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

September 5, 2023

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Ryan Kauffman called the meeting to order at 7:11 p.m. Joe McGillis led the Pledge of Allegiance to the Flag of the United States of America.

Staff Sergeant Joe McGillis will lead us in tonight's Pledge of Allegiance. Joe joined the United States Army in 2008 and has served on active duty for six years. He still serves in the reserves and is attached to the 485th Engineering Company. Joe has deployed to Iraq, Afghanistan, Uganda, and other locations throughout the world. He has served alongside and in support of the US Border Patrol. Joe has been with the Village of Oswego as a Forestry Technician since July 1, 2014. Joe is highly committed to the Village and the community. He is one of the first to volunteer when the Village responds to calls for assistance through the Illinois Public Works Mutual Aid Network. Thank you, Joe, for your service to your Country and to Oswego.

ROLL CALL

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

Board Members Absent: Trustee Jennifer Jones Sinnott

Staff Physically Present: Dan Di Santo, Village Administrator; Christina Burns, Deputy Village Administrator; Tina Touchette, Village Clerk; Jennifer Hughes, Public Works Director; Jason Bastin, Interim Chief of Police; Andrea Lamberg, Finance Director; Rod Zenner, Community Development Services Director; Bridget Bittman, Community Relations Manager- Marketing; Kevin Leighty, Economic Development Director; Maddie Trinco, Management Analyst; and Dave Silverman, Village Attorney.

RECOGNITIONS/APPOINTMENTS

D.1 Employee Service Awards

- a) Jeanne Anderson 5 Years of Service (Building & Permits Department) She could not attend. President Kauffman congratulated her on her years of service.
- b) Kathy Schiltz- 15 Years of Service (Finance Department)
 She could not attend. President Kauffman congratulated her on her years of service.
- c) Russ Garcia 25 Years of Service (Public Works Department) He could not attend. President Kauffman congratulated him on his years of service.
- D.2 Proclamation- Chamber of Commerce Week, September 10-16, 2023 President Kauffman read the proclamation.
- D.3 Proclamation- "It's Our Fox River Day" President Kauffman read the proclamation.

D.4 Proclamation- Constitution Week, September 17-23, 2023 President Kauffman read the proclamation.

D.5 Proclamation National Rail Safety Week, September 18-24, 2023 President Kauffman read the proclamation.

PUBLIC FORUM

Public Forum was opened at 7:22 p.m.

Allen Hergenhahn addressed the Board regarding the installation of a historical marker and signage at Harvey Road and the new round-about; there used to be a one-room schoolhouse at this corner; it opened in 1854 and lasted for 90 years; this area was a farm community where children used to live; he has spoken to Director Hughes and the Historic Preservation Commission; he is willing to contribute to the sign. He provided a picture of the schoolhouse for Director Hughes.

There was no one else who requested to speak. The public forum was closed at 7:27 p.m.

STAFF REPORTS

RaeAnn VanGundy, Executive Director for the Kendall County Health Department (KCHD), addressed the Board regarding the services that are provided. She presented the following:

COMMUNITY ACTION

Our Community Action Services division provides programs that promote and inspire individual and family socio-economic self-sufficiency.

- Drive to Success Program
- · Helping Hands for School
- Higher Education Scholarships
- * Homeless Prevention Services
- Illinois Home Weatherization Assistance Program
- Information and Referral Assistance
- Low-Income Energy Assistance Program
- ❖ Water and Sewer Bill Assistance
- Kendall County residents can call about electric, energy and weatherization

ENVIRONMENTAL HEALTH

Our Environmental Health Services division provides programs that provide for a safe and healthy indoor and outdoor living environment.

- · Body Art Facilities Inspection
- Food and Sanitation Inspection
- . Indoor Air Quality
- * Nuisance Complaint Investigations
- Private Sewage Disposal
- Private/Semi-Private Potable Water Supply
- Tanning Facilities Inspection
- * Tick Surveillance and Outreach
- Solid Waste and Recycling
- Well and Septic Utilities Site Evaluation
- West Nile Virus Surveillance
- Food permits
- West Nile Virus

COMMUNITY HEALTH

Our Community Health Services division provides programs that prevent communicable disease and promote individual and family physical health.

- APORS (Adverse Pregnancy Outcome Reporting Program)
- Communicable Disease and Sexually Transmitted Disease Programs
- Contracted DNA Collection
- * Family Case Management
- · Infant, Child, and Adult Immunizations
- Medical Cannabis Application Assistance
- Travel Clinic (International Travel Vaccinations)
- Tuberculosis Program
- WIC (Women, Infants, and Children)
- Malaria shot
- Travel vaccine program
- Rabies program
- There are 871 people on WIC
- Supplemental food

BEHAVIORAL HEALTH

Our Behavioral Health Services division provides programs that promote sound mental health and safe substance use.

