MINUTES OF A REGULAR MEETING OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES OSWEGO VILLAGE HALL 100 PARKERS MILL, OSWEGO, ILLINOIS June 11, 2024

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Ryan Kauffman called the meeting to order at 7:35 p.m. Ken Periman led the Pledge of Allegiance to the Flag of the United States of America.

Ken is a Veteran of the United States Air Force who served in Vietnam from 1967 – 1968. He was stationed at Denang and Cameron Bay. While there, he worked in explosives, building bombs and rockets. Mr. Periman is a 28 -year Oswego resident and we are honored to have him here tonight.

ROLL CALL

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

Board Members Absent: Trustee Karen Novy

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; Rod Zenner, Development Services Director; Joe Renzetti, IT Director; Kevin Leighty, Economic Development Director; Madeline Upham, Management Analyst; Bridget Bittman, Communications Manager; and Dave Silverman, Village Attorney.

RECOGNITIONS/APPOINTMENTS

D.1 Employee Service Awards

- a) Brian Evans- 5 Years of Service (Public Works Department) did not attend
- b) Scott Schiltz- 5 Years of Service (Police Department)- President Kauffman asked him to come forward; he presented Scott with this five-year award. Scott stated: he is proud to serve his community and it is an honor to serve. Chief stated: he is looking forward to Scott serving 20 more years. Pictures were taken.
- c) Cassandra Catberro- 10 Years of Service (Police Department) did not attend
- d) Jordan Lombardi- 10 Years of Service (Police Department) did not attend
- e) Mike Gunter- 25 Years of Service (Public Works Department) did not attend

President Kauffman thanked those who could not attend for their service.

D.2 Proclamation- Flag Day, June 14, 2024 President Kauffman read the proclamation.

D.3 Business of the Month Recognition - Schoppe Design Associates, Inc.

President Kauffman asked the representatives from Schoppe Design Associates, Director Leighty, and Economic Development Commission members to come up to the front. President Kauffman stated the following:

I'd like to extend our congratulations to Schoppe Design Associates for being featured as the Economic Development Commission's Business of the Month for June. Each month, the Economic Development Commissioners nominate and vote on a business to feature which has demonstrated significant involvement in the Oswego community. This month features Schoppe Design Associates, or SDA as

they are also known, which is owned and operated by Mike Schoppe. Mike founded SDA in 1997 and since that time has developed a talented team of professionals which have been committed to design work in the greater Oswego area. SDA is now celebrating its 20th year in Oswego this year after moving to its current location at 126 S. Main Street back in 2004. In its 27+ year history, Mike and his firm have applied their design expertise to several projects in Oswego and the surrounding area. Some of the noteworthy ones in Oswego include Oswego East High School, Veteran's Serenity Park, Gerry Centennial Plaza shopping center, the Old National Bank branch on Route 34, and various residential subdivisions. SDA has also completed substantial design work for Oswego's Public Safety headquarters, the Oswego Library District, and Venue 1012. Mike himself had been a longtime resident of Oswego along with his wife Brenda after moving here in 1998 and raising their family in Oswego. Over that time, Mike has been an active member of the community by serving on Oswego's original Economic Development Commission, Rotary Club of Oswego, and being a long-standing Chamber member.

President Kauffman congratulated Schoppe Design Associates for being the June 2024 Business of the Month, thanked them for all the contributions they have made to our community, and presented Mike with a certificate. Mike Schoppe stated: moved here in 1986; he picked a great community and place to start his business; he thanked the EDC, Village Board, past Village Boards, and Commissions; it's been wonderful to be a part of it. Pictures were taken.

PUBLIC FORUM

Public Forum was opened at 7:46 p.m.

Paul Kampschroer addressed the Board regarding the Gas N Wash. He is not for or against Gas N Wash; concerns with traffic; Mill Street is a main residential artery; consider right lane off of Mill and Orchard; also consider improvements to Mill Street.

There was no one else who requested to speak. The public forum was closed at 7:48 p.m.

