

**MINUTES OF A REGULAR MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
December 12, 2023**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Ryan Kauffman called the meeting to order at 7:06 p.m. Joe McGillis led the Pledge of Allegiance to the Flag of the United States of America.

Before he led with the pledge, President Kauffman stated the following:

Joe McGillis has 16 years of continued service between active duty and the United States Army Reserves. He was deployed multiple times including to Iraq and Afghanistan and has worked at the border for Border Patrol. Joe is a member of the Village's Forestry Division at Public Works.

Board Members Physically Present: President Ryan Kauffman; Trustees Tom Guist, Jennifer Jones Sinnott, and Andrew Torres.

Board Members Absent: Trustees Karin McCarthy-Lange and Karen Novy

Staff Physically Present: Dan Di Santo, Village Administrator; Tina Touchette, Village Clerk; Jason Bastin, Police Chief; Jennifer Hughes, Public Works Director; Rod Zenner, Community Development Services Director; Andrea Lamberg, Finance Director; Joe Renzetti, IT Director; Bridget Bittman, Community Relations Manager- Marketing; Kevin Leighty, Economic Development Director; Madeleine Trinco, Management Analyst; Julie Hoffman, Community Relations Manager- Special Events; and Dave Silverman, Village Attorney.

CONSIDERATION OF AND POSSIBLE ACTIONS ON ANY REQUESTS FOR ELECTRONIC PARTICIPATION IN MEETING

President Kauffman noted that Trustee McCarthy-Lange would like to electronically attend tonight's meeting. Trustee McCarthy-Lange submitted the necessary documents to the Village Clerk.

A motion was made by Trustee Torres and seconded by Trustee Jones Sinnott to approve Trustee Karin McCarthy-Lange to electronically attend the December 12, 2023 Regular Village Board Meeting.

Aye:	Tom Guist	Kit Kuhrt
	Jennifer Jones Sinnott	Andrew Torres

Nay: None

Absent:	Karen Novy	Karin McCarthy-Lange
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The motion was declared carried by a roll call vote with four (4) aye votes and zero (0) nay votes.

Trustee Karin McCarthy-Lange attended electronically at 7:08 p.m.

RECOGNITIONS/APPOINTMENTS

D.1 Oath of Office

b) Raul Mexicano-Loredo- Patrol Officer

Chief Bastin thanked the Police Commissioner, Ron Elvin, for being here. He briefly spoke about Rauls's background and recognized the family and friends in attendance. President Kauffman swore him in. Pictures were taken.

a) Banan P. Loftus- Patrol Officer

Chief Bastin briefly spoke about Banan's background and recognized the family and friends in attendance. President Kauffman swore him in. Pictures were taken.

D.2 Village Hall Artist Recognition- Bob White

President Kauffman read his recognition: Mr. White knew he wanted to be an artist from the time he was 7 years old. He has been drawing, painting, and dabbling in photography all his life. For many years, he experimented with different mediums. Now, he concentrates on oil painting; with many of his unique pieces on display in the lobby of Oswego Village Hall through January 31, 2024. With his work, he hopes to inspire all of us to celebrate the beauty of simple and natural things. President Kauffman presented him with a certificate of recognition. Pictures were taken.

D.3 Business of the Month Recognition - The Village Grind Coffee & Tea Co.

President Kauffman read the recognition: Congratulations to The Village Grind Coffee & Tea Company for being featured as the Oswego Economic Development Commission's Business of the Month for December. As part of the Economic Development Commission's new initiative, the commissioners nominate and vote on a business to feature each month which has demonstrated significant involvement in the Oswego community. The Village Grind is owned by Jodi and Dave Behrens. It first opened in downtown Oswego in 1996 by Lee & Bernie Moe. The Moe's then sold the business to Jodi and Dave in 2004. Since then, the Behren's have said that the business has been all about family. From the time they took it over, it has taken every member of their immediate family to keep things going. Today, one of their daughters still works at The Grind, but they also have 3 other children and 11 grandchildren. The Behrens have all been heavily involved in the Oswego community over the years. Jodi won the "Heart of Golf" award in 2013 from the Inspiring Women of Oswego and a longtime volunteer at Fox Fall Fest. The Village Grind has also sponsored several different community events over the years. President Kauffman presented the Behren's with a certificate of recognition. Pictures were taken.

