NOTICE AND AGENDA
SPECIAL MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES.
October 22, 2013
at 7:00 P.M. (or immediately following the Committee of the Whole Meeting)
Location: Oswego Village Hall, 100 Parkers Mill, Oswego, IL

Next Ordinance Number 13-59; Next Resolution Number 13-R-48

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

B. ROLL CALL

C. RECOGNITIONS / APPOINTMENTS

D. PUBLIC FORUM

E. STAFF REPORTS
   1. Village Attorney
   2. Village Administrator
   3. Chief of Police
   4. Director of Public Works
   5. Village Engineer
   6. Community Development Director
   7. Building and Zoning Manager
   8. Finance Director
   9. Human Resources Director
  10. Village Clerk
  11. Community Relations Manager
  12. Economic Development Director

F. CONSENT AGENDA
   1. Minutes – October 1, 2013 Committee-of-the Whole Meeting
      October 15, 2013 Committee-of-the Whole Meeting
      October 1, 2013 Regular Village Board Meeting
      October 1, 2013 Closed Session Minutes
   2. Bill List Dated October 22, 2013 in the Amount of $982,184.16.
3. Resolution Adopting a New Investment Policy for Investment of Village of Oswego Funds. (Consider for Approval)
4. IDOT Resolution Approving the Temporary Closing of Route 34 for the Christmas Walk Parade. (Consider for Approval)
5. Ordinance Granting a Variance for a Four Car Garage at 5285 Goldenrod Drive (First Read of Ordinance; Consider Waiving Second Read and Approving).
6. Ordinance Granting a Minor Amendment to the Final PUD for 3412 Orchard, LLC, Orchard Woods Lot 4-Parking Lot Reconfiguration-Suburban Tire (First Read of Ordinance; Consider Waiving Second Read and Approving).
7. Motion to Waive the Formal Bidding Process and Authorize the Purchase of five (5) Tasers from Ray O’Herron Company in the Amount Not to Exceed $12,479.25.
8. Motion to Approve Seventh Payment to H. Linden & Sons in the Amount of $182,783.66 for the Route 71 Water Main Relocation Project.
9. Resolution Supporting Enhanced Safety Standards for Railroad Tanker Cars. (Consider for Approval)

G. OLD BUSINESS
1. Public Hearing for Speedway Annexation Agreement
   Attachment: Memo
   Action: Motion to Continue

H. NEW BUSINESS
1. Resolution Authorizing the Execution of an Intergovernmental Agreement with the Illinois Office of the Comptroller Regarding Access to the Comptroller’s Local Debt Recovery Program
   Attachment: Memo, Resolution and Agreement
   Action: Consider for Approval

2. Ordinance Providing for the Levying, Assessment and Collection of Property Taxes for the 2013 tax year of the Village of Oswego
   Attachment: Memo, Details and Ordinance
   Action: First Read of Ordinance; Consider Waiving Second Read and Approving

3. Adopt the Property Tax Levy Abatement Ordinances
   a. 2006A General Obligation Bond Levy Abatement Ordinance
   b. 2006B General Obligation Bond Levy Abatement Ordinance
   c. 2007A General Obligation Bond Levy Abatement Ordinance
   d. 2007B General Obligation Bond Levy Abatement Ordinance
   e. 2009 General Obligation Bond Levy Abatement Ordinance
   f. 2011 General Obligation Bond Levy Abatement Ordinance
   g. 2012 General Obligation Bond Levy Abatement Ordinance
   h. 2013 General Obligation Bond Levy Abatement Ordinance
   Attachment: Memo, and Ordinances
   Action: First Read of Ordinance; Consider Waiving Second Read and Approving

4. Approve Emergency Repair of Minkler Road Bridge
   Attachment: Memo
   Action: Consider for Approval
5. Approve Emergency Repair of Minkler Road Bridge Guard Rail
   Attachment: Memo
   Action: Consider for Approval

I. PRESIDENT’S REPORT
   • Proclamation-Veterans Day

J. CORRESPONDENCE

K. STANDING COMMITTEE REPORTS

L. PRESIDENT / TRUSTEE INITIATIVES

M. CLOSED SESSION
   • Pending and Probable Litigation [5 ILCS 120/2(c)(11)]
   • Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel or Officer [5 ILCS 120/2(c)(1)]
   • Collective Bargaining/Negotiations [5 ILCS 120/2(c)(2)]
   • Sale, Lease, and/or Acquisition of Property [5 ILCS 120/2(c)(5) & (6)]

N. POSSIBLE ACTION OF CLOSED SESSION ITEMS INCLUDING:
   • Pending and Probable Litigation [5 ILCS 120/2(c)(11)]
   • Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel or Officer [5 ILCS 120/2(c)(1)]
   • Collective Bargaining/Negotiations [5 ILCS 120/2(c)(2)]
   • Sale, Lease, and/or Acquisition of Property [5 ILCS 120/2(c)(5) & (6)]

O. CALENDAR UPDATE

   Brush Pick-up October 21-25, 2013
   Village Offices Closed November 11, 2013 in Observance of Veteran’s Day

   Location: Oswego Village Hall, 100 Parkers Mill, Oswego, IL
   Historic Preservation Commission Meeting October 23, 2013 7:00 p.m.
   Adjudication October 24, 2013 5:00 p.m.
   Committee of the Whole Meeting November 5, 2013 6:00 p.m.
   Village Board Meeting November 5, 2013 7:00 p.m.
   Plan Commission Meeting November 7, 2013 7:00 p.m.
   ECO Commission Meeting November 12, 2013 6:30 p.m.
   Cultural Arts Commission Meeting November 13, 2013 6:00 p.m.

   Oswego Public Works Facility, 100 Theodore Drive, Oswego, IL
   ECO Electronics Recycling October 26, 2013 8:00 a.m.
   ECO Electronics Recycling November 9, 2013 8:00 a.m.

   Oswego Law Enforcement Center, 3525 Route 34, Oswego, IL
   Police Commission November 7, 2013 5:00 p.m.

P. ADJOURNMENT
CALL TO ORDER
President LeClercq called the meeting to order at 6:03 p.m.

ROLL CALL
Physically present: President LeClercq; Trustees: Tony Giles, Gail Johnson, Terry Michels, Pam Parr, Judy Sollinger and Scott Volpe.

Staff Present: Steve Jones, Village Administrator; Tina Touchette, Village Clerk; Rod Zenner, Community Development Director; Michele Brown, Community Relations Manager; Patty Lariviere, Building & Zoning Manager; Mark Horton, Finance Director; Vijay Gadde, Economic Development Director; Jerry Weaver, Public Works Director; Dave Van Camp, Village Engineer; Dwight Baird, Chief of Police; Karl Ottosen, Village Attorney and Bill Thomas, Village Attorney.

PUBLIC FORUM
Public Forum was opened at 6:04 p.m.
There was no one who requested to speak; the Public Forum was closed.

TAX LEVY-GENERAL CONCEPTS
Director Horton received the estimated 2013 EAV from the County Assessor. The EAV is still subject to change and should not be relied upon as the final 2013 EAV.
- Estimated 2013 EAV is 746,372,322; 4.2% decrease from the 2012 EAV
- Residential property accounts for 82% of the total EAV
- EAV for farm property increased 8%, residential decreased 5%, commercial decreased 2% and industrial dropped 4%
- 2009 total Village EAV was 933,315,018; 20% higher than 2013 EAV

Village resident’s property taxes are calculated based on what the Village levies annually. The EAV is used to calculate the tax rate, which is used to calculate a parcels property tax amount. The Village levied $1,216,000 in 2011 and 2012. The tax rate decreased in 2011 (.1453) and increased in 2012 (.1560) because of decreases in the EAV. The Village has used the property tax received each year to fund the required contribution to the Police Pension Fund and supplement the Village required contribution to IMRF.

Five (5) levy options were presented:

Option 1: Decrease the Levy
Option 2: Increase the levy to cover the full cost of Police Pension & IMRF
Option 3: Keep the levy equal to the amount levied in 2012
Option 4: Keep the tax rate equal to the 2012 tax rate; would have to decrease the levy
Option 5: Increase the levy by an amount to be determined by the Village Board (this option was not discussed)
Board discussion focused on concerns with decreasing the levy; alternatives to property tax; home rule sales tax; staff providing pros and cons at future meeting; risk to future revenue streams; current home building; people coming to the community; percentage of sales coming from outside the Village; increasing the levy to fund the pension; whether to raise the sales tax; creative ways to spend money; percentage of pension funded at 68% and not shorting the pension fund. Board supports option 3 of keeping the tax levy at $1,216,000.

There was no further discussion.

**CHRISTMAS TREE DISCUSSION**

The Village uses an existing tree at the corner of Jackson and Main Street. The tree is on private property, but the Village was given permission to use until property is sold or developed. The tree has not done well due to the trauma of being moved. The Village Board purchased additional lights and decorations to make the tree more appealing. The tree lighting ceremony is held at 5 p.m. to kick off the annual Christmas Walk Celebration and is only attended by 25-30 people.

Staff discussed the possibility of moving the Tree Lighting Ceremony to Village Hall on the Sunday before the Christmas Walk. An existing tree at Village Hall will be used for the ceremony. This year the event would take place on December 1st from 4-6 pm. The event would include carolers, refreshments and the Tree Lighting Ceremony. By utilizing the existing trees at the southwest corner of Village Hall, the trees will be seen by many more people; encouraging more to attend. Public Works staff would be able to use their equipment to put lights on the tree. Funding would be minimal for refreshments and decorations.

Board discussion focused on school participation; children making ornaments for the trees; inviting musicians and artists. Staff instructed to move forward with the planning of the ceremony.

There was no further discussion.

**OSWEGO DEMOGRAPHICS FOLLOW-UP DISCUSSION**

Staff was directed to present Oswego’s ranking in the broader trade area in terms of income and housing. The profile, provided by staff, shows the income and values within a 15-mile trade area. Much of the information came from the 2007-11 American Community Survey.

- Oswego ranked #7 in both median household income and median housing values
  - 2011 median household income= $93,588
  - 2011 housing value= $258,400
- Oswego ranks significantly higher in income level than 17 of the 24 communities listed; according to the 2013 estimates
  - 2013 median household income estimates= $96,044
- Oswego offers quality affordable housing along with good schools and access to colleges and professional schools within 30 miles.
- 71.4% of Oswego residents completed at least some college

Oswego has an optimal combination of economic strength, job growth, affordability, good schools, some diversity and a strong sense of community.

There was no Board discussion.
CLOSED SESSION
A motion was made by Trustee Parr and seconded by Trustee Sollinger to enter into Closed Session for the purpose of discussing the following:

- Pending and Probable Litigation [5 ILCS 120/2(c)(11)]
- Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel or Officer [5 ILCS 120/2(c)(1)]
- Collective Bargaining/Negotiations [5 ILCS 120/2(c)(2)]
- Sale, Lease, and/or Acquisition of Property [5 ILCS 120/2(c)(5) & (6)]

Aye: Tony Giles Pam Parr
     Gail Johnson Judy Sollinger
     Terry Michels Scott Volpe

Nay: None

The motion was declared carried with six (6) aye votes; zero (0) nay votes.
The Board entered into Closed Session at 6:40 p.m.
The Board returned to open session at 7:02 p.m. All members still present.

ADJOURNMENT
The Committee of the Whole Meeting ended at 7:03 p.m.

Tina Touchette
Village Clerk
CALL TO ORDER
President Pro Tem Johnson called the meeting to order at 6:01 p.m.

ROLL CALL
Physically Present: President Pro Tem Gail Johnson; Trustees: Tony Giles, Terry Michels, Pam Parr, Judy Sollinger and Scott Volpe.
Absent: President LeClercq

Staff Present: Steve Jones, Village Administrator; Tina Touchette, Village Clerk; Rod Zenner, Community Development Director; Michele Brown, Community Relations Manager; Mark Horton, Finance Director; Vijay Gadde, Economic Development Director; Dave Van Camp, Village Engineer; Dwight Baird, Chief of Police; Tia Brooks, Grant Writer/Administrative Assistant; Kasey Evans, Village Planner; Billie Robinson, Assistant Finance Director and Karl Ottosen, Village Attorney.

PUBLIC FORUM
Public Forum was opened at 6:01 p.m.
There was no one who requested to speak; the Public Forum was closed.

GIRL SCOUT PROJECT PROPOSAL FOR DOWNTOWN
The Village was contacted by Pam Roberts, Girl Scout Troop 4532 Leader, regarding a proposal to install a fountain, in the Downtown, to represent the Girl Scouts. The Girl Scouts are working on their Bronze Award. The Bronze Award is achieved by exploring the community and finding a way to make a positive change. A meeting was called with Village staff to discuss the project. After investigating the downtown area, Troop 4532 brought forth an alternative idea to the fountain due to the cost and maintenance. The Troop is interested in purchasing a clock tower for the Downtown. Village staff felt that the clock tower would be an excellent addition to the area. Staff asked the Troop to look into where they would like to place the clock and to work with the clock company in providing staff with additional details.

Director Zenner was present for the discussions to make sure the clock design would be a good fit for the Downtown Plan.

Staff and the Troop discussed costs, electricity and possible locations. One of the Troop member’s dads is an electrician and has offered to donate his services. The Troop selected the location of the clock to be near the library. The selected clock has a three year warranty. The Troop is interested in working with the Village on placement and connecting to an existing power source near the location. Director Zenner was present for the discussions to make sure the clock design would be a good fit for the Downtown Plan.

Troop 4532 is willing to raise all of the funds to purchase the clock. The clock is estimated to cost $10,000. The electrical cost to maintain the clock will be roughly $3 per month. The clock would require minimal maintenance over the years. Staff will work with the Troop and the clock company to determine what fees might be incurred after the three-year warranty period. The clock is fitted with a back-up battery, in the event of a power outage, and automatically sets the correct time during daylight savings time.
Several of the Girl Scouts spoke regarding the Bronze Award and the seven (7) steps in achieving this award; the symbolism of the clock in representing the past, present and future of the Girl Scouts; the cost and maintenance of the clock, and the raising of funds through various sales and fundraisers.

Board and staff thanked Troop 4532 for presenting the proposal for a clock tower. Staff will work with the Girl Scouts on the installation and electrical for the clock tower.

There was no further discussion.

PRESENTATION BY AUDIT FIRM; APRIL 30, 2013 AUDIT REPORT
Carrie Dittman, representative for Sikich, LLP, provided a summary of details relating to fiscal year ending April 30, 2013. Sikich prepared a management letter as part of the audit. This letter informed management of any internal control deficiencies. For FY2013, the auditors did not discover any material weaknesses. They found one deficiency in the cross training of financial duties and provided a comment for strengthening internal controls with relation to long term financial planning. All FY2012 comments are in the process of implementation or have already been implemented. All FY2013 comments will be implemented or controls put in place.

The Village of Oswego received a Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended April 30, 2012 Comprehensive Annual Financial Report. This is the 10th consecutive year the Village has received this award. This is a voluntary program with less than 300 municipalities receiving this award annually.

Board was provided a copy of the “Auditor’s Communication to the Board of Trustees”, in addition to a copy of the “Comprehensive Annual Financial Report (CAFR). Carrie briefly spoke about the Independent Auditor’s Report, the Management’s Discussion and Analysis, various financial statements and the IMRF and Police Pension funds.

Board member asked for clarification on the deficiency comment. Director Horton explained that this is a standard comment when short staffed. The deficiency will be taken care of this year.

There was no further discussion.

OSWEGO BEATS & EATS WRAP-UP
Staff provided an event report for the 2013 Oswego Beats & Eats event. The event took place on August 10, 2013 at Prairie Point Park. Approximately 800 people attended the event. Overall, the logistics, location, parking, security and event were successful. Many are eager for the 2014 event. Throughout the planning process and on the day of the event, a few issues did arise relating to communication and volunteers. After meeting with Mr. Brooks, staff feels all of the issues can and will be resolved for future events.

Per the agreement, the Village contributed $10,000 to the event. Sponsorships, vendors, ticket and beer sales provided $44,813.30 in income. Mr. Brooks contributed $18,000 of personal funds to cover the remaining costs. After all expenses were paid, the remaining funds totaled $7,934.64. Per the recommendation of Mr. Brooks, he is interested in splitting the remaining funds at 50% each as a show of good faith for the future of Oswego Beats & Eats. The Village and Mr. Brooks would each receive $3,967.32. Staff recommends revisiting the Agreement and to work with Mr. Brooks to host the 2nd Annual Oswego Beats & Eats event in 2014.

Board discussion focused on the Village setting a precedence in the supporting of private enterprise; the confusion over the event not being a Village event; liability factors; general perception of the
event; confusion as to who was in charge during the event; burdening of staff; tourism draw as it is a unique event; establishing an event policy to include contracts and an application process; criteria for the policy; function of a contract; hiring of a seasonal worker to assist in events; contracting an independent contractor; using profit from other successful events to fund new events;

Mr. Brooks discussed the addressing of customer service issues; communication; volunteers; organizing of the event; the need for time to be given towards the development of new events; implementing of a better plan with more training and protecting the interests of all parties involved in the event. Additionally, Mr. Brooks thanked the Village for allowing the event to take place.

Board will discuss event criteria, policy, global issues, clear roles, expectations and benchmarking at a future Committee of the Whole Meeting. No decision can be made, at this time, on the splitting of funds.

There was no further discussion.

**GOLF CARTS DISCUSSION**

Earlier this year, a Village resident requested the Board consider allowing the use of golf carts on Village streets. There has been no change to the State laws. Chief Baird provided the Board with previous memos on the topic and a recent survey of surrounding communities that allow or do not allow golf cart use. Staff is seeking direction from the Board as to whether more research should be done.

Board discussion focused on safety issues; requirements for golf carts; liability to the Village; potential costs to the Village, including signage; speed limit requirements; licensing fees and why they vary; restrictions on age of children driving or riding; safety seat requirements and allowing of golf carts in community neighborhoods with paths specific to HOA communities

Staff was directed by the Board to provide more research and details with regards to golf cart usage and requirements. Further discussion will take place a future Board meeting.

**INVESTMENT POLICY DISCUSSION**

The existing Village investment policy has not been updated since 2003. Rather than revise the existing policy, staff created a new policy. The new policy will replace the 2003 policy in its entirety. The latest Government Finance Officers Association model investment policy was consulted as a basis for the policy. The new policy expands on every category making it more definitive and giving more direction.

The new policy was drafted for compliance requirements for audits and contains more detailed information on statutes. Policy also includes a list of documents that can be invested in. It is more restrictive than the previous policy.

There was no Board discussion.

**POLICE PENSION ACTUARIAL REPORT**

The Village is required to contribute an amount to the Police Pension Fund, annually, based on the tax levy requirement as computed by a qualified actuary. The Village contracts with TWS Actuary to complete the actuarial report each year. Changes that influenced the tax levy calculation this year included using the RP 2000 Mortality Table instead of the 1971 GA Mortality Table. The Village’s tax levy requirement increased from $1,056,065 last year to $1,150,866 this year. The increase is due to the increase in salaries and the change to the mortality table; it was offset by the investment return,
which was greater than assumed. The percent funded increased slightly from 67.5% last year to 68% this year. The Village will levy $1,150,866 for calendar year 2013. The Village has been contributing more than the minimum amount for the past three (3) years to catch up from the underfunding years ago. Director Horton recommended contributing $1,185,000 for the next fiscal year. This number is rounded up. Director Horton would encourage the Village to stay on the 20-year course of calculating at 100%. The Village is giving more than what State statute requires. The funding percentage at what it is supposed to be.

Board agrees with staff recommendation. There was no further discussion.

**DOWNTOWN PLAN DISCUSSION**

Administrator Jones provided the Board with a power point diagram showing the various aspects and timing of the Downtown Vision and Village Block Process. Board should look at all downtown development; not just the Village block.

Downtown Vision
- Status quo
- 2009 Plan
- 2009 Plan with revisions

Village Block Process
- Demo
- RFQ/RFP
  - Village property only
  - With other owners
- Preserve & Maintain

Options for Project Financing-options should be implemented before development
- 100% Market Driven
- Public-Private Partnership
  - Economic development strategies
    - Before development
    - With development

On August 6th, the Board reviewed fourteen objectives outlined in the 2009 Downtown Plan. Seven objectives directly relate to the Village block:

- New residential development should include both upper-floor residential units with additional mid-rise/townhouse opportunities. All will provide support for local business.
- Downtown core located along Main St. between Jefferson and Van Buren shall include retail, restaurant and office uses on the ground level with office and residential uses on the second floor and above.
- Residential sites in the southern end of the Downtown Core and areas of the Secondary Core can be allowed heights up to 4-stories. (Adams St. and Main St. between Washington and Van Buren).
- High priority redevelopment sites include Alexander Lumber, Oswego Fire Station and the old Village Hall site.
- Consider establishing a redevelopment finance tool.
- Issue RFP’s for redevelopment of Village owned sites.
- Explore public/private parking alternatives in meet emerging parking needs.
Taking these objectives into account, staff established six scenarios for the Village block. These scenarios were presented to the Board at the September 17th COTW meeting. Based on the Board’s feedback, staff refined the redevelopment concepts into three scenarios for further discussion:

**Scenario #1 - Maintain Status Quo; retaining existing structures, including old Village Hall**

Pros:
- Preserve potential historically significant buildings
- Maintains existing character on west side of Main St.