- . Individual & Group Counseling
- Couples & Family Counseling
- Substance Use Prevention Services
- Psychiatric & Psychotropic Medication Management
- Crisis & Suicide Intervention
- DUI Services
- Outreach Case Management
- Anger Evaluations
- Anti-Tobacco Education Programs
- Fitness to Stand Trial Evaluations
- · Parent and Youth Education
- Prevention & Diversion Services
 - Early Intervention Programs
 - · Project Alert
- Transitions (Senior & Caregiver Programs)
- Substance abuse services
- Staff is on-call and go into the schools

- Staff has an office at the Oswego Police Department and works closely with Interim Chief Bastin
- Opioid overdose kits; she provided a kit to President Kauffman
- Free Narcan at KCHD
 - ➤ Narcan is also given to first responders; it is saving lives
 - Overdoses happening more and more

President Kauffman thanked her for coming out; KCHD does so much more than expected. He encouraged residents to reach out to them for services. There was no further discussion.

F.2 Fiscal Year 2024 First Quarter Financial Update (Committee of the Whole item from September 5, 2023)

Director Lamberg addressed the Board regarding the first quarter financials and presented the following:

Village Wide Actual

\$20,190,419	Village Wide Revenue
\$11,952,646	Village Wide Expenses
\$8,237,772	Year-to-Date Surplus

Village Wide Budget

\$68,799,512	Village Wide Revenue
\$75,800,159	Village Wide Expenses
(\$7,000,647)	Budgeted Deficit

• Drawing down reserves for capital projects



Revenues to date compared to Expenditures to date							
For the 3 Months Ending July 31, 2023							
					Rev/Exp		
Fund	Revenues	% of Budget	Expenditures 9	% of Budget	Difference		
GENERAL	\$7,628,999	30.5%	\$5,629,058	22.5%	\$1,999,942		
MOTOR FUEL TAX	\$560,711	39.6%	\$0	0.0%	\$560,711		
PUBLIC WORKS ESCROW	\$221	n/a	\$0	n/a	\$221		
ECONOMIC DEVELOPMENT	\$12,573	n/a	\$0	n/a	\$12,573		
SPECIAL EVENTS FUND	\$205,803	n/a	\$166,306	n/a	\$39,498		
RESTRICTED ACCOUNTS FUND	\$25,958	n/a	\$32,500	n/a	(\$6,542)		
TIF FUND	\$640,166	10.1%	\$303,336	4.7%	\$336,830		
CAPITAL IMPROVEMENT	\$2,778,012	19.6%	\$1,429,425	8.8%	\$1,348,586		
AMERICAN RESCUE PLAN ACT	\$14,941	n/a	\$0	n/a	\$14,941		
DEBT SERVICE	\$662,670	22.5%	\$660,189	22.4%	\$2,481		
WATER & SEWER	\$2,993,794	37.3%	\$1,549,846	18.5%	\$1,443,948		
WATER & SEWER CAPITAL	\$1,577,927	35.9%	\$764,044	9.4%	\$813,882		
GARBAGE COLLECTION FUND	\$1,010,045	32.0%	\$774,219	25.1%	\$235,826		
MUNICIPAL FLEET FUND	\$321,216	37.8%	\$334,205	20.0%	(\$12,989)		
MUNICIPAL PARKING FUND	\$30,354	25.8%	\$1,605	2.3%	\$28,749		
POLICE PENSION	\$1,727,028	71.7%	\$307,914	17.5%	\$1,419,114		
	\$20,190,419		\$11,952,646	_	\$8,237,772		

• Police pension= \$1,419,114 is from investment returns

Village Wide Highlights

Interest Income

- Staff conducted a cash flow analysis last summer to maximize funds available for investment. Funds were invested in a laddered strategy with staggered maturity dates allowing a portion of the portfolio to mature at regular intervals.
- This has allowed staff to take greater advantage of the high interest rate environment.



• Re-investments across all funds

General Fund

Actual	
\$7,628,999	General Fund Revenue
\$5,629,058	General Fund Expenses
\$1,999,942	General Fund Surplus
Budget	
\$24,983,811	General Fund Revenue
\$24,973,525	General Fund Expenses
\$10,286	Budgeted Surplus
\$24,983,811	General Fund Budgeted Revenue
\$7,628,999	General Fund Actual Revenue
30.5%	Percentage of Budget Collected
\$24,973,811	GF Budgeted Expenditures
\$5,629,058	GF Actual Expenditures
22.5%	Percentage of Budget Spent