PUBLIC FORUM

Public Forum was opened at 7:23 p.m.

Julie Evans addressed the Board regarding the cricket stadium; she thanked Trustee Guist for voting no and thanked President Kauffman for reminding Mr. Patel that he needs to work with the Village; she doesn't want the project getting variances; noise, traffic and parking concerns; there are multiple school buses in the neighborhood throughout the day; hope her concerns are realized; don't have a problem with saying she was wrong.

Rick Bill addressed the Board regarding Midnight Mods Boo Cruise event for the food pantry; he is a volunteer at the food pantry and a member of the of the Midnight Mods; seven years ago today Village Board and staff volunteered at the food pantry; knows times have changed; not many pantries left that give out turkeys and hams; need events that provide money to the food pantry; had 900 people sign in for Thanksgiving; have the same number for Christmas; have recurring date for the car show; toys are given to the Yorkville Junior Women's Club; takes planning for events; thank you to the Midnight Mods and the support for the pantry.

James Marter II addressed the Board regarding the Drake property; rental project moratorium; tie breaker in the last project; voting to avoid a lawsuit; hypocritical votes; need to represent all residents; can't regulate rentals; how Board members need to view the project.

David Rood addressed the Board regarding Wolfs Crossing; need to do everything to expedite and complete Wolfs Crossing; he is writing to representatives to get funds.

There was no one else who requested to speak. The public forum was closed at 7:35 p.m.

STAFF REPORTS

There were no staff reports.

CONSENT AGENDA

- G.1 November 28, 2023 Committee of the Whole Minutes
- G.2 November 28, 2023 Revised Regular Village Board Minutes
- G.3 November 28, 2023 Closed Session Minutes; Approve but Not Release
- G.4 Resolution Approving an Amendment to Revolving Loan Fund Program Loan Agreement with AHB 345 Enterprises, LLC Concerning 59. S Main Street.
- G.5 Resolution Authorizing Task Order No. 2 with Strand Associates, Inc. for Design and Permitting Services for the Brookside Watermain Replacement Project in an amount of \$160,400.00.
- G.6 Ordinance Authorizing the Disposal of Surplus Property Owned by the Village of Oswego.
- G.7 Resolution Authorizing Change Order No. 1 with Performance Construction and Engineering, LLC for the Van Buren and Adams Watermain Project in the Amount of \$143,021.45.
- G.8 Tax Levy Abatement Ordinances:
 - a) Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$8,595,000 General Obligation Refunding Bonds, Series 2013, Dated May 17, 2013 of the Village of Oswego, Kendall and Will County, Illinois.
 - b) Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$27,105,000 General Obligation Bonds, Series 2016, Dated June 8, 2016 of the Village of Oswego, Kendall and Will County, Illinois.
 - c) Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$5,070,000 General Obligation Refunding Bonds, Series 2017, Dated July 25, 2017 of the Village of Oswego, Kendall and Will County, Illinois.
 - d) Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Interest on the \$14,585,000 General Obligation Bonds, Series 2019, Dated December 30, 2019 of the Village of Oswego, Kendall and Will County, Illinois.
 - e) Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$20,825,000 Taxable General Obligation Bonds, Series 2021, Dated August 9, 2021 of the Village of Oswego, Kendall and Will County, Illinois.
- G.9 Special Service Area Tax Levies
 - a) Ordinance Providing for the Levying, Assessment and Collection of Taxes for the 2023 Tax Year for Special Service Area SS60 Oswego 04-SSA-01 of the Village of Oswego, Kendall and Will County, Illinois.
 - b) Ordinance Providing for the Levying, Assessment and Collection of Taxes for the 2023 Tax Year for Special Service Area SS84 Oswego 05-SSA-03 of the Village of Oswego, Kendall and Will County, Illinois.
- G.10 Hometowne Insurance Office, 4424 Route 71
 - a) Ordinance Granting a Rezoning From R-1 Single Family Residence to B-2 Community Shopping District For 4424 Route 71.
 - b) Ordinance Granting a Preliminary and Final Planned Unit Development for Hometowne Insurance Located at 4424 Route 71.
- G.11 Ordinance Granting a Special Use Permit for a Car Wash Facility (Automobile Laundry) for Mason Square Car Wash Located at 1250 Douglas Road.
- G.12 Ordinance Rezoning of 260 Calumet Street from R-1 Single Family Residence District to B-2 Community Shopping District.
- G.13 Resolution Authorizing the Execution of Change Order No. 1 to Builders Paving, LLC in the Amount of \$76,657.28 for the 2023 Street Resurfacing Project.
- G.14 Ordinance Granting a Variance from Section 11.07(I)(4) and Section 11.07(I)(5) of the Zoning Code to Allow for a Message Board Sign with a Scrolling Effect and a Multi-Color

