MINUTES OF A REGULAR MEETING OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES OSWEGO VILLAGE HALL 100 PARKERS MILL, OSWEGO, ILLINOIS June 13, 2023

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Ryan Kauffman called the meeting to order at 7:05 p.m. Rick Gardner led the Pledge of Allegiance to the Flag of the United States of America.

Rick Gardner is an Army Veteran who served from 1966-1968. He served in the Vietnam War from 1966-1967. He is also the recipient of a Purple Heart.

ROLL CALL

Board Members Physically Present: President Ryan Kauffman; Trustees Tom Guist, Kit Kuhrt, Karin McCarthy-Lange, Jennifer Jones Sinnott, and Andrew Torres.

Staff Physically Present: Dan Di Santo, Village Administrator; Christina Burns, Asst. Village Administrator; Tina Touchette, Village Clerk; Jeff Burgner, Police Chief; Jennifer Hughes, Public Works Director; Andrea Lamberg, Finance Director; Rod Zenner, Community Development Services Director; Jason Bastin, Deputy Chief of Police; Bridget Bittman, Community Engagement Manager-Marketing; Joe Renzetti, IT/GIS Director; Julie Hoffman, Community Relations Manager-Special Events; Mark Runyon, Asst. Director Public Works; and Dave Silverman, Village Attorney.

RECOGNITIONS/APPOINTMENTS

E.1 Village Trustee Appointment/Swearing In

a. Appoint Thomas Collins as Village Trustee from June 13, 2023 Until the Conclusion of His Term in 2025.

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Torres to approve the Appointment of Thomas Collins as Village Trustee from June 13, 2023 Until the Conclusion of His Term in 2025.

Aye: Karin McCarthy-Lange Andrew Torres

President Ryan Kauffman

Nay: Tom Guist Kit Kuhrt

Jennifer Jones Sinnott

The motion was declared denied by a roll call vote with three (3) aye votes and three (3) nay votes.

E.2 Retirement - Chief of Police, Jeffrey R. Burgner

President Kauffman asked Chief Burgner and Administrator Di Santo to come forward to the podium. President Kauffman read a proclamation for Chief Burgner and presented him with a copy. Pictures were taken. President Kauffman thanked him for his service; next Chief has big shoes to fill; happy for him.

Administrator Di Santo asked the representative for the Citizen Police Academy (CPA) to come forward. He congratulated Chief and asked that he keep in touch; thanked him for his support for the CPA; Chief provided 236,000 hours of service to the CPA; he presented Chief with a wooden pallet flag signed by the CPA members. Pictures were taken.

Administrator Di Santo spoke about Chief's accomplishments over the years: team player; brought the Village departments together; construction of the PD facility; dedication and vision; humble mindset; growth of the PD; CALEA accomplishments. Pictures were taken.

The Honor Guard entered the room and presented arms. D.C. Bastin presented Chief with a flag and saluted him. Pictures were taken.

Chief spoke and noted he started with the PD in June 1996 at 113 Main St.; has gratitude to the police department; parents are his biggest supporter; he thanked his parents, wife, son and brother for their support and understanding; thank you for the leadership and mentorship; thank you to the community for supporting the PD; thank you to each commanding officer; thank you to the admin staff; thank you to the leadership team; he has worked for four Mayors and 15 Trustees; thank you for supporting him and the PD; it didn't go unnoticed; thank you to the neighboring police agencies, Chiefs, and to the Sheriff; thank you for the fellowship and mentorship; thank you to the State Attorney for prosecuting criminals and being fair and holding people accountable; thank you to the FD, Park District and other government bodies; thank you to the members of the PD for your service; made it easy to ask for resources and made his job easier; you are in great hands moving forward; heart is full leaving tonight; onward and upward; he owes this community so much. Pictures were taken.

E.3 Appoint Deputy Chief Jason W. Bastin as Interim Police Chief Effective June 13, 2023

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Jones Sinnott to approve the Appointment of Deputy Chief Jason W. Bastin as Interim Police Chief Effective June 13, 2023.

