



Agenda Item Executive Summary

Item Name A Resolution Authorizing the Extension of the Letter of Credit for Peak Storage Committee or Board Board

BUDGET IMPACT

Amount:	N/A	Budgeted:	N/A
List what fund:	N/A		

EXECUTIVE SUMMARY

The proposed resolution addresses a one-year extension of the irrevocable Letter of Credit posted by Peak Storage to secure construction of the recreational walking path and other outstanding development improvements. The original Letter of Credit was \$37,570.50 and was scheduled to expire in September 2026.

At its September 16, 2026 meeting, the Village Board voted to enforce the Letter of Credit while staying enforcement until the October 7, 2026 Board meeting. The Board also directed the Village Attorney to contact Peak Storage's bank regarding the matter.

Following that action, Attorney Gaziano contacted Peak Storage representative Ryan Winter and emphasized the need to obtain the extension immediately to avoid the Village calling the Letter of Credit. On September 17, Holcomb State Bank provided an extension through September 18, 2027, increasing the secured amount to \$46,355.10. This represents an increase of \$8,784.60 and matches Fehr Graham's updated Engineer's Opinion of Probable Cost, included with the resolution as Exhibit B.

The Village previously deferred construction of the recreational path because it could conflict with future critical infrastructure improvements, including the planned water main loop. The timing of the Village's work did not leave sufficient time to practically update the plans, but the obligation to construct the path remains in place.

Other required site improvements also remain incomplete, including landscaping, parking lot paving, and compliance with Winnebago County stormwater requirements. These obligations remain conditions associated with the extended Letter of Credit.

ATTACHMENTS (PLEASE LIST)

Draft Resolution (Final Draft to be provided by Attorney Gaziano), Exhibit A (Draft), Updated Letter of Credit

ACTION REQUESTED

- ☐ For Discussion Only
- ☒ Resolution
- ☐ Ordinance
- ☒ Motion:

MOTION: I MOVE TO APPROVE RESOLUTION 2026-__ R, A RESOLUTION AUTHORIZING THE EXTENSION OF THE LETTER OF CREDIT FOR PEAK STORAGE

Staff: Joey Dienberg, Village Administrator Date: 9/16/2026