Display on the Existing Ground Sign Located at 4250 Route 71, Commonly Known as Oswego High School.

- G.15 Resolution Approving Change Order #1 with Baxter & Woodman, Inc. for Professional Services of a Responsible Operator in Charge in a Revised Amount of \$46,000.00.
- G.16 Resolution - Final Acceptance/Release of Surety for 92 Templeton Drive, Lot 19.
- G.17 Resolution - Initial Acceptance/Surety Reduction for Whitetail Ridge Golf Dome.
- G.18 Resolution Authorizing the Waiving of the Competitive Bidding Process and Approving the Execution of a Three-Year Professional Services Agreement with M.E Simpson Company, Inc for the Water System Assessment Program.
- G.19 Ordinance Granting a Final PUD and Subdivision Plat for Harvest Gate at Southbury Pod 8, Phase 3.
- G.20 Ordinance Approving a Final PUD and Subdivision Plat for the Wind Gate at Southbury Pod 3.
- G.21 Paid Leave for All Workers Act:
 - a) Resolution Adopting an Amendment to the Personnel Policy for the Village of Oswego.
 - b) Ordinance Regarding the Illinois Paid Leave for All Workers Act for the Village of Oswego.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve the Consent Agenda; Approving the November 28, 2023 Committee of the Whole Minutes; Approving the November 28, 2023 Revised Regular Village Board Minutes; Approving but not Releasing the November 28, 2023 Closed Session Minutes; and Approving the following ordinance and resolutions:

Ordinance No. 23-76; Ordinance Authorizing the Disposal of Surplus Property Owned by the Village of Oswego.

Ordinance No. 23-77; Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$8,595,000 General Obligation Refunding Bonds, Series 2013, Dated May 17, 2013 of the Village of Oswego, Kendall and Will County, Illinois.

Ordinance No. 23-78; Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$27,105,000 General Obligation Bonds, Series 2016, Dated June 8, 2016 of the Village of Oswego, Kendall and Will County, Illinois.

Ordinance No. 23-79; Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$5,070,000 General Obligation Refunding Bonds, Series 2017, Dated July 25, 2017 of the Village of Oswego, Kendall and Will County, Illinois.

Ordinance No. 23-80; Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Interest on the \$14,585,000 General Obligation Bonds, Series 2019, Dated December 30, 2019 of the Village of Oswego, Kendall and Will County, Illinois.

Ordinance No. 23-81; Ordinance Abating the Tax Heretofore Levied for the Year 2023 to Pay the Principal of and Interest on the \$20,825,000 Taxable General Obligation Bonds, Series 2021, Dated August 9, 2021 of the Village of Oswego, Kendall and Will County, Illinois.

Ordinance No. 23-82; Ordinance Providing for the Levying, Assessment and Collection of Taxes for the 2023 Tax Year for Special Service Area SS60 Oswego 04-SSA-01 of the Village of Oswego, Kendall and Will County, Illinois.