• Target is 25% or more for the first quarter



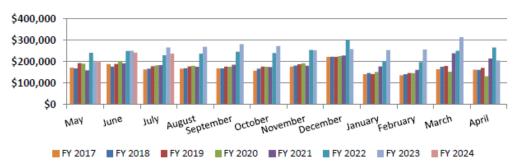
- Building Permit revenue for the first quarter was \$147,890 compared to \$38,479 in the first quarter last year.
- Accessory Permit revenue for the first quarter was \$261,072 compared to \$85,371 in the first quarter last year.
- Contractor Registration revenue for the first quarter was \$0 compared to \$16,350 in the first quarter last year.
- Contributed to the General Fund this year
- Accessory permits- sheds, fences, roofs
- Due to inefficiencies, contractor registration was eliminated in March

\$2,500,000 \$1,500,000 \$1,000,000 \$500,000 \$7 2014 Actual FY 2015 Actual FY 2016 Actual FY 2018 Actual FY 2029 Actual FY 2021 Actual FY 2022 Actual FY 2023 Actual FY 2024 Actual

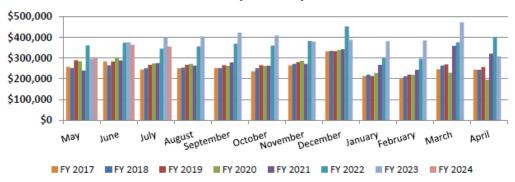
Sales Tax Fiscal Year to Date

• Trending slightly lower compared to last year

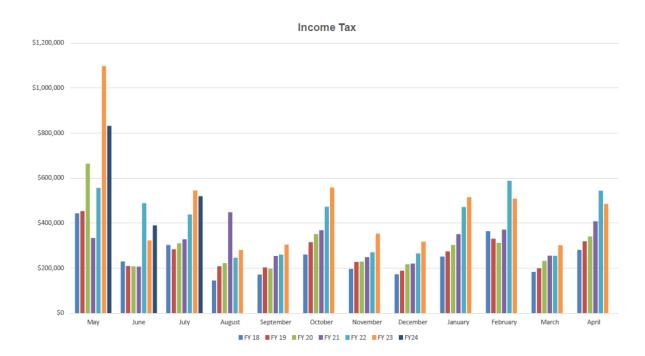
Local Sales Tax - General Fund



Local Sales Tax - Capital Improvement Fund



• 2% less than last year



- Trending higher each year
- Orange bar, in May, is a one-time occurrence; it will not repeat

Water and Sewer Fund

Actual

\$2,993,794	W&S Fund Revenue
\$1,549,846	W&S Fund Expenses
\$1,443,948	W&S Fund Surplus

Budget	
\$8,032,100	W&S Fund Revenue
\$8,371,622	W&S Fund Expenses
(\$339,522)	Budgeted Deficit
\$8,032,100	W&S Budgeted Revenue
\$2,993,794	W&S Actual Revenue
37.3%	Percentage of Budget Collected

\$8,371,622	W&S Budgeted Expenditures
\$1,549,846	W&S Actual Expenditures
22.5%	Percentage of Budget Spent

- Revenue target is 33% because it is billed every other month
- Expenditure target is 25%

Water and Sewer Capital Fund



- Real Estate Transfer Tax revenue for the first quarter was \$199,691 compared to \$0 in the first quarter last year.
 - FY23 revenue was \$459,329
- Water Tap on Fee revenue for the first quarter was \$503,250 compared to \$36,300 in the first quarter last year.
- New tax started in second quarter
- Annualized would be \$800,000.00; should meet or exceed last year

Capital Improvement Fund



- Direct Impact Fee revenue for the first quarter was \$591,035 compared to \$56,960 in the first quarter last year.
- Transportation Development Fee revenue (earmarked for Wolf's Crossing) is now recognized in the Capital Improvement Fund as it is received.
 - Revenue for activity in the first quarter totaled \$358,105.
 - Revenue from previous activity totaling \$620,501 was also recognized in the first quarter.
- Transportation Development Fee was formerly the Kendall County Transportation Fee

Director Lamberg noted all the reports are available online. There was no further discussion.

F.3 Police Pension Fund Actuarial Reports (Committee of the Whole item from September 5, 2023)

Director Lamberg addressed the Board regarding the Pension Fund reports and introduced Kevin Cavanaugh, Principal with Lauterbach & Amen, LLP. Kevin presented the following:

Recommended Contribution & Funded Status

Page 8 in Report

	Prior Valuation	Current Valuation	Difference
Recommended Contribution	\$1,521,266	\$1,688,020	\$166,754 (10.96% Increase)
Fair Value of Assets (FVA)	\$40,838,600	\$42,293,100	\$1,454,500
Actuarial Value of Assets (AVA)	\$42,618,300	\$45,349,900	\$2,731,600
Actuarial Accrued Liability	\$51,681,000	\$55,863,700	\$4,182,700
EAN Unfunded Actuarial Accrued Liability/(Surplus)	\$9,062,700	\$10,513,900	\$1,451,200
Percent Funded (AVA)	82.46%	81.18%	(1.28%)
Percent Funded (FVA)	79.02%	75.71%	(3.31%)

Current Funding Policy is Level % Pay Contributions to a 100% Funding Target Over the Remaining 16 Years.

