
**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: KARIN JOHNS, FINANCE DIRECTOR
SUBJECT: APPOINTMENT: UTILITY RATE COMMITTEE 2026
AGENDA: APRIL 21, 2026, REGULAR BOARD MEETING
DATE: APRIL 10, 2026

ISSUE

Shall the Village Board ratify President Sue Stillwell's proposed appointments to the Village Utility Rate Committee.

DISCUSSION

All Village appointments are authorized by Village Code 1-8-6-C, which states the mode of appointment for any appointed position shall be by the President subject to the advice and consent of the Village Board.

In 1994, there was a settlement between the Village of Sugar Grove and Prestbury Citizens Association regarding the setting of Utility Water & Sewer Rates. Within the settlement, it was required for the Village to hold a Utility Rate Committee every 3 years, to discuss the next 3-years of potential Water & Sewer Rates. This Committee is an advisory committee, with the Village Board making the final decision on the Utility Rates annually. The Committee last met on December 2022, which covered the advisory rates through Fiscal Year 2026.

The settlement states the Committee must consist of no more than 9 members and no less than 7 members, with at least 3 members being appointed by the Prestbury Citizens Association. At the December 2022 meeting, the representatives from the Village were Village President Jennifer Konen, PW Director Anthony Speciale, Deputy PW Director Brad Merkel, Finance Director Matt Anastasia, and Village resident Lisa Lund. The Prestbury Citizens Association appointed Tom Brewer, Mike Krzus, Mike Beatus and Kate Matty.

The Prestbury Citizens Association were asked who they were appointing this year. PCA confirmed that Marlene Deck, Patrick Kinnally, and Mark Miller would be representing the Association on the Committee.

President Sue Stillwell is asking the Board support the appointment of Village Trustee Anthony Speciale, PW Director Brad Merkel, PW Utilities Foreperson Chris Lemke, and Finance Director Karin Johns to the Utility Rate Committee for 2026. The Village Board also affirming Prestbury Citizens Associations appointment of Marlene Deck, Patrick Kinnally, and Mark Miller to the Committee.

Attachments

- Prestbury Settlement Agreement

COST

There is no cost associated with this action.

RECOMMENDATION

That the Village Board ratifies the appointments to the Utility Rate Committee 2026 as proposed by President Sue Stillwell.

SETTLEMENT AGREEMENT

THIS AGREEMENT entered into this 7th day of ~~August~~^{September}, 1994, by and between the VILLAGE OF SUGAR GROVE, an Illinois municipal corporation, (hereinafter referred to as "Village"), and the PRESTBURY CITIZENS ASSOCIATION, INC., an Illinois not-for-profit corporation, on behalf of itself and the class members it represents, (hereinafter referred to as "Prestbury"):

RECITALS

1. The Village owns and operates a water supply and distribution system and a sewerage collection and treatment system for its residents.
2. In addition, the Village sells such services to those persons residing in the unincorporated area of Kane County commonly known as "Prestbury", which area is located outside the municipal limits of the Village.
3. That by Resolution No. 93-05, dated April 12, 1993, the customer charge for water and sewer, and the usage rates for water and sewer, were modified by the Village as therein provided.
4. That thereafter, by resolution, the implementation of said rate changes was delayed until the billings occurring in January, 1994.
5. That for the period commencing in January, 1994 through August, 1994, the Village has maintained a separate accounting of the usage fees collected from Prestbury which are in excess of the fees which would have been collected under the prior rates with the representation that these funds would be used for the benefit of Prestbury.
6. That on or about February 8, 1994, Prestbury filed a Complaint against the Village in the Circuit Court for the Sixteenth Judicial Circuit, Kane County, Illinois, entitled

"Prestbury Citizens Association, Inc., an Illinois not-for-profit corporation, on behalf of itself and all others similarly situated, Plaintiff, v. The Village of Sugar Grove, an Illinois municipal corporation, Defendant", which case is pending under General No. MR KA 94 59, which Complaint sought certification for Prestbury as a representative of the class therein defined, and seeking a judgment declaring the rates and charges as set to be void, to determine rates and charges, and seeking other relief.

7. That by Order dated April 27, 1994, said action was certified by the Court as a class action and the Prestbury Citizens Association designated as the class representative.

8. That the parties have discussed alternative resolutions to said litigation and have reached agreement on a plan of settlement, which plan contains procedures not only for formulating usage rates, but which also requires a complete analysis of the system and formulation of a Master Plan.