Ordinance No. 23-83; Ordinance Providing for the Levying, Assessment and Collection of Taxes for the 2023 Tax Year for Special Service Area SS84 Oswego 05-SSA-03 of the Village of Oswego, Kendall and Will County, Illinois.

Ordinance No. 23-84; Ordinance Granting a Rezoning From R-1 Single Family Residence to B-2 Community Shopping District For 4424 Route 71.

Ordinance No. 23-85; Ordinance Granting a Preliminary and Final Planned Unit Development for Hometowne Insurance Located at 4424 Route 71.

Ordinance No. 23-86; Ordinance Granting a Special Use Permit for a Car Wash Facility (Automobile Laundry) for Mason Square Car Wash Located at 1250 Douglas Road.

Ordinance No. 23-87; Ordinance Rezoning of 260 Calumet Street from R-1 Single Family Residence District to B-2 Community Shopping District.

Ordinance No. 23-88; Ordinance Granting a Variance from Section 11.07(I)(4) and Section 11.07(I)(5) of the Zoning Code to Allow for a Message Board Sign with a Scrolling Effect and a Multi-Color Display on the Existing Ground Sign Located at 4250 Route 71, Commonly Known as Oswego High School.

Ordinance No. 23-89; Ordinance Granting a Final PUD and Subdivision Plat for Harvest Gate at Southbury Pod 8, Phase 3.

Ordinance No. 23-90; Ordinance Approving a Final PUD and Subdivision Plat for the Wind Gate at Southbury Pod 3.

Ordinance No. 23-91; Ordinance Regarding the Illinois Paid Leave for All Workers Act for the Village of Oswego.

Resolution No. 23-R-110; Resolution Approving an Amendment to Revolving Loan Fund Program Loan Agreement with AHB 345 Enterprises, LLC Concerning 59. S Main Street.

Resolution No. 23-R-111; Resolution Authorizing Task Order No. 2 with Strand Associates, Inc. for Design and Permitting Services for the Brookside Watermain Replacement Project in an amount of \$160,400.00.

Resolution No. 23-R-112; Resolution Authorizing Change Order No. 1 with Performance Construction and Engineering, LLC for the Van Buren and Adams Watermain Project in the Amount of \$143,021.45.

Resolution No. 23-R-113; Resolution Authorizing the Execution of Change Order No. 1 to Builders Paving, LLC in the Amount of \$76,657.28 for the 2023 Street Resurfacing Project.

Resolution No. 23-R-114; Resolution Approving Change Order #1 with Baxter & Woodman, Inc. for Professional Services of a Responsible Operator in Charge in a Revised Amount of \$46,000.00.

Resolution No. 23-R-115; Resolution - Final Acceptance/Release of Surety for 92 Templeton Drive, Lot 19.

Resolution No. 23-R-116; Resolution - Initial Acceptance/Surety Reduction for Whitetail Ridge Golf Dome.

Resolution No. 23-R-117; Resolution Authorizing the Waiving of the Competitive Bidding Process and Approving the Execution of a Three-Year Professional Services Agreement with M.E Simpson Company, Inc for the Water System Assessment Program.

Resolution No. 23-R-118; Resolution Adopting an Amendment to the Personnel Policy for the Village of Oswego.

Aye:	Tom Guist	Kit Kuhrt
	Karin McCarthy-Lange	Jennifer Jones Sinnott
	Andrew Torres	

Nay: None

Absent: Karen Novy

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 December 12, 2023, in the Amount of \$908,169.56.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve the Bill List Dated December 12, 2023, in the Amount of \$908,169.56.

Aye:	Tom Guist	Kit Kuhrt
	Karin McCarthy-Lange	Jennifer Jones Sinnott
	Andrew Torres	

Nay: None

Absent: Karen Novy

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

OLD BUSINESS

There was no old business.