- Recommended contribution=\$1,688,020 with annual increases of \$166,754.00
- Fair Value of Assets- total asset value
- Actuarial Value of Assets- unfunded liability
- EAN- how much it would take to be 100% funded

Recommended Contribution Reconciliation

Page 16 in Report

	Actuarial Liability	Recommended Contribution
Expected Changes	\$3,130,300	\$49,400
Salary Increases Greater than Expected	\$90,900	\$18,400
Actuarial Experience	\$664,000	\$47,400
Plan Changes	\$297,600	\$12,200
Investment Return Less than Expected	\$0	\$60,000
Contributions Greater than Expected	\$0	(\$20,700)
Net Increase/(Decrease)	\$4,182,800	\$166,800

- Actuarial Experience- demographics
- Investment return less than expected

Recommended Contribution Breakdown Page 26 in Report

	Prior Valuation	Current Valuation	Difference
Employer Normal Cost (with interest)	\$802,082	\$814,015	\$11,933
Amortization of Unfunded Accrued Liability/(Surplus)	\$719,184	\$874,005	\$154,821
Recommended Contribution	\$1,521,266	\$1,688,020	\$166,754

The Recommended Contribution has Increased by 10.96% from the Prior Valuation.

- Employer Normal Cost- cost of on-going benefits for future
- \$874,005 is the target

Demographic Changes

Page 13-14 in Report

- There were 6 Members who were hired during the year. This increased the Recommended Contribution by approximately \$58,300.
- There were 3 Members who retired during the year, 1 of whom was a deferred Member. This increased the Recommended Contribution by approximately \$38,700.
- There were 5 Members who terminated employment during the year, 2 of whom were hired during the year. This decreased the Recommended Contribution by approximately \$31,100.
- There was 1 retiree who passed away during the year, with an eligible surviving spouse. In addition, there were 17 inactive Members who continued to collect benefits. This decreased the Recommended Contribution by approximately \$32,900.
- Other demographic changes experienced during the year were minimal.

Age and Service Distribution Page 35 in Report

	5/	1/2023 A	ge an	d Serv	ice Dist	ibution	- Tier 1	Tier 2 A	ctive Me	embers		
	Service	Under 1	1 to 4	5 to 9	10 to 14	15 to 19	20 to 24	25 to 29	30 to 34	35 to 39	40 & up	Total
Age												
Under 25		0 1										0 1
25 to 29		0 2	0 9									0 11
30 to 34		0 3	0 3	0 3	0 1							0 10
35 to 39				0 3	2 1	1 0						3 4
40 to 44				0 1	0 1	7 0	4 0					11 2
45 to 49						4 0	3 0	1 0				8 0
50 to 54							1 0	2 0				3 0
55 to 59												
60 to 64												
65 to 69												
70 & up												
Total		0 6	0 12	0 7	2 3	12 0	8 0	3 0				25 28

• 50 years old with 20 years of service

Expected Benefit Payments Page 9 & 34 in Report

Current Valuation

Total Active Members 53

Total Inactive Members 44

Current Benefit Payments \$1,512,400

Expected Benefit Payments \$2,471,700

Expected Benefit Payments in 5 Years \$3,736,000

Benefit Payments are Anticipated to Increase 63% in the Next 5 Years and 147% in the Next 10 Years.

• Significant increase over next couple years due to eligible retirements

Plan Changes

Page 14-15 in Report

- Public Act 102-0811 passed on May 13, 2022 and is effective as of January 1, 2023 for Article 3 Pension Funds. The Act establishes that a surviving spouse of a deceased police retiree may be eligible for a survivor's pension of up to 15 years of benefit payments if (a) the surviving spouse has attained age 62 and (b) if the police officer was married to the surviving spouse after retirement, and for at least 5 years prior to the officer's death.
 - Previously, there was no survivor's pension for spouses married after retirement.
 - For any current retirees who were married after retirement and have been married for at least 5 years, as well as any surviving spouses currently in receipt of benefits under this provision, we have valued the liability of the benefit granted.
- Late in 2022, the IDOI Public Pension Division issued an unofficial opinion that Tier II disabled Members are entitled to an initial COLA increase on the later of the January 1st after the pensioner turns age 60 or the January 1st after the benefit date anniversary equal to the lesser of 3% of the original benefit or ½ CPI-U. The prior interpretation from the IDOI Public Pension Division was that Tier II disabled members were entitled to an initial COLA increase on the later of the January 1st after the pensioner turns age 60 or the January 1st after the benefit date anniversary equal to 3% of the original monthly benefit for each full year that has passed since the pension began.
 - In accordance with the new opinion, we have included a change in liability due to a change in the substantive plan, which includes written provisions as well as administrative interpretations.
- \$12,200.00 decrease this year