Aye: Tom Guist Kit Kuhrt

Karin McCarthy-Lange Jennifer Jones Sinnott

Andrew Torres

Nay: None

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

- E.4 Employee Service Awards
- a) Andrew Most- 10 Years of Service (Police Department)

Interim Chief Bastin briefly spoke about Andrew; will be back in two weeks to promote him to Sergeant and will tell the ice cream story. He congratulated him on his 10 years of service.

- b) Justin Graver- 15 Years of Service (Police Department)- did not attend
- c) Cherese Spears- 20 Years of Service (Police Department) did not attend
- d) Christopher Biggs- 25 Years of Service (Police Department) did not attend

President Kauffman thanked Justin, Cherese, and Christopher on their years of service.

E.5 Historic Preservation Commission

a) Appoint Jennifer Schwarz for a Term to Expire April 30, 2026

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Jones Sinnott to approve the Appointment of Jennifer Schwarz for a Term to Expire April 30, 2026.

Aye: Tom Guist Kit Kuhrt

Karin McCarthy-Lange Jennifer Jones Sinnott

Andrew Torres

Nay: None

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

E.6 Economic Development Commission

a) Appoint Dr. John Petzke for a Term to Expire April 30,2026

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Torres to approve the Appointment of Dr. John Petzke for a Term to Expire April 30,2026.

Aye: Karin McCarthy-Lange Andrew Torres

President Ryan Kauffman

Nay: Tom Guist Kit Kuhrt

Jennifer Jones Sinnott

The motion was declared denied by a roll call vote with three (3) aye votes and three (3) nay votes.

E.7 Proclamation- Flag Day, June 14, 2023 President Kauffman read the proclamation.

PUBLIC FORUM

Public Forum was opened at 7:41 p.m.

Caden Stagl (9 years old) addressed the Board regarding a flag he created; he showed the Board his drawing of a proposed new flag for the Village; he handed out pictures of his drawing; he noted what each color represented and that he created it himself.

James Marter II addressed the Board regarding the Trustee vacancy of Luis Perez; thank you to Chief Burgner and congratulations to Interim Chief Bastin; thank you for Director Lamberg for the information; when he was Trustee he sat next to Luis Perez at the dais; wish Luis and his family the best; he questioned the timeline; Luis was noticeably absent for campaigns; Luis announced his resignation immediately after; would like to know the circumstances on how this took place; rumors went around during the campaign; how far in advance was this known; when did the Board and staff get notified; did you know before or after he was sworn in; would like his inquires to be addressed.

There was no one else who requested to speak. The public forum was closed at 7:50 p.m.

STAFF REPORTS

There were no staff reports.

CONSENT AGENDA

- H.1 May 16, 2023 Committee of the Whole Minutes
- H.2 May 16, 2023 Regular Village Board Minutes
- H.3 May 16, 2023 Closed Session Minutes; Approve and Release
- H.4 Resolution Authorizing Release of Certain Closed Session Minutes.
- H.5 Ordinance Approving Utility Easements for the Hudson Pointe and Emblem Development Project Located at the Southeast Corner of Wolf Road and Harvey Road.
- H.6 Ordinance Amending Title 1 Chapter 20; Title 2 Chapter 10; Title 3 Chapter 7; Title 3
 Chapter 20; Title 3 Chapter 23; Title 3 Chapter 31; Title 4 Chapter 3 of the Oswego Municipal Code.
- H.7 Resolution Designating Depositories and Signers for Village Banking Services and Accounts.
- H.8 Resolution to Ratify the Contract for the Purchase of Electricity for the Purposes of Street Lighting through the Northern Illinois Municipal Electric Collaborative (NIMEC) Process.
- H.9 Resolution Approving Change Order No. 1 to the Contract with H&H Electric Company Inc., to Construct Traffic Signals along U.S. Route 34 (Washington Street) at Harrison Street and Main Street Project in the Amount of \$71,646.00.