NOW, THEREFORE, in consideration of the mutual promises of the parties, and the mutual obligations herein contained, the parties agree as follows:

A. That at its next regularly scheduled meeting, the Village shall adopt a resolution setting new customer charges and usage rates for the Village and Prestbury which will be in accordance with the following schedule:

WATER

Village of Sugar Grove Service Charge	\$5.50
Prestbury Service Charge	\$7.15
Usage Charge Per 1,000 Gal. for Village of Sugar Grove	\$1.38
Usage Charge Per 1,000 Gal. for Prestbury	\$1.65

SEWER

Village of Sugar Grove Service Charge	\$5.50
Prestbury Service Charge	\$7.15
Rate Per 1,000 Gal. for Village of Sugar Grove	\$2.75
Rate Per 1,000 Gal. for Prestbury	\$3.30

B. The establishment of the foregoing rates is for the purpose of supporting the system for the period necessary to develop plans for annual maintenance, and upgrading and improvement of the utility system. The Village shall promptly advertise for proposals or bids from qualified engineering consulting firms for the purpose of conducting a complete evaluation of the water and sewer utility system as constructed in the Village and Prestbury. The final product of such evaluation is the development of a Master Plan which will show both strengths and weaknesses of the systems, develop a plan for the utility including a list in ranking order of improvements necessary, and include current estimates for annual maintenance of the system as well as construction costs for each improvement recommended. The plan should also include and establish a calendar for completion of the recommended work.

C. The Village has in place a Public Works Committee. Said committee consists of not less than seven (7) members nor more than nine (9) members. From and after the date hereof, not less than three (3) members of the committee shall be appointed by Prestbury.

D. Upon receipt of engineering bids, the same shall be reviewed by the Public Works Committee with its recommendations to be submitted to the Village trustees. The Village shall have the responsibility for awarding a contract to one of the engineering firms for the purpose of such firm completing the Master Plan as hereinabove described. The cost of such project

shall be shared equally between the Village and Prestbury. The Village shall pay its portion from such funds of the Village as shall be determined by it. Prestbury's portion shall be paid from and charged against the account of excess funds held by the Village for the benefit of Prestbury. The Village agrees to continue to hold the balance of such funds for expenditure for capital improvements within or for the direct benefit of Prestbury.

E. It is anticipated by the parties that the process of soliciting proposals and the completion of the analysis and development of a Master Plan should take not more than one (1) year. It is the intention of the parties to have the project completed as soon as reasonably possible.

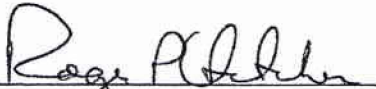
F. Upon receipt of the Master Plan, the same shall be reviewed by the Village staff and the Public Works Committee which shall have the responsibility to develop and recommend a short and long term plan for the utility based upon the Master Plan as developed and presented by the consulting engineering firm. The short and long term plan shall include a priority ranking and cost estimates for system improvements. In addition, the Village staff, using the latest operation and maintenance costs, debt service, annual construction maintenance costs, along with any other related costs, shall prepare proposed utility rates for the utility to be delivered to the Public Works Committee for review and presentation to the Board of Trustees. Proposed rate schedules for 1996 will show the rate necessary for the current budget year along with the following three (3) years. In preparing extended rates, Village staff will consider proposed costs from the Master Plan, cost of living, normal maintenance costs, any expansion costs contained in the Master Plan, and any additional bonding costs for any major improvement or expansion. Each year thereafter, the Village staff shall review the rates and propose rates

to the Public Works Committee to be adopted for one (1) budget year and projected rates for the following three (3) years as each year's operations, plans and costs are evaluated. As rates are approved each year by the Board of Trustees, a new three (3) year rate projection will be completed.

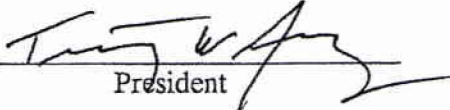
G. The Village agrees that it will not change the usage rates and charges for either party from those provided herein until the Master Plan has been completed and rates proposed by the Public Works Committee.

H. The parties agree that this Agreement will be presented to and is subject to approval by the Court. Conditioned upon such approval, and consistent with any requirements imposed by the Court, the parties shall enter a voluntary non-suit in the above-described litigation, which non-suit is expressly agreed to be without prejudice to the claims made therein, except that any refiling of said suit shall not contest the rates in effect between the date hereof and the date of any refiling.

**PRESTBURY CITIZENS ASSOCIATION,
INC., an Illinois not-for-profit**

BY: 
President

**VILLAGE OF SUGAR GROVE, an
Illinois municipal corp.,**

BY: 
President