Change in Fair Value of Assets Page 18 in Report

Current Valuation						
Beginning Fair Value of Assets	\$40,838,600					
Employer Contributions	\$1,730,700					
Member Contributions	\$544,100					
Return on Investments	\$800,400					
Benefits and Refunds	(\$1,575,300)					
Other Expenses	(\$45,400)					
Change in Fair Value	\$1,454,500					
Ending Fair Value of Assets	\$42,293,100					

The Rate of Return on Investments on a Fair Value of Assets Basis for the Fund was Approximately 1.83% Net of Administrative Expense. The Expected Rate of Return on Investments is 6.50%.

Risk Management

Page 11, 13 & 23 in Report

- The ratio of benefit payments to the Fair Value of Assets is 3.58%, compared to an Expected Rate of Return on Investments of 6.50%.
- Based on the number of active Members in the Plan, there is a low demographic risk.

	0.25% Decrease (6.25%)	Current Expected Rate of Return on Investments (6.50%)	0.25% Increase (6.75%)
Recommended Contribution	\$1,945,062	\$1,688,020	\$1,441,240
Dollar Impact	\$257,042		(\$246,780)
Percentage Impact	15.23%		(14.62%)

Leads to growing Pension Fund

Alternative Contribution Page 30 in Report

	Current Valuation
Alternative Contribution	\$1,281,708
PUC Unfunded Actuarial Accrued Liability/(Surplus)	\$11,913,700
Alternative Contribution Funded Percentage (AVA)	79.19%

Alternative
Contribution Funding
Policy is Level % Pay
Contributions to a
90% Funding Target
Over the Remaining
17 Years.

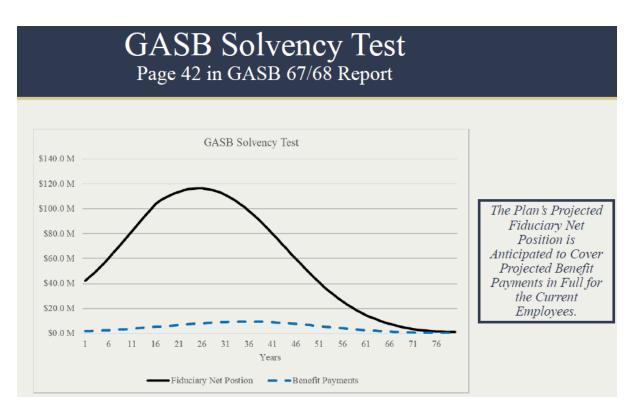
\$1,281,708.00- minimum amount the Village can put into the Fund

Five-Year Employer Contribution History Page 33 in GASB 67/68 Report

Fiscal Year End	Employer Contribution	Actuarially Determined Contribution (ADC)	% of ADC
4/30/2023	\$1,730,727	\$1,582,322	109.38%
4/30/2022	\$1,800,798	\$1,783,331	100.98%
4/30/2021	\$1,600,000	\$1,542,957	103.70%
4/30/2020	\$1,400,001	\$1,398,759	100.09%
4/30/2019	\$1,400,000	\$1,342,897	104.25%
		5 - Year Average	103.68%

The Actuarially Determined Contribution for the Current Year is the Recommended Contribution from the May 1, 2021 Actuarial Valuation Completed by Lauterbach & Amen, LLP.

Will be included in the audit



Projected to pay all future payments

Actuarial Certification

- The valuation results summarized in this presentation are from the May 1, 2023 Actuarial Funding Report & GASB 67/68 Report, which have been reviewed by Actuarial Consultants that meet the Qualification Standards of the American Academy of Actuaries.
 - This report is not intended for purposes other than determining the Recommended Contribution, under the selected Funding Policy, and the Alternative Contribution.
 - This report contains the full description of the data, assumptions, methods, and provisions used to produce these actuarial results.
 - For any rounded figures shown in this presentation, please refer to the Actuarial Funding Report for more exact figures.

Board and staff discussion focused on where Oswego compares with other communities; a lot of communities do not contribute at the recommended levels; Oswego is at the upper half in Illinois; Village property taxes pay 100% of the Police Pension Fund; funded 100% last year and expect it will be 100% funded this year; differences come from the General Fund; Village property taxes do not pay for IMRF; blessed that sales tax is doing well; 50% of sales tax coming from non-residents. There was no further discussion.