- H.10 Resolution Authorizing the Execution of a Contract with Homer Tree Care, Inc. for Tree Trimming, Tree Removal, and Emergency Tree Service Program for Various Areas Throughout the Village in the Amount of \$77,000 Per the Unit Prices of the Contract.
 Additional discussion: why is the bid significantly lower; Homer Tree Care wants the job.
- H.11 Resolution Authorizing the Purchase of One New 2023 Ram ProMaster Cargo Van High Roof from Tyson Motor LLC in the Amount of \$52,254.26 and Purchase the Required Equipment and Installation of Equipment for a Grand Total Not to Exceed \$85,000.00 and Waiving of the Competitive Public Bidding Requirement.
- H.12 Resolution Authorizing the Village of Oswego to Acquire, from the Illinois Department of Transportation, Certain Real Property Located East of the Intersection of Illinois Route 71 and Washington Street.

A motion was made by Trustee Guist and seconded by Trustee Jones Sinnott to approve the Consent Agenda; Approving the May 16, 2023 Committee of the Whole Minutes; and Approving the May 16, 2023 Regular Village Board Minutes; Approving and Releasing the May 16, 2023 Closed Session Minutes; and Approving the following ordinances and resolutions:

Ordinance No. 23-41; Ordinance Approving Utility Easements for the Hudson Pointe and Emblem Development Project Located at the Southeast Corner of Wolf Road and Harvey Road.

Ordinance No. 23-42; Ordinance Amending Title 1 Chapter 20; Title 2 Chapter 10; Title 3 Chapter 7; Title 3 Chapter 20; Title 3 Chapter 23; Title 3 Chapter 31; Title 4 Chapter 3 of the Oswego Municipal Code. President Kauffman noted Title 3 Chapter 23 will be brought back to the Board at a later time.

Resolution No. 23-R-51; Resolution Authorizing Release of Certain Closed Session Minutes. **Resolution No. 23-R-52**; Resolution Designating Depositories and Signers for Village Banking Services and Accounts.

Resolution No. 23-R-53; Resolution to Ratify the Contract for the Purchase of Electricity for the Purposes of Street Lighting through the Northern Illinois Municipal Electric Collaborative (NIMEC) Process.

Resolution No. 23-R-54; Resolution Approving Change Order No. 1 to the Contract with H&H Electric Company Inc., to Construct Traffic Signals along U.S. Route 34 (Washington Street) at Harrison Street and Main Street Project in the Amount of \$71,646.00.

Resolution No. 23-R-55; Resolution Authorizing the Execution of a Contract with Homer Tree Care, Inc. for Tree Trimming, Tree Removal, and Emergency Tree Service Program for Various Areas Throughout the Village in the Amount of \$77,000 Per the Unit Prices of the Contract. **Resolution No. 23-R-56**; Resolution Authorizing the Purchase of One New 2023 Ram ProMaster Cargo Van High Roof from Tyson Motor LLC in the Amount of \$52,254.26 and Purchase the Required Equipment and Installation of Equipment for a Grand Total Not to Exceed \$85,000.00 and Waiving of the Competitive Public Bidding Requirement.

Resolution No. 23-R-57; Resolution Authorizing the Village of Oswego to Acquire, from the Illinois Department of Transportation, Certain Real Property Located East of the Intersection of Illinois Route 71 and Washington Street.

Aye: Tom Guist Kit Kuhrt

Karin McCarthy-Lange Jennifer Jones Sinnott

Andrew Torres

Nay: None

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 June 13, 2023, in the Amount of \$3,706,463.90.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve the Bill List Dated June 13, 2023, in the Amount of \$3,706,463.90.

Aye: Tom Guist Kit Kuhr

Karin McCarthy-Lange Jennifer Jones Sinnott

Andrew Torres

Nay: None

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

OLD BUSINESS

There was no old business.