Cons:
- May require significant investment to restore old Village Hall
- Size and condition of old Village Hall may limit marketability
- Modest size of old Village Hall and surrounding structures may inhibit growth potential

**Scenario #2 - Redevelop Village Owned Properties; utilize the Village owned properties to provide new, larger mixed-use spaces downtown. Plan could include one or more 4-story structures on Washington St. and Main St. Surface or structured parking could be provided in the interior of the block.**

Pros:
- Increases mixed-use space downtown
- Provides new, modern commercial space downtown
- Increases parking

Cons:
- Odd shaped property may limit potential redevelopment
- May require public contribution
- Parking structures are costly

**Scenario #3 - Redevelop Block; could have frontage on Washington St., Main St., and Van Buren with an interior parking structure. Building(s) may be up to 4-stories with approximately 150,000 square feet of mixed-use space. The lower level of the parking structure could be accessed from Adams St., and the upper level(s) accessed from Main St. or Van Buren.**

Pros:
- Maximizes redevelopment and parking potential
- Provides housing opportunities for downtown residents to support downtown businesses
- Provides additional and modern space for a variety of new downtown businesses

Cons:
- Requires cooperation from multiple property owners
- May require more substantial public contribution and participation
- Parking structures are costly

A 3-dimensional model was constructed and displayed for the Board. Staff illustrated the physical impact each of the scenarios may have on the downtown. Additionally, staff provided Power Point pictures to the Board of roof details, setbacks, landscaping, distinctive architecture and structured parking. Staff recommended the Board direct staff to prepare an RFQ in anticipation of seeking proposals for scenario #3 for redevelopment of the site, at a later date. The RFP shall include mixed-use structure, four story maximum height, possibility for parking structure and incorporation of
design elements for the preservation of the old Village Hall. The draft RFQ would be brought to the Board at a future date.

Historic Preservation Commission representatives expressed concerns with the potential redevelopment of the block and its effect on the old Village Hall structure. The HPC toured the site on September 25th. Opinions ranged from the structure being preserved due to its historic use, to ideas to incorporate components of the building into a new structure. The HPC would like to apply for a 50/50 grant that would allow an architect and/or structural engineer to perform a study on old Village Hall. Deadline to file the grant is November 15th. Board does not agree with spending money if the intention is to not preserve the building no matter the outcome of the study.

Board discussion focused on engaging in conversations with surrounding property owners; firm direction from the Board on the vision for the Downtown; TIF; the need for a change in the Downtown; viable options; financing options and expenses; financial feasibility; Village owned properties; deciding what the Board does and does not want; mixed-use development in the Downtown and infrastructure.

There was no further discussion.

CLOSED SESSION
A motion was made by Trustee Volpe and seconded by Trustee Michels to enter into Closed Session for the purpose of discussing the following:

- Pending and Probable Litigation [5 ILCS 120/2(c)(11)]
- Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel or Officer [5 ILCS 120/2(c)(1)]
- Collective Bargaining/Negotiations [5 ILCS 120/2(c)(2)]
- Sale, Lease, and/or Acquisition of Property [5 ILCS 120/2(c)(5) & (6)]

Aye: Tony Giles Pam Parr
     Gail Johnson Judy Sollinger
     Terry Michels Scott Volpe

Nay: None

The motion was declared carried with six (6) aye votes; zero (0) nay votes.
The Board entered into Closed Session at 8:42 p.m.
The Board returned to open session at 8:54 p.m. All members still present.

ADJOURNMENT
A motion was made by Trustee Sollinger and seconded by Trustee Michels to adjourn the meeting; upon a voice vote with all members present voting aye, the meeting was adjourned at 8:54 p.m.
CALL TO ORDER AND PLEDGE OF ALLEGIANCE
President LeClercq called the meeting to order at 7:09 p.m. and led the Pledge of Allegiance to the Flag of the United States of America.

ROLL CALL
Physically present: Trustees: Tony Giles, Gail Johnson, Terry Michels, Pam Parr, Judy Sollinger and Scott Volpe.

Staff Present: Steve Jones, Village Administrator; Tina Touchette, Village Clerk; Rod Zenner, Community Development Director; Jerry Weaver, Public Works Director; Michele Brown, Community Relations Manager; Patty Lariviere, Building & Zoning Manager; Mark Horton, Finance Director; Vijay Gadde, Economic Development Director; Dwight Baird, Chief of Police; Dave Van Camp, Village Engineer; Karl Ottosen, Village Attorney and Bill Thomas, Village Attorney.

RECOGNITIONS/APPOINTMENTS
1. Character Counts Awards
There were no Character Counts Awards.

2. Employee Service Awards
   a) Gerry Bara - 5 Years of Service
      Gerry was unable to attend. President LeClercq recognized Gerry Bara for his years of service and asked Director Horton to congratulate him on behalf of the entire Board.
   b) Amy Wickens – 5 Years of Service
      Chief of Police, Dwight Baird and President LeClercq recognized Amy Wickens for her years of service to the Village.

3. Police Explorers Recognitions
Officer Kelly Garcia and 19 of the 22 Police Explorers were present for the recognitions. Officer Garcia had the Explorers introduce themselves. Program participants range in age from 14-21. The program started in 2011 with 630 volunteer hours donated since the program began. 360 hours have been donated since March of this year. This is a nationwide program. Some of the tasks/events that are volunteered for include: PrairieFest, assisting during flood events, handing out flyers door to door, 4th of July, parades, traffic control and participating in the Active Shooters Program. Additionally, some of the program participants compete in a state competition. Officer Garcia spoke of the participants as dedicated and hardworking with strong community service and teamwork.

4. Appointment of Assistant Village Administrator/HR Director
Administrator Jones introduced Christina Burns and briefly spoke of her employment history and attributes.
A motion was made by Trustee Johnson and seconded by Trustee Sollinger to approve the appointment of Christina Burns to the position of Assistant Village Administrator/HR Director.
Aye:   Gail Johnson   Judy Sollinger
Tony Giles   Scott Volpe
Pam Parr   Terry Michels
Nay:     None
The motion was declared carried by omnibus vote with six (6) aye votes; and zero (0) nay votes

5. ECO Appointment
Appoint Ellen Von Ohlen as Chair for a Term to Expire 4/30/2014
A motion was made by Trustee Sollinger and seconded by Trustee Michels to approve the appointment of Ellen Von Ohlen as Chair for a Term to Expire 4/30/2014.

Aye:   Gail Johnson   Judy Sollinger
Tony Giles   Scott Volpe
Pam Parr   Terry Michels
Nay:     None
The motion was declared carried by omnibus vote with six (6) aye votes; and zero (0) nay votes

PUBLIC FORUM
President LeClercq informed all residents, media, etc. to contact the Village, at any time, should they have questions on an upcoming agenda. He briefly explained that a motion to continue, as part of the action of a public hearing does not require a public hearing to be opened. President LeClercq thanked the Board for allowing people the opportunity to speak concerning the Speedway item. The Board will not be entertaining dialogue on tonight’s Speedway agenda item.

President LeClercq opened the Public Forum at 7:29 p.m.
There was no one that requested to speak; the Public Forum was closed at 7:29 p.m.

STAFF REPORTS
Village Attorney
No Report
Village Administrator
No Report
Chief of Police
No Report
Public Works
Brush Pick-up- have received emails from Village residents regarding brush that has not been picked-up. Staff has been working on scheduled fire hydrant flushing, water main breaks, removal of EAB trees due to safety concerns and a large amount of brush to be picked up. Brush pick-up will resume and be completed.

EAB Tree Replacement- met with The Fields of Caton Farm regarding tree replacements. They will start digging within the next couple of weeks. Per contract, all 325 trees will be installed before December 1st.

Storm sewer- after televising the storm sewers, 18 feet of a 16” storm sewer on Southbury Blvd was found to have been dug through by the gas company. Nicor was immediately informed. Public Works will begin the repairs tomorrow on the storm sewer. All expenses will be submitted to Nicor for reimbursement.
Colchester Drive (in front of Traughber) - road is in very poor shape; D Construction has been contacted to do the patching. There is a new developer for this property. They will not be able to make the repairs until the Spring. All expenses for the patching will be forwarded to the future developer for reimbursement. Patching will concentrate around the islands.

**Village Engineer**
No Report

**Community Development**
No Report

**Building and Zoning Manager**
No Report

**Finance**
No Report

**HR Director**
No Report

**Village Clerk**
Video Gaming- the State Gaming Board has approved video gaming for an establishment in the Village. Staff is working on the processing of the Village’s applications and the logistics between the Village and State requirements.

**Community Relations**
Openlands Grant -“Paddle the Fox” project was awarded a $4,225. The Village of Oswego, Oswegoland Park District, Village of Montgomery and the City of Yorkville are collaborating to promote canoeing along the Fox River. Each community has one or more established canoe launch sites and will promote these sites with a uniform sign and logo. There will be 5 launch site locations: South River Street Park in Montgomery, Yorkville Canoe Launch and Violet Patch Park, Hudson Crossing Park and Saw Wee Kee Park in Oswego.

**Economic Development Director**
No Report

**CONSENT AGENDA**
   September 17, 2013 Committee-of-the Whole Meeting
   September 17, 2013 Regular Village Board Meeting
   Closed Session Minutes September 17, 2013 (Approve, but not Release)
2. Bill List Dated October 1, 2013 in the Amount of $182,338.49
3. Resolution Approving an Intergovernmental Agreement Regarding Shared Inspection Services Between the Village of Oswego and the United City of Yorkville. (Consider for Approval) **Resolution No. 13-R-45**
4. Resolution Amending FY2013-14 Pay Range within the Oswego Police Department Pertaining to the Receptionist/Clerk Position. (Consider for Approval) **Resolution No. 13-R-46**
5. Resolution Authorizing the Execution of a Side Letter Agreement with the International Union of Operating Engineers Local 150 (Consider for Approval) **Resolution No. 13-R-47**
6. Approve Community Service Officer Job Description Change

A motion was made by Trustee Michels and seconded by Trustee Giles to approve the Consent Agenda; Approving the Minutes from September 3, 2013; Approving the Minutes from September 17, 2013; the Bill List Dated October 1, 2013 in the Amount of $182,338.49; Approving Community Service Officer Job Description Change;
And approving the following Resolutions:


**Resolution No. 13-R-46** - Resolution Amending FY2013-14 Pay Range within the Oswego Police Department Pertaining to the Receptionist/Clerk Position.

**Resolution No. 13-R-47** - Resolution Authorizing the Execution of a Side Letter Agreement with the International Union of Operating Engineers Local 150.

Aye: Tony Giles  Judy Sollinger  Pam Parr  Gail Johnson  Scott Volpe  Terry Michels

Nay: None

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

**OLD BUSINESS**

1. Public Hearing for Speedway Annexation Agreement

A motion was made by Trustee Parr and seconded by Trustee Sollinger to continue the public hearing to the October 22, 2013 Special Village Board meeting.

Aye: Judy Sollinger  Scott Volpe  Pam Parr  Gail Johnson  Tony Giles  Terry Michels

Nay: None

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

2. Motion to Release Closed Session Minutes for the May 7, 2013 (Part 2), June 5, 2013 and June 19, 2013 Board Meetings. (Item may be discussed in closed session before action is taken).

A motion was made by Trustee Giles and seconded by Trustee Michels to Release Closed Session Minutes for the May 7, 2013 (Part 2), June 5, 2013 and June 19, 2013 Board Meetings.

June 5, 2013 and June 19, 2013 should be June 4, 2013 and June 18, 2013. Board was aware of the notation of the incorrect dates. Minutes distributed for review were for the June 4, 2013 and June 18, 2013 Closed Sessions. Trustee Giles requested and was provided hard copies of the minutes at the meeting. There were no other Trustees that requested hard copies of the minutes. Hard copies of the minutes are the same minutes as provided to the Board previously through Laserfiche.

Additional discussion focused on the concern that more than this topic was discussed at the June 4th, 2013 and June 18, 2013 closed session meeting; not a good thing to release other than possibly the creation of the PW/PE Director position. This item was previously discussed; Trustee Johnson called to question.

Aye: Tony Giles  Terry Michels

Nay: Judy Sollinger  Scott Volpe  Pam Parr  Gail Johnson
The motion failed with two (2) aye votes; and four (4) nay votes.

NEW BUSINESS
1. Village Hall Landscape Installation Bid Results; Award Bid to Twin Oaks Landscaping in the Amount of $32,278.59.

   A motion was made by Trustee Johnson and seconded by Trustee Sollinger to Award Bid to Twin Oaks Landscaping in the Amount of $32,278.59.

   Aye: Judy Sollinger  Scott Volpe
   Pam Parr  Gail Johnson
   Nay: Tony Giles  Terry Michels

   The motion was declared carried by omnibus vote with four (4) aye votes; and two (2) nay votes.

PRESIDENT'S REPORT
President LeClercq thanked the Board for approving the 50/50 sewer program. He has received several phone calls of thanks from Village residents.

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.

PRESIDENT / TRUSTEE INITIATIVE
There were no initiatives presented.

CLOSED SESSION
No Closed Session was held.

ADJOURNMENT
A motion was made by Trustee Parr and seconded by Trustee Michels to adjourn the meeting; upon a voice vote with all members present voting aye, the meeting was adjourned at 7:41 p.m.
President LeClercq opened the Closed Session at 6:40 p.m.

Physically present: President LeClercq; Trustees, Tony Giles, Gail Johnson, Terry Michels, Pam Parr, Judy Sollinger and Scott Volpe.

Staff Present: Steve Jones, Village Administrator; Tina Touchette, Village Clerk; Karl Ottosen, Village Attorney and Bill Thomas, Village Attorney.

**Sale, Lease, and/or Acquisition of Property [5 ILCS 120/2(c)(5) & (6)]**

**Future Police Department Land**- on hold as there is a new owner of the property. Administrator Jones will keep Board updated.

**Collective Bargaining/Negotiations [5 ILCS 120/2(c)(2)]**

**MAP Negotiations**- Negotiations are on-going.

**Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel or Officer [5 ILCS 120/2(c)(1)]**

**Assistant Village Administrator/HR Director**- Applicant to be appointed at the October 1, 2013 Regular Board meeting. October 28, 2013 will be her first day of work.

**Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Personnel or Officer [5 ILCS 120/2(c)(1)]**

**Public Works/PE Director**- After final interviews, three (3) applicants have been chosen; an offer will be made to one of the applicants; possible appointment at the October 22, 2013 Special Village Board meeting.

**Adjournment**

A motion was made by Trustee Johnson seconded by Trustee Michels to return to open session. Upon a roll call vote with all members present voting aye, the Board left closed session at 7:02 p.m.

Tina Touchette
Village Clerk
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## Village of Oswego
### Bill List
#### October 22, 2013

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**Corporate Total:** 343,888.54

## Building & Zoning

| Building & Fire Code Academy | Training Class: Morphey | 175.00 |
| Genuine Parts Company-Chicago | Oil Filter | 21.40 |
| INTERACT | Copy Machines | 30.87 |
| INTERACT | Staples | 51.66 |
| IPBC | Health Insurance-Sept 2013 | 7,391.68 |
| IPBC | Life Insurance-Sept 2013 | 16.80 |
| IPBC | Dental Insurance-Sept 2013 | 509.10 |
| Pitney Bowes Inc | Equipment Rental: 07/13-09/13 | 29.43 |
| Pitney Bowes Inc | Equip Maint:11/13-04/13 | 6.36 |
| Pitney Bowes Inc | Equip Maint:11/13-04/13 | 4.66 |
| United States Postal Service | Postage | 141.00 |
| Warehouse Direct | Legal Pads | 3.47 |
| Warehouse Direct | Printhead & Cleaner | 403.22 |

**Building & Zoning Total:** 8,784.65

## Community Development

| AT&T Mobility | Wireless Services | 16.40 |
| Bannister, Jerry | Zoning Board Mtg-10/10 | 25.00 |
| Bannister, Jerry | Zoning Board Mtg-10/10 | 25.00 |
| Bob Ridings, Inc | 2014 Ford Pick-Up Truck | 28,730.00 |
| Bob Ridings, Inc | Delivery of Truck | 225.00 |
| Cutting Edge Document | Document Shredding | 300.00 |
| Fedex | Shipped Gps Unit | 13.99 |
| Fisher, Brian | Plan Commission Mtg-10/10 | 25.00 |
| Fisher, Brian | Zoning Board Mtg-10/10 | 25.00 |
| Hr Green, Inc. | New Project Review | 140.00 |
| Hr Green, Inc. | 2013 General Consultation | 166.50 |
| IILGISA | IILGISA Conference | 262.50 |
| INTERACT | Copy Machines | 71.07 |
| IPBC | Health Insurance-Sept 2013 | 4,715.75 |
| IPBC | Life Insurance-Sept 2013 | 12.00 |
| Jimmy John's | Sandwiches: Eco Extravaganza | 91.99 |
| Joslin, Bryan | Plan Commission Mtg-10/10 | 25.00 |
| Joslin, Bryan | Zoning Board Mtg-10/10 | 25.00 |
| Kwak, Melissa | Reimburse: Food River Clean Up | 120.02 |
| Marrone, Don | Plan Commission Mtg-10/10 | 25.00 |
| Marrone, Don | Zoning Board Mtg-10/10 | 25.00 |
| Marter II, James | Plan Commission Mtg-10/10 | 25.00 |
| Marter II, James | Zoning Board Mtg-10/10 | 25.00 |
| Pajor, Charles | Plan Commission Mtg-10/10 | 25.00 |
| Pajor, Charles | Zoning Board Mtg-10/10 | 25.00 |
| Pitney Bowes Inc | Equipment Rental: 07/13-09/13 | 13.19 |
| Pitney Bowes Inc | Equip Maint:11/13-04/13 | 2.85 |
| Pitney Bowes Inc | Equip Maint:11/13-04/13 | 2.09 |
| Pitula, Janelle | Plan Commission Mtg-10/10 | 25.00 |
| Pitula, Janelle | Zoning Board Mtg-10/10 | 25.00 |
| Price, Ernest | Reimburse: Eco Extravaganza | 53.83 |
| Rosebraugh, Kim | Plan Commission Mtg-10/10 | 25.00 |
| Rosebraugh, Kim | Zoning Board Mtg-10/10 | 25.00 |
| United States Postal Service | Postage | 24.49 |
| Vesco Reprographic | Black Ink Cartridge | 192.68 |
## Village of Oswego
### Bill List
#### October 22, 2013

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<td>LIQUID PHOSPHATE WELL 10</td>
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<td>CHLORINE CYLINDERS WELL 10</td>
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<td>HAWKINS, INC</td>
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### Village of Oswego
#### Bill List
**October 22, 2013**

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<th>Fund/Department</th>
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<th>Description</th>
<th>Amount</th>
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**Total for Water & Sewer Fund:** 123,976.59
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<td><strong>Grand Total:</strong> 982,184.16</td>
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AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
FROM: Finance Director, Mark G. Horton
DATE: October 22 2013
AGENDA: October 22, 2013 Village Board Meeting.
SUBJECT: Adopt New Village of Oswego Investment Policy

Purpose
Adopt new Village of Oswego Investment Policy.

Background
The Village of Oswego adopted an investment policy in November, 2003. The investment policy is to be reviewed annually and any changes/modifications to the policy must be adopted by the Village Board. The new policy was discussed at the Committee of the Whole meeting on October 15th.

Discussion
The existing policy has not been updated since 2003 so rather than revise the existing policy is was much simpler to just create a new policy. The new investment policy is being presented for adoption which will replace the existing policy in its entirety. The latest Government Finance Officers Association model investment policy was consulted as a basis for the policy being presented.

Funding
N/A

Recommendation
Approve the resolution adopting the Investment Policy for the Village of Oswego.

Strategic Planning Objective:
S.P.O. 1.1 Maintain mindful fiscal policy that strikes a healthy balance between resources and needs.
RESOLUTION 13-R--

A RESOLUTION ADOPTING A NEW INVESTMENT POLICY FOR THE INVESTMENT OF VILLAGE OF OSWEGO FUNDS

WHEREAS, the Village of Oswego, Illinois (the “Village”) is an Illinois home-rule municipality pursuant to provisions of Article VII, Section 6 of the Illinois Constitution, 1970, and as such the Village may exercise any power or perform any function pertaining to its government and affairs; and

WHEREAS, the Village of Oswego adopted an Investment Policy in 2003; and

WHEREAS, the Finance Director decided to create a new Investment policy rather than updating the previous policy written in 2003; and

WHEREAS, this revised (New Investment Policy) is based on the latest Government Finance Officers Association sample investment policy language edited to conform to the Village of Oswego investment practices; and

WHEREAS, the New Investment Policy should be adopted by the Village Board.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of Oswego, Illinois, that the New Investment Policy is hereby adopted as the Investment Policy for the investment of Village Funds.

