$50.00 per month is a good number to start at; can change the fee at any time; making sure to bring in more revenue for repairs; \$1,000, per year, more than covers the costs; \$30,000 for security and counters for the second deck; first deck already paid; maintenance costs for first couple years should be minimal; cleaning costs; revenue should be enough to establish reserves in the parking fund; cover repairs and costs in downtown and streetscapes; will budget revenues and expenditures; approximately 10% are two bedroom units, 50-55% are studio units and 45% are one bedroom units; potential for one bedroom units to have more than one vehicle; concerns for parking for non-residents; average number of spaces per unit is 1.05 across all unit types; plan for 1.25 per unit to include visitors or guests; people may travel and not park for weeks; can discuss releasing more than 185 parking permits and get Board approval.

Dave Patzelt, with Shodeen, is in favor of keeping the permit process as simple as possible; in support of LPR; if there are issues, they will let the Village and PD know; Shodeen has other similar projects with similar reading of plates programs; no issues with guests.

There was no further discussion.

A motion was made by Trustee Thomas and seconded by Trustee Sollinger to delete Section E to exclude the reference to credentialing and approve an Ordinance Amending Title 9 of Village Code; Parking Restrictions & Overnight Parking; and approve an Ordinance Approving Village of Oswego Parking Garage Rules and Regulations ; and approve an Ordinance Approving a Parking Facilities License Agreement Between the Village of Oswego and Reserve at Hudson Crossing, LLC; and approve an Ordinance Approving the Declaration of Covenants, Conditions, Restrictions and Easements for Reserve at Hudson Crossing.

Aye: James Marter II
Pam Parr

Terry Olson
Judy Sollinger

Brian Thomas
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.

TRUSTEE REPORTS

Trustee Sollinger- asked if there was no overnight parking on Main St; the answer was no.

Trustee Olson- thank you to all 150 volunteers at the OEHS vaccine event; it was a good turnout.

Trustee Marter- thank you to Trustee Sollinger for all the time she has helped the Village and community.

PRESIDENT'S REPORT

- Budget workshop this Saturday, March 20th at 9am.
- Early voting begins on Monday, March 22nd; ends April 1st.
- Coffee & Conversations- March 27th at 11am; PD community room.
- Bunny Hop- Saturday, March 27th; 8am-5pm; downtown Oswego
- Reminder- next Board meetings are on Monday, April 5th.

CLOSED SESSION

There was no Closed Session held.

ADJOURNMENT

A motion was made by Trustee Sollinger and seconded by Trustee Marter II to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 8:26 p.m.

Tina Touchette
Village Clerk