

**MINUTES OF A REGULAR MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
January 9, 2024**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Ryan Kauffman called the meeting to order at 7:09 p.m. Ron Ritter 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:

Ron Ritter served in the Marine Corps from 1976-1980; he served as a Sergeant and part of the 3rd Assault Amphibian Battalion; he is a member of the Fox Valley Marines Service Organization Detachment 1233 and Chapter Headquarters in Oswego.

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

Staff Physically Present: Dan Di Santo, Village Administrator; Jean Bueche, Asst. Village Administrator; Tina Touchette, Village Clerk; Jason Bastin, Police Chief; Jennifer Hughes, Public Works Director; Andrea Lamberg, Finance Director; Joe Renzetti, IT Director; Bridget Bittman, Community Relations Manager- Marketing; Kevin Leighty, Economic Development Director; Madeleine Trinco, Management Analyst; Rachel Riemenschneider, Planner; and Jim Murphy, Village Attorney.

RECOGNITIONS/APPOINTMENTS

E.1 Employee Service Awards

Bill Blessing - 25 Years of Service (Police Department)

He could not attend. President Kauffman thanked him for his 25 years of service.

PUBLIC FORUM

Public Forum was opened at 7:11 p.m. There was no one who requested to speak. The public forum was closed at 7:11 p.m.

STAFF REPORTS

Administrator Di Santo introduced Jean Bueche and provided the Board with her background and history; she recently worked for the Village of Schaumburg and interned with the Oswego Police Department a while back.

Director Hughes provided an update on the weather; it will be an extended snow event; Public Works will have a split crew to maintain coverage throughout the night; concerned with the roads getting icy.

G.1 Video Gaming Follow-up Discussion- item from the January 9, 2024 Committee of the Whole meeting.

Clerk Touchette addressed the Board regarding the follow-up to the July 18, 2023 Committee of the Whole meeting on video gaming. As part of that meeting, staff was directed to provide crime information, include gaming information in a newsletter (which was included in the Fall 2023 newsletter), include questions in the October 2023 community survey; and hold a future discussion on temporary sign regulations.

The PD looked at the crime data and could not find a direct link for any issues, concerns, or notable increases in police services. There was also no definitive correlation between the increase in gaming licenses and the effect on crime.

Survey Results

These stats exclude the “do not know/no opinion” and are shown in graph 1 in the staff memo:

- 90% believe there should be more regulation
- 38% believe all gaming should be limited
- 31% believe only cafes should be regulated
- 21% believe it should be regulated for ancillary businesses
- 9% believe it should not be limited

The following stats include the “do not know/no opinion” shown in graph 2 in the staff memo:

- 71% believe there should be more regulation
- 30% believe all gaming should be limited
- 24% believe only cafes should be regulated
- 21% do not know or have no opinion
- 17% believe it should be regulated for ancillary businesses
- 7% believe it should not be limited

At the November 6th COW, staff and Board discussed the options for temporary signage which will be addressed as part of the UDO. The UDO also includes the requirement to obtain a special use for all future requests for a gaming license. In addition to the special use, staff is recommending all future gaming applicants present their request to the Board for review. Each request will be approved or denied on a case-by case basis. Based on the survey results, the Board should also consider additional regulations on gaming cafes since a majority of the respondents in the survey (54%) appear to want further restrictions on this type of use. Regulations on ancillary uses fell short of a majority, but still appeared to have the support of respondents (47%).

Board and staff discussion focused on capping all gaming; not against gaming, but feels 30 licenses are plenty; not in favor of gaming at gas stations and convenience stores; should only be at bars and restaurants; voted for gaming licenses in the past, but not to this extreme; re-watched the July 18th meeting; survey data can be manipulated; 21% don't have a problem with gaming; 3 out of 10 want gaming reduced; 7 out of 10 are ok with some level of restrictions; respondents want more control of gaming cafes; could see a cap on gaming cafes; not against ancillary; cafes could use some form of restrictions; question in the survey explained café versus ancillary; survey data says most are ok with gaming; 70% are ok in some form or fashion; don't see the survey results as reflecting that most are ok with gaming; neutral survey results; perception issue; the “do not know/no opinion” respondents should not be counted; 93% want more regulations; need consensus on how to cap; whether there should be a cap on cafes; when a license is reduced, then decrease the cap; include gaming revenue in every newsletter; quick and rapid increase of gaming; signage is a big deal; community says gaming should be limited; compromise on how to handle gaming; not having gaming overtake the Village; not wanting to take gaming away; less than 4 out of 10 want it completely limited; cap at what it is now; whether we are really going to deny a business; could be discrimination if denying a license; looking at all factors; needing a reasonable reason for denying a license; no desire to cap in case of future ancillary businesses coming in; requirements for gaming at gas stations; definitions of a bar, restaurant and café; how licenses are classified; liquor license requirements, classifications and laws; truck stops and the allowance of gaming without needing Village approval; density of overall licenses; can review again if growth starts in the southern part of town; should be regulations on family oriented restaurants; where gaming can be located within the business; whether a business can move the gaming machines after the location has been approved; families want to have places without gaming; issues with businesses that

