

Minutes of the Oswego Township

REGULAR MEETING

July 10, 2018

The meeting of the Oswego Township was called to order at 6:30 P.M by Supervisor Brian LeClercq. The pledge of allegiance to the U.S flag was given by all in attendance.

Township officials in attendance were: Supervisor Brian LeClercq, Trustees: Allyson Jacobsen, Diane Selmer, Bill Small, and Donna Stanley. Clerk Ken Holmstrom was present. Brian Hauser was present for the Assessor's office and, in addition, Nick Weis the realtor handling the possible sale/lease of Township properties. The Kendall County Sheriff's Department was present. There were 10 Oswego Township residents present. The attendance sheet is attached to these minutes. There were no Non-township residents present.

Highway Commissioner Bob Rogerson was not present.

Supervisor LeClercq opened the meeting with public comments.

Jan Alexander first asked if the vacant Assessor position will be advertised. Next, in relation to Pfund Property, she explained that she didn't speak of recommending a scatter garden but using bio urns.

Supervisor LeClercq closed the public comment section of the meeting.

Supervisor LeClercq presented the following bills for approval:

General Road Fund	\$18,649.60
Permanent Road Fund	\$153,125.29
Building & Equipment Fund	\$60,174.66
<u>General Fund</u>	<u>\$83,963.31</u>

Motion to approve the bills was made by Trustee Small, second by Trustee Selmer. A roll call vote was held by Clerk Holmstrom and all trustees present voted to approve the payment of the bills.

Prior to approving the minutes for the June Meeting, Trustee Selmer gave Clerk Holmstrom insight on corrections she'd like made. Motion to approve the minutes for the June meeting with the recommended changes was made by Trustee Jacobsen,

seconded by Trustee Selmer. A roll call vote was taken and all trustees present at the June meeting voted to approve the minutes as amended. Trustee Stanley and Trustee Small abstained from approving the minutes due to not being present at the June Meeting.

Trustee Initiatives:

Trustee Jacobsen inquired as to why the work done by Pessina Tree Service wasn't out for bid, after seeing a bill from them in the current bill packet. Supervisor LeClercq assured her that we already have a contract in place with Pessina Tree Service until May 2019 and the work done was in line with said contract. Trustee Jacobsen then inquired about utility bills not being part of the bill packet.

Per the Senior Report, Trustee Jacobsen received information on the three entities that were funded last year. She urged the Board to take the time and review the information from the agencies and put it on the agenda for August to decide on the appropriate appropriations.

Trustee Selmer spoke about employees from a company named Direct Energy going door-to-door and irritating the residents and resorting to using tactics to get their cooperation. She stated that residents have been advised and encouraged to call the police. Another tactic the Direct Energy employees have been using is telling residents that the Township "hired them" to do so and that is not accurate. They were not hired. Supervisor LeClercq educated the Board and the public by explaining how utility companies such as these operate.

Trustee Selmer asked for an update on the scanning of Township documents and Supervisor LeClercq relayed that they are working through some hold-ups. There's still Road District and Assessor papers to scan.

Trustee Small did not give a report.

Trustee Stanley asked if a notice on the Township website should be posted in regards to Direct Energy's presence in Boulder Hill, basically stating that the township did not hire them.

The Kendall County Sheriff's Department gave the Sheriff's report. A copy of the report is attached and made part of these minutes.

Though not present, Highway Commissioner Rogerson's Highway report was read at the meeting. A copy of the report is attached and made part of these minutes.

Brian Hauser gave the Assessor's report. The Assessor's office is working on meeting the deadline for assessing property values based on the multiplier they were given by the Kendall County Supervisor of Assessments. On a positive note, he shared that sale prices for homes are up.

The Supervisor's Report was given by Supervisor LeClercq. Supervisor LeClercq gave an update to the three Township properties. The Route 71 property has endured code changes which has caused new setbacks to arise such as equipping the building with a new sprinkler system.

Supervisor LeClercq then touched base on the engineering work that's being done to the Road District property on Route 25. He says that in order to move forward with building onto the Road District we first need to have engineering and architectural drawings done. Those drawings then get submitted to the local governing body, in this case, the Village of Oswego. If approved, the Township can move forward with costs and timeframes.

For Pearce Cemetery, the Township agreed to clean up the expanded portion and turn it over to the Cemetery Board. Supervisor LeClercq also updated us that the current Cemetery Board is keen on having more meetings as well as open houses at the Little White School House.