STAFF REPORTS

F.1 State of the Urban Forest Report

Management Analyst Upham addressed the Board regarding the urban forest report. The report was prepared by Leslie Delles and Cherry Countryman of Great Lakes Urban Forestry, AKA Graf Tree Care, located in Batavia IL. Graf has been operating since 1999 and incorporated Urban Forestry Management into its practices in 2010. Their staff is comprised of nine certified arborists and one master certified arborist. She presented the following:

Introduction

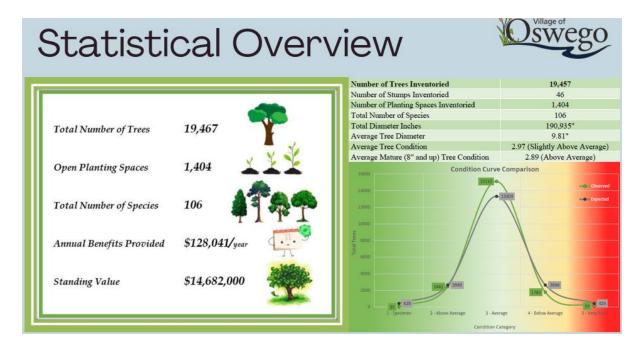
- · Consultant: Great Lakes Urban Forestry
- Inventory Completed 12/2023-2/2024
- Trees included: Village owned Parkway and Right-of-Way trees within the Village's Municipal Boundary. The Inventory did not include privately owned trees.
- · Total Trees inventoried: 19,457
- · Total Planting Spaces Inventories: 1,404
- Why?: Address short term concerns, long term management considerations, and overall planning objectives.

- Part of the Village's strategic plan is to create a 20-year all-asset plan and funding strategy to coincide with its growth and development. Village owned Trees are recognized as an asset since they provide various services and benefits to all citizens within our community. To mitigate the costs of this assessment, the Village applied for a grant from the Morton Arboretum. \$25,000 was awarded to the Village in January of 2023. The Village bid out the work, with Great Lakes Urban Forestry winning the contract.
- The inventory was completed in February of 2024 on all Village owned trees. These include Parkway and Right-of Way trees within the Oswego Municipal boundaries.
- There were 19,457 trees and 1,404 planting species inventoried.
- The goal of the inventory was to take stock of what our Urban Forest looks like and develop long term management practices and objectives. The requested deliverables included data on all trees to be entered into our GIS system and create an Urban Forestry Management Plan aligned with industry standards.

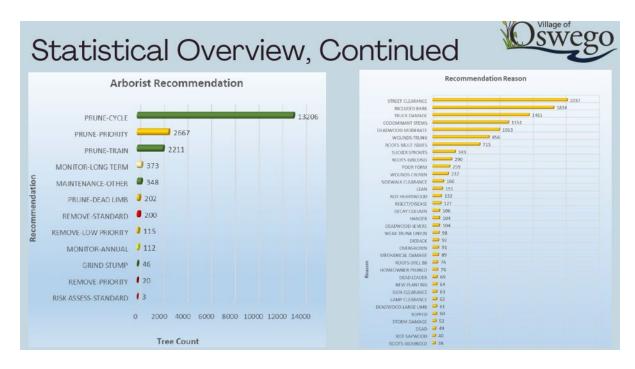
Collection Parameters

What was collected on each tree during the Inventory?

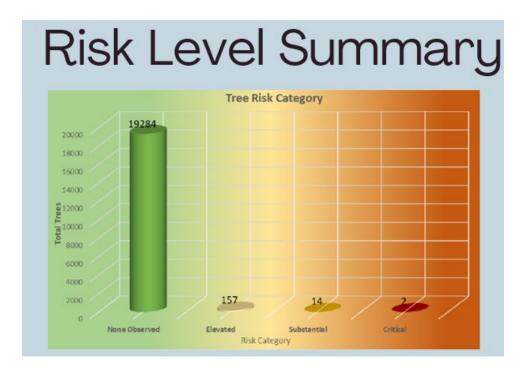
- · Tree Status: Active Tree, Planting Space or Stump
- Location
- Species
- Stems
- Diameter at Breast Height (DBH)
- · Condition: 1-5; 1 being perfect specimen, 5 being very poor/dead
- Arborist Recommendation: Includes pruning, removal, monitor, maintenance and grind stump priorities.
- Recommendation Reason: includes but not limited to Dead,
 Clearance of signage, insects/disease, wounds, etc.
- · Growing space: recorded the distance from curb to sidewalk.
- · Risk Level: None, Elevated, Substantial and Critical
- Stems- indicates how many stems are noted below 4.5 ft
- DBH industry standard- approximately 4.5 ft above ground level
- Condition:
 - > Specimen Tree has no observable defects, wounds, diseases, and has textbook perfect form for the species.
 - ➤ Above Average Tree may have a small amount of deadwood, or a very limited number of minor defects. The overall form of the tree must be good, and consistent for the species in question.
 - Average Tree has moderate but acceptable amounts of deadwood, wounds, or other defects, but is generally healthy.
 - ➤ Below Average Tree has defects, deadwood, wounds, disease, etc. that have the potential to cause a need for removal. Very poor form or architecture can put an otherwise healthy tree in this category as well, due to the potential for tree or root failure.
 - ➤ Very Poor/ Dead Tree must be removed. Physical or health defects are too far gone for the tree to be reasonably saved. These are relatively rare, as generally trees that are getting to this level are removed before they can get there.



