MINUTES OF A SPECIAL VILLAGE BOARD MEETING OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES OSWEGO VILLAGE HALL 100 PARKERS MILL, OSWEGO, ILLINOIS August 23, 2022

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Troy Parlier called the meeting to order at 7:04 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 Tom Guist, Kit Kuhrt, James Marter II, Terry Olson, and Jennifer Jones Sinnott.

Board Members Absent: Trustee Brian Thomas.

Staff Physically Present: Dan Di Santo, Village Administrator; Christina Burns, Asst. Village Administrator; Andrea Lamberg, Finance Director; Tina Touchette, Village Clerk; Jeff Burgner, Police Chief; Jennifer Hughes, Public Works Director; Rod Zenner, Community Development Services Director; Bridget Bittman, Community Engagement Manager-Marketing; Kevin Leighty, Economic Development Director; Joe Renzetti, IT/GIS Director; and Karl Ottosen, Village Attorney.

RECOGNITIONS/APPOINTMENTS

E.1 Oath of Office

- a. Chad A. Vargas Sergeant
- b. Christopher M. Biggs Commander
- c. Jason W. Bastin Deputy Chief

Chief Burgner briefly acknowledged those who attended for the oaths of office. Colleagues, active and retired members of the police department; judiciary, other agency officers, State and County officials; municipal workers, and families. He acknowledged and thanked the Police Commission members and Village Board.

Chief Burgner recognized each of them and briefly provided their achievements and previous positions; he expressed his confidence in all three; described them as amazing leaders who truly care about the community and their fellow employees. President Parlier administered the Oath of Office to each of them; Family members pinned the new badge on their uniforms.

PUBLIC FORUM

Public Forum was opened at 7:31 p.m.

Nathan Brown addressed the Board regarding Prescott Mill parking. He is the HOA President of the single-family homes; he thanked the Mayor, Trustees, Police Chief and Officers for the proposed ordinance; appreciate and grateful for trying to come up with a solution; he supports what is on the tonight's agenda; it's not a perfect solution; he asked that the Board approve the ordinance.

Scott Gryder addressed the Board regarding the street name/sign designation for Dave Krahn. He thanked the Board for recognizing him; Dave has been involved with the community for many years; can't think of a better way to recognize him.

Joe West addressed the Board regarding the street name/sign designation for Dave Krahn; couldn't ask for a better person; he has done many things over the years; Dave does not look for recognition; proud to call Dave and his family friends.

There was no one else who requested to speak. The public forum was closed at 7:26 p.m.

E.2 Resolution Designating the Area in Front of Veterans Serenity Park on South Adams Street with the Honorary Street Name Sign, "Dave Krahn Street." **Resolution No. 22-R-76**

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve the Resolution Designating the Area in Front of Veterans Serenity Park on South Adams Street with the Honorary Street Name Sign, "Dave Krahn Street."

The motion was declared carried by a voice vote with no nay votes.

President Parlier presented Dave Krahn with an honorary street sign.

Dave Krahn addressed the Board and those in attendance; extremely humbled; he thanked his family and friends; he's surrounded by smart and creative people; he was on the Village Board in the 1990's; strived to make Oswego a better community; Serenity Park is a labor of love; making downtown live and prosperous; greatest regret is the heritage of Oswego and the drag strip.

- E.3 Proclamation- National Suicide Prevention Awareness Month, September 2022 President Parlier read the proclamation.
- E.4 Proclamation- Childhood Cancer Awareness Month, September 2022 President Parlier read the proclamation.
- E.5 Proclamation- National Payroll Week, September 5-9, 2022 President Parlier read the proclamation.

STAFF REPORTS

There were no staff reports.