say they are not viable without gaming; ok with bars, but not at restaurants; no cap; can apply for a license after one year in business; gaming revenue numbers in quarterly newsletter; all revenue streams should be included, but not in the newsletter; additional information that needs to be included in the newsletter; people like to see charts; cannot put a time limit for adjustments on gaming code.

There are currently 12 gaming cafes; nine (9) gas stations/truck stops; one (1) convenience store; two (2) NFP; eight (8) bar/restaurants.

Staff was directed to do the following:

- 1) Gaming Cafes
 - Cap licenses at 15
 - Draft code amendment ordinance
 - Provide maps to show ½ mile and 1 mile radius from other cafes
- 2) Gas Stations
 - Cap licenses at 11
 - Draft code amendment ordinance
 - Provide maps to show ½ mile and 1 mile radius from other gas stations
- 3) Convenience Stores
 - Cap licenses at one (1)
 - Draft code amendment ordinance
 - If business closes, the number goes to zero with no future convenience stores allowed to apply for a gaming license
- 4) Ancillary/NFP Businesses
 - No cap on licenses
 - Draft code amendment ordinance
 - Must be in business for minimum of one (1) year before they can apply for a gaming license
- 5) All businesses, choosing to apply for a gaming license, must present their request to the Village Board at a Committee of the Whole meeting for review and direction.
 - Special use is required for all requests for a gaming license
 - Include language in the draft ordinances
- 6) Gaming revenue information to be included in the quarterly newsletter until staff is directed not to include. Staff will determine the best way of including the information in the newsletter.

There was no further discussion.

CONSENT AGENDA

H.1 December 12, 2023 Committee of the Whole Minutes

H.2 December 12, 2023 Regular Village Board Minutes

H.3 Ordinance Granting a Minor Amendment to the Final Planned Unit Development for Lot 1 of the Resubdivision of Oswego Commons to Allow for a Wall Sign at 3066 Route 34 (Popshelf).

H.4 Ordinance Granting a Special Use Permit for a Day Care Center Located at 260 N. Merchants Drive (Dreamers Academy Too).

H.5 Ordinance Amending Title 3 Chapter 7; Decrease Class "K" Liquor License for Studio 60 on Main d.b.a. Studio 60 Art Center Located at 5 E. Jackson St.

H.6 Ordinance Granting a Minor Amendment to the Ashcroft Place Unit 2 PUD and Subdivision Plat to Relocate the Proposed Clubhouse at the West Corner of Colchester Drive and Vinca Lane; Subject to Engineering Approval.

H.7 Resolution Authorizing the Final Acceptance of Public Improvements to Aspen Dental Effective January 10, 2024, and Release of Project Surety.

H.8 Resolution Authorizing the Initial Acceptance of Public Improvements for Emblem Effective January 10, 2024, and Reduction of Project Surety.

H.9 Resolution Authorizing the Initial Acceptance of Public Improvements for Redwood Effective January 10, 2024, and Reduction of Project Surety.

H.10 Resolution Authorizing the Execution of a Farm Contract with Creekside Farms, LLC.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Novy to approve the Consent Agenda; Approving the December 12, 2023 Committee of the Whole Minutes; Approving the December 12, 2023 Regular Village Board Minutes; and Approving the following ordinances and resolutions:

Ordinance No. 24-01; Ordinance Granting a Minor Amendment to the Final Planned Unit Development for Lot 1 of the Resubdivision of Oswego Commons to Allow for a Wall Sign at 3066 Route 34 (Popshelf).