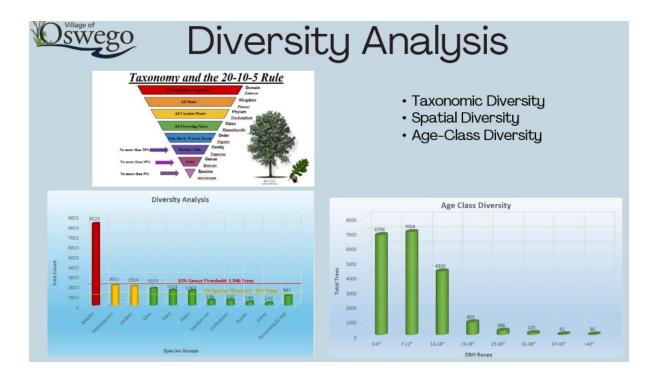
- The tree population can be characterized as being in overall above average condition. The stocking density is high, at 93%. The species diversity is good with 106 individual species represented.
- The green line represents what GLUF observed in the field, and the grey line is the predicted normal distribution. The condition curve for the inventory indicates a tree population that is in overall above average condition.



• The statistics show an encouraging trend overall. The majority of trees (68%) require only Cyclical Pruning on a regular basis, which is an overall desirable trait in a tree population. However, 335 or 2% of the trees are recommended for removal. The 20 trees in the Priority Removal category should be prioritized over other removals. The 200 trees designated as standard removals should be prioritized and removed in a timely manner. The 115 trees in the low priority category should be removed as time and budget allow. These trees have been addressed or are in line to be addressed by Public Works.

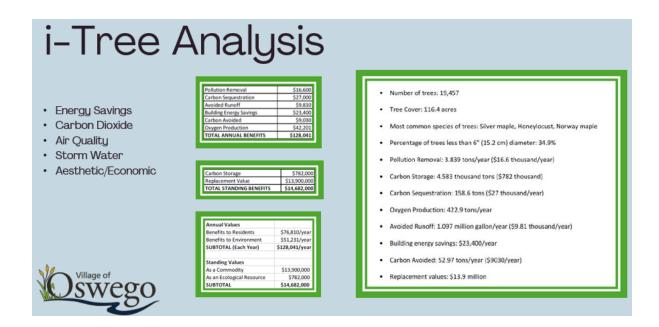


- The assessments are not legally binding. They serve primarily for internal record keeping, and a means of locating trees which require more detailed study before making a final decision on the Village's management strategy. Since the risk level field is part of the data collection parameters, it is recommended that Oswego develop and implement a Tree Risk Assessment Policy so that consistency and accountability is successfully achieved.
- This risk assessment is defined in the UFMP as a policy for PW to implement.



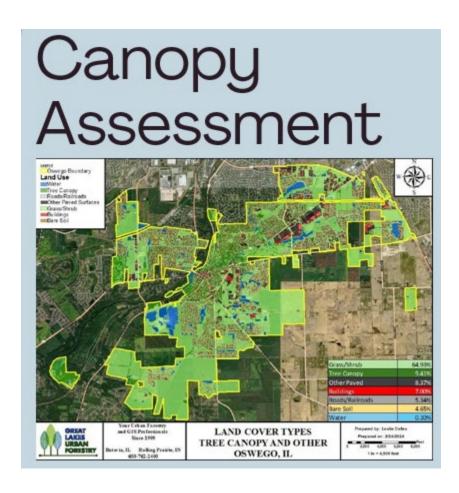
• The goal of species diversity is to abide by the 20-10-5 rule which outlines the need to not exceed 20% of the family, 10% of the Genus and 5% of the species within a given planting cycle.