CONSENT AGENDA

- H.1 August 9, 2022 Special Committee of the Whole Minutes
- H.2 August 9, 2022 Special Village Board Minutes
- H.3 August 9, 2022 Closed Session Minutes (Approve and Release)
- H.4 Ordinance Authorizing the Disposal of Surplus Property Owned by the Village of Oswego Public Works Vehicles and Two Welders.
- H.5 Retirement Healthcare Funding Plan
 - a) Resolution Adopting a Retirement Healthcare Funding Plan
 - b) Resolution Authorizing the Addition of the IPPFA/NPPFA Deferred Compensation Plan as an Employee Benefit
- H.6 Resolution Ratifying the Village President's Executive Order and Extending the Declaration of Local Emergency and Disaster.
- H.7 Resolution Approving the Oswego High School Homecoming Parade and Temporary Closure of US Highway 34 and IL Route 71.
- H.8 Resolution Authorizing the Purchase of One New Chevrolet Silverado 1500 from Ron Westphal Chevrolet in the Amount of \$38,522.24 and the Purchase of Required Equipment from Multiple Companies in the Amount of \$16,800.00 for a Grand Total Not to Exceed \$55,322.24.
- H.9 Ordinance Approving the Conveyance of Remnant Property Located at 809 Wolf Road in The Village of Oswego, Kendall County, Illinois.
- H.10 Approve a Two-Year extension with MC Squared for the Municipal Electrical Aggregation Program.
- H.11 Ordinance Amending Section 3, Chapter 39 of the Municipal Code to Eliminate the \$50 Administrative Fee for Exempt Real Estate Property Transfers.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Olson to approve the Consent

Agenda; Approving the August 9, 2022 Committee of the Whole Minutes; Approving the August 9, 2022 Regular Village Board Minutes; Approving and Releasing the August 9, 2022 Closed Minutes; Approving a Two-Year extension with MC Squared for the Municipal Electrical Aggregation Program; and Approving the following ordinances and resolutions:

Ordinance No. 22-52; Ordinance Authorizing the Disposal of Surplus Property Owned by the Village of Oswego – Public Works Vehicles and Two Welders.

Ordinance No. 22-53; Ordinance Approving the Conveyance of Remnant Property Located at 809 Wolf Road in The Village of Oswego, Kendall County, Illinois

Ordinance No. 22-54; Ordinance Amending Section 3, Chapter 39 of the Municipal Code to Eliminate the \$50 Administrative Fee for Exempt Real Estate Property Transfers.

Resolution No. 22-R-77; Resolution Adopting a Retirement Healthcare Funding Plan

Resolution No. 22-R-78; Resolution Authorizing the Addition of the IPPFA/NPPFA Deferred Compensation Plan as an Employee Benefit

Resolution No. 22-R-79; Resolution Ratifying the Village President's Executive Order and Extending the Declaration of Local Emergency and Disaster.

Resolution No. 22-R-80; Resolution Approving the Oswego High School Homecoming Parade and Temporary Closure of US Highway 34 and IL Route 71.

Resolution No. 22-R-81; Resolution Authorizing the Purchase of One New Chevrolet Silverado 1500 from Ron Westphal Chevrolet in the Amount of \$38,522.24 and the Purchase of Required Equipment from Multiple Companies in the Amount of \$16,800.00 for a Grand Total Not to Exceed \$55,322.24.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nay: None

Absent: Brian Thomas

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 August 23, 2022, in the Amount of \$829,054.26.

A motion was made by Trustee Marter II and seconded by Trustee Jones Sinnott to approve the Bill List Dated August 23, 2022, in the Amount of \$829,054.26.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nav: None

Absent: Brian Thomas

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

OLD BUSINESS

J.1 Ordinance Amending Title 1 Chapter 4, Title 1 Chapter 20, and Title 9 Chapter 4 of the Oswego Municipal Code. (Minimum Fines and Costs, Penalties for Unpaid Parking Violations, Removal of Vehicles, Violations, No Parking on Certain Streets; Hours, Parking Restricted) Ordinance No. 22-55

Board and staff discussion focused on amending ordinance to stagger the parking to one side only; issuing permits on a first-come, first-served basis; signage for parking; mailboxes are on both sides of the street; no parking on the side of the street that has fire hydrants; will monitor for any issues; ordinance effective immediately; 30-day warning period; permit application will be available on the

Village's website; 30-days to educate; deploying message boards; OEHS staff will direct message to the student's parents; publications will be sent out. There was no further discussion.