Update on employee manual, Trustee Small and Supervisor LeClercq are trying to turn two manuals (Township and Road District) into one manual. They would like to get it to the Board by the October meeting so that the changes can take effect beginning of the calendar year.

Old Business:

On the topic of prevailing wage, Supervisor LeClercq did recall on his previous comments however if the prevailing wage isn't approved the Township can face double penalties. Trustee Small motioned to approve, second by Trustee Stanley. A roll call vote was taken with Trustees Small and Stanley, and Supervisor LeClercq voting yes. Trustees Selmer and Jacobsen voted no. The motion passed.

Next Supervisor LeClercq opened discussion on the authorization to not exceed \$350,000 to retrofit Unit 101, and for the buildouts of units 102 and 103. Regarding the type of space and renting out to a tenant, you have a bank and a potential owner, most likely borrowed from the bank, we are looking at putting out the money to buildout subject to a tenant signing the contract, and the Township's break-even was projected

to be between 4.4 and 4.9 years. In addition, the Township would be asking for some of the money. The Township would ask for a 100,000 letter of credit from the tenant. The appraisal of 84 Templeton was substantially higher.

Nick Weis is now with Suburban Real Estate and not Third Day Commercial Real Estate, hence the difference in paperwork. Trustee Small directed a question about letters of credits regarding buildings towards Weis, to which he responded by saying that the letter of credit is tied to events that could occur in the lease. There's a provision in the lease that describes how the letter can be drawn on and it also depends on contingencies that may occur in the lease.

Trustee Small then asked if the Township is using its own money for the buildout or if the Township is looking to get a loan for the amount. Supervisor LeClerc explained that his theory was that the money from selling the Rt. 71 location would have gone towards the buildouts. However, that building has yet to sell therefore Supervisor LeClerc assured us that the Township still has the necessary reserves regardless. Trustee Small then asked which fund the money would be taken out of to which Supervisor LeClerc responded that he still needs to talk to legal.

Trustee Selmer asked who determines what the units should look like. Supervisor LeClerc answered that we'd hire a general contractor, then they would hire their subcontractors. Next, the general contractor will sign a document saying that they met prevailing wage. We make sure the general contractor has all the information, then their subcontractors do the general licensing. Things such as change orders, would fall onto the general contractor which he'd then submit to us. The Township is only doing a general buildout with walls, lights, sprinkler system and interior design. Weis confirmed that we'd only put in basic finishes and that'd be in the lease/contract.

Trustee Selmer then asked where the Township and the potential tenant stand with the letter of credit. Weis stated that they haven't been presented a proposal yet since we're still in the beginning phases. He then reiterated that the \$350,000 is meant for 3 units and prices for each one can fluctuate within the amount but not exceed the total.

Trustee Stanley asked if the Township attempted to market the 84 Templeton property at a lower monthly per square foot rate without doing any build outs. Weis believes that before he got involved that is how they were being advertised. He communicated with Supervisor LeClerc that tenants aren't willing to spend +\$300,000 on a building they themselves don't own. Therefore, it's not uncommon that building owners/landowners take on expenses of that nature. Trustee Stanley went on to communicate that one

possible option is to reserve the plans for doing the buildouts and sell the whole building after we find out if building on the Rt. 25 property is possible. Supervisor LeClercq said that he too feels as though we have "too many pots on the fire", but that the previous board also wanted to lease out the buildings. Trustee Small spoke to the fact that the previous board invested money into the piping and flooring of said units in hopes to entice a buyer.

Weis then suggested implementing a security deposit and explained the difference between that and a letter of credit.

Trustee Small motioned to approve the authorization of not exceeding \$280,000 for build outs of units 102 and 103 with a security deposit of \$50,000 and a letter of credit for \$75,000. No second. Motion dies.

Supervisor LeClercq then asks the Board if anyone has an alternative.

Trustee Selmer went on to explain why she's proceeding with caution.

On a historical note, Trustee Small began recalling when the building was offered to the Township. The Township paid \$875,000 and the building had approximately \$2 million loaned on it. The Township then paid the market price while an additional \$330,000 was spent to get the units looking as they do today. In addition, because the Township had the necessary cash, money didn't need to be borrowed or be loaned. That \$2 million was saved for over 20 years on a CD the Township had with the bank. The Township would then collect \$32-33 thousand dollars from interest income. As an additional income, the Township would collect almost \$50,000 in rent from Apple-A-Day Pediatrics. He then explained that said rent money went into the building fund. The goal was to reimburse the Township back using these sources of income.