- The more similar tree species are to each other, the higher the likelihood that an insect or pathogen can exploit every species of that genus.
- Although there are over 100 species found in the population, more than half of the population is represented by only 5 species. It is evident by evaluating Oswego's more recent plantings (6" DBH and under) that an effort to improve species diversity has been made in the last 10-15 years.
- Spatial diversity is the concept of mixing tree species over the whole geographic area. The more difficult it is to get to the next host tree, the less of a problem the pest or pathogen becomes, and the easier quarantine becomes. However, the Village scores low in this category due to the abundance of maples.
- Age-class diversity is also an important consideration. A healthy natural forest has trees of many ages. Young, intermediate, and mature trees allow for regeneration, replacement and vigor in the overall forest community.
- The age class analysis chart illustrates a somewhat typical trend in the overall age spread of a tree population seen in a municipal setting. Often, we see many trees being younger to middle aged and a relatively lower number of trees in the older age categories.
- Keeping in mind that larger trees provide more benefits, it should be a goal to nurture the young trees so they can meet their return on investment. If a tree is properly maintained in its youth, the higher the probability it has to reach full maturity and provide maximum benefits.



- i-Tree is a state-of-the-art, peer-reviewed software suite from the USDA Forest Service that provides Urban Forestry analysis and benefits assessment tools. The i-Tree suite calculates hard dollar values that trees provide to communities.
 - ➤ Carbon Dioxide (CO2)- the amount of CO2 which is put into the atmosphere each year has a direct correlation with global climate change. Trees uptake CO2 and act as a carbon sink. They remove it from our atmosphere which creates a net benefit to the Village and saves money.
 - Air Quality- pollutants can cause or worsen health conditions such as heart disease, asthma, and lung disease. Trees absorb these various pollutants with their leaves and other tissues and prevent them from remaining in the atmosphere. Reductions in these pollutants results in overall better health, reducing the cost of healthcare to society, and saving communities money.
 - > Storm water- the cost of removing and treating storm water is considerable. One of the greatest costs comes when the system is overwhelmed, such as during flooding, which can cause millions of dollars of damage to homes and vehicles, or when these systems need to be replaced. Fortunately, trees take water from the soil and put it back into the atmosphere through the

- process of transpiration. Therefore, the more trees an organization has, the less flooding is an issue, and the less strain is put on storm water infrastructure, resulting in fewer repairs and replacements.
- Aesthetic/Economic- up to 15% of the value of a property can be attributed to its trees and other landscaping. Tree lined streets are much more appealing to homebuyers than streets devoid of trees, resulting in increased home sales, and therefore increased tax revenue.



- The Village of Oswego has an overall low amount of tree canopy primarily due to the large amount of grass and farmland and is fairly low compared to other similar suburban communities of Chicagoland. GLUF suggests reaching 15% of total tree canopy by 2044. This is done by removing trees that are not thriving, nurturing and prune training newer trees, maintaining established trees and planting new trees.
- From the GLUF team, they suggest the following goals:
 - ➤ Increase Diversity
 - ➤ Increase stocking density i.e plant trees in the available planting spaces
 - ➤ Increase urban canopy from 9.41% to 15% by 2044
- While the forest is currently in a good place, there are issues that will arise if no change or planning is done now:
 - The tree population is at a high risk for infestation and disease because of its high maple population.
 - ✓ Solution: increase plantings of non-maple trees- limit the ability to choose maples in the 50/50 program
 - Implication: increased diversity will lower the risk of a massive failure, such as the EAB.
 - Lack of maintenance of trees increases the possibility of tree failure, decreased canopy cover, and will cost the village more in the long term.

- ✓ Solution: increase pruning program to protect established trees and train young trees.
- ✓ Implication: staff is limited in their ability to maintain a strong pruning program. To get through the suggested priority pruning (2,667 trees) at the current rate the Public Works Department can operate (700 trees/year) it would take approximately 4 years to get to the point of cyclical pruning. Even with the addition of the forestry technician in TY24, emergency priority tree maintenance and removals will take precedence and will be time consuming. The Urban Forest will only grow larger as the Village grows and it is essential to invest in its success to reap its benefits both ecologically and economically.

Board and staff discussion focused on trees generate revenue; partner with someone for pruning; currently use third-party vendors and arborist clubs, but the issue is training; how quickly a pathogen would hit; depends on the problem; taking out trees and replacing them; Public Works does all the tree trimming on the ground; hire out for those that require buckets; whether we can keep up with planting; 19,000 are Village trees and does not include private residence or Park District trees; maple trees are popular because they grow fast and have beautiful colors in the Fall; invasive ornamental pear trees are being removed; forestry position, for Public Works, was included in the budget. There was no further discussion.

