



**MINUTES
VILLAGE OF SUGAR GROVE
VILLAGE BOARD MEETING
JANUARY 21, 2025, 6:00 P.M.**

1. Call to Order

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

2. Pledge of Allegiance

Trustee Herron led the Pledge of Allegiance.

Roll Call

The Village Board meeting was held in person on January 7, 2024, in the Village Board room at the Police Department.

Present: President Jennifer Konen, Trustee Sean Herron, Trustee Matthew Bonnie, Trustee Sean Michels, Trustee Jamie White, Trustee Heidi Lendi

Absent: Trustee Michael Schomas

Additional Attendees: Village Administrator Scott Koeppel, Finance Director Matthew Anastasia, Public Works Director Brad Merkel, Economic Development Director Michael Cassa, Police Chief Pat Rollins, Village Attorney Laura Julien, and Village Clerk Tracey Conti.

3. Public Hearing

4. Appointments and Presentations

a. Presentation of a Recommendation from President Konen to Appoint Larry Jones as Chair of the Plan Commission/Zoning Board of Appeals for the Village of Sugar Grove.

President Konen stated that Larry Jones was appointed to the Plan Commission by President Michels in 2016; he was reappointed in 2021, with a term ending in 2026. Mr. Jones has experience of chairing a committee and understands Robert's Rules of Order. President Konen asked the outgoing Chair of the Plan Commission, Irv Ochenschlager, who he would recommend be appointed as Chair, and his recommendation was Larry Jones. President Konen noted that all members of the Plan Commission including the Chair have voting privileges.

Motion by Trustee White, seconded by Trustee Bonnie, to approve the recommendation from President Konen to appoint Larry Jones as Chair of the Plan Commission/Zoning Board of Appeals for the Village of Sugar Grove.

Ayes: White, Bonnie, Michels, Lendi, Herron; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

b. Presentation of a Recommendation from President Konen to appoint Tony Speciale as Vice Chair of the Plan Commission/Zoning Board of Appeals for the Village of Sugar Grove.

President Konen explained that the Vice-Chair would step in if the Chair were absent from a meeting. President Konen noted that Tony was the Public Works Director for the Village of Sugar Grove and served on the Kane County Council of Mayors Transportation Committee as Chair for over 12 years.

Motion by Trustee Herron, seconded by Trustee Bonnie to appoint Tony Speciale as vice chair of the Plan Commission/Zoning Board of Appeals for the Village of Sugar Grove.

Ayes: Herron, Bonnie, Michels, Lendi, White; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

c. Presentation of a Recommendation from President Konen to appoint Rachel Rockwell as a member of the Plan Commission/Zoning Board of Appeals for the Village of Sugar Grove.

President Konen stated that Rachel Rockwell is a longtime resident and advocate for the community. She has served on various committees, including her Homeowners Association (HOA) Board, and is currently a member of the Village of Sugar Grove Enhancement Committee. As a new member of the Plan Commission, Rachel will receive training from the village.

It was noted that Rachel Rockwell will not be required to step down from the Enhancement Committee to fill this position. The position is an appointment by the Village President, approved by the Board, and isn't required to be advertised.

It was noted that an email was received regarding Rachel's appointment, and a request was made to answer the questions posed in the email. It was clarified that Rachel will be filling the remaining term left by Irv Ochenschlager, which expires on 5/1/2028. There are no specific requirements, other than being a resident, in the Village Code or state law, to be on the Plan Commission.

Motion by Trustee White, seconded by Trustee Bonnie, to approve the recommendation from President Konen to appoint Larry Jones as Chair of the Plan Commission/Zoning Board of Appeals for the Village of Sugar Grove.

Ayes: White, Bonnie, Michels, Lendi, Herron; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

5. Airport Report - None

6. Public Comment on Scheduled Action Items

- Jaden Chada spoke regarding the Referendum Fact Sheet.

7. Consent Agenda

- a. **Approval:** January 7, 2025, Board Meeting Minutes.
- b. **Approval:** January 21, 2025, Vouchers.
- c. **Approval:** December 2024 Treasurer's Report.
- d. **Ordinance:** Amending Title 11, Chapter 18 Outdoor Illumination to Adopt Dark Sky Regulations.

Motion by Trustee White, second by Trustee Herron, to approve the Consent Agenda as presented.

Ayes: White, Herron Michels, Lendi, Bonnie; Nays: None; Abstain: None; Absent: Schomas.