President Parlier noted the following amendments to the proposed ordinance for the Board of Trustees to consider approving:

- Amend section 9-4-8(E)- delete "for period of more than two hours"; and change the hours from 7am-3pm to 7am-12pm
- Amend section 9-4-8(F)- add "on the fire hydrant side of the roadway"; delete "on both sides of the street"; delete ""for period of more than two hours"; and change the hours from 7am-3pm to 7am-12pm
- Amend section 9-4-8(G)- delete "for period of more than two hours"; and change the hours from 7am-3pm to 7am-12pm
- Amend section 9-4-10(C)1(c)- adding "unless otherwise posted" after Devoe Drive and Chapin Way

A motion was made by Trustee Jones Sinnott and seconded by Trustee Marter II to approve Ordinance Amending Title 1 Chapter 4, Title 1 Chapter 20, and Title 9 Chapter 4 of the Oswego Municipal Code. (Minimum Fines and Costs, Penalties for Unpaid Parking Violations, Removal of Vehicles, Violations, No Parking on Certain Streets; Hours, Parking Restricted) with the noted amended sections as presented.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nay: None

Absent: Brian Thomas

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

NEW BUSINESS

K.1 Ordinance Amending Section 12.00 of the Village Code - Off Street Parking and Loading for High School Parking Requirements. **Ordinance No. 22-56**

A motion was made by Trustee Guist and seconded by Trustee Marter II to Approve an Ordinance Amending Section 12.00 of the Village Code - Off Street Parking and Loading for High School Parking Requirements. **No vote was taken due to the request to amend the ordinance.**

Board and staff discussion focused on allowing a gravel lot versus a paved lot; opposed to the ordinance because the School District is not going to build a lot; School Board does not care about the safety; 30 spaces per 100 students; car ownership has increased for teens nowadays; putting an escalator in or bumping the number of spaces to 32; OEHS is currently 25.44 spaces per 100 students; OHS is currently 27.48 spaces per 100 students; number of spaces would apply to a future high school; leave at 30 spaces and re-address if needed; student population; self-regulate; reasoning for gravel; OHS has a gravel lot; gravel lot gives the School District an option. Trustee Marter II requested an amendment to the ordinance to increase the number of parking spaces to 32. There was no further discussion.

A motion was made by Trustee Marter II and seconded by Trustee Olson to Amend the Ordinance Amending Section 12.00 of the Village Code - Off Street Parking and Loading for High School Parking Requirements.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nay: None

Absent: Brian Thomas

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

A motion was made by Trustee Marter II and seconded by Trustee Olson to Approve the Amended Ordinance Amending Section 12.00 of the Village Code - Off Street Parking and Loading for High School Parking Requirements and Approve Section 12.01 (F) 3 to Increase the Ratio of 30 spaces per 100 Students to 32 Spaces per 100 Students.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nay: None

Absent: Brian Thomas

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

K.2 Wolfs Crossing Land Acquisition – Oswego East High School:

Option 1: Direct staff to publish for a public hearing on September 20, 2022, to consider a Second Amendment to the Oswego East High School Annexation Agreement; or

Option 2: Authorize the Village Administrator, Village President, and Village Officials to execute documents and expend funds necessary to acquire a 2.949-acre parcel of property from School District 308 for the appraised value of \$75,500.

Administrator Di Santo addressed the Board regarding land acquisition at Wolf's Crossing and Oswego East High School. It is necessary that the Village acquire a 2.949-acre strip of property on the north side of Wolfs Crossing for roadway and detention purposes. The property is owned by School District 308 (SD308), which is part of the Oswego East High School (OEHS) campus. At their July 11, 2022, meeting, the School Board authorized the signing of a De Minimis Concurrence letter which stated that the Village's improvements would have no adverse effect on OEHS. After the meeting, a letter was sent to SD308 reaffirming the Village's request that the property be donated to the Village rather than sold at the appraised value of \$75,500. When SD308 annexed the OEHS property in 2003, the annexation agreement required SD308 to "participate in the installation of traffic signalization at the intersection of Harvey and Wolf's Crossing Roads by contributing 25% of the cost thereof..." The agreement was then amended in 2004 to more specifically delineate improvements required for Wolf's Crossing, separate from the Harvey intersection; these improvements have since been completed.

At the August 8, 2022 School Board meeting, they passed a motion to approve the Village's acquisition of the property under the condition that both Boards approve a second amendment to the OEHS annexation agreement that would credit SD308 \$75,500 for any amount they owe on the Harvey Road traffic signal; in addition, the motion requires that if both Boards do not approve the amendment by August 30, 2022, then SD308 agrees to sell the property to the Village for \$75,500. In order to stay on the November 18, 2022, letting schedule, the Village needs to close on all land acquisition properties by September 21, 2022.