CONSENT AGENDA

G.1 May 28, 2024 Committee of the Whole Minutes

G.2 May 28, 2024 Regular Village Board Minutes

G.3 May 28, 2024 Closed Session Minutes; Approve but Not Release

G.4 Ordinance Approving the Final PUD and Subdivision Plat for Hummel Trails Neighborhood 10.

A motion was made by Trustee Jones Sinnott and seconded by Trustee McCarthy-Lange to approve the Consent Agenda; Approving the May 28, 2024 Committee of the Whole Minutes; Approving the May 28, 2024 Regular Village Board Minutes; Approving, but Not Releasing the May 28, 2024 Closed Session Minutes and Approving the following ordinance:

Ordinance No. 24-53; Ordinance Approving the Final PUD and Subdivision Plat for Hummel Trails Neighborhood 10.

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 June 11, 2024, in the Amount of \$1,437,937.70.

A motion was made by Trustee Guist and seconded by Trustee Jones Sinnott to approve the Bill List Dated June 11, 2024, in the Amount of \$1,437,937.70.

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 Approving the Preliminary and Final PUD and Subdivision Plat and a Special Use Permit for a Car Wash to Allow for a Gas N Wash located at Mill and Orchard Road.

Ordinance No. 24-54

Director Zenner addressed the Board regarding Gas N Wash. The Petitioner is requesting approval of a Preliminary and Final PUD and Plat to allow for a gas station, convenience store, and a special use permit for a car wash. The plan shows an 8,065 square foot main building containing the gas station and convenience store. The convenience store will contain up to two restaurant users with a drive-thru window on the north side of the building. Automotive fuel pumps are located along the west side (front) of the main store with diesel pumps located to the east (rear). Canopies will be located over each bank of pumps. There is a 4,900 square foot car wash located along the north end of Lot 1. Cars will enter the car wash from the east and exit to the west. The car wash building is approximately 160 feet from the closest resident to the north.

The site provides two points of access for the proposed convenience store and car wash. The main access will be via full access on the south connecting to Mill Road. A left turn lane will be provided for east bound traffic along Mill Road. A secondary right-in/right-out access is provided at an existing curb cut along Orchard Road on the west. Bufferyard is required along the southern property line requiring 10 canopy trees, 9 understory trees, and 48 shrubs. Bufferyard is required along the east property line requiring 14 canopy trees, 4 understory trees, and 72 shrubs. Bufferyard is required along the west property line requiring 11 canopy trees, 4 understory trees, and 43 shrubs. Bufferyard is required along the north property line requiring 14 canopy trees, 5 understory trees, and 74 shrubs. Overall, the bufferyards require 49 canopy trees, 22 understory trees, and 237 shrubs plus the required street trees and on-site landscaping. The north end of the site provides for an 8-foot-tall berm with landscaping on top of the berm between the car wash and the residents to the north. There is also a solid fence around the entrance and exit of the car wash to deflect sound from the traffic from the residents to the north.

Planning and Zoning Commission Review

The Planning and Zoning Commission met on March 7, 2024 to review the proposed Gas N Wash. Five residents spoke during the public hearing expressing concerns regarding noise, traffic, light, and pollution from the proposed use. The petitioner responded indicating that they would meet the Code requirements regarding light and sound and will provide additional landscape and sound walls to mitigate the proposed use from the residents to the north. The Commission discussed sound generation and traffic. After some discussion, a motion was made to recommend approval (3 approved, 3 denied, 3 voted present). The Commission discussed the vote and the members who voted "present" requested a re-vote to clarify their vote. After some discussion, a vote on the motion was made and denied (3 approval, 6 for denial).

