

<p>Village President Jennifer Konen</p> <p>Village Administrator Brent M. Eichelberger</p>	 <p>10 S. Municipal Drive Sugar Grove, Illinois 60554 Phone: 630-391-7200 Fax: 630-391-7210</p>	<p>Village Trustees</p> <p>Matthew Bonnie Sean Herron Heidi Lendi Michael Schomas Ryan Walter James F. White</p>
----------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------

**September 7, 2021
Regular Board Meeting
6:00 p.m.**

1. Call to Order

President Konen called the meeting to order at 6:00 p.m.

2. Pledge of Allegiance

President Konen asked Director Magdziarz to lead the Pledge of Allegiance.

3. Roll Call

The September 7, 2021 Village Board meeting was held in person in the Board Room at Village Hall.

Present: 7 President Jennifer Konen, Trustee Matthew Bonnie, Trustee Sean Herron, Trustee Heidi Lendi, Trustee Ryan Walter, Trustee Michael Schomas, Trustee James F. White

Absent: 0

Also Present:

Administrator Eichelberger, Attorney Julien, Public Works Director Speciale, Community Development Director Magdziarz, Finance Director Anastasia, Police Chief Rollins, Public Works Deputy Director Merkel, and Assistant to the Village Administrator/Village Clerk Murphy

4. Public Hearing

None

5. Appointments and Presentation

None

6. Public Comments on Items Scheduled for Action

None

7. Consent Agenda

A motion was made by Trustee Herron, seconded by Trustee Schomas, to approve the Consent Agenda with the exception of item J. The motion carried by the following vote:

AYES: 6 Herron, Schomas, Bonnie, White, Walter, Lendi

Nays: 0

Absent: 0

- a. Approval: Minutes of the August 17, 2021 Village Board Meeting
- b. Approval: Vouchers
- c. Proclamation: Childhood Cancer Awareness Month
- d. Ordinance 20210907A: Proposing SSA No. 28 – Rosewood – STAR
- e. Resolution 20210907A: Accepting a Plat of Easement for Sidewalk – Healy Chapel
- f. Resolution 20210907B: Appointing a Delegate and Alternate to Intergovernmental Risk Management Agency (IRMA)
- g. Resolution 20210907PW5: Approving a Change Order for Crack Sealing
- h. Resolution 20210907PW2: Authorizing an Agreement for Public Works HVAC Replacement
- i. Resolution 20210907PW1: Authorizing the Purchase of Two Replacement Trucks with Plows
- j. Resolution: Authorizing an Agreement for Sealcoating Parking Lots
- k. Resolution 20210907PW4: Authorizing an Agreement for SR Treatment Plant Security System Replacement

Trustee White asked for item j - Resolution: Authorizing an Agreement for Sealcoating Parking Lots to be removed from the Consent Agenda so that he could abstain from the vote.

A motion was made by Trustee Schomas, seconded by Trustee Herron, to approve a resolution 20210907PW3 authorizing an agreement for the sealcoating of parking lots at 140/160 Municipal Drive with Guardian Asphalt Maintenance. The motion carried by the following vote:

AYES: 5 Schomas, Herron, Lendi, Bonnie, Walter
Nays: 0
Abstain: 1 White
Absent: 0

8. General Business

- a. Ordinance: Amending the Village Code – Meeting Agenda

A motion was made by Trustee Herron, seconded by Trustee Bonnie, to approve ordinance 20210907B amending Section 1-8-2H Order of Business. The motion passed by the following vote:

AYES: 6 Herron, Bonnie, Walter, White, Lendi, Schomas
Nays: 0 None
Absent: 0 None

Administrator Eichelberger stated that the proposed ordinance moves the Airport Report up to closer to the beginning of the meeting as requested by the Board at the August 17, 2021 meeting. He noted that the second Public Comment section has been moved up to before Discussion to accommodate comments closer to the issue being

discussed by the Board. Board discussion regarding when the second Public Comment should be held on the agenda ensued. Board reached consensus to approve as presented.