SECTION 1.

The Village President and Village Clerk be and are hereby authorized and directed to execute on behalf of the Village of Oswego the side letter agreement substantially in the form attached hereto marked as Exhibit “A”.

SECTION 2. REPEALER

All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution shall be, and the same hereby repealed.

SECTION 3. SEVERABILITY

This Resolution and every provision thereof shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, provision or section of this Resolution as void or unconstitutional, the remaining words, phrases, clauses,
sentences, paragraphs and provisions and parts of phrases, clauses, sentences, paragraphs, provisions and sections not ruled void or unconstitutional shall continue in full force and effect.

**SECTION 4. EFFECTIVE DATE**

This Resolution shall be in full force and effect from and after its passage.  

**PASSED** this _____ day of ________________, 2013 with said vote being:

TONY GILES _____  PAM PARR _____  
GAIL JOHNSON _____  JUDY SOLLINGER _____  
TERRY MICHELS _____  SCOTT VOLPE _____

**APPROVED** by me, Brian LeClercq, as President of the Village of Oswego, Kendall County, Illinois, this _______ day of ___________________, 2013.

______________________________  
Brian LeClercq, Village President

**ATTEST:**

______________________________
Tina Touchette  
Village Clerk
STATE OF ILLINOIS   )
COUNTY OF KENDALL   ) SS

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of a Resolution entitled:

A RESOLUTION ADOPTING A NEW INVESTMENT POLICY FOR THE INVESTMENT OF VILLAGE OF OSWEGO FUNDS

which Resolution was duly adopted by said Board of Trustees at a special meeting held on the ___ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October, 2013.

____________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
I. Introduction
The intent of the Investment Policy of the Village of Oswego is to define the parameters within which funds are to be managed. In methods, procedures and practices, the policy formalizes the framework for the Village of Oswego investment activities that must be exercised to ensure effective and judicious fiscal and investment management of the Village of Oswego’s funds. The guidelines are intended to be broad enough to allow the investment officer to function properly within the parameters of responsibility and authority, yet specific enough to adequately safeguard the investment assets.

II. Governing Authority
The investment program shall be operated in conformance with federal, state, and other legal requirements, including 30 ILCS 235/1, Public Funds Investment Act.

III. Scope
This policy applies to activities of the Village of Oswego with regard to investing the financial assets of all funds except the Police Pension Fund. In addition, funds held by trustees or fiscal agents are excluded from these rules; however, all funds are subject to regulations established by the state of Illinois. The covered funds, and any new funds created by the Village of Oswego, unless specifically exempted by the oversight board and this policy, are defined in the Village of Oswego Comprehensive Annual Financial Report.

Except for funds in certain restricted and special funds, the Village of Oswego commingles its funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

IV. General Objectives
The primary objectives, in priority order, of investment activities shall be:

1. Safety
Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The goal will be to mitigate credit risk and interest rate risk.

2. Liquidity
The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio such that securities mature in concurrence with cash flow needs, securities have an active secondary or resale market and by placing funds in money market mutual funds or local government investment pools with daily liquidity.

3. Return
The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints of safety and liquidity needs.
V. Standards of Care

1. Prudence
The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal liability for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

The "prudent person" standard states that,

“Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.”

2. Ethics and Conflicts of Interest
Officers and employees involved in the investment process shall refrain from personal activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. Disclosure shall be made to the governing body. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking any personal investment transactions with the same individual with whom business is conducted on behalf of the Village of Oswego.

3. Delegation of Authority and Responsibilities
The Village Board is responsible for establishing investment policies and retains ultimate fiduciary responsibility for the investment portfolios. The Village Board will receive periodic reports, designate individuals to manage the investment program and designate responsibility for the review of the investment policy annually making any changes necessary by adoption.

Authority to manage the investment program is delegated to the Village Treasurer. Responsibility for the daily operation of the investment program is hereby delegated to the Finance Director who shall act in accordance with established written procedures and internal controls for the operation of the investment program consistent with this Investment Policy. The Finance Director will prepare monthly investment reports and other special reports as may be deemed necessary.

All participants in the investment process shall seek to act responsibly as custodians of the public trust. No designee may engage in an investment transaction except as provided under the terms of this policy and supporting procedures.

Investment Adviser
The Village of Oswego may engage the services of one or more external investment managers to assist in the management of the Village’s investment portfolio in a manner consistent with the Village’s objectives. Such external managers may be granted discretion to purchase and sell investment securities in accordance with this Investment Policy. Such managers must be registered under the Investment Advisers Act of 1940.

VI. Authorized Financial Institutions, Depositories, and Broker/Dealers

1. Authorized Financial Institutions, Depositories, and Broker/Dealers
A list will be maintained of financial institutions and depositories authorized to provide investment services. In addition, a list will be maintained of approved security broker/dealers selected by conducting a process of due diligence. These may include ‘primary’ dealers or regional dealers that qualify under Securities and
A. The Finance Director shall determine which financial institutions are authorized to provide investment services to the Village of Oswego. Institutions eligible to transact investment business with the Village of Oswego include:
   1. Primary government dealers as designated by the Federal Reserve Bank;
   2. Nationally or state-chartered banks;
   3. The Federal Reserve Bank; and,

B. Selection of financial institutions and broker/dealers authorized to engage in transactions with the Village of Oswego shall be at the sole discretion of the Village of Oswego.

C. All broker/dealers who desire to become qualified for investment transactions must supply the following (as appropriate):
   □ Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines
   □ Proof of FINRA certification
   □ Proof of state registration
   □ Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties)
   □ Certification of having read and understood and agreeing to comply with the Village of Oswego investment policy.
   □ Evidence of adequate insurance coverage.

D. All financial institutions who desire to become depositories must supply the following (as appropriate):
   □ Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines
   □ Proof of state registration
   □ Evidence of adequate insurance coverage.

E. A periodic review of the financial condition and registration of all qualified financial institutions and broker/dealers will be conducted by the Finance Director.

2. Minority, Emerging and Community Financial Institutions
   The Village encourages investment in Minority owned, Emerging and Community Financial Institutions whenever possible providing the securities offered are acceptable to the investment officer.

3. Competitive Transactions
   A. The Finance Director shall obtain competitive bid information on all purchases of investment instruments purchased on the secondary market. A competitive bid can be executed through a bidding process involving at least three separate brokers/financial institutions or through the use of a nationally recognized trading platform.

   B. If the Village of Oswego is offered a security for which there is no readily available competitive offering on the same specific issue, then the Finance Director shall document quotations for comparable or alternative securities. When purchasing original issue instrumentality securities, no competitive offerings will be required as all dealers in the selling group offer those securities at the same original issue price.

   C. If the Village hires an investment adviser to provide investment management services, the adviser must provide documentation of competitive pricing execution on each transaction.

VI. Safekeeping and Custody
1. **Delivery vs. Payment**
All trades of marketable securities will be executed (cleared and settled) on a delivery vs. payment (DVP) basis to ensure that securities are deposited in the Village of Oswego safekeeping institution prior to the release of funds.

2. **Third-Party Safekeeping**
Securities will be held by an independent third-party safekeeping institution selected by the Village of Oswego. All securities will be evidenced by safekeeping receipts in the Village of Oswego name.

3. **Internal Controls**
Management is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the Village of Oswego are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and the valuation of costs and benefits requires estimates and judgments by management. The internal controls shall address the following points at a minimum:

- Control of collusion
- Separation of transaction authority from accounting and recordkeeping
- Custodial safekeeping
- Avoidance of physical delivery securities
- Clear delegation of authority to subordinate staff members
- Written confirmation of transactions for investments and wire transfers
- Dual authorizations of wire transfers
- Staff training and review
- Maintenance and monitoring of security procedures both manual and automated.

The Finance Director shall establish a system of internal controls, which shall be documented in writing. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees of the Village of Oswego. The external auditor shall provide an annual independent review to assure compliance with state law, policies and procedures.

**VIII. Suitable and Authorized Investments**

1. **Investment Types and Credit Guidelines**
Consistent with the GFOA Policy Statement on State and Local Laws Concerning Investment Practices, the following investments will be permitted by this policy and are those defined by state and local law where applicable. If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment by the Village of Oswego until this Policy has been amended and the amended version adopted by the governing body. Typical types of securities include:

- U.S. Treasury and other government obligations that carry the full faith and credit guarantee of the United States for the payment of principal and interest.
- Federal Agency or U.S. government sponsored enterprises (GSE) obligations, participations or other instruments
- Bankers' acceptances;
- Federally insured time deposits (Non-negotiable certificates of deposit) in state or federally chartered banks, savings and loans, or credit unions, provided that:
  a. The amount per institution is limited to the maximum covered under federal insurance;
- **Time deposits (Non-negotiable certificates of deposit)** in state or federally chartered banks, savings and loans, or credit unions in excess of insured amounts which are fully collateralized with securities in accordance with state law
• Negotiable certificates of deposit (NCDs)
• Commercial paper, rated in the highest tier (e.g., A-1, P-1, F-1, or D-1 or higher) by a nationally recognized statistical rating organization;
• Investment-grade obligations of state, provincial and local governments and public authorities;
• Fully collateralized Repurchase agreements collateralized in compliance with this Policy, governed by a SIFMA Master Repurchase Agreement and with a maximum maturity. Capital project funds may be invested in a single flex repurchase agreement with a maximum stated maturity that shall be matched to the expenditure plan;
• SEC registered money market mutual funds; and
• Local government investment pools
• The Illinois Funds Investment Pool, Illinois Metropolitan Investment Fund

IMPORTANT NOTE: If the credit rating of a security is subsequently downgraded below the minimum rating level for a new investment of that security, the Finance Director shall evaluate the downgrade on a case-by-case basis in order to determine if the security should be held or sold. The Finance Director will apply the general objectives of safety, liquidity, yield and legality to make the decision.

2. Collateralization
The Village of Oswego requires all funds on deposit in excess of FDIC insurance limits to be secured by some form of collateral. The minimum level of collateral will not be less than 105% of the fair market value of the amount on deposit with each depository. Collateral agreements are required to be in place with each depository institution. The Village will accept the following asset types as collateral for all deposits;

• obligations of the U.S. Government, its agencies and GSEs, including mortgage backed securities
• obligations of any state, city, county or authority rated at least AA by two nationally recognized statistical rating organizations.

IX. Investment Parameters
1. Mitigating credit risk in the portfolio
Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. The Village of Oswego shall mitigate credit risk by adopting the following:

A. Diversification
The investments shall be diversified by:
• limiting investments to avoid overconcentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities and Federal Agency securities),
• limiting investment in securities that have higher credit risks,
• investing in securities with varying maturities,
• continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

B. Mitigating market risk in the portfolio
Market risk is the risk that the portfolio value will fluctuate due to changes in the general level of interest rates. The Village of Oswego recognizes that, over time, longer-term/core portfolios have the potential to achieve higher returns. On the other hand, longer-term portfolios have higher volatility of return. The Village shall mitigate market risk by providing adequate liquidity for short-
term cash needs, and by making longer-term investments only with funds that are not needed for current cash flow purposes. The Village further recognizes that certain types of securities, including variable rate securities, securities with principal paydowns prior to maturity, and securities with embedded options, will affect the market risk of the portfolio differently in different interest rate environments. The Village, therefore, adopts the following strategies to control and mitigate its exposure to market risk:

- The Village shall maintain a minimum of three months of budgeted operating expenditures in short term investments to provide sufficient liquidity for expected disbursements;
- The maximum percent of callable securities in the portfolio shall be 75%;
- The maximum stated final maturity of individual securities in the portfolio shall be five years, except as otherwise stated in this policy; and,
- Liquidity funds will be held in Local Government Investment Pools or in money market instruments with average maturity of less than three years.
- Longer term/Core funds will be defined as the funds in excess of liquidity requirements. The investments in this portion of the portfolio may have maturities greater than five years and will be only invested in higher quality and liquid securities.
- The duration of the portfolio shall at all times be approximately equal to the duration (plus or minus 10%) of a Market Benchmark Index selected by the Village based on the Village’s investment objectives, constraints and risk tolerances.

**Total Portfolio Maturity Constraints:**

1. Exception to 5-year maturity maximum: Reserve or Capital Improvement Project monies may be invested in securities exceeding five (5) years if the maturities of such investments are made to coincide as nearly as practicable with the expected use of the funds.
2. Due to fluctuations in the aggregate surplus funds balance, maximum percentages for a particular issuer or investment type may be exceeded at a point in time subsequent to the purchase of a particular security. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made.

**X Performance Standards/ Evaluation**

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks shall be established against which portfolio performance shall be compared on a regular basis. The benchmarks shall be reflective of the actual securities being purchased and risks undertaken and the benchmarks shall have a similar weighted average maturity and credit profile as the portfolio.

**XI. Reporting/Disclosure**

1. **Methods**

   The investment officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last quarter. This management summary will be prepared in a manner which will allow the Village to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report will be provided to the Village Board and Village Administrator. The report may include the following:

   a. An asset listing showing par value, cost and accurate and complete market value of each security, type of investment, issuer, and interest rate;
b. Average maturity of the portfolio and modified duration of the portfolio;
c. Maturity distribution of the portfolio;
d. Average portfolio credit quality; and,
e. Time-weighted total rate of return for the portfolio for the prior one month, three months, twelve months, year to date, and since inception compared to the Benchmark Index returns for the same periods;
f. Average weighted yield to maturity of portfolio on investments as compared to applicable Benchmarks
g. Distribution by type of investment.

XIV Approval of Investment Policy
The investment policy and any modifications to the policy shall be formally approved and adopted by the Village Board of the Village of Oswego.
MEMORANDUM

To: Village President and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
From: Village Clerk, Tina Touchette
Date: October 17, 2013
Re: IDOT Resolution – Temporary Closing of Route 34 for the Christmas Walk Parade

Purpose
To approve the resolution for the temporary closure of Route 34 for the Christmas Walk Parade in the Village of Oswego.

Background
As part of this event, the parade will require temporary closure of four lanes of Route 34 at Jefferson Street and Main Street. There will be no detour route and traffic on Route 34 may go through by the Oswego Police Department stopping the parade. IDOT permission, to temporarily close a State Highway, will need to be obtained.

Discussion
N/A

Funding
N/A

Recommendation
If the Board is satisfied with the terms of this resolution, consideration to approve is sought.

Strategic Planning Objective
N/A
RESOLUTION NO. 13 – R – ___

CHRISTMAS WALK PARADE IN THE VILLAGE OF OSWEGO
AND
THE TEMPORARY CLOSING OF ROUTE 34

WHEREAS, the Village of Oswego is sponsoring a Parade in the Village of Oswego, which event constitutes a public purpose; and

WHEREAS, this Parade will require the temporary closure of four lanes of Route 34, a State Highway in the Village of Oswego at Jefferson Street and at Main Street; and

WHEREAS, Section 4-408 of the Illinois Highways Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Village President and Board of Trustees of the Village of Oswego, that permission to close off Route 34 at Jefferson Street and at Main Street, as above designated, be requested of the Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between 7:00 p.m. and 7:30 p.m. on December 6, 2013.

BE IT FURTHER RESOLVED that the closure is for the public purpose of staging our Christmas Walk "Home for the Holidays" parade.

BE IT FURTHER RESOLVED that traffic from that closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State Highway. The detour route shall be as follows:
None – traffic on Route 34 may go through by Police Department stopping the Parade.

BE IT FURTHER RESOLVED that the Village of Oswego assumes full responsibility for the direction, protection, and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED that Police Officers or authorized flaggers shall, at the expense of the Village of Oswego, be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic.

BE IT FURTHER RESOLVED that Police Officers, flaggers, and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED that the Village of Oswego, prior to reopening the State Highway, shall remove all debris.
BE IT FURTHER RESOLVED that such signs, flags, barricades, etc., shall be used by the Village of Oswego as may be approved by the Illinois Department of Transportation. The Village of Oswego shall provide these items.

BE IT FURTHER RESOLVED that an occasional break shall be in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above.

BE IT FURTHER RESOLVED that the Village of Oswego hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED that the Village of Oswego shall have a comprehensive general liability insurance policy or an additional insured endorsement in the amount of $1,000,000.00 per occurrence and $2,000,000.00 aggregate which will show the Village of Oswego and the Illinois Department of Transportation and its officials, employees, and agents as additionally insured.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of November, 2013.

APPROVED by me, BRIAN LeCLERCQ, as President of the Village of Oswego, Kendall County, Illinois, this ___ day of October, 2013.

____________________________________
BRIAN LeCLERCQ, VILLAGE PRESIDENT

ATTEST:

________________________
Tina Touchette
Village Clerk
STATE OF ILLINOIS )

) SS
COUNTY OF KENDALL )

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of a Resolution entitled:

CHRISTMAS WALK PARADE IN THE VILLAGE OF OSWEGO AND THE TEMPORARY CLOSING OF ROUTE 34

which Resolution was duly adopted by said Board of Trustees at a special meeting held on the ___day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of October, 2013.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)
AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
FROM: Community Development Director, Rod Zenner
DATE: October 11, 2013
AGENDA: October 22, 2013 Village Board Meeting
SUBJECT: Variance – Four Car Garage
5285 Goldenrod Drive
Project #837.13

Purpose
To review a request for a variance to Section 10.01 for property at 5285 Goldenrod Drive.

Background
The petitioners, Jonathan and Alexandra Cox, are requesting approval of a variance to allow a side-loaded, attached four car garage at 5285 Goldenrod Drive. The property is zoned R-L Residential Large Lot District and is approximately one acre in size. See attached Zoning Board of Appeals staff report for further details.

Discussion
The Zoning Board of Appeals reviewed the project at their meeting on October 10, 2013. The staff report was presented and the applicant was in attendance. Commissioners concurred that the garage and home were in keeping with the character of the surrounding neighborhood and asked staff to look into Zoning Code changes that would allow larger garages in large lot communities. No members of the public spoke at the public hearing.

By a vote of 8-0, the Zoning Board of Appeals recommended approval of the variance.

Funding
Not Applicable

Recommendation
Staff is presenting for Board consideration, the First Read of Ordinance granting approval of a Variance to Section 10.01 for property at 5285 Goldenrod Drive, and waiving second read.

Strategic Planning Objective:
Not Applicable
DATE: September 30, 2013

TO: Chairman and Zoning Board of Appeals

FROM: Kasey Evans, Planner

SUBJECT: Staff Report for the October 10, 2013 Zoning Board of Appeals Meeting

5285 Goldenrod Drive
Variance – Section 10.01 Accessory Uses, Private Garages or Carports
Project #837.13

Applicant
Jonathan and Alexandra Cox

Petition
The applicant is requesting approval of a variance to allow an attached four car garage at 5285 Goldenrod Drive.

Controlling Agreements
None.

Existing Zoning, Land Use and Location
The property is located at 5285 Goldenrod Drive, west of Grove Road and south of Stephen’s Road. The site is approximately one acre and zoned R-L Residential Large Lot District. The property is currently vacant.

Surrounding Zoning and Land Uses
North: R-L Residential Large Lot District – Single Family Homes
South: R-L Residential Large Lot District – Single Family Homes
East: R-L Residential Large Lot District – Single Family Homes
West: A-1 Agricultural District (Unincorporated Kendall County) - Farmland

Relationship to Village Comprehensive Plan
The proposed use of the property is consistent with the Comprehensive Plan’s designation of the area as “Residential”.

Donation Requirements
None.

Staff Analysis
The applicant is requesting a variance to construct an attached four car garage. The proposed home and garage are planned for an approximately one acre lot within a large lot community. The garage will be side-loaded and therefore no garage doors will face the street. The required yard setbacks are met with
the current proposal and the size of the garage seems in proportion with the home and lot. The applicant has indicated that there are other homes in the subdivision with four car garages.

**Standards for Variations**
The Village Board shall not vary the regulations of this Ordinance unless the Zoning Board of Appeals shall make findings of fact based upon the evidence as presented that:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located.
   
   **Response:** We would like to build a 4 car attached garage to be in keeping with the neighborhood and homes on the surrounding streets so as not to depreciate the value of existing homes.

2. The alleged hardship has not been directly created by any person presently having a proprietary interest in the premises.
   
   **Response:** The alleged hardship has not been directly created by any person presently having a proprietary interest in the premises.

3. Strict enforcement of this title would result in practical difficulties or imposed exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district.
   
   **Response:** I own a pickup truck for my business and 3 other cars. I do not want to park the pickup truck outside affecting the aesthetics of the neighborhood. The 4 car garage is a side load so no garage doors will be facing or visible from the street view.

4. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood and will not alter the essential character.
   
   **Response:** There are other 4 car garages in the subdivision (including the home next door) and surrounding subdivisions. The plans have been approved by the HOA. It is a beautiful, large home and the side load 4 car garage is in keeping with the size of the house and the size of the lot.