NEW BUSINESS

K.1 Redwood Oswego Phase 3

Director Zenner presented information on Phase 3 of Redwood. The subject property is approximately 9.74-acres and is located between the southeast intersection of Mill Road and Orchard Road and the northeast intersection of Lewis Street. The Petitioner is proposing to develop a 45-unit townhome community which will connect to Redwood Phase 1 & 2 adjacent to the north of the subject property. The elevations for Redwood Phase 3 will feature a variety of materials including horizontal vinyl siding, shakes, stone veneer, and other architectural elements in a neutral color pallet. The Petitioner is proposing groups of 4-unit, 5-unit, and 6-unit buildings throughout the property. Each apartment will feature 2-bedrooms, 2-car garages, and a screened porch. Access will be provided to the site at two locations: connect to Redwood Phase 1 & 2 along Buttonwood Drive on the northwest portion of the subject property; connect to the existing White Oak Drive on the southwest corner of the property via access from Pacific Silver Drive through an ingress/egress easement with the property to the west.

Kelly McIvor, representative for Redwood was present to answer questions.

Board, staff, and representative discussion focused on Trustee Jones Sinnott lives in Gates Creek and noted she has been working with Redwood regarding the developments for the past four years; fantastic working relationship with them; shared areas; have held several meetings with the 276 homeowners of Gates Creek; retained path from Mill to Diamond Senior apartments; encourage other HOA's to work with property owners; Redwood starting framing today; huge need for that age population; roads will not connect between Redwood and Gates Creek; closest property line is 100 feet; detention pond and natural wetlands will be a buffer; no desire to move closer to Gates Creek; senior living to the south; will not be age restricted; FHA compliant; attractive to empty nesters; demographic markers show 34% are 45+ in age; model home has not been built; pads put in over the winter; commercial use on corner of Mill and Orchard and along Orchard Road; use of this property is right; small piece of property in between two rental plats; continuing Redwood seems like best use of land; amount of activity on the property is increasing; applaud Redwood; asset to Orchard corridor; makes a difference to see it visually; bicycle path; representative and CEO of Redwood are excited about this property. There was no further discussion.

a) Ordinance Granting the Rezoning the Property Between the Southeast Intersection of Mill Road and Orchard Road and the Northeast Intersection of Lewis Street and Orchard Road from R-1 Single Family Residence District to R-4 General Residence District.

Ordinance No. 23-43

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve an Ordinance Granting the Rezoning of Property Between the Southeast Intersection of Mill Road and Orchard Road and the Northeast Intersection of Lewis Street and Orchard Road from R-1 Single Family Residence District to R-4 General Residence District.

Aye: Tom Guist Karin McCarthy-Lange

Jennifer Jones Sinnott Andrew Torres

Nay: Kit Kuhrt

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

b) Ordinance Granting a Special Use for a Preliminary and Final Planned Unit Development and Plat to Allow for the Development of 45 Attached Apartment Homes Generally Located Between the Southeast Intersection of Mill Road and Orchard Road and the Northeast Intersection of Lewis Street and Orchard Road. **Ordinance No. 23-44**

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve an Ordinance Granting a Special Use for a Preliminary and Final Planned Unit Development and Plat to Allow for the Development of 45 Attached Apartment Homes Generally Located Between the Southeast Intersection of Mill Road and Orchard Road and the Northeast Intersection of Lewis Street and Orchard Road.

Aye: Tom Guist Karin McCarthy-Lange

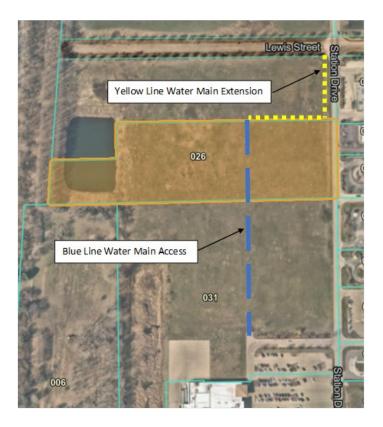
Jennifer Jones Sinnott Andrew Torres

Present: Kit Kuhrt Nay: None

The motion was declared carried by a roll call vote with four (4) aye votes, one (1) present vote; and zero (0) nay votes.