b. Ordinance: Implementing a Tax on Cannabis Sales

A motion was made by Trustee Lendi, seconded by Trustee Herron, to approve ordinance 20210907C imposing a municipal cannabis retailers' occupation tax. The motion passed by the following vote:

AYES: 4 Lendi, Herron, Bonnie, Schomas

Nays: 2 White, Walter

Absent: 0 None

Director Anastasia presented the proposed ordinance. He noted that the proposed rate is set at 3% based on the consensus of the Board at the August 17, 2021 meeting. Anastasia stated the approval of the tax does not change any zoning regulations or allow a permitted use to a Recreational Cannabis business. The approval of the tax put the tax in place for when/if a recreational cannabis business opens within the Village limits. This is being proactive to not lose out on any additional tax revenue the Village could receive. Board discussion ensued on what other taxes are available to the Village, but not in use. Anastasia responded that there is a "push" tax on video gaming. Administrator Eichelberger noted that a tax on the sale of water is also available. Staff will share a report on other taxing options.

9. Discussion Items

a. Prairie Grove Commons

Director Magdziarz presented the history of the property at the southwest corner of Galena Boulevard and Sugar Grove Parkway, commonly known as Prairie Grove Commons. The current property owner, SDP Sugar Grove, LLC, desires to develop a commercial subdivision, in phases, on the property and has a plan that reflects today's commercial environment that is inconsistent with the current Annexation Agreement. Staff has worked with the property owner to come to general agreement on the presented draft amendment to the annexation agreement. Board discussion ensued. Tony Simmons from HR Green attended to answer questions regarding road improvements. Staff anticipates that the Amendment could come before the Board for a vote at the September 21, 2021 meeting.

President Konen asked Joe Wolf to give his Airport Report following the discussion of Prairie Grove Commons.

b. Big Rock Boundary Agreement

Administrator Eichelberger presented the draft Boundary Agreement with the Village of Big Rock. He stated the President Konen has had several conversations with Village of Big Rock President Hummel and both have expressed support for the proposal as presented. Staff also supports the agreement. The Board reached consensus to support the agreement as presented.

c. Restaurant Survey Analysis

Assistant to the Village Administrator Murphy presented the background on the January 2020, February 2020 and July 2021 restaurant surveys. Trustee Schomas presented his analysis of the data gathered this July.

d. Zoning Variation Limitations

Director Magdziarz stated that during the Board discussion regarding the Fire Protection District's application for a Special Use Permit and zoning variation for their proposed accessory training tower, it was brought up that the Zoning Ordinance placed restrictions on the amount of a variation that the Village Board could approve. Staff reviewed the issue and proposed a Zoning Ordinance amendment to the Planning Commission that would remove the limitations on the amount of variation that could be granted. The Planning Commission held a public hearing to consider the proposed amendment and recommended the Village Board approve the Zoning Ordinance amendment as proposed. Board discussion ensued. Staff will distribute Trustee White's comments to Board members and will work to create a modified amendment that will allow flexibility while providing structure for decisions.

e. American Rescue Plan Act (ARPA) Funding Allocation

Director Anastasia stated that the Village has received the first installment of the ARPA funds totaling \$672,108.17 or 50%. The second distribution will be distributed no earlier than one year after the first distribution was made. All funds in relation to the ARPA must be obligated by December 31, 2024 and spent by December 31, 2026. ARPA Funds are eligible for expenses incurred beginning on March 3, 2021 going forward. As staff reviews the eligible uses of funds, it appears the majority of the funds will go towards Water & Sewer projects as there are very few General Fund expenditures that are eligible for the Village. Board discussion ensued regarding using the funds for the water project on Fays Lane that is budgeted for construction in 2022. No consensus was reached, Board discussion on the issue will continue at a later date.

f. Village President Emergency Powers/President Pro Tem Ordinance

Assistant to the Village Administrator Murphy stated that when the Village President issued a declaration of emergency at the beginning of COVID, questions were raised regarding the powers granted to the President and also the determination of a President Pro Tem. Staff presented options to alleviate concerns regarding presidential

powers and clarify how the President Pro Tem is determined. Board discussion ensued. Staff will bring the item back for further discussion.