5. The proposed variation is in harmony with the spirit and intent of this ordinance.
   
   **Response:** My understanding was that this Code was to prevent people from building large garages (out of keeping) on small lots. Our lot size supports this size garage and the garage is in keeping with the house square footage.

**Recommendation**

Staff is of the opinion that the request may not meet the strictest interpretation of the standards for variance. However, the request for a four car garage is in keeping with the character of the neighborhood of large lot homes, as neighboring properties also have four car garages, and may not have a detrimental effect on the surrounding properties. Staff is recommending the Zoning Board of Appeals accept the findings of fact for the standards for variance and recommend approval of the variance for 5285 Goldenrod Drive to allow a four car garage.
VILLAGE OF OSWEGO
KENDALL COUNTY, ILLINOIS

ORDINANCE NO. 13 -- ____

AN ORDINANCE GRANTING
A VARIANCE FOR A FOUR CAR GARAGE
AT 5285 GOLDENROD DRIVE
IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(5285 Goldenrod Drive – Garage Variance)

ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF OSWEGO

This ________ day of ____________, 2013

Published in pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on ___________, 2013.
ORDINANCE NO. 13 -- __

AN ORDINANCE GRANTING
A VARIANCE FOR A FOUR CAR GARAGE
AT 5285 GOLDENROD DRIVE
IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(5285 Goldenrod Drive – Garage Variance)

WHEREAS, the Village of Oswego (“Village”) has a population of more than 25,000 and is therefore a “Home Rule Unit” under the 1970 Illinois Constitution; and

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt; and

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Oswego, as amended; and

WHEREAS, Jonathan and Alexandra Cox have filed an application for variance to allow a four car garage; and

WHEREAS, the subject property is commonly known as 5285 Goldenrod Drive, zoned R-L Residential Large Lot District, and is currently vacant; and

WHEREAS, the Zoning Board of Appeals considered the request at a Public Hearing held on October 10, 2013, accepted the findings of fact and recommended approval.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, as follows:

Section 1: That the recitals set forth above are incorporated here by reference, and the application for a variance to allow a four car garage at 5285 Goldenrod Drive is approved.

The property is legally described on Exhibit “A” and indicated on an accurate map identified as Exhibit “B”, and enumerated on the following exhibits:

Exhibit “C” – Site Plan and Elevations

Section 2: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect,
impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**Section 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4:** This Ordinance shall be in full force and effect immediately upon its passage and approval. Publication in pamphlet form is hereby authorized, as provided by law.

**PASSED** by the Board of Trustees of the Village of Oswego, Kendall County, Illinois this ____ day of _____, 2013.

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<th>TONY GILES</th>
<th>PAM PARR</th>
<th>GAIL JOHNSON</th>
<th>JUDY SOLLINGER</th>
<th>TERRY MICHELS</th>
<th>SCOTT VOLPE</th>
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**APPROVED** by me, Brian LeClercq, as President of the Village of Oswego, Kendall County, Illinois, this ____ day of _____, 2013.

______________________________
BRIAN LECLERCQ, VILLAGE PRESIDENT

______________________________
TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS    )
COUNTY OF KENDALL    ) SS

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Interim Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE GRANTING
A VARIANCE FOR A FOUR CAR GARAGE
AT 5285 GOLDENROD DRIVE
IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(5285 Goldenrod Drive – Garage Variance)

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 22nd day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of October, 2013.

______________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
LEGAL DESCRIPTION

5285 Goldenrod Drive

LOT 90 OLD RESERVE HILLS UNIT 3 VILLAGE OF OSWEGO, COUNTY OF KENDALL, STATE OF ILLINOIS.
AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
FROM: Community Development Director, Rod Zenner
DATE: October 15, 2013
AGENDA: October 22, 2013 Village Board Meeting
SUBJECT: Minor Amendment to the Final PUD
3412 Orchard Road, Suburban Tire Auto Care Center
Project #838.13

Purpose:
To approve a request for a Minor Amendment to the Final PUD to allow revisions to the parking lot.

Background:
3412 Orchard, LLC is requesting approval of a Minor Amendment to the Final PUD for Orchard Woods Lot 4 approved by Ordinance #06-19 on February 27, 2006, to allow revisions to the parking lot for the proposed auto service center. The petitioner intends to remove the concrete, landscaping and curbs along the west side of the property that previously delineated carwash drive-thru lanes. A modest landscape area in front of the building will remain.

The landscaping approved and required as part of the Final PUD for the entire property was either not installed during development of the site or not maintained on the property. The petitioner has indicated willingness to install the landscaping necessary for compliance with the Final PUD; however would like to complete this landscaping work in the spring. Staff recommends that approval of the Minor Amendment be contingent on the necessary landscaping being installed within 6 months.

The proposal contains 18 parking spaces including one accessible space. Village Code requires 2 parking spaces per service bay plus 1 parking space per employee. The proposed auto service center will have 8 service bays and as many as 8 employees working during peak season; therefore, 24 parking spaces are required. There is space along the west side of the property to stripe additional parking spaces to meet Village Code; however this increase in parking requires a Major Amendment to the Final PUD and therefore a public hearing before the Plan Commission.

Staff recommends approval of the Minor Amendment and allowance of a 6 month Temporary Occupancy permit, allowing the petitioner time to install the landscaping as required by the Final PUD, and seek approval of a Major Amendment to install the required parking to meet Village Code.

Discussion:
The Plan Commission is not required to review requests for Minor Amendment.

Funding:
Not Applicable
Recommendation:
Staff is presenting for Board consideration, the First Read of Ordinance granting approval of the Minor Amendment to the Final PUD to allow revisions to the parking lot at 3412 Orchard Road, subject to a Temporary Occupancy Permit, not to exceed 6 months, during which time the petitioner must install the landscaping required per the Final PUD and must apply for a Major Amendment to the Final PUD to install the additional parking required per Village Code, and waiving second read.

Strategic Plan Objective:
Not Applicable
VILLAGE OF OSWEGO
KENDALL COUNTY, ILLINOIS

ORDINANCE NO. 13 -- ___

AN ORDINANCE GRANTING A MINOR AMENDMENT TO THE
FINAL PLANNED UNIT DEVELOPMENT (PUD) FOR 3412 ORCHARD, LLC IN THE
IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(Orchard Woods Lot 4, 3412 Orchard Road – Parking Lot Reconfiguration)

ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF OSWEGO

This ______ day of ______________, 2013

Prepared by and Return to:
Village of Oswego
100 Parkers Mill
Oswego, IL 60543

Published in pamphlet form by authority of the President
and Board of Trustees of the Village of Oswego on ___________ 2013.
ORDINANCE NO. 13 -- __

AN ORDINANCE GRANTING A MINOR AMENDMENT TO THE FINAL PLANNED UNIT DEVELOPMENT (PUD) FOR 3412 ORCHARD, LLC IN THE IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(Orchard Woods Lot 4, 3412 Orchard Road – Parking Lot Reconfiguration)

WHEREAS, the Village of Oswego (“Village”) has a population of more than 25,000 and is therefore a “Home Rule Unit” under the 1970 Illinois Constitution; and

WHEREAS, the Illinois Constitution of 1970 provides that a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals and welfare; to license, to tax; and to incur debt; and

WHEREAS, the Village has in full force and effect a codified set of those ordinances of the Village which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Oswego, as amended; and

WHEREAS, 3412 Orchard LLC has submitted a request to amend the Final Planned Unit Development (PUD) for the property generally located southeast of the intersection of Orchard Road and Lewis Street commonly known as 3412 Orchard Road, to allow revisions to the existing parking lot; and

WHEREAS, the Final PUD was approved on February 27, 2006 by Ordinance No. 06-19; and

WHEREAS, the property is currently zoned B-3 Community Service and Wholesale District and is improved with a one-story commercial building.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, as follows:

Section 1: That the recitals set forth above are incorporated here by reference, and the application for a Minor Amendment by 3412 Orchard LLC to revise the existing parking lot is approved subject to the following conditions:

1. 3412 Orchard LLC may be granted a Temporary Occupancy Permit, not to exceed 6 months; and

2. A full Occupancy Permit shall not be issued until 3412 Orchard LLC has installed appropriate landscaping as required per the Orchard Woods Lot 4 Final PUD; and

3. A full Occupancy Permit shall not be issued until 3412 Orchard LLC has sought and been granted a Major Amendment to the Final PUD to install the additional parking necessary to meet Village Code.
The Property is legally described on *Exhibit "A"*, indicated on an accurate map identified as *Exhibit "B"*, and enumerated on the following Exhibits:

*Exhibit “C”* – Proposed Site Plan, dated 10/14/2013

**Section 2:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**Section 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4:** This Ordinance shall be in full force and effect immediately upon his passage and approval. Publication in pamphlet form is hereby authorized, as provided by law.

**PASSED** by the Board of Trustees of the Village of Oswego, Kendall County, Illinois this ____ day of ____, 2013.

TONY GILES ______ PAM PARR ______
GAIL JOHNSON ______ JUDY SOLLINGER ______
TERRY MICHELS ______ SCOTT VOLPE ______

**APPROVED** by me, Brian LeClercq, as President of the Village of Oswego, Kendall County, Illinois this ____ day of ____, 2013.

BRIAN LeCLERCQ, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS  )
COUNTY OF KENDALL  )

SS

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE GRANTING A MINOR AMENDMENT TO THE FINAL PLANNED UNIT DEVELOPMENT (PUD) FOR 3412 ORCHARD, LLC IN THE IN THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

(Orchard Woods Lot 4, 3412 Orchard Road – Parking Lot Reconfiguration)

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 22\textsuperscript{nd} day of October 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 22\textsuperscript{nd} day of October 2013.

________________________________________________________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
Legal Description

Orchard Woods Lot 4

PART OF THE NE QUARTER OF SECTION 13, TOWNSHIP 37 NORTH, RANGE 7 VILLAGE OF OSWEGO, ILLINOIS.
AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
cc: Village Administrator, Village Attorney and Department Heads
FROM: Chief of Police, Dwight A. Baird
DATE: October 9, 2013
AGENDA: October 22, 2013 Village Board Meeting.
SUBJECT: Authorization to Purchase Five Tasers

Purpose To purchase less than lethal Taser devices.

Background The Police Department has researched less than lethal options and decided to purchase Tasers. Tasers are an electronic restraint device designed to minimize injuries to combative subjects and officers. The Village Board approved $15,000.00 to purchase Tasers in the FY 13-14 budget. During the budget approval process, the Village applied for and received a grant to purchase Tasers in the amount of $7,900.00, and the monies have already been received by the Village.

Discussion We originally discussed purchasing six Tasers, but decided to only move forward with five at this time. We will evaluate our Taser option in FY 14-15 to determine whether we need more. The Tasers are a single/dual source and we have a letter from Taser International supporting this, which is attached. We are recommending Ray O’Herron Company Inc., as they provide very good service and we already have a working relationship with them. In addition, the price is the same and Ray O’Herron Company Inc. is an Illinois based company.

Funding This purchase of five Tasers with cameras, a data download kit, holsters (left and right hand), training and duty cartridges, and four-year extended warranties for device and cameras, will be purchased with $4,579.25 from the General Fund and $7,900.00 from the grant money received for a total cost of $12,479.25. The total is $10,420.75 under the original $15,000.00 that was budgeted.

Recommendation Waive the formal bidding process pursuant to Village Code 1-19-7, Bid Exemption, A-2, item from a single source and authorize the purchase of the five Tasers in an amount not to exceed $12,479.25 from Ray O’Herron Company.

Strategic Planning Objective: 1.3.2 Uphold commitment to public safety.
Date: September 24, 2013

To: Chief D. A. Baird

From: Captain J. Jensen

Re: Taser Purchase

This memorandum is in regards to the purchase of departmental Tasers which were budgeted for and approved in the 2013-2014 Oswego Police Department Capital Budget. The approved budgeted amount was $15,000. In addition the Village applied for and received a Taser Grant in the amount of $7,900. According to Assistant Finance Director Billy Robinson this grant has been received and deposited by the Village. The following is a cost breakdown:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
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<tbody>
<tr>
<td>Taser Items Total Cost:</td>
<td>$12,479.25</td>
</tr>
<tr>
<td>Taser Grant Received:</td>
<td>$7,900.00</td>
</tr>
<tr>
<td>Cost to the Village of Oswego:</td>
<td>$4,579.25</td>
</tr>
</tbody>
</table>

Attached to this memorandum is the Sole Source Letter for Taser International Products which authorizes two companies to sell and distribute Taser products in the State of Illinois. The two companies are Taser International, Inc. and Ray O’Herron Company, Inc. Also attached to this memorandum is a quote for the Taser items we would like to purchase. Pursuant to the purchasing manual for the Village of Oswego the formal bid process is not required as the items requested are from a duel source vendor. Taser pricing has been established by Taser International. There is no price difference/break on purchasing either through Taser International or Ray O’Herron Inc. There is also no price difference/break given on the amount of Tasers purchased.

I would look to purchase the requested Taser items from Dan Yara of Ray O’Herron Company with the local sales office in Lombard, IL. Dan Yara has worked with our department for several years and has always provided excellent customer service. The Ray O’Herron Company is a local distributor and stocks all Taser items in the store thereby saving time and shipping costs. Taser International could provide the same services; however, timeliness and additional costs in the form of shipping would exist. Regarding defective or damaged Tasers/equipment, all items would have to be shipped back to Taser International for authorized repairs. Loaner equipment is not provided by either company.
Quotation / Order Form
Ray O'Herron Co.
3549 North Vermilion St.
Danville, IL 61834
800-223-2097

Date: 09/19/2013
Quotation #0913
Oswego Police
Attn: Jim Jensen
Phone# 630-551-7311
Fax#
Price effective through: June 1, 2013
jjensen@oswegopolice.il.org

Ray O'Herron is pleased to submit the following proposal:

<table>
<thead>
<tr>
<th>ITEM#</th>
<th>QTY</th>
<th>DESCRIPTION</th>
<th>PRICE</th>
<th>TOTAL</th>
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<tr>
<td>22002</td>
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<td>X2 TASER Quote with Taser CAM</td>
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<td>$4,890.00</td>
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<td>X2 Dataport Download Kit</td>
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<td>4-Year Extended Warranty (Must be purchased at the same time as the X2)</td>
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<td>Holster X2, RH, Blackhawk</td>
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<td>Holster X2, LH, Blackhawk</td>
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<td>25' Training Cartridge Non-Conductive</td>
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<tr>
<td>22151</td>
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<td>25' Live Smart Cartridge</td>
<td>$29.95</td>
<td>$449.25</td>
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<tr>
<td>26810</td>
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<td>TASER CAM HD</td>
<td>$499.95</td>
<td>$2,499.75</td>
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<tr>
<td>26762</td>
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<td>TASER CAM USB Download Kit</td>
<td>$14.95</td>
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<tr>
<td>26763</td>
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<td>TASER CAM 4-Year Extended Warranty</td>
<td>$149.95</td>
<td>$749.75</td>
</tr>
</tbody>
</table>

We look forward to your order

$12,479.25

No shipping charges!

Terms: Net 30 Days

We look forward to your order
Prepared By: Dan Yara
Sales Representative
Email: dpyara@comcast.net
Office #708-532-5712
Fax #708-532-5714
This letter is to confirm TASER International is the sole source manufacturer of the following TASER brand products:

- Electronic control devices (ECDs):
  1. TASER X2™ Models: 22002, and 22003.
  2. TASER X3® Models: 33209, and 33210.
  3. TASER X26™ Models: 26511, 26523, 26517, 26014, 26026, 26023, 26020, 26017, 26311, 26314, 26328, 26323, 26320, 26317, 26512, 26524, 26518, 26012, 26015, 26027, 26024, 26021, 26018, 26312, 26315, 26327, 26324, 26321, 26318, 26029, 26049, 26062, 26083, 26088, 26089, 26092, 26097, 26095, 26096, 26093, 26094, 26085, 26086, and 26087.

- Optional Extended Warranties for ECDs:
  1. X2 ECD - 4-year extended warranty, item number 22014.
  2. X26 ECD - 1-year extended warranty, item number 26730.
  3. X26 ECD - 4-year extended warranty, item number 26744.
  4. X3 ECD - 1-year extended warranty, item number 33500.
  5. X3 ECD - 3-year extended warranty, item number 33501.
  6. X3W ECD - 1-year extended warranty, item number 33503.
  7. X3W ECD - 2-year extended warranty, item number 33502.

- TASER ECD cartridges compatible with the X26, M26™ and Shockwave™ ECDs (required for these ECDs to function in the probe deployment mode):
  1. 15-foot Model 34200.
  2. 21-foot Model 44200.
  3. 21-foot non-conductive Model 44205.
  4. 25-foot Model 44203.
  5. 35-foot Model 44206.

- TASER Smart cartridges compatible with the X2, X3, and X3W ECDs (required for these ECDs to function in the probe deployment mode):
  1. 15-foot Model 22150.
  2. 25-foot Model 22151.
  3. 35-foot Model 22152.
  5. 25-foot non-conductive Model 22157.

- TASER CAM™ recorder, Model 26750 (full video and audio) and 26753 (full video and NO audio).
  1. The TASER CAM can be downloaded by USB with the TASER CAM Download Kit, Model 26737.

- TASER CAM™ HD recorder, Model 26810 (full HD video and audio) and TASER CAM HD with AS (automatic shut-down feature), Model 26820.
  1. TASER CAM HD replacement battery, Model 26764.
  2. The TASER CAM HD can be downloaded by USB with the TASER CAM HD Download Kit, Model 26762.
  3. TASER CAM HD optional 4-year extended warranty, Item Number 26763.

- Power Modules for X26 ECD: Digital Power Magazine (DPM) Model 26700; eXtended Digital Power Magazine (XDPM) model 26701; and Controlled Digital Power Magazine (CDPM), Models 26702 and 26703.

- Power Modules for X2 ECD: Performance Power Magazine (PPM) Model 22010; Tactical Performance Power
Magazine (TPPM) Model 22012; and Automatic Shut-Down Power Magazine (APPM) Model 22011.

- Power Module for X3 and X3W ECDs: Enhanced Digital Power Magazine (EPM) Model 33203
- TASER eXtended Range Electronic Projectile (XREP®), Models 50002 and 50005. TASER International's XREP rounds may be fired by the TASER X12™ Less Lethal Shotgun (LLS) by Mossberg, manufactured by Mossberg®, TASER Model 50002.
- TASER Shockwave ECD, Models 90012, 90011, 90013, and 90010. The TASER Shockwave ECD runs off of a Shockwave Power Magazine (SPM), Model 90007.

**TASER AXON™ system:**
1. AXON Tactical Computer (ATC) Model 70000.
2. AXON Com Hub user interface Model 70001 (regular length cable) and 70002 (long cable).
3. AXON HeadCam headgear Model 70010.
4. AXON Headband Model 70011.
5. AXON Ballop Mount Model 70944.
6. AXON Collar Mount Model 70022.
7. AXON Bat Holster Model 70900.
8. AXON Radio Integration Cable 3.5 MM Motorola Model 70918.
9. AXON Training Model 85014.
10. AXON Kit Model 70941 (Includes 70000, 70001, 70010, and 70011).
11. SYNAPSE™ Evidence Transfer Manager (ETM) Models 70926, 70927, 70928, 70929, and 70936.
12. EVIDENCE.com™ services 1-year subscription license Model 85018.
- TASER Blast Door Repair Kit Model 44019 and TASER Blast Door Replenishment Kit Model 44023

Mossberg® is a registered trademark of O.F. Mossberg & Sons, Inc.

AXON™, EVIDENCE.com™, Smart™, SYNAPSE™, TASER CAM™, X2™, X3W™, X12™ and X26™ are trademarks of TASER International, Inc., and TASER®, XREP® and X3® are registered trademarks of TASER International, Inc., registered in the U.S. © 2011 TASER International, Inc. All rights reserved.

<table>
<thead>
<tr>
<th>AUTHORIZED TASER DISTRIBUTOR FOR ILLINOIS</th>
<th>SOLE AUTHORIZED REPAIR FACILITY TASER BRAND PRODUCTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ray O’Herron Company, Inc.</td>
<td>TASER International, Inc.</td>
</tr>
<tr>
<td>3549 N. Vermilion Street, PO Box 1070</td>
<td>17800 N. 85th Street</td>
</tr>
<tr>
<td>Danville, IL. 61834-1070</td>
<td>Scottsdale, AZ 85255</td>
</tr>
<tr>
<td>1-800-223-2097 Phone</td>
<td>Phone: 480-905-2000 or 800-978-2737</td>
</tr>
<tr>
<td>1-888-223-3235 Fax</td>
<td>Fax: 480-991-0791</td>
</tr>
</tbody>
</table>

Please contact us at 1-800-978-2737 with any questions.