Plan Revision Since Planning and Zoning Commission Review

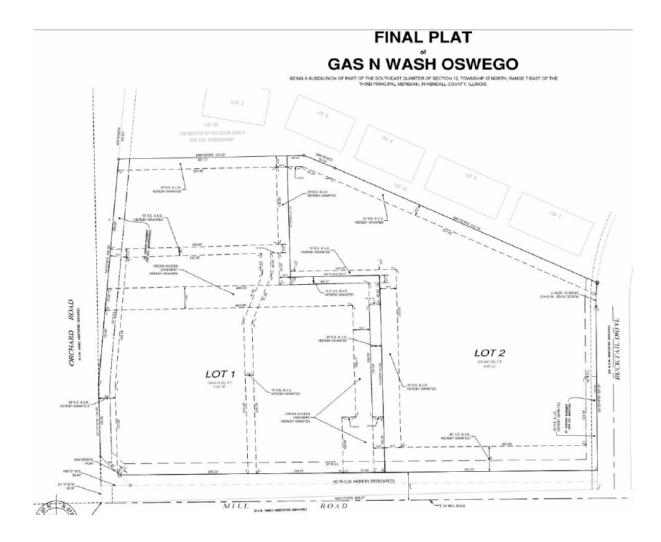
The petitioner has since revised the site plan to take into account the Planning and Zoning Commission's comments. The lots have been revised to provide for a buffer between the car wash and the townhomes to the north. The bufferyard provided is approximately 100 feet wide and contains an 8-foot berm with landscaping including evergreen trees to provide year-round screening. A solid sound attenuating fence is proposed along the entrance and exit of the car wash to deflect sound from heading north to the townhomes. The petitioner also submitted a traffic study to respond to concerns regarding traffic in and out of the site. The study analyzed the existing intersections at Mill and Orchard and Bucktail as well as the proposed entrance off of Orchard and the full access along Mill Road. The study looked at the current conditions and analyzed future traffic assuming the station was not built and if it was built. Under the analysis, the current road configuration, the existing turn lanes,

and the addition of the proposed turn lane for east bound Mill Road inti the site can accommodate the existing and future traffic demands without requiring additional road improvements. The study indicated additional improvements to the intersection of Mill and Orchard were not required.

The petitioner also addressed the concerns regarding truck traffic into the site for fueling. Gas N Wash has stated that they do not market to large trucks for fuel sales and the vast majority of users are smaller box trucks or contractors driving diesel pickup trucks. There are large truck users located north of this site and those trucks typically have fuel available at their own sites or have corporate fuel accounts with other providers. Gas n Wash does not have any corporate diesel accounts. If a large truck from the north wanted to access the Gas N Wash site they could, but it would involve them backtracking south to the Gas N Wash location, then exiting north towards I-88. Gas N Wash believes that it is unlikely that large trucks would go the opposite direction for fuel before heading north. They like to locate diesel pumps to the rear of the store to separate the contractor traffic from the car traffic.

On behalf of Gas N Wash, the following individuals were present to provide information and respond to questions: Attorney Lyman Tieman, Gas N Wash Representative Alex Kugar, Architect Christian Kalischefski, Engineer Brian Hertz, and Transportation Engineer Michal Werthmann.

Gas N Wash Representatives provided the following:



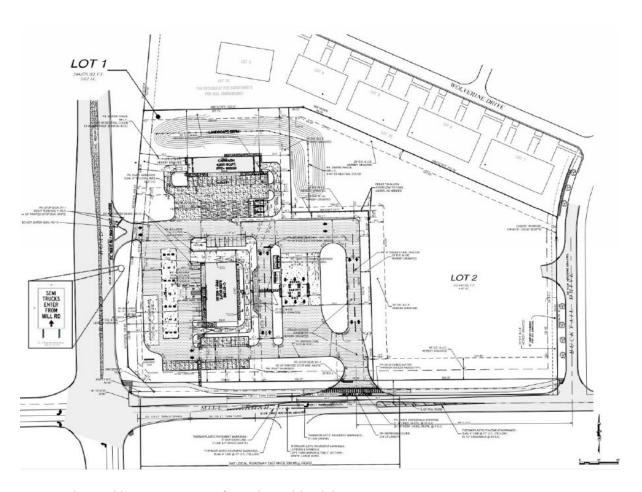


- Orchard Road- 15,000 vehicles per day
- 8 foot high berm all the way around the property