10. Reports

a. Staff

Director Anastasia reported that President Konen, Administrator Eichelberger and he met with staff from Lauterbach & Amen, the Village audit consultant, regarding the use of funds over and above the Village's General Fund reserve policy. He stated that it is possible to transfer excess funds into the capital projects or infrastructure funds for use on Village projects. When the final audit numbers are in later this month, staff will again look at the excess funds and bring back a resolution for transfer at the September 21, 2021 Board meeting.

Director Anastasia reported that he and Assistant to the Village Administrator Murphy met with MCCi regarding digitizing documents. As this expense is not budgeted in the current fiscal year, this project will be proposed in the FY23 budget.

Administrator Eichelberger reported that staff used the new Initiatives Update report. He will be meeting with Cordogan & Clark to start the Village Hall Space Needs Assessment shortly. The Board discussed staff's plan to extend the no longer mandated payroll protection for employees who are vaccinated and have a breakthrough case of COVID.

Chief Rollins reported that in early August Sgt. Durham and Officer Alcaraz responded to a resident overdose. The officers were able to successfully revive the resident using NARCAN, which has been in use by the PD for several years. He thanked the community for supporting Coffee with Champions. Over \$3,400 was raised this year to support Special Olympics. Trustee White asked Rollins to address speeding on Snow Street.

Director Speciale reported that the 2021 Road Program was complete. He noted that the Water Department responded to a large water main break on August 25 that drained the north tower within 15 minutes. The crew was able to stop the leak within an hour and repairs have been completed. Board discussion ensued regarding the punch list for Hannaford Farm and the topsoil pile. Trustee Lendi stated that she has received several compliments from neighbors regarding the new streetlights in Windsor Pointe.

Director Magdziarz reported that Deepcoat received their roofing materials on time and work is proceeding full steam ahead for a move in date of late October. Staff is still waiting for the as-built documents from Prairie Point. He stated that the updated start date for the CMAP led Comprehensive Plan update is 9/15 with public input sometime possible in October. He told the Board that a roofer who had been cited for code violations during inspections has temporarily lost their license due to infractions at the county level.

b. Trustees

Trustee Bonnie reported that he spoke with the Fire Board regarding their new Training Center and that he will be talking to the Fire Chief tomorrow.

Trustee Schomas congratulations to all those who made Food Truck Friday a success.

Trustee Herron reported that he virtually attended the August 30 Kaneland School Board meeting. He stated that the solar fields are now fully operational.

Trustee White asked if the school needed a permit for the solar panels; Director Magdziarz responded that schools are exempt.

c. President

President Konen reported the following:

- Met with Village of Big Rock President Hummel regarding the boundary agreement.
- Attended a Groovin' in the Grove meeting regarding plans for next year. She asked the Board if they wanted to continue financially supporting the program in next year. The Board reached consensus to continue financial support of \$2,500.
- Attended a Ribbon Cutting at Dirty Pawz, 50 Cross Street.
- Was the featured guest at the August After Hours Chamber event at Old Second.
- Attended a Golf Outing fundraiser for Rep. Dan McConchie with Rep. Don DeWitt.
- Attended Coffee with Champions at Dunkin'
- Stated Food Truck Friday was a nice surprise and complimented the staff for their efforts. She thanked resident Renee Dee for spearheading the event and two anonymous donors for their support.

11. Public Comments

None

12. Airport Report

Joe Wolf reported that he spoke with Airport tenants regarding the need they see for restaurants and hotels from their customers.

13. Closed Session

None

14. Adjournment

A motion was made by Trustee White, seconded by Trustee Schomas, to adjourn the Regular Meeting of the Board of Trustees at 10:44 p.m. The motion carried by the following vote:

AYE: 6	White, Schomas, Bonnie, Herron, Walter, Lendi
Nays: 0	None
Absent: 0	None

ATTEST:

/s/ Alison Murphy

Alison Murphy

Village Clerk