Ordinance No. 24-02; Ordinance Granting a Special Use Permit for a Day Care Center Located at 260 N. Merchants Drive (Dreamers Academy Too).

Ordinance No. 24-03; Ordinance Amending Title 3 Chapter 7; Decrease Class "K" Liquor License for Studio 60 on Main d.b.a. Studio 60 Art Center Located at 5 E. Jackson St.

Ordinance No. 24-04; Ordinance Granting a Minor Amendment to the Ashcroft Place Unit 2 PUD and Subdivision Plat to Relocate the Proposed Clubhouse at the West Corner of Colchester Drive and Vinca Lane; Subject to Engineering Approval.

Resolution No. 24-R-01; Resolution Authorizing the Final Acceptance of Public Improvements to Aspen Dental Effective January 10, 2024, and Release of Project Surety.

Resolution No. 24-R-02; Resolution Authorizing the Initial Acceptance of Public Improvements for Emblem Effective January 10, 2024, and Reduction of Project Surety.

Resolution No. 24-R-03; Resolution Authorizing the Initial Acceptance of Public Improvements for Redwood Effective January 10, 2024, and Reduction of Project Surety.

Resolution No. 24-R-04; Resolution Authorizing the Execution of a Farm Contract with Creekside Farms, LLC.

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

Nay: None

The motion was declared carried by an omnibus roll call vote with six (6) aye votes and zero (0) nay votes.

BILL LIST

I.1 Approve Bill List Dated January 9, 2024, in the Amount of \$5,494,663.60.

A motion was made by Trustee Jones Sinnott and seconded by Trustee McCarthy-Lange to approve the Bill List Dated January 9, 2024, in the Amount of \$5,494,663.60.

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

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

OLD BUSINESS

There was no old business.

NEW BUSINESS

K.1 Ordinance Granting a Minor Amendment to the Preliminary and Final Planned Unit Development for Lot 6 Stone Hill Business Park Unit 1 to Allow for a Reduction in Required Landscaping at 70 Stonehill Road (Modern Air). **Ordinance No. 24-05**

Planner Riemenschneider addressed the Board regarding a minor amendment for Modern Air. The applicant is requesting a minor amendment to allow for a reduction in the approved landscaping. The proposed amendment addresses the landscaping in the eastern bufferyard between the industrial park and the Southbury neighborhood. Per the Zoning Ordinance, where an industrial use is immediately adjacent to single family homes, the most intensive screening – Bufferyard E – is required. The Zoning Ordinance also allows for a reduction in bufferyard plantings when a solid fence is installed. The landscaping approved is a reduced bufferyard due to the presence of the fence. The table below shows a comparison of the Zoning Ordinance requirements, the bufferyard as approved in the preliminary and final PUD, and the petitioner’s proposed amendment.

Bufferyard E: 40’ width, 200’ length	Zoning Ordinance	Preliminary & Final PUD (Ord. 23-38)	Proposed Minor Amendment
Canopy trees	7.2	7	0
Understory trees	6	0	0
Evergreen trees	8	8	8
Shrubs	40	0	0

The applicant is again requesting to reduce the number of plantings. The proposed landscaping plan indicates eight (8) evergreen trees in the eastern bufferyard and the solid eight-foot (8’) solid fence as shown in the following pictures:





The applicant has indicated that they intend to expand the paved area between the building and the landscape buffer in the future, which will require engineering review to determine whether stormwater management will be required. Even if this area is paved in the future, the Zoning Ordinance requires a 20-foot minimum rear setback and 20-foot wide minimum for Bufferyard E. A 20-foot wide Bufferyard E requires a greater number of trees: sixteen (16) evergreen trees and four (4) canopy trees in addition to four understory trees and fifty shrubs. The applicant has also expressed concern with the size of the trees at maturity. Under the current landscaping plan, the applicant proposes to plant Colorado Blue Spruce evergreen trees which have a mature width of 10-20 feet, and State Street Maple canopy trees which have a mature width of 30-35 feet. The applicant may select other species of evergreen and canopy trees which are narrower at maturity as long as they meet the requirements of the Zoning Ordinance. Alternate species could be approved by staff without amending the PUD.

Staff recommended the Village Board deny the request. The landscaping that was approved (7 canopy trees, 8 evergreen trees, and the solid 8' fence) represents an appropriate reduction in landscaping. The further reduction that is proposed is not in harmony with the spirit and intent of the Zoning Ordinance which calls for intensive screening between industrial uses and single-family homes.