Sincerely,

Jim Halsted
Vice President, LE Sales
TASER International, Inc.
By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers or, in the alternative, TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers for Sales with Financing if your purchase involves financing with TASER. If your purchase includes the TASER Assurance Plan (TAP), then you are also agreeing to TASER's current Sales Terms and Conditions for the AXON Flex™ and AXON Body™ Cameras TASER Assurance Plan (U.S. Only) and/or Sales Terms and Conditions for the X2/X26P and TASER CAM HD Recorder TASER Assurance Plan (U.S. Only), as applicable to your product purchase. All of the sales terms and conditions, as well as, the TAP terms and conditions are posted at http://www.taser.com/sales-terms-and-conditions. If your purchase includes AXON hardware and/or EVIDENCE.com services...
you are also agreeing to the terms in the EVIDENCE.com Master Service Agreement posted at http://www.taser.com/serviceagreement0213. The sale of the Professional Services is subject to the parties execution of TASER’s Professional Services Agreement and a Statement of Work. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

Quote Acceptance:

Signature:
Printed Name:
Title:
Email:
Date:
PO Not Required:
PO Number:
James Jensen

From: Chad Gappa <cgappa@taser.com>
Sent: Wednesday, October 09, 2013 2:12 PM
To: James Jensen
Subject: TASER Pricing

Captain Jensen,

Per our conversation, whether you purchase from us directly or from any of our distributors the pricing is the same across the board. We do not compete and or undercut any of our distributors. The distributors also cannot undercut us. Our distributors cannot sell TAP (Taser Assurance Program) or Axon Flex/Body/Evidence.com.

Let me know if you have any questions.

Regards,

Chad Gappa
Business Development Representative

TASER INTERNATIONAL, INC.
17800 North 85th Street
Scottsdale, Arizona 85255

Phone: 800-978-2737 x6255
Direct: 480-502-6255
Mobile: 480-606-8886
Fax: 480-696-7643

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Mouse | Pinterest | Instagram | YouTube | Delicious | Google+

TASER: Protect Life. Protect Truth.
As of today more than 110,000 lives have been saved from potential death or serious injury using TASER® devices.
DATE: October 16, 2013
TO: Village President Brian LeClercq and Board of Trustees
FROM: Jerry Weaver
SUBJECT: Consent Agenda Item for November 5, 2013 Village Board Meeting

Purpose:
The purpose of this memo is to approve Pay Estimate No. 7 to H. Linden & Sons in the amount of $182,783.66

Background:
This is the seventh payout to H. Linden & Sons for the Route 71 Water Main Relocation.

Discussion:
This seventh payout is for the final watermain work and covers everything except retainage and change orders.

Funding:
Water & Sewer Revenues

Recommendation:
To Pay H. Linden & Sons $182,783.66 for Pay Estimate 7 for the work performed on the Route 71 Water Main Relocation Project.

Strategic Planning Objective:
N/A
October 15, 2013

Mr. Jerry Weaver  
Public Works Director  
Village of Oswego  
100 Parkers Mill  
Oswego, Illinois 60543

RE: Illinois Route 71 Water Main Relocation  
H. Linden & Sons – Pay Estimate No. 7  
HRG Job No.: 88120127

Dear Mr. Weaver:

Attached you will find the seventh pay estimate for the Illinois Route 71 Water Main Relocation project. The net amount due reflects a 10% retainage withholding.

Original Contract Amount: $2,394,276.00  
Previous Payments: $1,970,423.90  
Pay Estimate #7: $203,092.95  
Net Amount Due: $182,783.66

We recommend that the Village of Oswego approve and make payment to H. Linden & Sons in the amount of $182,783.66.

If you have any questions or require any additional information, please call. I can be reached at 630.708.5021.

Sincerely,

HR Green, Inc.

Matt Hanegmon  
Field Technician II

MJH:sab  
Attachment
TO: Village President Brian LeClercq and Board of Trustees
FROM: Steve Jones, Village Administrator
DATE: October 16, 2013
AGENDA: October 22, 2013 Village Board Meeting.
SUBJECT: Resolution Supporting Enhanced Safety Standards for Railroad Tanker Cars

Purpose
Resolution seeks the Pipelines & Hazardous Materials & Safety Administration (PHMSA) to increase safety requirements for railroad tanker cars that carry hazardous materials.

Background
The Metropolitan Mayors Caucus, Metro West Council of Governments and Mayor Weisner of Aurora have alerted communities of new safety requirements being considered by the PHMSA. In 2011, the agency imposed construction standards for new tanker cars carrying hazardous materials (i.e. ethanol, crude oil, etc.). The standards did not include provisions for retrofitting of existing tanker cars. The PHMSA is now conducting the rulemaking process to consider retrofitting existing tanker cars.

Request letters a detailed summary of this topic, and a model resolution are attached for your review.

Discussion
This issue would appear to be relevant to Oswego and our regional neighbors with a BNSF presence. As with many legislative matters, this issue is being brought forward by our municipal partners to provide a voice to enact change. Support of this resolution would support the position that PHMSA should require the retrofitting of existing tanker cars.

Funding
n/a

Recommendation
Approval of the resolution.

Strategic Planning Objective:
n/a
WHEREAS, rail freight operations impact thousands of villages, towns, cities and counties across all regions of the United States of America; and

WHEREAS, safe rail operations are of critical interest to local units of government based on (1) the need to prevent catastrophic accidents like the one that occurred in Lac-Megantic, Canada in July 2013; and (2) the responsibility local governments have to provide emergency response units to manage the impact of rail accidents and derailments in communities across the country; and (3) significant costs associated with clean-up, environmental remediation, medical expenses, other personal injury damages or wrongful death claims for community residents that have the potential to surpass the rail industry’s ability to pay for them; and

WHEREAS, ethanol and crude oil are a large and exponentially growing segment of hazardous materials being shipped across the nation via freight rail, which will continue to be a preferred transport mode of choice for this hazmat; and

WHEREAS, since 1991, it has been known to industry and federal regulators that there are safety-related defects in the DOT-111 tank car that serves as the primary tank car used in the shipping of these hazardous flammable materials via freight rail; and

WHEREAS, the federal Pipelines and Hazardous Materials Safety Administration (PHMSA) regulates the safe transport of hazardous materials by railroads in the United States; and

WHEREAS, the business decisions of railroad companies and hazardous material shippers impact the safety, environment, and emergency response system in the communities in which the freight railroads traverse, but state and local governments have no ability to regulate railroad operations; and

WHEREAS, industry has failed to act in the last two decades to correct the known defects in DOT-111 tank cars, and waited until 2011 to seek government approval to upgrade safety standards for newly manufactured DOT-111 tank cars; and

WHEREAS, a tank car expert from the National Transportation Safety Board testified in 2012 that a retrofit of existing tank cars is necessary because co-mingling existing unsafe DOT-111 tank cars with newly manufactured ones “does nothing to improve the safety in an accident”; and

WHEREAS, the petition for rulemaking submitted to PHMSA on April 3, 2012 by Barrington, Illinois and the Illinois TRAC Coalition reflects the point of view of local governments, which is supported by recommendations of the National Transportation Safety Board, that changes are needed in
federal regulations and/or law to better protect public safety relative to DOT-111 tank car safety and train consist dissemination; and

WHEREAS, the April 3, 2012 petition provides a compelling rationale for making long overdue changes in safe rail operations vis-a-vis retrofitting existing DOT-111 tank cars; and

WHEREAS, the April 3, 2012 petition demonstrates that the cost of a DOT-111 tank car fleet retrofit for existing cars would be of nominal expense over the remaining average thirty-year lifespan for the existing fleet, and

WHEREAS, PHMSA issued on September 6, 2013 (78 Federal Register 54849-54861) an Advance Notice of Rulemaking seeking by November 5, 2013 the input from local and state governments on the issue of retrofitting the DOT-111 tank car.

NOW, THEREFORE, BE IT RESOLVED, BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. SUPPORT

We support the April 3, 2012 petition of Barrington, Illinois and the Illinois TRAC Coalition seeking new regulations to retrofit existing DOT-111 tank cars used to transport Groups I and II Packing Materials.

SECTION 2. AGENCY NOTIFICATION

This adopted Resolution shall be sent to the Pipelines and Hazardous Materials Safety Administration in Docket No. PHMSA-2012-0082 (HM-251) urging expeditious action on the joint Barrington and Illinois TRAC Coalition April 3, 2012 Petition No. P-1587.

SECTION 3. REPEALER

All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution shall be, and the same hereby repealed.

SECTION 4. SEVERABILITY

This Resolution and every provision thereof shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, clauses, sentences, paragraphs and provisions and parts of phrases, clauses, sentences, paragraphs, provisions and sections not ruled void or unconstitutional shall continue in full force and effect.

SECTION 5. EFFECTIVE DATE

This Resolution shall be in full force and effect from and after its passage.
PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois this 22nd day of October, 2013.

TONY GILES TERRY MICHELS
GAIL JOHNSON JUDY SOLLINGER
PAM PARR SCOTT VOLPE

APPROVED by me, Brian LeClercq, as President of the Village of Oswego, Kendall County, Illinois, this 22nd day of October, 2013.

BRIAN LECLERCQ, VILLAGE PRESIDENT

ATTEST:

Tina Touchette, Village Clerk
STATE OF ILLINOIS )
) SS
COUNTY OF KENDALL )

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of a Resolution entitled:

RESOLUTION SUPPORTING THE RETROFIT OF EXISTING DOT-111 RAIL TANK CARS THAT TRANSPORT PACKING GROUPS I AND II HAZMAT BEFORE THE PIPELINES AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION IN DOCKET NO. PHMSA-2012-0082 (HM-251)

which Resolution was duly adopted by said Board of Trustees at a special meeting held on the 22nd day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act. IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October, 2013.

________________________________________________________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
To: Mayors in the Metropolitan Chicago Area

From: Karen Darch
President, Village of Barrington
TRAC Co-Chair
Executive Board Chair, MMC

Tom Weisner
Mayor, Aurora
TRAC Co-Chair
Executive Board Vice-Chair, MMC

Subject: Federal Rail Safety Rulemaking Action Alert

As co-chairs of the suburban Chicagoland TRAC Coalition that was formed in 2008, we wanted to make you aware of the opportunity for local governments to weigh in on a federal regulatory matter involving a critical rail safety issue.

Following the National Transportation Safety Board (NTSB) investigation into a CN ethanol train derailment near Rockford in 2009, we were alerted to the dangers posed by the DOT-111 tank car that is used by the rail industry to transport flammable hazmat like ethanol and crude oil throughout North America. In a nutshell, the NTSB has warned regulators since 1991, that the DOT-111 tank car has a high incidence of rupturing when involved in accidents and derailments.

That NTSB investigation launched TRAC into action. Since spring of 2012, we’ve been urging federal regulatory action to correct the problem. The federal government is now acting and is seeking public input by November 5, 2013 — especially input from local governments.

Action or inaction by the federal government on this important safety issue could have serious future implications for communities on or near rail lines that carry freight.

Please review the attached summary of the issue, as well as a model resolution we are asking local governments to adopt and forward to federal regulators before the November 5, 2013 comment deadline.

Thank you.
RAIL TANK CAR ISSUE SUMMARY & ACTION REQUEST

ISSUE SUMMARY:
In response to the findings stemming from the National Transportation Safety Board’s (NTSB) investigation of a June 2009 Canadian National Railway (CN) freight train derailment outside of Rockford, Illinois, the Village of Barrington and the Illinois-based TRAC Coalition jointly filed a petition on April 3, 2012 with the Pipelines and Hazardous Materials Safety Administration (PHMSA) asking that it promulgate rules that will make the fleet of new and existing tank cars that carry ethanol and crude oil by rail in North America more crashworthy in derailments and accidents. PHMSA released its notice of proposed rulemaking on September 6, 2013 and is seeking input from local governments by November 5, 2013.

The 2009 accident investigated by the NTSB involved a train containing 74 cars of ethanol that derailed after the rail bed underneath the train had washed away. One person was killed and nine others injured when several of the derailed tank cars split open and started a massive fire that took over 24 hours to burn itself out. Since 1991, the tank cars involved in the accident – DOT-111 tank cars – have been known by federal regulators and the freight rail industry to have high failure rates in accidents because they puncture easily.

The more recent July 6, 2013 catastrophic derailment of a train carrying 72 tank cars of crude oil in Lac-Mégantic, Canada that caused 47 deaths also involved the defective DOT-111 tank cars. With the exponential growth of this dangerous hazmat travelling by rail over the last five years, it is clear that there is a growing potential for catastrophic derailments in communities all across North America. In fact, the problems with this defective tank car is garnering national media attention, including this September 5, 2013 “NBC Nightly News with Brian Williams” piece that provides an excellent overview of the problem:
http://investigations.nbcnews.com/_news/2013/09/05/20343288-danger-on-the-tracks-unsafe-rail-cars-carry-oil-through-us-towns?lite

In response to the Rockford derailment, industry convened a working group made up of the Association of American Railroads (AAR), freight railroads, and shippers to set manufacturing standards for new cars and asked PHMSA to adopt those standards in 2011. However, the industry request explicitly asked that the existing fleet of tank cars not be retrofitted to make them safer due to the cost of a retrofit program. The AAR calculated that a retrofit of a tank car would cost $15,000, but with an average life span of over 30 years for the existing fleet, that amounts to less than $500 a year.

Backed by NTSB expertise, the April 3, 2012 petition by Barrington & the Illinois TRAC Coalition made the case that improved construction standards for only newly manufactured tank cars is not sufficient for protecting public safety. As the NTSB experts recognized, while the improved AAR standards would make new cars safer than the existing cars, communities would be no safer if old and new tank cars are comingled when these tank cars derail. With an eight-year average age for the existing tank car fleet, failure to require a retrofit program would allow tank cars that are filled with ethanol and crude oil – and known to be dangerous – to roll freely through American communities for the next three decades.

This issue goes far beyond the daily challenges of dealing with freight rail operations in our communities. According to Federal Railroad Administration safety statistics, between 2000 and 2011 there has been – on average – a reportable freight derailment in this country over five times every day. Additionally, the derailment in Lac-Mégantic has already been ball-parked at over $200 million to fund the environmental
remediation and clean-up costs alone. Since that sum far surpasses the liability insurance cap of the involved railroad, it has entered bankruptcy proceedings. Given inadequate insurance protection across the rail industry, it is unclear as to who will be footing the bill when it comes to paying the catastrophic costs associated with a major tank car derailment. For these reasons, it is way past due for federal regulators to prioritize the concerns of local governments to remedy the known safety flaws with the DOT-111 tank car.

**ACTION REQUEST OF LOCAL GOVERNMENTS:**

*It is vital that local governments weigh in on this important issue prior to the November 5, 2013 comment deadline.* To that end, a sample resolution is attached that local units of government can adopt and forward to PHMSA to indicate their support for the rail safety changes detailed in this summary and in this rulemaking document:


**Please act expeditiously to pass this resolution.** Once adopted, a copy of your government’s resolution should be submitted in one of three ways:

- Via Fax: 1-202-493-2251.
- By mail: Docket Management System; U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Avenue SE., Washington, DC 20590.

**Instructions:** All submissions must include the agency name and docket number for this notice (as shown in the model resolution) at the beginning of the comment. To avoid duplication, please use only one of the three methods of delivery.

Any questions you may have on this matter can be directed to FightRailCongestion@gmail.com. Thank you!
Members of Metro West:

At the 9.26.13 board meeting, the Metro West Board voted to submit comments to the federal government urging changes to the design of DOT-111 tanker cars that carry hazardous waste. This is an urgent safety issue and the Board also encourages our members to pass individual resolutions as well. The federal Pipelines and Hazardous Materials Safety Administration (PHMSA) has recently proposed rules to make tanker cars which carry hazardous materials like ethanol and crude oil safer in derailments and accidents. The rules are a result of a crash a few years ago near Rockford in which several tankers split open and started a massive fire which took over 24 hours to suppress.

Public comments are being accepted on the proposed rules until November 5, 2013. The PHMSA is interested in hearing from towns that are located along rail lines which transport tankers. **The best way for your community to weigh in on this issue is to adopt the attached sample resolution and send it to the PHMSA by the November 5 deadline.** Information on how/where to submit your resolution is provided in the attached PDF document entitled, “9-11-13 PHMSA Petition Action Request Summary”.

Mary

Mary Randle
Executive Director
Metro West Council of Government
43 W. Galena Boulevard, Aurora IL 60506
630.859.1331, Fax: 630.256.3169
cell: 630.740.6602
www.metrowestcog.org

Mayor:

Mayors Karen Darch of Barrington and Tom Weisner of Aurora have asked me to pass the attached information on to all Mayors in the Chicago region. **If you have any rail lines that run through your community, you may especially be interested in this information.**

The federal Pipelines and Hazardous Materials Safety Administration (PHMSA) has recently proposed rules to make tanker cars which carry hazardous materials like ethanol and crude oil safer in derailments and accidents. The rules are a result of a crash a few years ago near Rockford in which several tankers split open and started a massive fire which took over 24 hours to suppress.
Public comments are being accepted on the proposed rules until November 5, 2013. The PHMSA is interested in hearing from towns that are located along rail lines which transport tankers. **The best way for your community to weigh in on this issue is to adopt the attached sample resolution and send it to the PHMSA by the November 5 deadline.** Information on how/where to submit your resolution is provided in the attached PDF document entitled, “9-11-13 PHMSA Petition Action Request Summary”.

Dave

Dave Bennett, Executive Director
Metropolitan Mayors Caucus
233 S. Wacker Drive, Suite 800
Chicago, IL  60606
dbennett@mayorscaucus.org
P: 312-201-4505
F: 312-258-1851
AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
FROM: Community Development Director, Rod Zenner
DATE: October 15, 2013
AGENDA: October 22, 2013 Village Board Meeting.
SUBJECT: Speedway – Annexation, Rezoning, Preliminary PUD and Plat
Project #798.12

Purpose
To consider the proposed Speedway annexation agreement, annexation, rezoning and preliminary PUD and Plat.

Background
The Village Board opened a public hearing at their regular meeting on August 6, 2013 to consider the proposed annexation agreement for the Speedway project at 1830 Route 34, in addition to discussing the overall proposal for annexation, rezoning and preliminary PUD and Plat. There were several outstanding issues to resolve and the public hearing was continued to August 20, 2013, September 3, 2013, September 17, 2013 and October 1, 2013. See the attached Village Board Memo for further information.

Revised plans were submitted August 30, 2013 and have been reviewed by staff. Staff is currently working with Speedway to correct outstanding issues.

Discussion
None.

Funding
Not Applicable.

Recommendation
Staff recommends the Village Board continue the public hearing to their regular meeting on November 5, 2013 to allow the petitioner time to make any further revisions to the proposal.

Strategic Planning Objective
Not Applicable.
AGENDA MEMORANDUM

DATE: July 30, 2013

TO: Village President and Board of Trustees

THROUGH: Rod Zenner, Community Development Director

FROM: Kasey Evans, Planner

SUBJECT: Agenda Item for the August 6, 2013 Village Board Meeting
Speedway – Annexation, Rezoning, Preliminary PUD and Plat
Project # 798.12

Purpose:
To consider the proposed Speedway annexation agreement, annexation, rezoning and preliminary PUD and Plat.

Background:
The petitioner proposes to construct an approximately 4,600 square foot convenience store and 10 pump gas station that will service passenger vehicles as well as semi-trucks at 1830 Route 30. The property is approximately 2 acres, is located at the northeast corner of Route 30 and Wolf’s Crossing Road, and is contiguous to the Village along the north property line. The Plan Commission considered the proposed Speedway project at their meeting on December 6, 2012 and recommended approval. The project was later introduced to the Committee of the Whole at their meeting on June 18, 2013. See the attached Staff Report to the Plan Commission and the Memo to the Committee of the Whole for further information.

Discussion:
Annexation Agreement

A draft Annexation Agreement has been prepared for review and consideration by the Village Board. The Annexation Agreement calls for the rezoning of the property to B-3 Commercial Service and Wholesale District. The petitioner retains the option of entering into a recapture agreement in order to recover some of the costs associated with extending water and sewer utilities.

Language for Section 12, page 8, regarding right-of-way dedication and roadway improvements will need to be revised pending a final determination of what right-of-way dedications may be needed as well as any required roadway improvements. The petitioner has requested Section 23 E, page 13, related to enforcement litigation be eliminated from the agreement. Staff recommends this language remains in the agreement.
City of Aurora and Related Agreements

At its June 25, 2013 City Council meeting, the City of Aurora approved an amended Boundary Agreement, Revenue Sharing Agreement and Disconnection Ordinance relating to the proposed Speedway project at the northeast corner of Route 30 and Wolf’s Crossing Road. Copies of the Ordinances approved by the City of Aurora on June 25, 2013 are attached.

- **Boundary Agreement**: Section One of the Agreement has been amended to clarify the location of the boundary along the eastern property line of the Virgil Gilman Trail and to place the entirety of the Speedway site on the Village’s side of the boundary. The Boundary Agreement must be approved within 90 days (by September 23, 2013) of Aurora’s approval of the Revenue Sharing Agreement; otherwise the Revenue Sharing Agreement becomes null and void.