NEW BUSINESS

- J.1 Ordinance Authorizing the Approval of a First Amendment to a Purchase and Sale Agreement with Field to Beans LLC for Certain Property Located East of the Intersection of Illinois Route 71 and Washington Street – Scooter’s Coffee. **Ordinance No. 23-92**

Director Leighty addressed the Board regarding an amendment to the agreement. The Village Board approved a Purchase and Sale Agreement (PSA) with Scooter’s Coffee at the June 27, 2023 Board meeting which outlined the terms by which Scooter’s would purchase the property back from the Village to make way for their proposed development at Rt. 71 and Washington. As stipulated in the PSA, Scooter’s was required to purchase the property from the Village before the end of their 180-day inspection period set to expire on December 24, 2023. Scooter’s is close to being ready for final approval but due to a few loose ends with IDOT and their lender, they will need to extend the PSA to allow for additional time. The terms of the existing PSA will all remain in place apart from the inspection period. The purchase price is still set at \$35,000 and the Village will maintain a right of reverter which would return ownership to the Village if the developer does not comply with the terms of the RDA. The inspection period has been extended to March 23, 2024, which represents a 90-day extension from the original deadline.

There was no discussion.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Torres to approve an Ordinance Authorizing the Approval of a First Amendment to a Purchase and Sale Agreement with Field to Beans LLC for Certain Property Located East of the Intersection of Illinois Route 71 and Washington Street – Scooter’s Coffee.

Aye: Tom Guist Kit Kuhrt
Karin McCarthy-Lange Jennifer Jones Sinnott
Andrew Torres

Nay: None

Absent: Karen Novy

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

- J.2 Open and Continue the Public Hearing to the January 9, 2024, Village Board Meeting for the Annexation Agreement for the Sonoma Trails Development Consisting of 813 Residential Units.

Administrator Di Santo addressed the Board regarding the Sonoma Trails development. The public hearing was published a month ago. The annexation is not quite ready to move forward. The developer is working on significant improvements to the site plan and Wolfs Crossing. The hearing needs to be continued.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Torres to Open and Continue the Public Hearing to the January 9, 2024, Village Board Meeting for the Annexation Agreement for the Sonoma Trails Development Consisting of 813 Residential Units.

Aye: Tom Guist Kit Kuhrt
Karin McCarthy-Lange Jennifer Jones Sinnott
Andrew Torres

Nay: None

Absent: Karen Novy

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

J.3 2023 Property Tax Levy

- a) Public Hearing to Comply with Truth in Taxation Act 35 ILCS 200/18-60, 18-65 for the Village of Oswego.

The public hearing was opened at 7:46 p.m. to Comply with Truth in Taxation Act 35 ILCS 200/18-60, 18-65 for the Village of Oswego.

Director Lamberg addressed the Board regarding tax levy for 2023. 100% of the tax is directed to the Police Pension Fund. The levy will be filed with the County Clerks by December 22, 2023. The estimated equalized assessed value (EAV) increase is 6.91% for the entire Village of Oswego. This amount may change slightly due to assessment objections up until the final EAV is determined. The current levy is \$1,654,800. The following table provides options for the 2023 tax levy based on the estimated EAV as of December 5, 2023, received from the Kendall County Supervisor of Assessments:

Description	Levy Amount	\$ increase in levy	% increase in levy	Estimated tax rate	%inc/dec. in tax rate	Tax increase for a parcel w/fmv of \$273,500
Tax rate same as 2022	\$1,769,255	\$114,405	6.91%	0.14695	0.0%	\$3.09
Decrease tax rate 2.0%	\$1,733,809	\$78,959	4.77%	0.14401	-2.0%	\$3.03
Decrease tax rate 2.5%	\$1,724,963	\$70,113	4.24%	0.14327	-2.5%	\$3.01

Estimated EAV increase of 6.91%

- The green line shows what the tax would be if the 2023 tax rate was decreased 2.0% from the final 2022 tax rate as was discussed by the Village Board at the October 17, 2023, Committee of the Whole meeting.
- A 2.00% reduction from the 2022 tax levy rate results in the 2023 proposed tax rate being the lowest it has been since 2010.