Option 1

The original intent of the annexation agreement language was for SD308 to participate in the traffic control improvement at the intersection. Technology and engineering have come a long way since 2003, and the Village's plan for Harvey Road now includes a roundabout rather than a traffic signal, which is a safer and more modern traffic control device. This spring the Village asked SD308 to contribute 25% of the approximate value of a traffic signal towards the project. Based on recent bidding of the Main and Harrison Street traffic signals on Rt. 34, staff has valued 25% of a traffic signal at \$161,933.04.

Following the August 8 School Board meeting, a draft second amendment from SD308 was received. The second amendment presented to the Village from SD308 adds the following statement:

Only to the extent that the Village installs traffic signalization at the intersection of Harvey and Wolf's Crossing Roads and is entitled to a contribution by the Owner for a portion of the cost thereof, the Owner shall be entitled to offset any such contribution by a credit from the Village in the amount of \$75,500, representing the appraised value of Parcel 007 and the damage to the Remainder.

Rather than using the opportunity of a second amendment to clarify SD308's intent to contribute to the Harvey Road intersection improvement as originally intended, the draft amendment reemphasizes that SD308's obligation is only for a traffic signal. Since the traffic signal has been replaced with the roundabout due to its safety and mobility superiority, if the second amendment is approved it essentially releases SD308 from any obligation under the original agreement. The Village's position on the matter continues to be that a roundabout is the functional equivalent to a traffic signal, and that SD308 should fulfil the agreement to contribute a portion of the intersection improvement as it is a mutually beneficial traffic safety measure and reflects OEHS's impact on the traffic in this area. The School District's deadline of August 30, 2022, for both Boards to vote on the second amendment does not allow time for the Village to publish the public hearing notice that is required for annexation agreement amendments. There is no ordinance for the Village Board to approve; rather the Village Board would have to direct staff to publish the proper public hearing notice and seek an extension from SD308 to allow the second amendment to be approved at the September 20, 2022 Village Board meeting.

Option 2

The Village Board could let the August 30th deadline lapse and opt to pay \$75,500 directly to SD308 for the property. The Village has enough money in the land acquisition budget to do so, and this option would not add the complication of the Harvey Road intersection improvements into the discussion. If the Village Board approves Option 2, staff can proceed to schedule a closing with SD308 on the property ahead of the September 21st letting deadline. Under this option, the Village can continue to discuss with SD308 their obligation under the original annexation agreement to contribute toward the Harvey Road intersection improvement. Under either option, the Village's cost to acquire the property is \$75,500, whether it be a credit or a payment.

Board and staff discussion focused on both options are disappointing; intergovernmental cooperation; don't like being extorted; safety should be the priority; School Board said a round-about is good; not losing out on \$160,000 for a road; Village donated 2.9 acres to the County for Collins Road. There was no further discussion.

A motion was made by Trustee Olson and seconded by Trustee Marter II to Approve Option 2 to Authorize the Village Administrator, Village President, and Village Officials to execute documents and expend funds necessary to acquire a 2.949-acre parcel of property from School District 308 for the appraised value of \$75,500.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nay: None

Absent: Brian Thomas

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

K.3 Ordinance Authorizing Approval of the Economic Incentive Agreement Between the Village of Oswego and the Oswego Area Chamber of Commerce. **Ordinance No. 22-57**

A motion was made by Trustee Olson and seconded by Trustee Jones Sinnott to Approve an Ordinance

Authorizing Approval of the Economic Incentive Agreement Between the Village of Oswego and the Oswego Area Chamber of Commerce.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nay: None

