
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: SCOTT KOEPEL, VILLAGE ADMINISTRATOR
SUBJECT: ORDINANCE: AMENDMENT TO COMPOSITION OF THE VILLAGE PLANNING COMMISSION
AGENDA: JULY 1, 2025
DATE: JUNE 24, 2025

ISSUE

Shall the Board approve an Ordinance updating the residence requirement for members of the Planning Commission?

DISCUSSION

On June 17 the Village Board discussed the potential of changing the Village Code to allow Planning Commission members from inside Village limits and the municipal planning area (1.5 miles outside the Village limits). The discussion did not reach a consensus and various points of view were expressed. The attached ordinance is drafted to allow one member from outside Village limits and requires that the Chairman be a resident of the Village.

Current Village Code:

2-1-2: COMPOSITION:

The planning commission shall consist of seven (7) members. Of the members so appointed, six (6) shall be citizens of the village, and one may be a citizen of the township of Sugar Grove, outside the limits of any other municipality. Any existing members who do not meet the residency requirements stated above may continue to serve until they resign, are removed or not reappointed by the board of trustees. (Ord. 2008-07-15B, 7-15-2008)

Currently all members of the Planning Commission reside within Village limits. Irv Ochsenschlager, a former member and Chairman, resides in unincorporated Sugar Grove Township. The Village limits cover three different Townships (Sugar Grove, Big Rock, and Blackberry).

According to the Village Attorney, a person may be appointed to the Planning Commission if they live within 1.5 miles of the Village limits, commonly known as the Village's municipal planning area. Before appointing anyone other than a resident of the Village or unincorporated Sugar Grove Township the Village Code must be updated.

The Village Board may also wish to update the following portion of code:

2-1-4: CHAIRMAN:

The chairman of the planning commission **shall be a resident of the village of Sugar Grove and** shall be appointed by the village president. ~~Excepting for a sitting chairman at the time the ordinance codified herein is adopted, the chairman shall not be a member who is not a resident of the village of Sugar Grove. A sitting nonresident chairman may continue as chairman until he is not reappointed by the village president.~~ (Ord. 2002-06-18B, 6-18-2002)

COST

The only cost is legal fees to research and draft an ordinance updating the Village Code.

RECOMMENDATION

Staff has a neutral recommendation.



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

Ordinance No. 20250701 AD2

**An Amendment to the Ordinance Composing the Village Planning Commission
Village of Sugar Grove,
Kane County, Illinois**

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove this
1st day of July 2025.

Published in Pamphlet Form by
authority of the Board of Trustees
of the Village of Sugar Grove, Kane County, Illinois,
this 1st day of July 2025.

ORDINANCE 20250701 AD2

An Amendment to the Ordinance Composing the Village Planning Commission For the Village of Sugar Grove, Kane County, Illinois

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-2-1, provides that the corporate authorities of each municipality may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and,

WHEREAS, the Village of Sugar Grove ("Village") is a non-home rule Illinois municipality pursuant to the Constitution of the State of Illinois of 1970, as amended; and,

WHEREAS, the President and Board of Trustees of the Village ("Corporate Authorities") believe that it is appropriate, necessary and in the best interests of the Village and its residents, to amend the Village's Code of Ordinances governing the appointment of members of the Planning Commission to comply with Illinois State Law; and,

WHEREAS, 65 ILCS 5/11-12-4 of the Illinois Municipal Code provides that "[m]embers of the plan commission shall reside within the municipality or within territory contiguous to the municipality and not more than one and one-half miles beyond the corporate limits and not included within any other municipality;" and,

WHEREAS, the Corporate Authorities desire to include the input and perspectives of those who live within 1.5 miles of the Village on Planning decisions; and,

NOW, THEREFORE, be it ordained, by the President and Board of Trustees of the Village of Sugar Grove as follows:

Section 1. Incorporation of Recitals. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

Section 2. Amendment. Title 2, Chapter 1, Section 2-1-2 (Composition) of the Village Code of Ordinances be amended as provided in Exhibit A, attached hereto and made a part hereof by this reference.

Section 3. Repeal of Conflicting Provisions. All ordinances, resolutions and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

Section 4. Severability. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect

without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

Section 5. Headings/Captions. The headings/captions identifying the various sections and subsections of this Ordinance are for reference only and do not define, modify, expand or limit any of the terms or provisions of the Ordinance.

Section 6. Publication. The Clerk is directed by the corporate authorities to publish this Ordinance in pamphlet form in accordance with Section 5/1-2-4 of the Illinois Municipal Code (65 ILCS 5/1-2-4). This Ordinance shall be in full force and effect as provided in Section 6 hereof.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois this 1st day of July 2025.

Sue Stillwell
President of the Board of Trustees
of the Village of Sugar Grove, Kane County, Illinois

| | Aye | Nay | Absent | Abstain |
|--------------------------|-----|-----|--------|---------|
| Trustee Heidi Lendi | ___ | ___ | ___ | ___ |
| Trustee Anthony Speciale | ___ | ___ | ___ | ___ |
| Trustee Nora Landon | ___ | ___ | ___ | ___ |
| Trustee Matthew Bonnie | ___ | ___ | ___ | ___ |
| Trustee Michael Roskopf | ___ | ___ | ___ | ___ |
| Trustee Sean Michels | ___ | ___ | ___ | ___ |

ATTEST: _____

Tracey Conti
Clerk, Village of Sugar Grove

EXHIBIT A

2-1-2: COMPOSITION:

The planning commission shall consist of seven (7) members. Of the members so appointed, six (6) shall be citizens of the village, **and one may reside within a one and one half (1.5) mile radius of the Village**, outside the limits of any other municipality. ~~Any existing members who do not meet the residency requirements stated above may continue to serve until they resign, are removed or not reappointed by the board of trustees.~~

2-1-4: CHAIRMAN:

The chairman of the planning commission **shall be a resident of the village of Sugar Grove and** shall be appointed by the village president. ~~Excepting for a sitting chairman at the time the ordinance codified herein is adopted, the chairman shall not be a member who is not a _____ resident of the village of Sugar Grove. A sitting nonresident chairman may continue as chairman until he is not reappointed by the village president.~~