CONSENT AGENDA

- G.1 August 22, 2023 Committee of the Whole Minutes
- G.2 August 22, 2023 Regular Village Board Minutes
- G.3 August 22, 2023 Closed Session Minutes, Approve but Not Release
- G.4 Resolution Approving a Christmas Walk Parade and the Temporary Closure of U.S. Highway 34, in the Village of Oswego, on December 1, 2023.
- G.5 Resolution Authorizing the Execution of a Contract with Heritage Valley LLC for Leaf Disposal Services in the Amount of \$45.00 Per Truck Load. Additional discussion focused on price went down; Heritage Valley was the only bidder; look into locking in the price for an extended amount of time; pricing changed due to the contractor's interpretation of the load; \$45.00 is a good price; staff did ask for an extension and have not heard back from the contractor.
- G.6 Resolution Authorizing the Release of Performance Security Bond No. K09217332 in the Amount of \$652,127.70 for Ashcroft Place Unit 3.

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Guist to approve the Consent Agenda; Approving the August 22, 2023 Committee of the Whole Minutes; and Approving the August 22, 2023 Regular Village Board Minutes; and Approving the following resolutions:

Resolution No. 23-R-73; Resolution Approving a Christmas Walk Parade and the Temporary Closure of U.S. Highway 34, in the Village of Oswego, on December 1, 2023.

Resolution No. 23-R-74; Resolution Authorizing the Execution of a Contract with Heritage Valley LLC for Leaf Disposal Services in the Amount of \$45.00 Per Truck Load.

Resolution No. 23-R-75; Resolution Authorizing the Release of Performance Security Bond No. K09217332 in the Amount of \$652,127.70 for Ashcroft Place Unit 3.

Aye: Tom Guist Kit Kuhrt Karin McCarthy-Lange Karen Novy

Andrew Torres

Nay: None

Absent: Jennifer Jones Sinnott

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

BILL LIST

H.1 Approve Bill List Dated September 5, 2023, in the Amount of \$2,072,750.87.

A motion was made by Trustee Torres and seconded by Trustee McCarthy-Lange to approve the Bill List Dated September 5, 2023, in the Amount of \$2,072,750.87.

Aye: Tom Guist Kit Kuhrt
Karin McCarthy-Lange Karen Novy

Andrew Torres

Nay: None

Absent: Jennifer Jones Sinnott

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

OLD BUSINESS

- I.1 USAgain, LLC Donation Collection Box Requests
- a) Ordinance Granting an Amendment to the Final Planned Unit Development for Gerry Centennial Plaza Lot 10 to Allow for a Donation Collection Box at 1720 Douglas Rd.
 Ordinance No. 23-60
- b) Denial of the Ordinance Granting an Amendment to the Final PUD for Oswego Commons Lot 4 to Allow for a Donation Collection Box at 3020 Rt. 34. **Ordinance No. 23-61**

Director Zenner addressed the Board regarding collection box requests. There are several donation collection boxes in the Village for residents to donate clothes and other items for the collecting organizations. In the past, the donation locations would often become overrun with materials that were placed around the collection boxes causing an unsightly dumping of materials within the Village. In 2015, the Village passed Ordinance #15-63 which established rules and regulations for donation boxes. The regulations state donation boxes are allowed if they meet the following criteria:

- Restricted to B-1, B-2, or B-3 zoned properties 6 acres in size or larger, or at any school or church property.
- Boxes are limited to seven feet in height and a total of 25 square feet in size.
- Limit of 2 boxes per location.

The regulations were established to provide regulations regarding donation boxes to try to alleviate the piles of donated materials that had been established in the Village.

The petitioner, USAgain, LLC, has located two large collection boxes, one within the Gerry Centennial Plaza Shopping Center and one within the Oswego Commons Center:

• Centennial Plaza

The box is currently located on Lot 10 of Gerry Centennial Plaza, located in the parking lot just south of the Meijer Store. The parking lot does not have a high parking demand, so the proposed donation box does not create an issue with parking needs. The donation box exceeds the size allowed by the Village Code, but staff is of the opinion that the box does not create an adverse effect to the shopping center and therefore recommends approval of the ordinance approving the minor amendment.

Oswego Commons

The box is currently located on Lot 4 of Oswego Commons, outside of the former Dominick's store. This location does not currently create a parking issue for the site as the former Dominick's store is still vacant. The Village has recently approved building plans for Vasa Fitness for a reuse of the vacant space. Staff anticipates a high parking demand for the proposed Vasa Fitness Use and is concerned with the loss of parking in this area. Although staff is still concerned with the loss of three parking spaces, the option of the denial of this request would be for the petitioner to follow the Code requirements allowing for the installation of two smaller donation boxes, occupying two parking spaces. These smaller boxes do not have the monitoring equipment so there is a greater risk of additional materials and donations piling up in the parking lot.

The two boxes are 9 feet high (13.3 feet with attachments), 8 feet wide, and 20 feet long, which exceeds the size allowed by Code. Each container takes up three required parking spaces. Staff notified the petitioner that the two boxes exceed the Code requirements. They are seeking minor amendments to the PUD's to allow for the boxes to be located in the shopping centers. The boxes have cameras that are powered by solar panels that allow USAgain to monitor the box 24 hours a day. If excess materials are located outside of the box, they have the ability to see the donation and to clear the site. The Village has not observed any excess material donations outside of the donation boxes for the past couple of months they have been on site. The sites have been maintaining a clean and clear area.