Further discussion was held and Supervisor LeClercq asked if anyone had potential feedback to give to Nick Weis, the realtor.

Trustee Stanley motioned to approve the authorization not to exceed \$280,000 for the build out of units 102 and 103 at the 84 Templeton Drive property with a security deposit of \$50,000 and a letter of credit for \$100,000. Any costs above the \$280,000 amount shall be paid for by the tenant. Second by Trustee Small.

A roll call vote was taken by Clerk Holmstrom with Trustees Stanley & Small, and Supervisor LeClercq voting in favor and Trustees Jacobsen & Selmer voting no. The motion carried.

New Business:

Trustee Small motioned to accept the resignation of Assessor Maher, pursuant to 60 ILCS 1/60-209(a). Seconded by Trustee Jacobsen. A roll call vote was held by Clerk Holmstrom and all Trustees present voted to accept.

Supervisor LeClercq said that if he felt, internally, that we didn't have someone to fill the position that he would be looking externally for potential fillers. Trustee Stanley asked if the Board had to appoint someone to which Supervisor LeClercq responded that we have 60 days from the vacancy to do so otherwise it will be done by the county. The appointment is done by the Supervisor and ratified by the Board. Supervisor LeClercq recommended Brian Hauser for the position based on his skills and experience. Trustee Stanley expressed her reasoning as to why Hauser is suitable. Trustee Small also believes that Hauser's 21 years of experience makes him qualified. Supervisor LeClercq mentioned that he has also received support in his recommendation from people outside of the Assessor's office who work in the same field, some being directly involved with the Township Assessor's office.

Trustee Selmer asked Hauser about his certifications. Hauser explained that to be a certified assessing officer you have to renew your license by December. The other requirement he needed to fill a vacated office is to attend one seminar course and one exam course within 6 months prior to appointment. Both classes were just completed.

Trustee Selmer motioned to appoint Brian Hauser as the qualified Assessor pursuant to 35 ILCS 200/2-60. Seconded by Trustee Jacobsen. A roll call vote was held by Clerk Holmstrom and all Trustees present voted to approve.

Discussion was then held on the Snow Ordinance No. 2018-10. If approved tonight, then the more time the Township has to thoroughly notify the residents prior to when it's time to plow. The ordinance only pertains to when there is over 2" of snow fall on the ground so the plows can do their work. Integration of signage would be in a 3-4 year span, according to the Highway Commissioner. In addition, residents can expect the Highway Department to use Blackboard Connect to send out a mass call as another method of reach. To answer the question of where residents can park their cars, Supervisor LeClercq suggested starting a conversation with your neighbors. Though it's a small inconvenience, the Highway Department cannot complete snow plow operations to their full potential if cars are parked on the road when it snows over 2". Supervisor LeClercq relayed that he's open to going to the more problematic areas of Boulder Hill

with Highway Commissioner Rogerson and talking to the residents so that they understand the Township is trying to do a public service.

Trustee Jacobsen motioned to approve Snow Ordinance 2018-10, second by Trustee Stanley. A roll call vote was held by Clerk Holmstrom and all Trustees present voted to approve Snow Ordinance 2018-10.

Moving on to the next item under New Business, Supervisor LeClercq began discussion on why we need authorizations to the Cemetery in regards to securities. Trustee Stanley asked if authorization was just for securities and Trustee Jacobsen asked to know what "securities" are defined as.

Trustee Small motioned to approve, however a typo was brought to light and Trustee Small resent the motion.

Trustee Jacobsen motioned to approve Resolution No. 2018-09 to Authorize Officers to Act on Behalf of Township with regard to any and all securities as corrected. Seconded by Trustee Selmer. A roll call vote was held by Clerk Holmstrom and all Trustees voted to approve with the correction.

Finally, the next regular meeting will be August 21st.

With no further business to discuss; Trustee Small motioned to adjourn, second by Trustee Stanley. Meeting adjourned at 8:20PM.

Respectfully submitted by:

A handwritten signature in cursive script, appearing to read "Kenneth Holmstrom".

Kenneth Holmstrom, Township Clerk.