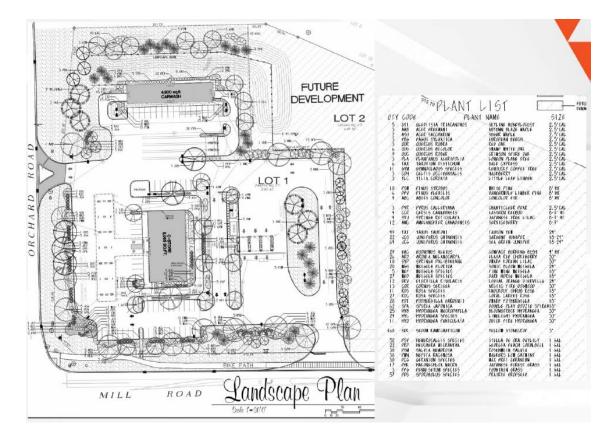


• Full masonry building



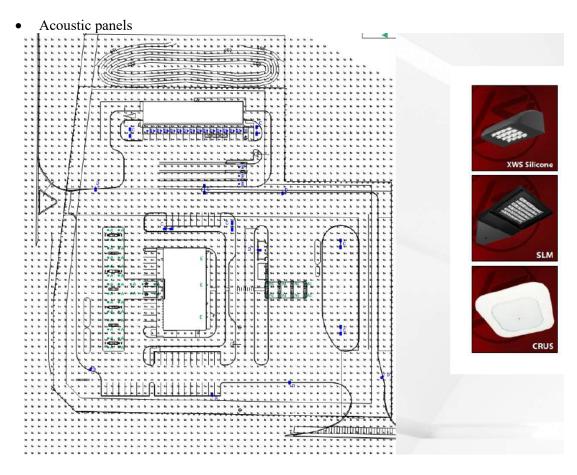


• Fencing and berm to separate from the residential area



• Adding 112 trees not including bushes and day lilies





• All LED lights



• Letters from other communities



Other communities where a Gas N Wash was built

Board, staff, and Gas N Wash representative discussion focused on concerns from the PZC and residents; have been working with staff; believe to have satisfied the concerns; adding a lot more landscaping; completed a sound study and will meet the requirements; will meet the light requirements; will close diesel fuel pumps from 10pm-5am; traffic on mill; truck traffic; large trucks cannot fuel up at this location; don't offer the amenities such as showers and sit down restaurants; landscapers, box trucks and retail customers will be the main users of fuel; site has been zoned commercial and not used for 22 years; Plainfield location has more apartments around it than the proposed Oswego location; 500,000+ in taxes generated annually; barrier will be the same on both sides of the location; barrier starts at the north and extends down; will have an easement into Lot 2; will have entrances and landscaping on the backside; car wash hours will be 6am-10pm Monday-Sunday; no fleet cards offered; no truck parking allowed; different layout because of the traffic; expected daily gallons of diesel= 1,200-1,500; two diesel pumps; Kendall County has jurisdiction over Orchard Road; only a right-in, right-out; weight limit on Mill Road is 20,000 lbs; will work with us on the wear and tear of the road; \$576,000 spent last year for Mill Road; \$300,000 from Orchard Road to Route 31; \$51,000 for Orchard Road to Bucktail; drive-thru on one side of the building; 900 sqft restaurant for lunch/dinner; maintenance of the roads should more than just paving; coring of the pavement to see what we need to do; concerns with traffic and roads; negotiate a dollar amount upfront; last assessment was done after the Village repaved; reassessments done every 5 years; can't do a dedicated lane on Orchard; submitted plans to the County and they approved as shown in the documents; concerns with no right lane going north; traffic study was done; radius turning into the property is larger; generous curb cut; not allowing tractor trailers to park; will post no parking signs; Oswego location is 5+ acres; location in Montgomery is 6.5 acres; Montgomery's location allows trailer parking; storage in the back will be of the same brick; Montgomery's site does not have showers; sound and intensity discussed at the PZC meeting; sound

handled through barriers; traffic not changing because of Orchard Road; concerns with trucks parking and smelling of the diesel fumes; approximately six tractor trailers per day; parking of 18 wheelers all over town; Gas N Wash policy for allowing trucks to park; trucks will be asked to be moved; 5-6 trucks that will need diesel; this is smaller scaled; have to grow responsibly; whether the traffic report supported a right lane; convenience of right-in/right-out; pass-by traffic; 2,500 vehicles on Mill; it can handle 20,000 vehicles; appreciate the process and doing more than asked; prefer cash contribution versus an agreement; whether a bike path is being constructed; Lot 2 will not be developed; wait and vote at a later time once we determine what "up to par" is. Board was provided two options for road maintenance:

Option 1- work on agreement for maintenance and bring back at future meeting for approval; will need time to figure out the details and put the agreement together.

Option 2- cash donation to the Village for road maintenance; could be included in tonight's motion as a condition.

