

**MINUTES OF A SPECIAL MEETING OF THE
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
OCTOBER 18, 2011**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President LeClercq called the meeting to order at 5:30p.m.; and led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL

Physically present: President LeClercq; Trustees; Tony Giles (6:04); Gail Johnson; Jeff Lawson; Terry Michels; Judy Sollinger; and Scott Volpe.

Staff Present: Dwight Baird, Interim Village Administrator/Chief of Police; Jeanne Hoch, Village Clerk; Jerry Weaver, Public Works Director; Rod Zenner, Community Development Director; Mark Horton, Finance Director; Michele Bergeron, Community Relations Manager; Nick Sikora, Acting Chief of Police; Tony Lucenko, Economic Development Director; Brian Schiber, Village Engineer; and Karl Ottosen and Tim Hoppa, Village Attorneys.

CLOSED SESSION

A motion was made by Trustee Sollinger and seconded by Trustee Michels to enter into Closed Session to discuss Pending and Probable Litigation [5 ILCS 120/2(c)(11)] and Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel or Officer [5 ILCS 120/2(c)(5) & (6)].

Aye: Judy Sollinger Terry Michels
 Scott Volpe Gail Johnson
 Jeff Lawson

Nay: None

Absent: Tony Giles

The motion was declared carried with five (5) aye votes, zero (0) nay votes, and one (1) absent. The Board left Open Session at 5:32p.m.

The Board returned to Open Session at 6:17p.m.; upon roll call all members were still present; Trustee Giles arrived at 6:04.

RECOGNITIONS / APPOINTMENTS

There were no recognitions or appointments.

PUBLIC FORUM

President LeClercq opened the Public Forum at 6:17p.m.

There was no one that requested to speak; the Public Forum was closed.

STAFF REPORTS

Village Attorney

Attorney Ottosen reported that there is a tentative agreement with the Public Works Union.

Village Administrator

Interim Administrator Baird informed the Board that discussions have been held with IDOT concerning Amtrak service; follow-ups will be made with IDOT and Representative Cross' office.

A Special Meeting will be held on October 26, 2011 with the Oswegoland Park District for the purpose of a joint closed session to discuss the sale, lease and/or acquisition of property [5 ILCS 120/2(c)(5) & (6)]. The village's attorney will be present at the meeting.

CALEA on-site visit was held today at the Police Department; set to receive accreditation award in March.

Public Works -- No Report

Community Development – No Report

Finance

Mr. Horton presented his memo outlining the proposed 2011 property tax levy for the village. The township assessor indicated that the EAV is down about 6-7%; using the same levy will increase payments slightly (estimated at \$0.01). Board discussion focused on effect of keeping the tax rate the same and looking long-term to fund village services.

A motion was made by Trustee Michels and seconded by Trustee Volpe to keep the 2011 tax rate the same as 2010. It has been determined that the 2011 tax rate will not exceed 105% of the 2010 rate; the tax levy will be based on a flat rate.

Aye: Terry Michels Scott Volpe
 Tony Giles Judy Sollinger
 Jeff Lawson

Nay: Gail Johnson

Absent: None

The motion was declared carried with five (5) aye votes, and one (1) nay vote.

Village Clerk – No Report

Community Relations – No Report

Economic Development Director

Mr. Lucenko presented a memo proposing the establishment of an Oswego economic Development Commission. The memo outlined benefits of establishing the commission, duties, membership and funding. Board feedback should be directed to Mr. Lucenko.

Chief of Police – No Report

Village Engineer – No Report

Building and Zoning Manager -- No Report

HR Director -- No Report

CONSENT AGENDA

1. Minutes -- October 4, 2011 Strategic Planning Workshop
October 4, 2011 Regular Village Board Meeting
2. Closed Session Minutes – October 4, 2011 (Approve but not release)
3. Bill List – October 18, 2011 in the Amount of \$461,463.09
4. FY 2011/2012 Budget Amendment (First Read of Ordinance; Consider Waiving
Second Read and Approving) **Ordinance No. 11-70**
5. 2011 General Obligation Bond Refunding Ordinance (First Read of Ordinance;
Consider Waiving Second Read and Approving) **Pulled for separate discussion
and vote**
6. Amend Village Code of Ordinances Title 3 Chapter 7 Alcoholic Beverages Reduce
the Number of Class C Restaurant Liquor Licenses by One (1) (First Read of
Ordinance; Consider Waiving Second Read and Approving) **Ordinance No. 11-71**
7. Approval of the Village of Oswego Tourism Bureau Logo