- **Revenue Sharing Agreement**: Staff proposed a revenue sharing agreement for the subject property where 25% of the overall sales tax would be shared with the City of Aurora as suggested by the Village Board at a previous Committee of the Whole meeting. The City of Aurora reviewed the proposal and returned with a revenue sharing agreement for 25% that included all the property along Route 30 from Wolf Road to the south and Gastville Street to the north. This agreement would not include the existing fence company that is currently within the Village of Oswego, but would apply to new commercial development in this area. Staff understands under this agreement 25% of future commercial development in this area would have to be shared with the City of Aurora for 20 years; however, the likelihood of commercial development along this portion of Route 30 is limited as the properties are not deep enough to support a high level of commercial development. It is staff’s opinion that the financial benefit of entering into the agreement, which is necessary to allow for the Speedway development, exceeds the risk of losing 25% of potential sales tax revenue for the area for 20 years, as development may not occur in that time frame.

- **Disconnection**: Disconnection of the portion of the Speedway property within the City of Aurora was approved by Aurora subject to conditions that the Revenue Sharing Agreement and the Boundary Agreement are approved and executed by the Village, and Aurora reserves the right to locate future utility extensions within the Wolf’s Crossing right-of-way for future developments south of Wolf’s Crossing Road.

Draft ordinances to approve the amended Boundary Agreement and the Revenue Sharing Agreement have been prepared for Village Board review and consideration.

**Project Design**

Revised plans have not yet been submitted since the Committee of the Whole meeting on June 18; therefore the outstanding issues remain, including signage, landscaping, utility extensions and roadway improvements in addition to relatively minor technical issues. These comments are described in the attached June 18, 2013 Committee of the Whole memo.

The petitioner would like to address the Village Board’s request regarding monument signage and Wolf’s Crossing Road roadway improvements. The Plan Commission recommended approval of the project with two monument signs, one located on each street frontage; however, staff continues to recommend the plans be revised to include one monument sign, to be consistent with the other fueling station approvals in the Village. A survey of existing fuel stations in the Village reveals that each establishment has either zero or one sign, with the exception of the Shell/Circle K station at Route 34 and Route 30 (see table on following page). This station has a monument sign with pricing along Route 34 and a smaller sign with the Circle K logo along Ogden Falls Boulevard. The petitioner would like to retain both of the proposed monument signs and wishes to discuss this request with the Village Board.
Survey of Fueling Station Monument Signage in the Village:

<table>
<thead>
<tr>
<th>Station</th>
<th>Location</th>
<th># of Monument Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile</td>
<td>Route 34 and Orchard</td>
<td>1</td>
</tr>
<tr>
<td>BP</td>
<td>Route 34 and Orchard</td>
<td>1</td>
</tr>
<tr>
<td>Markley’s</td>
<td>Route 34 and Route 25</td>
<td>1</td>
</tr>
<tr>
<td>Speedway</td>
<td>Route 34 and Route 71</td>
<td>1</td>
</tr>
<tr>
<td>BP</td>
<td>Route 34 and Douglas</td>
<td>1</td>
</tr>
<tr>
<td>Shell</td>
<td>Route 30 and Douglas</td>
<td>1</td>
</tr>
<tr>
<td>Dominick’s</td>
<td>Route 34 and Douglas</td>
<td>1</td>
</tr>
<tr>
<td>Meijer</td>
<td>Route 34</td>
<td>0</td>
</tr>
<tr>
<td>Wal-Mart</td>
<td>Route 34</td>
<td>0</td>
</tr>
<tr>
<td>Shell</td>
<td>Route 34 and Route 30</td>
<td>2</td>
</tr>
</tbody>
</table>

Staff has requested turn lanes be constructed on Wolf’s Crossing Road to reduce potential traffic backups into the intersection of Wolf’s Crossing Road and Route 30 caused by trucks attempting to enter the site from Wolf’s Crossing Road. The petitioner has indicated the expense for these improvements may be too high a burden on the project.

**Funding:**
Not Applicable.

**Strategic Plan Relevance:**
Not Applicable.

**Recommendation:**
Staff is providing the proposed Speedway project, Annexation Agreement and related draft agreements to the Village Board for review and discussion. Staff requests the Village Board conduct the Public Hearing and continue the project to a future Village Board meeting to allow the petitioner time to address any outstanding issues.
AGENDA MEMORANDUM

DATE: October 15, 2013
TO: Village President Brian LeClercq and Board of Trustees
FROM: Mark G. Horton, Finance Director
AGENDA: October 22, 2013 Village Board Meeting
SUBJECT: Agenda Item NB #1 Authorizing an Intergovernmental Agreement with the Illinois Office of the Comptroller to Participate in the Local Debt Recovery Program

Purpose
Authorize the Village President and Village Clerk to enter into an intergovernmental agreement with the Illinois Office of the Comptroller

Background
The State of Illinois created the Local Debt Recovery Program (LDRP) to provide local governments with another means to collect unpaid debt. The program is administered through the Office of the Comptroller. The program allows the Village to place uncollected fines, invoices, tickets, etc. with the Comptroller’s office. The Comptroller’s office will determine if any offset can be made to collect on the debt from any amounts currently being paid out to the debtor by the State.

Discussion
The finance staff has met with the representative from the Comptroller’s office and completed the applications to enroll in the program. This intergovernmental agreement must be authorized by the Village Board to complete the enrollment process. Upon acceptance by the Comptroller’s office, testing will be completed for the electronic file submission and other details to begin using the program. The program currently has 90 entities using the program.

Funding
N/A

Recommendation
Authorize the execution of the intergovernmental agreement

Strategic Planning Objective:
N/A
Local Debt Recovery Program - An Overview

Enacted by the General Assembly and signed into law by the Governor in December of 2011, Illinois Public Act 097-0632 established the Local Debt Recovery Program (LDRP) under the auspices of the Illinois Office of the Comptroller (IOC).

LDRP offers your local government a unique opportunity to marshal the resources of the Illinois Office of the Comptroller – at no fee to your office – to collect unpaid debt such as parking tickets, water and sewer bills, traffic fines, ordinance violations, housing fees, tuition or student fees, and fees imposed by the courts.

By entering into an intergovernmental agreement with IOC, the statute allows counties, municipalities, Clerks of Circuit Courts, school districts, community colleges, housing authorities, and other units of local government to participate in LDRP.

Funds collected will not be subject state payment delays.
How LDRP Works

• Working with an assigned Program Manager, a participating unit of local government enters into an intergovernmental agreement with the Illinois Office of the Comptroller (IOC).

• The Comptroller’s office “matches” unpaid debt records for up to the past seven years from your system against the Comptroller’s records. Debt records may not be older than seven years nor less than $10.00.

• Prior to the Comptroller issuing a state check for items such as a tax refund, lottery payout, commercial payment, or payroll check, the amount owed to your unit of local government plus an administrative fee will be deducted.

• The debtor is then provided a notice and given 60 days to protest the offset with the Comptroller’s office.

• If no protest is made during the 60-day period, the amount owed is transferred to your office.

• A protest by a debtor will affect only that single transaction. Other payments to your office will continue while protests are being reviewed.

• Payments to your office will be consolidated and made on a weekly basis.

• LDRP is designed to work within privacy protection and fair debt collection laws, and restrictions and limitations governing involuntary withholdings apply.
A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS OFFICE OF THE COMPTROLLER REGARDING ACCESS TO THE COMPTROLLER’S LOCAL DEBT RECOVERY PROGRAM

WHEREAS, the Village of Oswego and the Illinois Office of the Comptroller have the authority to enter into an intergovernmental agreement pursuant to Article VII, Section 10 of the Illinois Constitution of 1970 and Sections 3 and 5 of the Illinois Intergovernmental Cooperation Act (5 ILCS 220/3, 5); and

WHEREAS, the Village of Oswego wishes to participate in the Comptroller’s Local Debt Recovery Program; and

WHEREAS, it is in the best interest of the Village of Oswego to execute the intergovernmental agreement attached hereto as Exhibit “A”.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1.

The Village President and Village Clerk be and are hereby authorized and directed to execute on behalf of the Village of Oswego the side letter agreement substantially in the form attached hereto marked as Exhibit “A”.

SECTION 2. REPEALER

All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution shall be, and the same hereby repealed.

SECTION 3. SEVERABILITY

This Resolution and every provision thereof shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, provision or section of this Resolution as void or unconstitutional, the remaining words, phrases, clauses, sentences, paragraphs and provisions and parts of phrases, clauses, sentences,
paragraphs, provisions and sections not ruled void or unconstitutional shall continue in full force and effect.

SECTION 4. EFFECTIVE DATE

This Resolution shall be in full force and effect from and after its passage.

PASSED this _____ day of ________________, 2013 wish said vote being:

TONY GILES _______ PAM PARR _______
GAIL JOHNSON _______ JUDY SOLLINGER _______
TERRY MICHELS _______ SCOTT VOLPE _______

APPROVED by me, Brian LeClercq, as President of the Village of Oswego, Kendall County, Illinois, this ______ day of ____________________, 2013.

________________________________________
BRIAN LeCLERCQ, VILLAGE PRESIDENT

________________________________________
TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS )
COUNTY OF KENDALL ) SS

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of a Resolution entitled:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS OFFICE OF THE COMPTROLLER REGARDING ACCESS TO THE COMPTROLLER’S LOCAL DEBT RECOVERY PROGRAM

which Resolution was duly passed by said Board of Trustees at a special meeting held on the _____day of ____________________, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of ________________, 2013.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)
INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN
THE ILLINOIS OFFICE OF THE COMPTROLLER
AND
VILLAGE OF OSWEGO, KENDALL COUNTY
REGARDING ACCESS TO THE COMPTROLLER’S LOCAL DEBT RECOVERY
PROGRAM

This Intergovernmental Agreement ("the Agreement") is hereby made and entered into as
of the date of execution by and between the Illinois Office of the Comptroller (hereinafter
"IOC") and Village of Oswego, Kendall County (hereinafter "the local unit"), in order to provide
the named local unit access to the Local Debt Recovery Program for purposes of collecting both
tax and nontax debts owed to the named local unit. Each of the parties hereto is a “public
agency” as defined in Section 2 of the Intergovernmental Cooperation Act [5 ILCS 220/2].

WHEREAS, both the State of Illinois and the local unit have a responsibility to collect
debts owed to its respective public bodies;

WHEREAS, IOC operates a system, known as the Comptroller’s Offset System
(hereinafter, “the System”), for collection of debt owed the State by persons receiving
payments from the State;

WHEREAS, the Illinois General Assembly specifically provided for the ability of the
local unit to utilize the System when it amended Section 10.05 and added Section 10.05d
to the State Comptroller Act [P.A. 97-632; 15 ILCS 405/10.05 and 10.05d];

WHEREAS, IOC and the local unit are empowered under the Illinois Constitution [Ill.
Const., Art. VII, Sec. 10], Section 3 of the Intergovernmental Cooperation Act [5 ILCS
220/3], and Section 10.05d of the State Comptroller Act (hereinafter, “the Act”) [15 ILCS
405/10.05d] to contract with each other in any manner not prohibited by law;

NOW THEREFORE, in consideration of the foregoing recitals and the mutual
covenants and promises contained herein, the sufficiency of which is hereby
acknowledged, the parties do hereby agree as follows:

Article I – Purpose

The purpose of the Agreement between the IOC and the local unit is to establish the
terms and conditions for the offset of the State’s tax and nontax payments in order to
collect tax and nontax debts owed to the local unit.

Article II – Authority

The authority for State payment offset is granted under Section 10.05 of the Act [15 ILCS
405/10.05] and the authority for entering into this Agreement is granted under Section
10.05d of the Act [15 ILCS 405/10.05d], Section 3 of the Intergovernmental Cooperation
10].
Article III – State Payment Offset Requirements and Operations

A. Legal Requirements. The offset of State payments shall be conducted pursuant to the authority granted in Section 10.05 and 10.05d of the Act [15 ILCS 405/10.05 and 10.05d] and the requirements set forth in this Agreement.

1. Definition of “Debt”

(a) For purposes of this Agreement, debt shall mean any monies owed to the local unit which is less than 7 years past the date of final determination, as confirmed by the local unit in Article III(A)(2)(a)(viii) of this Agreement.

(b) No debt which is more than 7 years past the date of final determination may be placed or may remain on the System.

(c) No debt which has resulted in the issuance of a warrant for the arrest of the debtor may be placed or remain on the System so long as that warrant for arrest is active.

(d) No debt which has resulted in the attachment of a lien on any personal property or other personal interest of the debtor shall be placed or remain on the System so long as that lien is attached to that property or interest.

2. Due Process & Notification

(a) Before submitting a debt to IOC for State payment offset, the local unit must comply with all of the notification requirements of this Agreement. For purposes of this Agreement, notification of an account or claim eligible to be offset shall occur when the local unit submits to IOC the following information:

(i) the name and address and/or another unique identifier of the person against whom the claim exists;

(ii) the amount of the claim then due and payable to the local unit;

(iii) the reason why there is an amount due to the local unit (i.e., tax liability, overpayment, etc.);

(iv) the time period to which the claim is attributable;

(v) the local entity to which the debt is owed;
(vi) a description of the type of notification has been given to the person against whom the claim exists and the type of opportunity to be heard afforded to such a person;

(vii) a statement as to the outcome of any hearings or other proceedings held to establish the debt, or a statement that no hearing was requested; and,

(viii) the date of final determination of the debt.

(b) IOC will not process a claim under the Agreement until notification has been received from the local unit that the debt has been established through notice and opportunity to be heard.

(c) The local unit is required to provide the debtor with information about a procedure to challenge the existence, amount, and current collectability of the debt prior to the submission of a claim to IOC for entry into the System. The decision resulting from the utilization of this procedure must be reviewable.

3. Certification

(a) The chief officer of the local unit shall, at the time the debt is referred, certify that the debt is past due and legally enforceable in the amount stated, and that there is no legal bar to collection by State payment offset.

(b) Only debts finally determined as currently due and payable to the local unit may be certified to IOC as a claim for offset.

(c) The chief officer of the local unit may delegate to a responsible person or persons the authority to execute the statement of the claim required by the Agreement.

(d) This delegation of authority shall be made on either electronic or paper based forms provided by the Comptroller.

(e) For purposes of this Agreement, “chief officer of the local unit” means Finance Director.

(f) The chief officer hereby acknowledges and agrees that he/she will ensure that the login information into any electronic system provided by the Office of the Comptroller will remain confidential, that only active employees of the local unit may be granted the delegation of authority provided for in Part (c) of this Subsection, and that under no circumstances is a vendor, agent, consultant, collector or any other third-party representative of the local unit authorized to submit or certify debt to IOC on behalf of the local unit.
4. **Notification of Change in Status**

   (a) The chief officer must notify IOC as soon as possible, but in no case later than 30 days, after receiving notice of a change in the status of an offset claim.

   (b) A change in status may include, but is not limited to, payments received other than through a successful offset, the filing of a bankruptcy petition, the death of the debtor, or the expiration of the ability for the debt to remain on the System, as provided for in Article III(A)(1)(b) of this Agreement.

5. **Notification of Change in the Chief Officer**

   (a) The local unit shall be responsible for notifying IOC as soon as is practicable in the event the chief officer named in the Agreement is no longer an officer or employee of the local unit or is otherwise unable to perform the certification process provided for in Subsection 3 of this Section.

   (b) Upon obtaining knowledge that the chief officer is no longer an officer or employee of the local unit or is otherwise unable to perform the certification process provided for in Subsection 3 of this Section, whether through notification by the local unit or by any other means, IOC shall suspend the authority for the chief officer and any of his or her designees to certify debt to IOC.

   (c) The local unit shall be responsible for updating records with IOC in the event of a change in the chief officer in order to reestablish certification authority and resume collection by State payment offset.

B. **Operational Requirements**

1. **Technical Requirements.** IOC agrees to work with the local unit to facilitate information and data procedures as provided for in this Agreement. The local unit agrees to adhere to the standards and practices of IOC when transmitting and receiving data. The chief officer shall assume the responsibility of providing updates to the debtor records on file with IOC in order to ensure an equitable resolution of the debts owed to the local unit.

2. **Fee.** A fee may be charged to the debtor and shall be no more than $20 per payment transaction. The fee will be deducted from the payment to be offset prior to issuance to the local unit.

3. **Offset Notices.** IOC will send offset notices to the debtor upon processing a claim under the Act and this Agreement. The notice will state that
request has been made to make an offset against a payment due to the debtor, identify the local unit as the entity submitting the request, provide the debtor with a phone number made available pursuant to Article III (B)(6) of this Agreement, and inform the debtor that they may formally protest the offset within sixty (60) days of the written notice.

4. **IOC Protest Process.** If a protest is received, IOC will determine the amount due and payable to the local unit. This determination will be made by a Hearing Officer and will be made in light of all information relating to the transaction in the possession of IOC and any other information IOC may request and obtain from the local unit and the debtor subject to the offset. If IOC requests information from the local unit relating to the offset, the local unit will respond within sixty (60) days of IOC’s request. IOC may grant the local unit an additional sixty (60) day extension for time to respond. The local unit shall complete an adjudication review with IOC in order to evaluate the local unit and the protest process prior to the offset of any State payments.

5. **IOC Hearing Officer.** The local unit hereby agrees to provide the Hearing Officer with any information requested in an efficient and timely manner in order to facilitate the prompt resolution to protests filed as a result of this Agreement. For purposes of this Agreement, any decision rendered by the Hearing Officer shall be binding on the local unit and shall be the final determination on the matter. The Hearing Officer may continue the review of a protest at his/her discretion in order to assure an equitable resolution.

6. **Local Unit Call Center.** The local unit hereby agrees to provide a working phone number which IOC will furnish to persons offset under this Agreement. The local unit shall ensure that the phone number is properly staffed in order to provide information about the debt the local unit is offsetting under this Agreement. The phone number for purposes of this Section and the Agreement is: _630-554-3618_.

7. **Debt Priorities.** If a debtor has more than one local unit debt, the debt with the oldest date of entry on the System shall be offset first.

8. **Transfer of Payment.** Transfer of payment by IOC to the local unit shall be made in the form of electronic funds transfer (EFT). Nothing in this section or this Agreement shall limit the ability of either party to modify this Agreement at a later date in order to provide for an alternative method(s) of payment transfer.

9. **IOC Refunds.** If IOC determines that a payment is erroneous or otherwise not due to the local unit, IOC will process a refund of the offset, and refund the amount offset to the debtor. In the event the refund results in only a partial refund to the debtor, IOC will retain the fee referenced in Article III, Paragraph B, Section 2 above. The fee will only be refunded to the debtor in the event of a full refund of the offset amount.
10. Local Unit Refunds. The local unit is responsible for refunding monies to the debtor, including any and all administrative fees collected by IOC, if an offset occurred due to inaccurate debt information or over collection, and the local unit has already received payment from IOC. IOC will only refund monies in the event that a payment has not yet been made to the local unit.

11. Third-Party Matching Services. IOC may utilize the services of a third-party vendor to assist in the identification of individual debtors. The local unit shall review and add any valid matches which result from the assistance of the third-party vendor within 30 days of receipt of the updated records. If the local unit is unable to add the valid matches within 30 days of receipt of the updated records, the chief officer must notify IOC as to the reason the local unit is not able to add the records in addition to a time frame for adding the records in the future.

Article IV – Permissible Use of Information

IOC acknowledges that the local unit is providing sensitive information about local debts for the purpose of conducting offsets under the Agreement. As such, IOC will use the information solely in connection with the Local Debt Recovery Program. IOC shall safeguard the local information in the same manner as it protects State debt information.

The local unit acknowledges that IOC is providing sensitive information about State payments for the purpose of conducting offsets under the Agreement. As such, the local unit will use the information solely in connection with the Local Debt Recovery Program. The local unit shall safeguard State information in the same manner as it protects local debt information.

The parties may use information in any litigation involving the parties, when such information is relevant to the litigation.

Article V – Term of the Agreement and Modifications

The Agreement becomes effective as of the Effective Date and shall remain in effect until it is terminated by one of the parties. Either party may terminate this Agreement by giving the other party written notice at least thirty (30) days prior to the effective date of the termination. Any modifications to the Agreement shall be in writing and signed by both parties.

Article VI – No Liability to Other Parties

Except for the fees described in Article III, paragraph B, Section 2 above, each party shall be responsible for its own costs incurred in connection with the Agreement. Each party shall be responsible for resolving and reconciling its own errors, but shall not be liable to any other parties for damages of any kind as a result of errors. Each party shall be liable for the acts and omissions of its own employees and agents. The Agreement does not confer any rights or benefits on any third party.
Article VII – Issue Resolution

The parties acknowledge that IOC is ultimately responsible for the development, design and operation of the System. Subject to that understanding, the parties agree to work cooperatively to resolve any matters that arise during the development, design and implementation of the program. If an issue cannot be resolved informally by mutual agreement of staff personnel, then the parties agree to elevate the issue to a senior level manager for resolution of the issue. For purposes of the Agreement, the “senior level managers” are:

1. IOC: Ray Marchiori, Director – Department of Government and Community Affairs
2. Local Unit: Mark Horton, Finance Director

Article VIII – Contacts

The points of contacts for this Agreement are:

IOC: Alissa Camp, General Counsel
Illinois Office of the Comptroller
325 West Adams
Springfield, Illinois 62704
Phone: 217/782-6000
Fax: 217/782-2112
E-mail: CampAJ@mail.ioc.state.il.us

Local Unit: _______________________
__________________________
(Legal Counsel)
__________________________

Article IX – Acceptance of Terms and Commitment

The signing of this document by authorized officials forms a binding commitment between IOC and Village of Oswego. The parties are obligated to perform in accordance with the terms and conditions of this document, any properly executed modification, addition, or amendment thereto, any attachment, appendix, addendum, or supplemental thereto, and any documents and requirements incorporated by reference.