K.2 Ordinance Approving and Establishing a Recapture for Certain Public Improvements; Whitetail Ridge Golf Club, LLC- Golf Dome. **Ordinance No. 23-45**

Administrator Di Santo addressed the Board regarding the recapture for the golf dome. Last month, the Village Board approved an economic incentive agreement with Whitetail Ridge Golf Club to extend an 8" looped watermain from the site to the west side of Station Road since the subject property does not have immediate access to a watermain on the site. The estimated cost to the developer for the work is approximately \$200K-\$250K based on recent bids received. These costs would have likely been lower if the properties to the north and south were already developed and had water already available at the property lines. The draft recapture ordinance is specifically for the public improvements needed to extend the looped watermain from property to the south of the golf dome site up to Station Drive. The ordinance as proposed would recoup one half of the total incentive amount (\$112K) from each property to the north and to the south for a total of \$56K per property.



Recapture ordinances and agreements are typically common when a single landowner or developer is completing work which directly benefits neighboring properties. If approved, the recapture ordinance would be recorded with Kendall County to ensure that the Village would be reimbursed by each neighboring property respectively. According to the draft ordinance, the reimbursements would be triggered once the neighboring property owners request a change in use, permits for development, or subdivision approval.

Board and staff discussion focused on not equal sized properties; amount divided evenly between the north and south properties (\$56,000). There was no further discussion.

A motion was made by Trustee Guist and seconded by Trustee Kuhrt to approve an Ordinance Approving and Establishing a Recapture for Certain Public Improvements; Whitetail Ridge Golf Club, LLC- Golf Dome.

Aye: Tom Guist Kit Kuhrt

Karin McCarthy-Lange Jennifer Jones Sinnott

Andrew Torres

Nav: None

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

TRUSTEE REPORTS

Trustee Torres- congratulations to Chief Burgner; thank you for your dedication and leadership.

Trustee McCarthy-Lange- thank you to Chief Burgner; congratulations; worked with Chief on Kiwanis Club; pleasure to work with him; did not know about Luis Perez resignation; what is the reason for your votes on the Trustee and EDC appointments; should be capable of putting the Village ahead of own personal views; looking forward to PrairieFest; summer is awesome in Oswego.

Trustee Guist- congratulations to Chief; his first meeting, as Trustee, was a full Boardroom; Chief was the definition of transparency when it came to the investigation of that incident; incredible quality.

Trustee Jones Sinnott- congratulations to Chief; rock solid Chief and representative of Oswego; he was part of Operation Impact; great to hear about him; respecting people for their thoughts; should be a fun weekend at PrairieFest; hopefully the weather will hold out; Happy Father's Day.

Trustee Kuhrt- congratulations to Chief; he's going to be missed; his first meeting as Trustee was crazy; Chief is always there; big shoes to fill; hope to see people at the booth at PrairieFest; draft memo regarding annexation agreements and rentals; Administrator Di Santo noted it should be ready soon; flag signs are broken everywhere in town; Director Zenner noted code enforcement is working on it; 9,000 people voted for Thomas Collins in Kendall County to be on the Regional School Board; would rather vote for someone who is not serving on another board; Trustee McCarthy-Lange noted he could serve on both boards; can talk about this later.

PRESIDENT'S REPORT

Chief Burgner was an exceptional public servant; people have always trusted him; his leadership has been exemplary; in a better place because of him; next Chief will have big shoes to fill; looking forward to PrairieFest; Happy Father's Day; May 12th was when he was first notified of Luis Perez resigning; wish him all the best; disappointed about Thomas Collin's appointment; feels nakedly partisan.

CLOSED SESSION

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to enter Closed Session for the purposes of discussing the following:

- Pending and Probable Litigation
- Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel
- Collective Bargaining, Collective Negotiating Matters, Deliberations Concerning Salary Schedules
- Sale, Lease, and/or Acquisition of Property

Aye: Tom Guist Kit Kuhrt

Karin McCarthy-Lange Jennifer Jones Sinnott

Andrew Torres

Nay: None

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 8:37 p.m.

The Board returned to open session at 8:54 p.m. A roll call vote was taken. All attending Board members were physically present for the roll call.

ADJOURNMENT

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Torres to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 8:54 p.m.