A Motion was made by Trustee Lawson and seconded by Trustee Volpe to approve the consent agenda pulling #5 for separate discussion and vote; approving both sets of minutes from October 4, 2011; approving but not releasing the closed session minutes from October 4, 2011; approving the bill list as presented; approving logo for the Village of Oswego Tourism Bureau; and waiving second reads and approving the following Ordinances: Ordinance No. 11-70 an Ordinance Amending FY 2011/2012 Budget Ordinance No. 11-71 an Ordinance Amending the Village of Oswego Code of Ordinances Title 3 Chapter 7 Alcoholic Beverages to Reduce the Number of Class C Restaurant Liquor Licenses by One (1) for the closing of Tuscany Italian Restaurant.

Aye: Jeff Lawson Scott Volpe
Judy Sollinger Gail Johnson
Tony Giles Terry Michels

Nay: None

Absent: None

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

#5. 2011 General Obligation Bond Refunding Ordinance (First Read of Ordinance; Consider Waiving Second Read and Approving)

Mr. Horton presented information regarding the issuance of the 2011 General Obligation Refunding Bonds. This will refinance existing bonds for an estimated savings of \$127,000. **Ordinance No. 11-72** – A motion was made by Trustee Johnson and seconded by Trustee Sollinger to approve Ordinance No. 11-72 an Ordinance providing for the issuance of not to exceed \$4,500,000 General Obligation Refunding Bonds, Series 2011, of the Village of Oswego, Kendall County, Illinois, and providing for the levy and collection of a direct annual tax sufficient for the payment of the principle of and interest on said bonds.

Aye: Gail Johnson Judy Sollinger
Jeff Lawson Scott Volpe
Tony Giles Terry Michels

Nay: None

Absent: None

The motion was declared carried with six (6) aye votes and zero (0) nay votes

OLD BUSINESS

Well 3 – Update and Authorization for Additional Repair/Replacement Costs

This item was discussed at the October 4th meeting. The Board requested a list of references from entities using the Hitachi motor and Gould pumps. Mr. Weaver has since received the list and has contacted all six (6) of the references. All indicated that they had very few problems with the Hitachi motor and Gould pump.

A motion was made by Trustee Volpe and seconded by Trustee Lawson to authorize the repair of Well #3 by Water Well Solutions including the Hitachi motor and Gould Pumps for a total cost not to exceed \$252,240.25.

Aye: Scott Volpe Jeff Lawson
 Terry Michels Gail Johnson
 Tony Giles Judy Sollinger

Nay: None

Absent: None

The motion was declared carried with six (6) aye votes and zero (0) nay votes

NEW BUSINESS

Resolution Authorizing the Execution of an Agreement between the Village of Oswego and Fox Metro Water Reclamation District (Oswego Presbyterian Church Sanitary Sewer)

As part of their addition, the Oswego Presbyterian Church was required by Fox Metro to oversize the sanitary sewer. The Village has been working with all parties to establish a recapture agreement so that the church could recoup the cost of oversizing. The agreement presented takes the Village out of the recapture process. Fox Metro will take over ownership and maintenance of the sewer line for twenty (20) years. After that twenty (20) year period the Village will assume ownership and maintenance of the sewer; any required recapture payments would go directly to Fox Metro.

Resolution No. 11-R-39 -- A motion was made by Trustee Lawson and seconded by Trustee Volpe to approve Resolution No. 11-R-39 a Resolution Authorizing the Execution of an Agreement Between the Village of Oswego and Fox Metro Water Reclamation District for the Oswego Presbyterian Church Sanitary Sewer Oversizing.

Aye: Terry Michels Scott Volpe
 Tony Giles Jeff Lawson
 Judy Sollinger Gail Johnson

Nay: None

Absent: None

The motion was declared carried with six (6) aye votes, and zero (0) nay votes.

Resolution Authorizing an Agreement with Comcast, Inc. to provide Data Connectivity and Internet Services for Village Buildings

The request to approve the proposal from Comcast to provide fiber based WAN and internet connection to village buildings was presented. Data connectivity is currently provided to the Public Works and Police facilities through a T-1 line. The proposal with Comcast will improve the connection and bring our network infrastructure up to date.

Resolution No. 11-R-40 -- A motion was made by Trustee Volpe and seconded by Trustee Sollinger to approve Resolution No. 11-R-40 a Resolution Approving the proposal with Comcast, Inc. to Provide Data Connectivity and Internet Services for Village Buildings for an upgrade cost of \$9,000.00 and a monthly charge of \$3,200.00.