The petitioner, Andrew Proctor, presented the following:

About USAgain

Originally founded in 1999 in Seattle, Washington, USAgain started with a mission to create a better world where PEOPLE and PLANET are given the value and priority they deserve. Our headquarters is in West Chicago, Illinois, we operate in 13 states and in over 500 cities.

Textile Waste

The Problem - Environmental Impact of Textile and Clothing Waste

According to the US EPA, over 17 million tons of textile waste is generated nationwide each year with nearly 70% of that waste ending up in our nation's landfills. It takes over 200 years for textile waste to decompose in landfills which generate greenhouse methane gas and leaches toxic chemicals and dyes into the groundwater and our soil. For every pound of clothes that is collected for reuse purposes saves 15 pounds of CO2 emissions.

USAgain Collections

FY 2022 - 38.7 million pounds

FY 2023 - 45 million pounds

FY 2024 – 55 million pounds



The Solution

- The typical Clothing Drop Spot collects between 3,000 to 5,000 pounds of donated clothes, shoes, and textiles each week
- This can result in over 156,000 to 260,000 pounds of clothes, shoes, and textiles being reused or recycled each year and diverted from your community's landfill.
- This equates to a positive environmental impact of saving 2,340,000 to 3,900,000 pounds of CO2 emissions on a yearly basis.



Petitioner, staff and Board discussion focused on two-way communications with boxes; on-site checks; petitioner has lease agreements with both shopping centers; these type of collection boxes are new as of three years ago; 60 locations in the nation; there are four permitted small collection boxes in Oswego; USAgain took over sites from other users; USAgain takes responsibility for not getting permits; boxes monitored by cameras 24/7; powered by solar; continually see items outside of the smaller boxes; number of parking spaces the boxes will take up; whether there will be a parking issue once Vasa opens; if there are issues, violation tickets will be issued; tickets will range from \$250.00-\$750.00; can do daily cleaning and replace decals if needed; wanting as clean as possible; snow will be cleared by USAgain. There was no further discussion.

A motion was made by Trustee Guist and seconded by Trustee McCarthy-Lange to approve an Ordinance Granting an Amendment to the Final Planned Unit Development for Gerry Centennial Plaza Lot 10 to Allow for a Donation Collection Box at 1720 Douglas Rd.

Aye: Tom Guist Kit Kuhrt
Karin McCarthy-Lange Karen Novy

Andrew Torres

Nay: None

Absent: Jennifer Jones Sinnott

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 Guist and seconded by Trustee McCarthy-Lange to approve an Ordinance Granting an Amendment to the Final PUD for Oswego Commons Lot 4 to Allow for a Donation Collection Box at 3020 Rt. 34.

Aye: Tom Guist Kit Kuhrt
Karin McCarthy-Lange Karen Novy

Andrew Torres

Nav: None

Absent: Jennifer Jones Sinnott

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

I.2 Ordinance Granting a Variance in the R-2 Single Family Residence District to Eliminate the Curb and Gutter Requirements for the Proposed 20 Space Parking Lot Located at 275 Bluegrass Parkway. Ordinance No. 23-62

Director Zenner addressed the Board regarding a variance for improvements to the park site in Churchill Club. Chad Feldotto, Director of Parks & Planning with the Oswegoland Park District was also present to answer questions. As part of these improvements, the Park District is planning to install an additional parking lot in close proximity to their proposed new playground equipment. The parking lot will contain 20 parking spaces. The Village's Subdivision and Development Regulations require that parking lots provide curb and gutter along the perimeter of the paved surface. The Park District is requesting a variance to the regulations to provide parking without a curb and gutter. Variances to the development regulations are processed through the Planning and Zoning Commission for review and recommendation. Stormwater will naturally flow to the stormwater management area and not affect any neighboring property. The Village Engineer has reviewed the plans and is recommending approval of the request.

This agenda item was brought to the August 22, 2023, Village Board for initial review. The Board asked questions regarding flooding on the walking path in the area. After some discussion, the item was continued. The Park District has indicated that they have a master plan to redevelop the entire area and to:

- Re-do and relocate the path
- Re-align the tennis courts to a north-south axis
- Build six (6) pickleball courts
- Re-do the basketball courts

Location of the proposed variance:



Areas of path flooding:



Park District, staff and Board discussion focused on plans to address the water issues; Park District understands the concerns and will address the issues; next Phase in FY24; parking lot finished before the end of this year; new parking lot is for the new amenities and new tot lot. There was no further discussion.