MOTION PASSES

8. General Business

- a. **Resolution: Approving Professional Services Agreement for Architecture Services – Police Department.**

Based on the direction from the Village Board at the January 7, 2025, meeting, Police Chief Rollins presented a professional services agreement with Cordogan & Clark, subject to attorney review, for approval by the Board. It was noted that the entire project will be put out for bids, which the Village Board will approve.

Motion by Trustee White, second by Trustee Bonnie, to approve a professional services agreement for architecture services for the Police Department.

Ayes: White, Bonnie, Michels, Lendi, Herron; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

- b. **Resolution: Authorizing the Execution of an Agreement with HR Green for the Professional Preliminary & Design Engineering Services for Wheeler Rd. Resurfacing STP Project.**

Director Merkle explained that this project is through the Kane/Kendall Council of Mayors. There is a surplus of funds for transportation projects, and approval is likely if the engineering work is done. The proposal from HR Green was presented to the Board.

Motion by Trustee White, second by Trustee Herron, to approve a Resolution Authorizing the Execution of an Agreement with HR Green for the Professional Preliminary & Design Engineering Services for Wheeler Rd. Resurfacing STP Project.

Ayes: White, Herron, Michels, Lendi, Bonnie; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

- c. **Resolution: Authorizing the Execution of an Agreement with HR Green for the Professional Preliminary & Design Engineering Services for Dugan Rd. Resurfacing STP Project.**

Director Merkle explained that this project is through the Kane/Kendall Council of Mayors. There is a surplus of funds for transportation projects, and approval is likely if the engineering work is done. The proposal from HR Green was presented to the Board.

Motion by Trustee White, second by Trustee Herron, to approve a Resolution Authorizing the Execution of an Agreement with HR Green for the Professional Preliminary & Design Engineering Services for Dugan Rd. Resurfacing STP Project.

Ayes: White, Herron, Michels, Lendi, Bonnie; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

d. Resolution: Authoring the Execution of an Agreement with Layne Christensen Company, Inc., for the Phase II Well #11 Repairs.

Director Merkle stated that Well 11 was inspected. The recommendation is to replace the pump and the motor.

Motion by Trustee White, second by Trustee Herron, to approve a Resolution Authorizing the Execution of an Agreement with Layne Christensen Company, Inc., for the Phase II Well #11 Repairs in the amount of \$390,552.00 crediting the amount of \$50,000.00 already paid.

Ayes: White, Herron, Michels, Lendi, Bonnie; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

e. Resolution: Approving an Agreement with Lauterbach & Amen for Actuarial Services FYE2025 – 2028.

Director Anastasia stated that this is for the annual actuarial study for Other Post Employment Benefits (OPEB). A complete study is required every other year, provided there are no significant changes. The agreement spans 4 years, featuring an initial 15% increase and a 4% increase over the subsequent three years.

Motion by Trustee Herron, seconded by Trustee Bonnie to approve a Resolution Approving an Agreement with Lauterbach & Amen for actuarial services FYE 2025-2028.

Ayes: Herron, Bonnie, Michels, Lendi, White; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

f. Approval: Non-binding Public Policy Question (Advisory Referendum) Fact Sheet.

Attorney Julien reminded the Board Members that the Village cannot take any position on this issue and needs to avoid making statements during the discussion that can be construed as advocacy, providing an opinion, or being speculative or conclusory in nature.

Administrator Koeppel stated that several individuals approached him wanting to know what we can and can't talk about. He noted that it's common practice when there is a referendum to put up a fact sheet providing information to potential voters and other residents/citizens. Staff involved Atty. Julien and Atty. Orr with this document to avoid any type of litigation.

Motion by Trustee Bonnie, Second by Trustee White to Approve the Non-binding Public Policy Question (Advisory Referendum) Fact Sheet.

Ayes: Bonnie, White, Herron Michels, Lendi; Nays: None; Abstain: None; Absent: Schomas. MOTION PASSES

9. Public Comment

- Jaden Chada spoke regarding the Referendum Fact Sheet.

10. Discussion Items – None

11. Reports

a. Staff

Village Administration: President Konen asked Administrator Koeppel for an update on the Intergovernmental Agreement (IGA) with the Kaneland School District and about some School Board members advocating for a lawsuit against the Village concerning the creation of TIF 3. President Konen stated for the record that the Village did not request an IGA with the School Board and clarified that the School Board had requested an IGA from the Village.