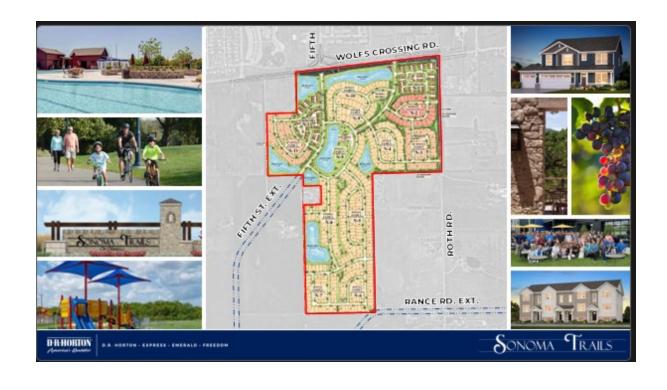
Absent: Brian Thomas

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

K.4 Concept Plan for Sonoma Trails Residential Development

Chris Funkhouser, Land Acquisition Project Manager for D.R. Horton presented the concept plan. D.R. Horton built 1,000 homes last year. They are building in thirty communities and employ 140 employees. They are proposing to develop 811 residential units on a 227-acre site that includes a portion of the previously approved Pacific Ridge Development. The plan includes the use of townhomes, duplexes, and single-family homes. The development will include a park/pool house, a parking lot for residents, and twelve distinct "pods" that will feature the different dwelling types. They are also proposing to add five pocket parks, seven detention areas, and an overlook feature to the furthest western detention facility. A path is proposed to wind along the development to connect the "pods", pocket parks, detention facilities, and the park/pool house.

LAND USE	LOT SIZE	UNITS	AREA
Perimeter & Major R.O.W.	50		14.80 ac
Fifth Street Future Extension	n		3.8 ac.
Roth Road 1/2 R.O.W.			1.6 ac.
Wolf's Crossing 1/2 R.O.W.			6.3 ac.
Entrance Drive			3.1 ac.
Detention/Open Space			45.3 ac.
Park/Pool House			12.3 ac
Signature Single Family	(72'x125' Lots)	126 du	39.9 ac
Traditional Single Family	(62'x125' Lots)	231 du	59.3 ac
Cottage Homes	(40'x120' Lots)	133 du	23.6 ac
Paired Cottages	(64'x120' Lots)	74 du	11.0 ac
Walkup Row Homes		247 du	21.7 ac
Totals:	010	811 du	±227.9 ac.





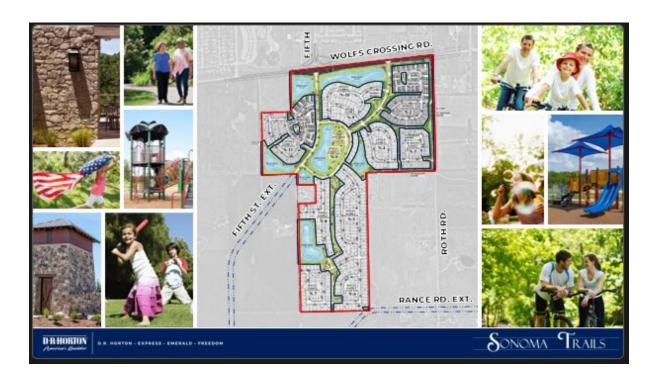












Board, D.R. Horton, and staff discussion focused on this is only a concept plan; giving the developer an idea of what the Board wants; like the plan and diversity; some streets will be secondary roads; will work with the Village on parking regulations; built in several phases; will start in the NE corner and

move west and south; will take 8-9 years to be fully developed; will start in 2023; 200 rentals; Village has approved a lot of rentals; will keep an eye on the market needs; price range between low \$300's and low \$500's. Planning & Zoning Commission approved 5-0; model homes; whether there is a similar development to this one; concept is newer plans; value of the project; there will be a right-of-way dedication; no plans on expanding south; neighborhood pods of 100-200 homes if the market drives that way; will determine before building, land plans and architecture. There was no further discussion.

A motion was made by Trustee Marter II and seconded by Trustee Guist to Approve a Concept Plan for Sonoma Trails Residential Development.

Aye: Tom Guist Kit Kuhrt
James Marter II Terry Olson

Jennifer Jones Sinnott

Nay: None

Absent: Brian Thomas

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

TRUSTEE REPORTS

Trustee Jones Sinnott- duck races will be coming back as a part of the Brew at the Bridge event on September 17th at 2pm; race helps support the Rotary Club.

Trustee Kuhrt- no report.

Trustee Olson- nice turnout for the police department, promotions, and retirements; community is growing.

Trustee Guist- congratulations to the Chamber on their new facility and to Chad, Jason, and Chris on their promotions.

Trustee Marter II- congratulations to Chad, Jason, and Chris; hope to still see them in the public.

PRESIDENT'S REPORT

Chamber is hosting an electronics recycling event on August 25th from 9am-noon. Dancing Queen: will be performing at Venue 1012 on September 1st and AZ/DZ will be performing at the Venue on September 3rd; Village Offices will be closed for Labor Day.

CLOSED SESSION

There was no close session.

ADJOURNMENT

A motion was made by Trustee Marter II and seconded by Trustee Olson to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 8:55 p.m.

Tina Touchette Village Clerk