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Novy to approve an Ordinance Granting a Variance in the R-2 Single Family Residence District to Eliminate the Curb and Gutter Requirements for the Proposed 20 Space Parking Lot Located at 275 Bluegrass Parkway.

Aye: Tom Guist Kit Kuhrt Karin McCarthy-Lange Karen Novy

Andrew Torres

Nav: None

Absent: Jennifer Jones Sinnott

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

NEW BUSINESS

J.1 Ordinance Amending Title 9 Chapter 4 of the Oswego Municipal Code; Additional School Day Parking Restrictions. **Ordinance No. 23-63**

Interim Chief Bastin addressed the Board regarding parking restrictions. Last year, the Board approved an ordinance limiting on-street parking, during school hours in specified zones, but allows parking permits to be purchased by Village of Oswego residents who don't live in the specified zone. The permits are typically purchased by parents of Oswego East High School students who are unable to obtain a permit to park on school property. Permits cost \$400 per year. Each zone has a limit of twenty-five (25) permits available. Last school year, there were eight (8) permits purchased for Zone 1 (Prescott Mill). This school year there have only been three (3) permits purchased thus far in Zone 1. No permits were purchased for any other zones. The board advised staff to draft an amendment to the ordinance that allows five (5) of the twenty-five (25) permits, for each zone, to be purchased by non-Oswego residents. However, the non-Oswego resident permits will only be made available to students, or the parents/guardians of students attending Oswego East High School.



Board and staff discussion focused on additional parking lot would be the solution; this is just a band aid; need a permanent solution; need to know where the School District stands; what happens when a 6th person requests a permit.

A motion was made by Trustee Guist to table the approval for an Ordinance Amending Title 9 Chapter 4 of the Oswego Municipal Code; Additional School Day Parking Restrictions.

There was no second to the motion. The motion failed.

Additional discussion focused on knowing this is not a permanent solution; not losing sight of the residents at Prescott Mill; should be more than five permits offered; voting on tonight; temporary fix; not wanting to stand in the way of a student; always hit a roadblock with the School District; connecting with the new Superintendent and Board members for a permanent fix; Administrator is setting up a meeting with the School District; increasing the permits to allow students to park; ultimate number is zero so the issues are not in Prescott Mill; no metered parking; permit cost; process and vetting of permits; first come, first serve application process, then they go on a waiting list; no waiting list right now; students don't know about the permits for non-residents; people know about the non-resident permits; there's going to be more than five permits requested; maybe the School District will see what the Village Board is doing and will do something about the parking. There was no further discussion.

A motion was made by Trustee Torres and seconded by Trustee Novy to approve an Ordinance Amending Title 9 Chapter 4 of the Oswego Municipal Code; Additional School Day Parking Restrictions.

Aye: Kit Kuhrt Karin McCarthy-Lange

Karen Novy Andrew Torres

Nay: Tom Guist

Absent: Jennifer Jones Sinnott

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

TRUSTEE REPORTS

Trustee Torres- today was educational; thank you to Mr. Hergenhahn; learned something about the schoolhouse in 1854; thank you to the Kendall County Health Department; glad able to do something for the students; hope everyone had a happy Labor Day weekend.

Trustee McCarthy-Lange- thank you for bringing in the Kendall County Health Department; appreciate the options available; hope Wine Off the Fox was a success; she was unable to attend; emergency planning; used to hold Intergovernmental meetings. Staff noted there are no plans on bringing these meetings back; legislative breakfast scheduled in January 2024.

Trustee Guist- congratulations to Director Zenner for getting to this part of the UDO; hang in there; almost there.

Trustee Jones Sinnott- absent; no report

Trustee Kuhrt- attended Wine Off the Fox; pretty good thanks to staff and volunteers; like to see the speed limit increased to 25mph on Washington Street. Staff noted they are waiting for the traffic lights to stabilize and IDOT will review a traffic study. Thank you to Trustee Guist for being on the UDO steering committee; why the UDO had to wait this long to get on an agenda; could have been addressing this sooner; one more concert on September 20th- Petty Cash; he will be attending.

Trustee Novy- thank you to the Village and Administrative staff.

PRESIDENT'S REPORT

Thank you to RaeAnn VanGundy with the Kendall County Health Department; expansive services; reach out to them; emergency planning and coordination with them; Wine Off the Fox was fun; great shows; had fun; Brew at the Bridge is September 16th; fish fry at the Legion on September 8th; hope everyone had a great Labor Day.

CLOSED SESSION

A motion was made by Trustee Torres and seconded by Trustee Novy 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 Karen Novy

Andrew Torres

Nay: None

Absent: Jennifer Jones Sinnott

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 8:55 p.m.

The Board returned to open session at 9:53 p.m. A roll call vote was taken. All attending Board members were present physically 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 9:53 p.m.

Tina Touchette Village Clerk