Board, staff and applicant discussion focused on expansion of business; replacing trees; more landscaping needed with the expansion; applicant planted eight evergreens; there are already evergreens on the residential side; pathway and other trees on the residential side of the fence; has been very hard to get the business open because of the increased costs; installing of maple trees will cost \$10,000.00; business will be the only one with a wall and landscaping; seems excessive for a row of 40 foot trees to be put in; business next door has no landscaping; expanding in 2-3 years , but would like to expand now; older businesses are grandfathered; preliminary and final PUD allowed for reductions; taller trees meet the intent of the ordinance; applicant chose to put up a fence; expansion will require the applicant to go back through the approval process; size of plantings; six foot evergreens and 2" caliber canopy trees; minimum width of setback is 20 feet; pictures reflect 45 feet; have problem with ordinance and requiring maple trees; it can be a different species; \$10,000.00 in trees for only five months of coverage; could only afford the parking lot that is in place; would need to remove the trees to expand; overabundance of trees; need to look at everything as a whole; setting precedence; applicant had meeting with planning and permitting; looked at different construction; extreme cost to open and has been very difficult; been in business for 17 years; other business is in Kendall Point industrial park; whether they can be grandfathered; already reduced the landscaping and they want more reduced; traditional building constructed; building is 10,000 sqft; have not met any of the residents behind the building. There was no further discussion.

A motion was made by Trustee Novy and seconded by Trustee Torres to approve an Ordinance Granting a Minor Amendment to the Preliminary and Final Planned Unit Development for Lot 6 Stone Hill Business Park Unit 1 to Allow for a Reduction in Required Landscaping at 70 Stonehill Road (Modern Air).

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

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

K.2 Continue the Public Hearing for the Annexation Agreement for the Sonoma Trails Development Consisting of 813 Residential Units to the January 23, 2024, Village Board Meeting.

A motion was made by Trustee Kuhrt and seconded by Trustee Torres to Continue the Public Hearing for the Annexation Agreement for the Sonoma Trails Development Consisting of 813 Residential Units to the January 23, 2024, Village Board Meeting.

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

Nay: None

The motion was declared carried by a roll call vote with six (6) aye votes and zero (0) nay votes.

TRUSTEE REPORTS

Trustee Novy- hope everyone had a Happy Holiday and New Year; congratulations to Bill Blessing for 25 years.

Trustee McCarthy-Lange- happy New Year; hope everyone had a Happy Holiday; welcome to Jean Bueche; had people reach out and say how much they love the round-a-bout.

Trustee Jones Sinnott- cookies were magnificent at the round-a-bout opening ceremony; Director Hughes was instrumental in making the round-a-bout happen; it was very cold out there; very positive comments about the round-a-bout; looking forward to 2024.

Trustee Guist- welcome to Jean Bueche; be careful shoveling; it is danger snow; lots of great info in the survey; 90% said Oswego is a good place to live; unchanged for eight years; remember those numbers; phenomenal numbers; availability of affordable housing is down 17% and single family down 29%; will be more development coming; we want younger adults coming here and staying here.

Trustee Torres- great conversations today; made a lot of progress; welcome Jean Bueche; see great things going forward; hooray for the round-a-bout; high praise to staff on survey results and dedication to jobs; thank you for staying in Oswego; great things for the police department; ranked #5 safest communities in Illinois; it's "snowtacular"; be safe; Happy New Year.

Trustee Kuhrt- congratulations to Jean Bueche; I am the favorite; congratulations to Bill Blessing; survey pretty good; survey represents how well our staff is doing; congratulations to Mark Runyon for achieving Professional Manager of the Year for Public Works; Happy New Year and hope everyone had a good Christmas; good discussions.

PRESIDENT'S REPORT

Good discussion on video gaming; willingness to compromise; welcome to Jean Bueche; Happy New Year; round-a-bout open and people are excited; excited about Barnes & Noble opening; Community Kauffee on Saturday; survey showed 90% for Oswego as a great place to live and raise kids; speaks volumes; great for police and fire departments; really high marks; concerned with only 28% feeling actively involved in public decisions; find ways to remedy; look at expanding commissions to get more people involved; figure out more ways to get people involved; discuss at future Committee of the Whole meeting; Happy New Year.

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 9:33 p.m.

Tina Touchette
Village Clerk