By their signing, the signatories represent and certify that they possess the authority to bind their respective organizations to the terms of this document, and hereby do so.
IN WITNESS WHEREOF, the Illinois Office of the Comptroller and Village of Oswego by the following officials sign their names to enter into this agreement.

ILLINOIS OFFICE OF THE COMPTROLLER

By: ________________________________ Date: ________________

Name: Judy Baar Topinka
Title: Comptroller

Village of Oswego

By: ________________________________ Date: ________________

Name: Mark Horton
Title: Finance Director
**AGENDA MEMORANDUM**

<table>
<thead>
<tr>
<th>TO:</th>
<th>Village President Brian LeClercq and Board of Trustees</th>
</tr>
</thead>
<tbody>
<tr>
<td>CC:</td>
<td>Village Administrator, Village Attorney and Department Heads</td>
</tr>
<tr>
<td>FROM:</td>
<td>Finance Director, Mark G. Horton</td>
</tr>
<tr>
<td>DATE:</td>
<td>October 22, 2013</td>
</tr>
<tr>
<td>AGENDA:</td>
<td>October 22, 2013 Village Board Meeting.</td>
</tr>
<tr>
<td>SUBJECT:</td>
<td>Agenda Item NB #2 Adopt 2013 Property Tax Levy</td>
</tr>
</tbody>
</table>

**Purpose**
Adopt the 2013 Property Tax Levy

**Background**
The Village Board discussed the options for the 2013 Property Tax Levy at the Committee of the Whole meeting on October 1, 2013. The consensus and direction from the Village Board was to levy the same dollar amount as the previous year. The 2013 Property Tax Levy Ordinance levies $1,216,000 on all property located within Village of Oswego corporate limits. The property tax dollars received from the levy will be used to support the Village contributions to the Police Officers Pension Fund and the Illinois Municipal Retirement Fund (IMRF).

**Discussion**
The 2013 Property Tax Levy of $1,216,000 will be received in June – December 2014. The Police Pension Fund will receive $1,185,000 and the remaining $31,000 will be used to supplement the Village contribution to IMRF.

**Funding**
N/A

**Recommendation**
Adopt the 2013 Property Tax Ordinance

**Strategic Planning Objective:**
S.P.O. 1.1 Maintain mindful fiscal policy that strikes a healthy balance between resources and needs.
Calendar 2013 Tax Levy

Police pension
1,185,000.00
97%

IMRF
31,000.00
3%
<table>
<thead>
<tr>
<th>Levy Year</th>
<th>Initial Levy</th>
<th>Amount Abated</th>
<th>Final Levy</th>
<th>County Extension</th>
<th>Dollar Change</th>
<th>Percent Change</th>
<th>EAV</th>
<th>% Change in EAV</th>
<th>Tax Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001</td>
<td>649,936</td>
<td></td>
<td>306,863,298</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.2118</td>
</tr>
<tr>
<td>2002</td>
<td>703,656</td>
<td></td>
<td>53,720</td>
<td>8.27%</td>
<td>357,730,531</td>
<td>16.6%</td>
<td></td>
<td></td>
<td>0.1967</td>
</tr>
<tr>
<td>2003</td>
<td>769,051</td>
<td></td>
<td>65,395</td>
<td>9.29%</td>
<td>419,786,321</td>
<td>17.3%</td>
<td></td>
<td></td>
<td>0.1832</td>
</tr>
<tr>
<td>2004</td>
<td>841,319</td>
<td></td>
<td>72,268</td>
<td>9.40%</td>
<td>500,191,704</td>
<td>19.2%</td>
<td></td>
<td></td>
<td>0.1682</td>
</tr>
<tr>
<td>2005</td>
<td>885,020</td>
<td></td>
<td>43,701</td>
<td>5.19%</td>
<td>615,025,070</td>
<td>23.0%</td>
<td></td>
<td></td>
<td>0.1439</td>
</tr>
<tr>
<td>2006</td>
<td>1,004,275</td>
<td></td>
<td>119,255</td>
<td>13.47%</td>
<td>715,294,792</td>
<td>16.3%</td>
<td></td>
<td></td>
<td>0.1404</td>
</tr>
<tr>
<td>2007</td>
<td>1,116,935</td>
<td></td>
<td>112,660</td>
<td>11.22%</td>
<td>835,403,862</td>
<td>16.8%</td>
<td></td>
<td></td>
<td>0.1337</td>
</tr>
<tr>
<td>2008</td>
<td>4,609,562</td>
<td>3,359,800</td>
<td>1,249,762</td>
<td>11.89%</td>
<td>897,802,932</td>
<td>7.5%</td>
<td></td>
<td></td>
<td>0.1392</td>
</tr>
<tr>
<td>2009</td>
<td>5,418,307</td>
<td>4,112,230</td>
<td>1,306,077</td>
<td>4.51%</td>
<td>933,315,018</td>
<td>4.0%</td>
<td></td>
<td></td>
<td>0.1399</td>
</tr>
<tr>
<td>2010</td>
<td>4,910,765</td>
<td>3,604,688</td>
<td>1,306,077</td>
<td>4.51%</td>
<td>899,906,116</td>
<td>-4.7%</td>
<td></td>
<td></td>
<td>0.1468</td>
</tr>
<tr>
<td>2011</td>
<td>4,371,355</td>
<td>3,155,355</td>
<td>1,216,000</td>
<td>0.00%</td>
<td>836,708,892</td>
<td>-6.0%</td>
<td></td>
<td></td>
<td>0.1453</td>
</tr>
<tr>
<td>2012</td>
<td>4,512,986</td>
<td>3,296,986</td>
<td>1,216,000</td>
<td>0.00%</td>
<td>779,490,106</td>
<td>-6.8%</td>
<td></td>
<td></td>
<td>0.1560</td>
</tr>
<tr>
<td>2013</td>
<td>4,532,244</td>
<td>3,316,244</td>
<td>1,216,122</td>
<td>0.00%</td>
<td>746,372,322</td>
<td>-4.2%</td>
<td></td>
<td></td>
<td>0.1629</td>
</tr>
</tbody>
</table>

4.25% EAV decrease; Keep $$$ amount the same
VILLAGE OF OSWEGO

ORDINANCE NO. 13--

AN ORDINANCE PROVIDING FOR THE LEVYING, ASSESSMENT AND COLLECTION OF TAXES FOR THE 2013 TAX YEAR OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER 2013

Published in pamphlet form by authority of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ____ day of October 2013.
ORDINANCE NO. 13 --

AN ORDINANCE PROVIDING FOR THE LEVYING, ASSESSMENT AND COLLECTION OF TAXES FOR THE 2013 TAX YEAR OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

WHEREAS, the Village of Oswego, (hereafter the “Village”) is a home rule municipality and pursuant to the Illinois Constitution, Article VII, Section 6, has certain powers which it is exercising; and

WHEREAS, the Village has complied with the requirements of the Truth in Taxation Law.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS as follows:

Section 1: That the sum of one million two hundred sixteen thousand dollars ($1,216,000) be and the same is assessed and levied from and against all taxable property within the limits of the Village of Oswego as the same is assessed and equalized for State and County purposes for the current year, 2013, for the Corporate and Special Purposes of the Village, and the specific amount hereby levied by fund is set forth under the column entitled "Amount To Be Raised By Tax Levy," as follows:

AMOUNT TO BE RAISED BY TAX LEVY:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Pension Fund</td>
<td>$1,185,000</td>
</tr>
<tr>
<td>Illinois Municipal Retirement Fund</td>
<td>$ 31,000</td>
</tr>
</tbody>
</table>

The foregoing amount is hereby levied for police pension purposes as set forth specifically under the Police Pension Fund pursuant to the provisions of 40 ILCS 5/3-125.

The foregoing amount is hereby levied for municipal retirement purposes as set forth specifically under the Illinois Municipal Retirement Fund pursuant to the provisions of 40 ILCS 5/7-171.

LEVY SUMMARY

<table>
<thead>
<tr>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Pension Fund</td>
<td>$1,185,000</td>
</tr>
<tr>
<td>Municipal Retirement Fund</td>
<td>$ 31,000</td>
</tr>
</tbody>
</table>

Ordinance No. 13-
Page 2
Section 2: That the Village Clerk of the Village of Oswego be and is hereby directed to file with the County Clerk of Kendall County, Illinois in due time and in the manner prescribed by law, a copy of this Ordinance, duly certified by the Village Clerk.

Section 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith. This Ordinance shall be immediately in full force and effect after passage, approval, and publication as required by law. This Ordinance is authorized to be published in pamphlet form.

PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, 2013, by the following roll call vote:

TONY GILES
GAIL JOHNSON
PAM PARR
JUDY SOLLINGER
TERRY MICHELS
SCOTT VOLPE

APPROVED by me as President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois this ___ day of October, 2013.

__________________________
Brian LeClercq, Village President
Village of Oswego, Kendall County, IL

(SEAL)

ATTEST:

__________________________
Tina Touchette
Village Clerk
Village of Oswego, Kendall County, IL
VILLAGE OF OSWEGO
TRUTH IN TAXATION CERTIFICATION

I, Brian LeClercq, hereby certify that I am the duly elected and qualified Village President of the Village of Oswego and as such, I hereby certify that the 2013 Tax Levy of said Village, a copy of which is attached hereto, was adopted pursuant to, and in all respects in compliance with, the provisions of the Truth in Taxation Law, 35 ILCS 200/18-55 et seq. Because the levy does not exceed a five percent increase over the preceding tax year’s extension, the hearing and notice by publication requirements were not applicable.

IN WITNESS WHEREOF, I have placed my signature on this ___day of October, 2013.

________________________________________
Brian LeClercq, Village President
Village of Oswego
STATE OF ILLINOIS

COUNTY OF KENDALL

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE PROVIDING FOR THE LEVYING, ASSESSMENT AND COLLECTION OF TAXES FOR THE 2013 TAX YEAR OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the ____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October, 2013.

______________________________
Tina Touchette, Village Clerk

Village of Oswego

(Seal)
CERTIFICATE

THE Undersigned certifies that she is the village clerk for the Village of Oswego, Illinois, and that the board of trustees at a regularly constituted meeting of said board of trustees of Village of Oswego on the ___ day of October, 2013 adopted ordinance No. 13-___; a true and correct copy of which is contained in this pamphlet.

Given under my hand and seal this ____ day of October, 2013.

(SEAL)

VILLAGE CLERK
AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
FROM: Finance Director, Mark G. Horton
DATE: October 22, 2013
AGENDA: October 22, 2013 Village Board Meeting.
SUBJECT: Agenda Item NB #3; 2013 Property Tax Levy Abatements

Purpose
Adopt the 2013 Property Tax Levy Abatement Ordinances

Background
The Village of Oswego has issued numerous bond issues to construct capital projects within the Village limits for the benefit of its residents. The Bond Ordinances adopted for each issuance levies a property tax on all the property within Village limits to pay the annual principal and interest due on each bond issuance. The Village Board has abated each of the bond issuance levies every year and pays the annual principal and interest due from existing revenues. Specifically, general operating revenues, Motor Fuel tax revenue and Water utility revenue are used to make the annual debt service payments.

Discussion

Funding
N/A

Recommendation
Adopt the 2013 Property Tax Abatements

Strategic Planning Objective:
S.P.O. 1.1 Maintain mindful fiscal policy that strikes a healthy balance between resources and needs.
VILLAGE OF OSWEGO

_________________________

ORDINANCE NO. 13-__

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON THE $9,970,000 GENERAL OBLIGATION BONDS, SERIES 2006A, DATED MAY 15, 2006 OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

_________________________

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE NO. 13 -- __

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON THE $9,970,000 GENERAL OBLIGATION BONDS, SERIES 2006A, DATED MAY 15, 2006 OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

WHEREAS, THE President and Board of Trustees (the "Corporate Authorities") of the Village of Oswego, Kendall County, Illinois (the "Village") by Ordinance No. 06-46 adopted on the 24th day of April, 2006 ("Ordinance"), did provide for the issue of $9,970,000 General Obligation Bonds, Series 2006A, dated May 15, 2006 (the "Bonds"), and the levy of a direct annual tax in the Ordinance sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Village will have Pledged Revenues (as defined in the ordinance) available for the purpose of paying the principal of and interest on the bonds up to and including December 15, 2013; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the bonds be abated.
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, as follows:

Section 1: Abatement of Tax: The tax heretofore levied for the year 2013 in the Ordinance adopted April 24th, 2006 is hereby abated in its entirety as follows:

<table>
<thead>
<tr>
<th>Year of Levy</th>
<th>Tax Levied</th>
<th>Total Amount of Tax to be Abated</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$4,045,000</td>
<td>$636,762.50</td>
</tr>
</tbody>
</table>

Section 2: Upon the adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Kendall County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in the Ordinance in accordance with the provisions hereof.

Section 3: If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 4: All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.
**Section 5:** This Ordinance shall be in full force and effect upon its passage by the Corporate Authorities and signing and approval by the Village President.

**PASSED** by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this _____ day of October, A.D., 2013.

PAM PARR  SCOTT VOLPE  
TONY GILES  TERRY MICHELS  
GAIL JOHNSON  JUDY SOLLINGER  

**APPROVED** by me, as President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this _____ day of October, A.D., 2013.

BRIAN LeCLERCQ, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS  

COUNTY OF KENDALL  

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON THE $9,970,000 GENERAL OBLIGATION BONDS, SERIES 2006A, DATED MAY 15, 2006 OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the ____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October, 2013.

_______________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
VILLAGE OF OSWEGO

_________________________________________________________________

ORDINANCE NO. 13 -- __

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON THE $1,585,000 GENERAL OBLIGATION BONDS, SERIES 2006B, DATED MAY 15, 2006 OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

_________________________________________________________________

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE NO. 13 -- __

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON THE $1,585,000 GENERAL OBLIGATION BONDS, SERIES 2006B, DATED MAY 15, 2006 OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

WHEREAS, THE President and Board of Trustees (the "Corporate Authorities") of the Village of Oswego, Kendall County, Illinois (the "Village") by Ordinance No. 06-47 adopted on the 24th day of April, 2006 ("Ordinance"), did provide for the issue of $1,585,000 General Obligation Bonds, Series 2006B, dated May 15, 2006 (the "Bonds"), and the levy of a direct annual tax in the Ordinance sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Village will have Pledged Revenues (as defined in the ordinance) available for the purpose of paying the principal of and interest on the bonds up to and including December 15, 2013; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the bonds be abated.
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, as follows:

Section 1: Abatement of Tax: The tax heretofore levied for the year 2013 in the Ordinance adopted April 24th, 2006 is hereby abated in its entirety as follows:

<table>
<thead>
<tr>
<th>Year of Levy</th>
<th>$1,585,000</th>
<th>Total Amount of Tax to be Abated</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$152,981.26</td>
<td>$152,981.26</td>
</tr>
</tbody>
</table>

Section 2: Upon the adoption of this Ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Kendall County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in the Ordinance in accordance with the provisions hereof.

Section 3: If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

Section 4: All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.
Section 5: This Ordinance shall be in full force and effect upon its passage by the Corporate Authorities and signing and approval by the Village President.

PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

PAM PARR ______ SCOTT VOLPE ______
TONY GILES ______ TERRY MICHELS ______
GAIL JOHNSON ______ JUDY SOLLINGER ______

APPROVED by me, as President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

BRIAN LeCLERCQ, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS )
COUNTY OF KENDALL )

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE ABATING THE TAX HERETOFORE LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON THE $1,585,000 GENERAL OBLIGATION BONDS, SERIES 2006B, DATED MAY 15, 2006 OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the ____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October, 2013.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)
VILLAGE OF OSWEGO

ORDINANCE NO. 13 -- __

AN ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $3,500,000 GENERAL OBLIGATION BONDS, SERIES 2007A, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE NO. 13 -- ___

AN ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $3,500,000 GENERAL OBLIGATION BONDS, SERIES 2007A, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) of the Village of Oswego, Kendall County, Illinois (the “Village”), by Ordinance Number 07-133, adopted on the 10th day of December, 2007 (the “Ordinance”), did provide for the issue of $3,500,000 General Obligation Bonds, Series 2007A (the “Bonds”), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Pledged Revenues (as defined in the Ordinance) have been determined by the Treasurer to provide an amount not less than 1.25 times debt service of all Outstanding Bonds (as defined in the Ordinance) in the next succeeding bond year (June 15 and December 15); and

WHEREAS, the Pledged Revenues have been deposited in the Alternate Bond and Interest Subaccount (as created in the Ordinance) in an amount sufficient to pay debt service on all Outstanding Bonds in the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of a the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the Bonds be abated;
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Abatement of Tax. The tax heretofore levied for the year 2013 in the Ordinance is hereby abated in its entirety.

### Tax Levied in Ordinances

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$189,000.00</td>
</tr>
</tbody>
</table>

Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of The County of Kendall, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in accordance with the provisions hereof.

Section 3. Effective Date. This ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities and signing and approval by the President.

Section 4. Conflict. All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment
shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**PASSED** by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

PAM PARR  SCOTT VOLPE
TONY GILES  TERRY MICHELS
GAIL JOHNSON  JUDY SOLLINGER

**APPROVED** by me, as President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

BRIAN LeCLERCQ, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS )

COUNTY OF KENDALL )

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

AN ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $3,500,000 GENERAL OBLIGATION BONDS, SERIES 2007A, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the _____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of October, 2013.

______________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
VILLAGE OF OSWEGO

ORDINANCE NO. 13 -- __

ORDINANCE ABATING THE TAX HERETO LevIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $6,000,000 GENERAL OBLIGATION BONDS, SERIES 2007B, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE No. 13 - __

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $6,000,000 GENERAL OBLIGATION BONDS, SERIES 2007B, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) of the Village of Oswego, Kendall County, Illinois (the “Village”), by Ordinance Number 07-134, adopted on the 10th day of December, 2007 (the “Ordinance”), did provide for the issue of $6,000,000 General Obligation Bonds, Series 2007B (the “Bonds”), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Pledged Revenues (as defined in the Ordinance) have been determined by the Treasurer to provide an amount not less than 1.00 times debt service of all Outstanding Bonds (as defined in the Ordinance) in the next succeeding bond year (June 15 and December 15); and

WHEREAS, the Pledged Revenues have been deposited in the Pledged Revenues Account of the Village of Oswego 2007B Alternate Bond Fund (as created in the Ordinance) in an amount sufficient to pay debt service on all Outstanding Bonds in the next succeeding bond year; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the Bonds be abated;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Abatement of Tax. The tax heretofore levied for the year 2013 in the Ordinance is hereby abated in its entirety.
Tax Levied in Ordinances

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL AMOUNT OF</th>
<th>DATED</th>
<th>OF TAX TO BE ABATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$6,000,000</td>
<td>DECEMBER, 2007</td>
<td>$315,425.00</td>
</tr>
</tbody>
</table>

Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of The County of Kendall, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in accordance with the provisions hereof.

Section 3. Effective Date. This ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities and signing and approval by the President.

Section 4. Conflict. All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

.

Ordinance No. 13-
Page 3
PAM PARR     _____  SCOTT VOLPE     _____
TONY GILES     _____  TERRY MICHELS     _____
GAIL JOHNSON     _____  JUDY SOLLINGER     _____

APPROVED by me, as President of the Board of Trustees of the Village of Oswego,
Kendall County, Illinois, this ___ day of October, A.D., 2013.

____________________________________
BRIAN LeCLERCQ, VILLAGE PRESIDENT

____________________________________
TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS )

) SS
COUNTY OF KENDALL )

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $6,000,000 GENERAL OBLIGATION BONDS, SERIES 2007B, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the ____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October, 2013.

______________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
ORDINANCE NO. 13 -- __

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $9,015,000 GENERAL OBLIGATION BONDS, SERIES 2009, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE NO. 13 – __

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $9,015,000 GENERAL OBLIGATION BONDS, SERIES 2009, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) of the Village of Oswego, Kendall County, Illinois (the “Village”), by Ordinance Number 09-64, adopted on the 18th day of August, 2009 (the “Ordinance”), did provide for the issue of $9,015,000 General Obligation Bonds, Series 2009 (the “Bonds”), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Village will have Pledged Revenues (as defined in the ordinance) available for the purpose of paying the principal of and interest on the bonds up to and including December 15, 2013; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the bonds be abated.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Abatement of Tax. The tax heretofore levied for the year 2013 in the Ordinance is hereby abated in its entirety.
**Tax Levied in Ordinances**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL AMOUNT OF LEVY</th>
<th>OF DATED AUGUST, 2009</th>
<th>TOTAL AMOUNT OF TAX TO BE ABATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$932,550.02</td>
<td>$932,550.02</td>
<td>$932,550.02</td>
</tr>
</tbody>
</table>

**Section 2. Filing of Ordinance.** Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of The County of Kendall, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in accordance with the provisions hereof.