Board and staff discussion focused on still on pace to fully fund the pension; can round up; could go more; the EAV was initially higher; don't want to levy more; have been overfunding for at least six years; did a 2% reduction last year; in a position to do more than 3%; 3rd smallest tax amount on the tax bill; do 3%.

The public hearing was closed at 7:54 p.m.

- b) Ordinance Providing for the Levying, Assessment and Collection of Taxes for the 2023 Tax Year of the Village of Oswego, Kendall and Will Counties, Illinois.

Ordinance No. 23-93

Additional Board and staff discussion focused on 3% decrease would be \$1,716,117.00 and would cover the pension plus \$28,097.00; police contribution amount increased 11% last year; would potentially need to keep the levy flat going forward; could fund the Police Pension from the General Fund; whether the Police Pension could be funded through cannabis tax; cannabis revenue has already been incorporated into the budget; it's not a new revenue source; everyone coming to Oswego is paying the sales tax; pension funded through property taxes; one of the biggest rate cuts ever; in good financial shape; opportunity to do this now; lead by example; fixed income limited by state statute; everything is with the state; have no control over what investments are made; assumed rate; used an old formula and stayed conservative; police pension funded in the high 70%. Consensus was to decrease the tax rate to 3%. There was no further discussion.

A motion was made by Trustee Kuhrt and seconded by Trustee Torres to approve an Ordinance Providing for the Levying, Assessment and Collection of Taxes for the 2023 Tax Year of the Village of Oswego, Kendall and Will Counties, Illinois in the Amount of \$1,716,117.00.

Aye: Tom Guist Kit Kuhrt
Karin McCarthy-Lange Jennifer Jones Sinnott
Andrew Torres

Nay: None

Absent: Karen Novy

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

TRUSTEE REPORTS

Trustee Guist- shout out to Community Relations and social media; a lot of engagement and interest; like the dog park social media post; see different things going on; thank you to Kerry Behr and I wish her well.

Trustee Torres- congratulations and welcome to the new officers; good to see arts recognized; Village Grind is excellent; Polar Express is a wonderful thing to do; Christmas Walk looked like a great time.

Trustee Kuhrt- Christmas Walk was great; Trustee McCarthy-Lange was a great narrator; it rained the whole time; Director Hughes did a great job with the buckets; Julie did a great job; looking forward to Christmas; thank you to Director Lamberg; Merry Christmas; great that we moved to 3% decrease in tax rate.

Trustee Jones Sinnott- great to have all the leaf pick-up completed; some communities don't offer this service; great job to the Public Works crew; shop local; Chamber has Chamber bucks for downtown businesses; Happy Holidays and enjoy; travel and be safe.

Trustee McCarthy-Lange- excited to have new officers; good to see the artist acknowledgment and recognition for Village Grind; great job to all staff at Christmas Walk; hope to do it again next year; Happy Holidays and enjoy the break; keep Trustee Novy and her family in your thoughts.

Trustee Novy- absent; no report.

PRESIDENT'S REPORT

Thoughts and prayers to the Novy family; she had a death in the family; Happy Birthday to Trustee McCarthy-Lange; braved the elements at Christmas Walk; kudos to Trustee Kuhrt, Trustee McCarthy-Lange, Julie, Bridget, staff, Public Works and the Fire Department; another great year; Toys for Tots and breakfast is on Friday at fire station one from 9:00am-11:30am; bring a toy; congratulations to the new officers; Merry Christmas and Happy Hanukkah; light, love, joy and cherished moments to all; biggest tax cut the Village has done.

CLOSED SESSION

There was no closed session.

ADJOURNMENT

A motion was made by Trustee Torres and seconded by Trustee Jones Sinnott to adjourn the meeting; upon a voice vote with all remaining members present voting aye, the meeting was adjourned at 8:18 p.m.

Tina Touchette
Village Clerk