There was no further discussion.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve an Ordinance Approving the Preliminary and Final PUD and Subdivision Plat and a Special Use Permit for a Car Wash to Allow for a Gas N Wash located at Mill and Orchard Road and includes the following requirements: 1) installation of an eight foot tall perimeter fence; 2) removal of the canopy sign; 3) diesel pumps closed from 10:00pm-5:00am with signage posted stating the hours; 4) car wash hours from 6:00am-10:00pm; 5) no truck parking signage to be included on the site; 6) petitioner shall pay the Village \$100,000.00 for Mill Road maintenance/improvements.

Aye: Tom Guist Kit Kuhrt
Jennifer Jones Sinnott Andrew Torres

Nay: Karin McCarthy-Lange

Absent: Karen Novy

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

J.2 Ordinance Authorizing the Approval of a Purchase and Sale Agreement with HD 71 LLC for Certain Property Located East of the Intersection of Illinois Route 71 and Washington Street; Dunkin Donuts. **Ordinance No. 24-55**

Director Leighty addressed the Board regarding a purchase and sale agreement (PSA). On June 13, 2023, the Village Board passed Resolution 23-R-57, authorizing the acquisition of a 0.241-acre parcel located east of the intersection of Rt. 71 and Washington Street from IDOT. Shortly thereafter, the Village made a \$35,000 payment to IDOT and acquired the deed to the property. The Village had acquired the property for the purpose of selling it to developer Field to Beans LLC for the construction of a Scooter's Coffee drive-thru restaurant. As part of the property sale to Field to Beans LLC, a Purchase and Sale Agreement (PSA) was drafted and approved by the Village Board at the June 27, 2023 meeting. An amendment to the agreement was then adopted on December 23, 2023 to provide Field to Beans LLC with more time to complete its inspection period. However, shortly before the inspection period was set to expire on March 23, 2024, Field to Beans LLC informed the Village that it no longer planned to move forward and requested to terminate the agreement.

After the termination of the agreement with Field to Beans LLC, staff entered into conversations with developer HD 771 LLC who was interested in purchasing the IDOT property (both sites) for a Dunkin Donuts drive-thru restaurant. HD 771 LLC has already purchased the site previously owned by Scooter's and is now wanting to purchase the IDOT property from the Village pursuant to a PSA. Terms of the PSA include the following:

- 1. Purchase price of \$35,000.
- 2. The developer is allowed a 180-day inspection period, allowing them the right to enter the property for due diligence purposes, receive PZC and Village Board approval of the zoning entitlements, and to draft and approve a redevelopment agreement (RDA) with the Village Board.
- 3. 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.

Should the Village Board approve the PSA, the next step in the process is for the developer to seek zoning and RDA approval from the Village Board.

Staff discussion focused on the timeline is as soon as possible. There was no further discussion.

A motion was made by Trustee Jones Sinnott and seconded by Trustee Guist to approve an Ordinance Authorizing the Approval of a Purchase and Sale Agreement with HD 71 LLC for Certain Property Located East of the Intersection of Illinois Route 71 and Washington Street; Dunkin Donuts.

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 Jones Sinnott- kudos to everyone at the Village; did a Facebook live for the Venue 1012 concert; great time; positive energy; 3,000-3,500 people attended; appreciate the hard work; want the Taylor Swift concert back next year.

Trustee Kuhrt- no report.

Trustee Guist-Thursday's concert was a great event and it shows how much we pay and the data points; kudos to Cultural Arts for the banners and bike racks; nice addition to town.

Trustee McCarthy-Lange- great job on opening night at Venue 1012; loved the pictures; look forward to hearing the final numbers; congratulations to Schoppe Design; loved hearing about the trees; PrairieFest is this weekend; will be in the booth and the parade.

Trustee Torres- PrairieFest is this weekend; it is awesome; congratulations to Mike Gunter for 25 years of service; Happy Father's Day; thank you for the tree report.

Trustee Novy- absent; no report.

PRESIDENT'S REPORT

Happy Father's Day; cannot wait for PrairieFest; volunteering and will be at the Village booth; 11th year in a row for volunteering at PrairieFest; enjoy the weekend; Taylor Swift concert was great; daughter loved it.

CLOSED SESSION

There was no closed session.

<u>ADJOURNMENT</u>

A motion was made by Trustee McCarthy-Lange 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 9:37 p.m.

Tina Touchette Village Clerk