Aye: Scott Volpe Judy Sollinger
 Tony Giles Jeff Lawson
 Terry Michels Gail Johnson

Nay: None
Absent: None

The motion was declared carried with six (6) aye votes, and zero (0) nay votes.

White Oak Subdivision – First Amendment to the Final PUD (First Read of Ordinance)

Three Diamond Development has requested a minor amendment to the Final PUD for White Oak. Approval would allow for a temporary sign in excess of what is allowed by the Village's Sign Code. The Final PUD was approved on January 4, 2011 by Ordinance No. 11-02. The petitioner has requested a sign that is eight (8) feet in height and 128 square feet in area; the Village Code allows a sign that is ten (10) feet in height and has an area of 32 square feet. The petitioner also requested that they be allowed to post the sign for six (6) months and then request an additional six (6) months if needed. Board discussion focused on the size of the sign and the length of time it would be allowed to remain posted.

Ordinance No. 11-73 – A motion was made by Trustee Johnson and seconded by Trustee Sollinger to approve Ordinance No. 11-73 an Ordinance Granting a First Amendment to the Final Planned Unit Development (PUD) for White Oak Subdivision in the Village of Oswego, Kendall County, Illinois to allow for temporary signage that is ninety-five (95) square feet in area and would be allowed to be posed for six (6) months from the date of approval.

Aye: Gail Johnson Judy Sollinger
 Jeff Lawson Scott Volpe
 Tony Giles Terry Michels

Nay: None
Absent: None

The motion was declared carried with six (6) aye votes and zero (0) nay votes

PRESIDENT'S REPORT

- Possible Veto of the Board's Passage of Resolution No. 11-R-38 a Resolution Rescinding Resolution No. 11-R-35 Approving the KenCom Agreement
President LeClercq vetoed the Board's approval of Resolution No. 11-R-38. Resolution No. 11-R-35 accepting the KenCom Agreement dated November 2010 setting the Kendall County contribution amount at \$1,775,000.

Board discussion focused on dissatisfaction with the agreement; preferring not to continue litigation on the matter; in effect double taxing village residents; this being a poorly designed agreement; and the desire to put the safety of residents first. The Board stated that at no point in this process was the safety of residents at risk.

- Discussion and Possible Action on a resolution Authorizing an Intergovernmental Agreement for KenCom

Because of the rescinding of Resolution No. 11-R-38 no action was needed on this item.

- Proclamation – Pancreatic Cancer Awareness Month

President LeClercq proclaimed November, 2011 as Pancreatic Cancer Awareness Month.

- Met with LaHood about Metra

- Intergovernmental Meeting will be held at 7:00 on November 15, 2011; prior to that IG meeting a Special Board Meeting will be held. Included on the IG agenda will be economic development and teen issues. Other topics of discussion should be submitted to Interim Administrator Baird no later than Friday, October 21st.

CORRESPONDENCE

There was no correspondence presented.

STANDING COMMITTEE REPORT

Community Development; Building and Zoning – No Report

Finance – No Report.

Legislation, Policy, and Human Resources – No Report.

Public Safety – No Report.

Public Works – No Report.

Technology – No Report

Committees have been suspended and will meet as needed; reports will be presented when the committees meet. There were no committee meetings to report on.

President LeClercq noted that if a resident calls with a concern, that call will be forwarded to the Trustee responsible for the applicable committee.

PRESIDENT / TRUSTEE INITIATIVE

Trustee Michels asked that the village move forward with an ordinance prohibiting synthetic pot and include random checks by the police. Interim Administrator Baird explained that a draft ordinance will be presented at the November 1, 2011 meeting.

A recent article in the Ledger indicated that the Village may not have been working with Rep. Cross on the Metra station. Interim Administrator Baird clarified that that statement was in reference to transportation to and from the park and ride to the Metra station. At this time staff is working towards Kendall Area Transportation (KAT) providing the service; if this cannot be worked out then grants will be pursued to continue with PACE. Discussions have been held with Representative Cross concerning the proposed Metra Station

ADJOURNMENT

A motion was made by Trustee Michels and seconded by Trustee Sollinger to adjourn the meeting; upon a voice vote with all members present voting aye the meeting was adjourned at 7:10p.m.

Jeanne L. Hoch, CMC
Village Clerk