Administrator Koeppel stated that there was a meeting between the Village of Sugar Grove and the Kaneland School Administration along with their attorney, during which they introduced the idea of an IGA. Later, the Village received a draft IGA from the School District, reviewed it, and began negotiations after TIF 3 was approved. This matter has been discussed at several School Board Meetings. The Village prefers that the School Board adopt the agreement first before sending it to the Village for adoption. It has not yet appeared on the School Board Meeting agenda for approval. Administrator Koeppel mentioned that the earliest it could be approved is in February. If approved, it would then be returned to us for our approval.

Administrator Koeppel explained that the current version of the IGA memorializes the 10% and the fees in the annexation agreement.

President Konen stated that when TIF 3 was passed it was understood that not only the 10% would be surplus, but tuition payments, per statute, the school district would be paid per student, not a net total.

Administrator Koeppel stated that the School Board is considering removing the word “net” from the IGA. As discussed at the Village Board meetings, this change would apply to the students added to the district, up to a cap. The School Board asked to have this codified, and Administrator Koeppel stated this would follow the direction he was given.

Clarification was given regarding the 10%. On an annual basis, a report is prepared, and the Board will decide what they are budgeting, whether they want to pursue another IGA,

or if there is a TIF-eligible project they would like to undertake or surplus the funds. This information is reported back to all the taxing bodies during the Joint Review Board Meeting every year.

If the School Board decides to sue the Village, there is a mutual agreement clause between us and the developer. We would be obligated to defend, and Crown would pay the legal bills. Atty. Julien explained that this is common when entering into an agreement.

Finance Department: Director Anastasia provided an update on the Solar Tax Incentive. The IRS has until June 30 to issue payments, regardless of when a return is filed. We have initiated the process and aim to have the submission packet ready by April 1, 2025. We could potentially receive payment sooner if the return is processed quicker.

President Konen informed the Board that Fox Metro has increased the fees for the Village by approximately \$50 per acre, but there is no clear explanation for how these fees are determined. The Village met with Fox Metro because this fee increase prohibits growth in many areas. Sugar Grove's fees are significantly higher than those of nearby communities, and it is the only community experiencing such a large percentage increase. The Village is currently working with Fox Metro to gain a better understanding of the situation.

Police Department: New laws regarding electric bikes and scooters went into effect on January 1, 2025. These laws include age restrictions and speed limits. Some local ordinances will be coming in the near future. The training session held at the Police Department last week was successful, and Chief Rollins thanked everyone for their support.

Public Works: Director Merkle answered a question about the IL47 construction demolition and explained that there are two homes, one on the west side north of Jericho and the other on the corner of IL47 and Jericho. There will be no road closures.

Economic Development: Cilantro will have a soft opening soon and will schedule a ribbon cutting in a couple of months. True Vet will be going into the two spaces next to Subway. They will be going before the Plan Commission on February 19 to get special use approval. ED has taking over coordination of FTF, held in conjunction with groovn' in the grove. Director Cassa informed the Board that he has been invited to serve on the CMAP Regional Economy Committee.

There has been no interest on the property behind Jewel. The office market has declined tremendously. No one is building office space. The middle unit at 474 Division is being considered by a Batavia based IT firm.

Cilantro will have a soft opening soon and plans to schedule a ribbon-cutting ceremony in a few months. True Vet will move into two spaces next to Subway and present to the Plan Commission on February 19 to seek special use approval.

The Economic Development Department has taken over the coordination of Food Truck Friday, which is being held in conjunction with Groovin' in the Grove. Director Cassa informed the Board that he had been invited to serve on the CMAP Regional Economy Committee.

b. Trustees

Trustee Lendi: The Bliss Woods cleanup will be on January 25 from 9:30 a.m. to noon, and she plans to attend the Library Board Meeting on January 22.

Trustee Bonnie: Thanked Trustee White for his work on the Night Sky Ordinance and indicated it's an excellent addition to the community.

c. President

President Konen informed the group that the attorney interviews begin on January 22, and the Board members will be able to interview the selected candidates on January 27. She thanked Atty. Julien, for all her hard work.

12. Executive Session

- Personnel – 5 ILCS 120/2(c)(1)
- Litigation – 5 ILCS 120/2(c)(11)
- Property/Land Acquisition – 5 ILCS 120/2(c)(5)
- Sale of Property – 5 ILCS 120/2(c)(6)
- Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)

13. Adjournment

Motion by Trustee White, Second by Trustee Herron, to adjourn the meeting at 7:10 pm.

Ayes: White, Herron, Michels, Lendi, Bonnie; Nays: None; Abstain: None; Absent: Schomas. MOTION CARRIED

ATTEST:

/s/ Tracey R. Conti

Tracey R. Conti
Village Clerk