**Section 3. Effective Date.** This ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities and signing and approval by the President.

**Section 4. Conflict.** All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 5.** If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.
PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

PAM PARR     ____  SCOTT VOLPE     ____
TONY GILES     ____  TERRY MICHELS     ____
GAIL JOHNSON     ____  JUDY SOLLINGER     ____

APPROVED by me, as President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

BRIAN LeCLERCQ, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS  )

COUNTY OF KENDALL  )

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $9,015,000 GENERAL OBLIGATION BONDS, SERIES 2009, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the _____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of October, 2013.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)
VILLAGE OF OSWEGO

ORDINANCE NO. 13 -- __

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $4,055,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE NO. 13 – __

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $4,055,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) of the Village of Oswego, Kendall County, Illinois (the “Village”), by Ordinance Number 11-72, adopted on the 18th day of October, 2011 (the “Ordinance”), did provide for the issue of $4,055,000 General Obligation Refunding Bonds, Series 2011 (the “Bonds”), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Village will have Pledged Revenues (as defined in the ordinance) available for the purpose of paying the principal of and interest on the bonds up to and including December 15, 2013; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the bonds be abated.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Abatement of Tax. The tax heretofore levied for the year 2013 in the Ordinance is hereby abated in its entirety.
Tax Levied in Ordinances

<table>
<thead>
<tr>
<th>YEAR</th>
<th>$4,055,000</th>
<th>TOTAL AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>OF DATED</td>
<td>OCTOBER, 2011</td>
<td>OF TAX TO BE ABATED</td>
</tr>
<tr>
<td>LEVY</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>$410,675.00</td>
<td>$410,675.00</td>
</tr>
</tbody>
</table>

Section 2. **Filing of Ordinance.** Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of The County of Kendall, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in accordance with the provisions hereof.

Section 3. **Effective Date.** This ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities and signing and approval by the President.

Section 4. **Conflict.** All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**PASSED** by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.
PAM PARR  ______ SCOTT VOLPE  ______
TONY GILES  ______ TERRY MICHELS  ______
GAIL JOHNSON  ______ JUDY SOLLINGER  ______

APPROVED by me, as President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

____________________________________
BRIAN LeCLERCQ, VILLAGE PRESIDENT

____________________________________
TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS )

COUNTY OF KENDALL )

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $4,055,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the _____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of October, 2013.

Tina Touchette, Village Clerk
Village of Oswego

(Seal)
VILLAGE OF OSWEGO

ORDINANCE NO. 13 -- __

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $2,325,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND OBLIGATION REFUNDING BONDS, SERIES 2012, INTEREST ON $2,325,000 GENERAL OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) of the Village of Oswego, Kendall County, Illinois (the “Village”), by Ordinance Number 12-53, adopted on the 21ST day of August, 2012 (the “Ordinance”), did provide for the issue of $2,325,000 General Obligation Refunding Bonds, Series 2012 (the “Bonds”), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Village will have Pledged Revenues (as defined in the ordinance) available for the purpose of paying the principal of and interest on the bonds up to and including December 15, 2013; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the bonds be abated.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Abatement of Tax. The tax heretofore levied for the year 2013 in the Ordinance is hereby abated in its entirety.
Tax Levied in Ordinances

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL AMOUNT OF TAX TO BE ABATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$369,400.00</td>
</tr>
</tbody>
</table>

Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of The County of Kendall, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in accordance with the provisions hereof.

Section 3. Effective Date. This ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities and signing and approval by the President.

Section 4. Conflict. All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___day of October, A.D., 2013.
APPROVED by me, as President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.

BRIAN LeCLERCQ, VILLAGE PRESIDENT

TINA TOUCHETTE, VILLAGE CLERK
STATE OF ILLINOIS  

)  

COUNTY OF KENDALL  

) SS

CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $2,325,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the ____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of October, 2013.

__________________________________________
Tina Touchette, Village Clerk
Village of Oswego

(Seal)
VILLAGE OF OSWEGO

ORDINANCE NO. 13 -- __

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $8,595,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO THIS ___ DAY OF OCTOBER, 2013
ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $8,595,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

WHEREAS, the President and Board of Trustees (the “Corporate Authorities”) of the Village of Oswego, Kendall County, Illinois (the “Village”), by Ordinance Number 13-24, adopted on the 7th day of May, 2013 (the “Ordinance”), did provide for the issue of $8,595,000 General Obligation Refunding Bonds, Series 2013 (the “Bonds”), and the levy of a direct annual tax sufficient to pay the principal of and interest on the Bonds; and

WHEREAS, the Village will have Pledged Revenues (as defined in the ordinance) available for the purpose of paying the principal of and interest on the bonds up to and including December 15, 2013; and

WHEREAS, it is necessary and in the best interests of the Village that the tax heretofore levied for the year 2013 to pay the principal of and interest on the bonds be abated.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1. Abatement of Tax. The tax heretofore levied for the year 2013 in the Ordinance is hereby abated in its entirety.
Tax Levied in Ordinances

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TOTAL AMOUNT OF TAX TO BE ABATED</th>
<th>TOTAL AMOUNT OF DATED LEVY</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$309,450.00</td>
<td>$309,450.00</td>
</tr>
</tbody>
</table>

Section 2. Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of The County of Kendall, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2013 in accordance with the provisions hereof.

Section 3. Effective Date. This ordinance shall be in full force and effect forthwith upon its passage by the Corporate Authorities and signing and approval by the President.

Section 4. Conflict. All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

PASSED by the Board of Trustees of the Village of Oswego, Kendall County, Illinois, this ___ day of October, A.D., 2013.
PAM PARR
TONY GILES
GAIL JOHNSON

SCOTT VOLPE
TERRY MICHELS
JUDY SOLLINGER

APPROVED by me, as President of the Board of Trustees of the Village of Oswego,
Kendall County, Illinois, this ___ day of October, A.D., 2013.

____________________________________
BRIAN LeCLERCQ, VILLAGE PRESIDENT

____________________________________
TINA TOUCHETTE, VILLAGE CLERK
CLERK'S CERTIFICATE

I, Tina Touchette, the duly qualified and acting Village Clerk of the Village of Oswego, Kendall County, Illinois, do hereby certify that I am the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance entitled:

ORDINANCE ABATING THE TAX HERETO LEVIED FOR THE YEAR 2013 TO PAY THE PRINCIPAL OF AND INTEREST ON $8,595,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013, OF THE VILLAGE OF OSWEGO, KENDALL COUNTY, ILLINOIS.

which Ordinance was duly adopted by said Board of Trustees at a special meeting held on the _____ day of October, 2013.

I do further certify that a quorum of said Board of Trustees was present at said meeting and that the Board complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of October, 2013.

_________________________________________________________________
Tina Touchette, Village Clerk
Village of Oswego
(Seal)
AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
FROM: Director of Public Works, Jerry Weaver
DATE: October 17, 2013
AGENDA: October 22, 2013 Village Board Meeting.
SUBJECT: Minkler Road Bridge Emergency Repair

Purpose:
To approve the emergency repair of Minkler Road Bridge

Background:
Minkler Road Bridge was damaged on 9-15-2013 due to an accident caused by a car hitting the bridge guardrail.

Discussion:
On 9-15-2013 an accident on Minkler Road Bridge caused the bridge deck itself to be damaged due to a vehicle ripping the attached guardrail and guardrail posts off of the bridge deck where the guardrail was attached to. The bridge deck must be repaired before the new guardrail can be attached. Also during the bridge inspection there was a large void under a portion of the bridge. We believe this void was due to erosion possibly during the flood in April. This will also be filled in when the rest of the repair is underway.

I have met with the two bridge contractors that bid on the repair of Wolf Road and Adams Street bridges after the flood in April, “D” Construction and R. A. Ubert. R. A. Ubert has submitted a bid, but several attempts to contact “D” Construction have failed. I have sent emails to the representative from “D” and have left several phone messages. I have reached out to Plote Construction who is doing the work on Route 30. Perry at Plote stated that he would have his bridge contractor contact me. I have yet to hear from this contractor also.

I will continue to reach out to “D” Construction to get a quote for this repair. Also after the accident we have placed water filled barricades to make this area safer. There are a total of 34 barricades going to the north. We are currently renting these barricades at $ 4.00 apiece for a total of $ 136.00 a day.
Funding
This is an unbudgeted item and will be taken out of Road & Bridge General Fund

Recommendation
R.A.Ubert with the price of $11,270.00. But again I will continue to contact additional vendors for other quotes.

Strategic Planning Objective:
N/A
We will perform the above mention project and supply labor, material, equipment, and management.

To Include:

1) Footing- The sub grade will be leveled off and the face of the footing will be keyed into the ground. This should stop the erosion and help keep the undermining to a minimum. Dowels will be drilled into the existing retaining wall.

2) Wall- We will frame a wall 6” away from the existing precast slab. Concrete will be poured into the eroded area and vibrated in place to try to fill the entire void. Dowels will be drilled into the precast slab. The areas of the precast that are damaged will be cleaned of the loose debris and concrete will be poured and vibrated into the affected area.

3) Blacktop- A cut will be made approximately 12” from the edge of pavement and new asphalt patch will be installed and compacted.

4) Traffic control- A flagger will be used to control traffic. We will also set a road closure with the proper traffic control. Closing the road is recommended.

Price $11,270.00

Exclusions; Permits, bonding, landscaping, primary noncontributory additional insured wording, testing.

1 mobilization included

TERMS: NET 30 DAYS
THE BUYER HEREBY WAIVES TRIAL BY JURY IN ANY LITIGATION ARISING OUT OF THIS CONTRACT. THE BUYER HEREBY VOLUNTARILY AND EXPRESSLY AGREES THAT VENUE MAY BE HAD IN KANE OR KENDALL COUNTY, ILLINOIS, AT SELLERS
ELECTION. BUYER SHALL PAY ATTORNEY'S FEES AND COSTS INCURRED BY CONTRACTOR. IN THE EVENT PAYMENT IS NOT RECEIVED WITHIN 30 DAYS OF INVOICE, A 1.5% MONTHLY SERVICE CHARGE WILL BE ADDED TO BALANCE DUE.

ANY ALTERATION OR DEVIATION FROM THE ABOVE SPECIFICATIONS INVOLVING EXTRA COST OF MATERIAL OR LABOR WILL ONLY BE EXECUTED UPON WRITTEN ORDERS FOR SAME AND WILL BECOME AN EXTRA CHARGE OVER THE SUM MENTIONED IN THIS CONTRACT. ALL AGREEMENTS MUST BE MADE IN WRITING.

THE CONTRACTORS AGREE TO CARRY WORKMANS COMPENSATION AND PUBLIC LIABILITY INSURANCE, ALSO TO PAY ALL STATE SALES TAXES, OLD AGE BENEFIT AND UNEMPLOYMENT COMPENSATION TAXES UPON THE MATERIAL AND LABOR FURNISHED UNDER THIS CONTRACT, AS REQUIRED BY THE UNITED STATES GOVERNMENT AND STATE IN WHICH THIS WORK IS PERFORMED.

______________________________  DATE ____________  2o ___
(RALPH UBERT)

ACCEPTANCE

YOU ARE HEREBY AUTHORIZED TO FURNISH ALL MATERIALS AND LABOR REQUIRED TO COMPLETE THE WORK MENTIONED IN THE ABOVE PROPOSAL, FOR WHICH THE UNDERSIGNED AGREES TO PAY THE AMOUNT MENTIONED IN SAID PROPOSAL, AND ACCORDING TO THE TERMS THEREOF.

______________________________  DATE ____________  2o ___
ACCEPTED
AGENDA MEMORANDUM

TO: Village President Brian LeClercq and Board of Trustees
CC: Village Administrator, Village Attorney and Department Heads
FROM: Director of Public Works, Jerry Weaver
DATE: October 17, 2013
AGENDA: October 22, 2013 Village Board Meeting.
SUBJECT: Minkler Road Bridge Emergency Guardrail Repair

Purpose:
To approve the emergency repair of Minkler Road Bridge Guardrail.

Background:
Minkler Road Bridge Guardrail was damaged on 9-15-2013 due to an accident caused by a car hitting the bridge guardrail.

Discussion:
On 9-15-2013 an accident on Minkler Road Bridge caused the guardrail to be severely damaged. A portion of the guardrail and posts must be replaced. Also due to the number of accidents at this location it is my recommendation to extend the guardrail 200 feet to the north of the bridge. With this 200 feet extension hopefully this will elevate any future accidents at this site.

I have met with one contractor, Northern Contracting, about the repair and then the 200 foot extension. For the repair they have quoted $ 9,918.80 and for the extension $ 6,490.00 for a total of $ 16,408.80. The repair amount of $ 9,918.80 has been turned into our insurance.

I have spoken to Oswego Township, Kendall County Highway Department along with HR Green and all have stated that Northern Contracting is the only certified bridge guardrail contractor they have utilized. But I will continue to seek other proposals.

Funding
This is an unbudgeted item and will be taken out of Road & Bridge General Fund.
Recommendation

Northern Contracting with a quote of $16,408.80 for the repair of the Guardrail on Minkler Road Bridge and the 200 foot extension to the north on Minkler Road. I will continue to seek other certified guardrail contractors and if possible bring another quote to the October 22nd board meeting.

Strategic Planning Objective:
N/A
TO: Village of Oswego

Attn: Pat

Re: Minkler Rd. Bridge Rail

Damage N/O Reservation Rd.

Quote Valid for 30 Days.

NORTHERN CONTRACTING, INC.
1851 Coltonville Road
Sycamore, Illinois 60178

Phone: 815/895-5855
Fax: 815/895-2117

Date: 9/17/2013

**QUOTATION**

<table>
<thead>
<tr>
<th>PAY ITEMS</th>
<th>QTY</th>
<th>UNIT</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are pleased to quote the following cost to provide all materials,</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>labor &amp; equipment necessary to repair the damaged bridge rail on the</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N/W corner of the bridge.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Prior to bridgerail repairs, concrete bridge deck will need to be</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>repaired. (by others)*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) damaged bridge rail posts to be replaced.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New posts will need to be re-anchored into repaired bridge deck.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In addition to posts being replaced, (4) posts were shifted due to</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>impact. These posts will need to be adjusted back to plumb. Adjustments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>may require surface repair to concrete. (1) section of 4&quot;X12&quot;X22'-1&quot;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>bridge rail to be replaced</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>along with 3/4 wrap end wing &amp; D.A. marker.</td>
<td></td>
<td></td>
<td>$4,885.00</td>
</tr>
</tbody>
</table>

lump
### Materials as follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1&quot;X 10&quot; Galvanized Threaded Rods</td>
<td>12</td>
<td>$6.85</td>
<td>$82.20</td>
</tr>
<tr>
<td>5/8&quot;X 8&quot; Galvanized Threaded Rods</td>
<td>12</td>
<td>$4.25</td>
<td>$51.00</td>
</tr>
<tr>
<td>1&quot; Hex Nuts</td>
<td>12</td>
<td>$0.95</td>
<td>$11.40</td>
</tr>
<tr>
<td>5/8&quot; Hex Nuts</td>
<td>12</td>
<td>$0.45</td>
<td>$5.40</td>
</tr>
<tr>
<td>1&quot; Round Washers</td>
<td>12</td>
<td>$0.45</td>
<td>$5.40</td>
</tr>
<tr>
<td>5/8&quot; Round Washers</td>
<td>12</td>
<td>$0.35</td>
<td>$4.20</td>
</tr>
<tr>
<td>Sika, Hi-Mod Epoxy</td>
<td>4</td>
<td>$100.00</td>
<td>$400.00</td>
</tr>
<tr>
<td>Hilti, Hit-Ice Epoxy</td>
<td>5</td>
<td>$75.00</td>
<td>$375.00</td>
</tr>
<tr>
<td>3/4&quot; X 6&quot; Button-Head Bridgerail Bolts</td>
<td>12</td>
<td>$8.25</td>
<td>$99.00</td>
</tr>
<tr>
<td>3/4&quot; X 3-1/4&quot; Hex-Head Bolts</td>
<td>12</td>
<td>$4.25</td>
<td>$51.00</td>
</tr>
<tr>
<td>3/4&quot; Locking Hex Nuts</td>
<td>24</td>
<td>$1.28</td>
<td>$30.72</td>
</tr>
<tr>
<td>3/4&quot; Round Washers</td>
<td>24</td>
<td>$0.77</td>
<td>$18.48</td>
</tr>
<tr>
<td>W6 X 25#/ft S1 Rail Posts w/ Angle Clips</td>
<td>5</td>
<td>$300.00</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>4&quot; X 12&quot; X 22'-1&quot; Bridge Rail Tube</td>
<td>1</td>
<td>$1,200.00</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Galvanized 3/4 Wrap End Wing</td>
<td>1</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

**Materials Total:** $3,858.80

### Equipment as Follows:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-Ton Truck &amp; Trailer</td>
<td>$200.00</td>
</tr>
<tr>
<td>Skid-Steer Machine</td>
<td>$100.00</td>
</tr>
<tr>
<td>Generator</td>
<td>$75.00</td>
</tr>
<tr>
<td>Hammer Drill</td>
<td>$45.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>Charge</td>
</tr>
<tr>
<td>-----------------</td>
<td>---------</td>
</tr>
<tr>
<td>Mag Drill</td>
<td>$35.00</td>
</tr>
<tr>
<td>Air Compressor</td>
<td>$55.00</td>
</tr>
<tr>
<td>Traffic Signage</td>
<td>$50.00</td>
</tr>
<tr>
<td>Flaggers</td>
<td>$615.00</td>
</tr>
</tbody>
</table>

**Equipment Total:** $1,175.00

**Total Repair Cost:** $9,918.80

**NOTE:** Additional insurance on primary basis only is furnished.

No waiver of subrogation on Workman Compensation.

Plus any additional insurnace cost that we incur because of your requirements will be additional to our basic bid.
TO: Village of Oswego
Attn: Pat
Re: Minkler Rd. New Guardrail
Install at N/W corner of Bridge.
Quote Valid for 30 Days.

NORTHERN CONTRACTING, INC.
1851 Coltonville Road
Sycamore, Illinois 60178
Phone: 815/895-5855
Fax: 815/895-2117

Date: 9/17/2013

QUOTATION

<table>
<thead>
<tr>
<th>PAY ITEMS</th>
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<th>UNIT</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>We are pleased to quote the following cost</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to provide all materials, labor &amp; equipment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>necessary to install 200 LF of guardrail</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>off the N/W corner of the bridge.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quote includes; 12.5 LF of Type-5 guardrail connecting to existing bridge rail (TBT-T5A),</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>137.5 LF of Type-A guardrail &amp; 50 LF Type-1 end section (TBT-T1S). Installation will require</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a lane closure with flaggers &amp; all necessary traffic signage. All posts to be driven to depth</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>via truck from road side.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL $6,490.00</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTE: Additional insurance on primary basis only is furnished.
No waiver of subrogation on Workman Compensation.
Plus any additional insurance cost that we incur because of your requirements will be additional to our basic bid.
WHEREAS, the Village of Oswego proudly recognizes its veterans of war in conjunction with National Veterans Day, observed on Monday, November 11, 2013; and

WHEREAS, the dedicated men and women who have served, and those presently serving in the armed services, are especially honored for their loyalty and protection of all citizens of the United States of America; and

WHEREAS, a groundbreaking ceremony was held on Flag Day, June 14, 2001, for the Veterans Memorial Plaza, at the corner of Main and Jefferson Streets in downtown Oswego; and

WHEREAS, the Veterans Historical Walk featuring obelisks honoring to those who have served in each war was dedicated on November 12, 2005; and

WHEREAS, the Oswego Veterans Memorial Plaza and Historical Walk, are dedicated to all men and women who served our country in time of need and who will serve in the future; and

WHEREAS, it is fitting that the recurring anniversary of this date should be commemorated with thanksgiving and prayer and exercises designed to perpetuate peace through good will and mutual understanding between nations.

NOW, THEREFORE, I, Brian LeClercq, President of the Board of Trustees of the Village of Oswego, Kendall County, Illinois, do hereby proclaim November 11, 2013 as VETERANS’ DAY

In the Village of Oswego and urge all citizens to observe the week of November 11 through 15, 2013, as a week honoring all Veterans. I further encourage all residents to recognize the valor and sacrifice of our veterans; to participate in patriotic activities in our community; and to display the flag of the United States of America.

DATED this 22nd day of October, 2013.

Brian LeClercq, Oswego Village President

Attest:

Tina Touchette, Village Clerk