



BOARD REPORT

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES

FROM: SCOTT KOEPEL, VILLAGE ADMINISTRATOR

SUBJECT: AUGUST 13, 2026, SPECIAL JRB

AGENDA: August 18, 2026

DATE: August 14, 2026

ISSUE

Shall the Village Board discuss the August 13th Special JRB?

DISCUSSION

A special JRB for TIF 3 (I-88 and IL-47) was convened on August 13th. The agenda, packet, and proposed resolution from the meeting are attached to this memo. The taxing bodies requested more time to review the information presented and decided to reconvene on September 2, 2026. Village President will provide an update.

Link to President Stillwell's presentation:

[Joint Review Board Special Meeting – The Grove Tax Increment Financing \(TIF\) District](#)

Link to the video of the JRB:

[August 13, 2026, Joint Review Board Meeting](#)

COST

There is no cost for the discussion.

ATTACHMENTS

August 13, 2026, JRB Agenda and Packet
JRB Noncompliance Resolution

RECOMMENDATION

The Village Board discusses the Special JRB Meeting.

VILLAGE PRESIDENT

Sue Stillwell

VILLAGE ADMINISTRATOR

Scott Koeppel

VILLAGE CLERK

Tracey R. Conti



VILLAGE TRUSTEES

Heidi Lendi

Matthew Bonnie

Sean Michels

Anthony Speciale

Nora London

Michael Roskopf

AGENDA
VILLAGE OF SUGAR GROVE
JOINT REVIEW BOARD MEETING
TAX INCREMENT FINANCE DISTRICT NO. 3
I-88 AND IL47 REDEVELOPMENT PROJECT AREA
AUGUST 13, 2026, 6:00 PM
SUGAR GROVE LIBRARY
125 MUNICIPAL DRIVE
MEETING ROOM C

1. Call to Order.
2. Roll Call.
3. Appointment of Chairperson.
4. Approval of November 14, 2025, Joint Review Board Meeting Minutes.
5. Public Comment.
6. Review and Discussion of Data Center Study.
7. Discussion of Flooding Findings in the Initial TIF Eligibility Study.
8. Review and Discussion of Flooding Findings in the Initial TIF Eligibility Study.
9. Possible Action by Joint Review Board - recommendation concerning the chronic flooding findings and the eligibility of the Crown Redevelopment Project Area under the Illinois Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-3).
10. Public Comment
11. Adjournment.



AGENDA
VILLAGE OF SUGAR GROVE
TAX INCREMENT FINANCE DISTRICT NO. 3
JOINT REVIEW BOARD ANNUAL MEETING
NOVEMBER 14, 2025, 12:10 PM

1. Call to Order

Village of Sugar Grove Attorney Brian Miller called the meeting to order at 12:27 pm.

2. Roll Call

The Joint Review Board Meeting was held in person on November 14, 2025, at the Sugar Grove Library, 125 Municipal Drive, Sugar Grove.

Representatives from the following taxing districts were present:

- Blackberry Township
- Kaneland Community School District 302
- Sugar Grove Fire Protection District
- Sugar Grove Public Library
- Sugar Grove Park District
- Sugar Grove Township
- Town and Country Library
- Village of Sugar Grove
- Waubensee Community College

The following taxing districts were absent:

- Elburn Fire District
- Kane County

Additional Attendees:

Village Administrator Scott Koeppel, Police Chief Pat Rollins, Community Development Director Danielle Marrion, Village Attorney Brian Miller, and Village Clerk Tracey Conti.

3. Appointment of Chairperson

Motion by Town and Country Library, seconded by Sugar Grove Fire Protection District, to appoint Sue Stillwell as Joint Review Board Chairperson.

Voice Vote: Ayes: Blackberry Township, Kaneland Community School District 302, Sugar Grove Fire Protection District, Sugar Grove Public Library, Sugar Grove Park District, Sugar Grove Township, Town and Country Library, Village of Sugar Grove, Waubonsee Community College Nays: None; Abstain: None; Absent: Elburn Fire District, Kane County; **Motion Passed**

4. Appointment of Resident Member

Motion by Blackberry Township, seconded by Sugar Grove Library, to appoint Perry Elliott as the JRB Resident Member.

Roll Call: Ayes: Blackberry Township, Kaneland Community School District 302, Sugar Grove Fire Protection District, Sugar Grove Public Library, Sugar Grove Park District, Sugar Grove Township, Town and Country Library, Village of Sugar Grove, Waubonsee Community College Nays: None; Abstain: None; Absent: Elburn Fire District, Kane County; **Motion Passed**

5. Public Comment

Jaden Chada commented on the Legitimacy of TIF 3.

6. Approval of May 22, 2024, JRB Meeting Minutes

Motion by Sugar Grove Library, seconded by Town and Country Library to approve the May 22, 2024, JRB Meeting Minutes.

Roll Call: Ayes: Blackberry Township, Kaneland Community School District 302, Sugar Grove Fire Protection District, Sugar Grove Public Library, Sugar Grove Park District, Sugar Grove Township, Town and Country Library, Village of Sugar Grove, Waubonsee Community College Nays: None; Abstain: None; Absent: Elburn Fire District, Kane County; **Motion Passed**

7. Review of FY 2025 Annual Report

Village Administrator Scott Koeppel said that the TIF was established in September 2024, and the report covers the timeframe from its establishment through April 30, 2025. The ending fund balance was negative, which is not uncommon for a newly established TIF, until vertical construction is assessed, taxes are collected and distributed.

Perry Elliott asked about the status of Crown Community Development's deposit.

Administrator Koeppel stated that in April 2025, the plat was approved for one area, a little over 200 homes, pending engineering and landscaping. They have received a permit for mass grading. The engineering is not yet approved. As part of mass grading, they do need to issue a letter of credit in case the project is abandoned. In which case, the funds would be used to rehabilitate the land.

Perry Elliott asked if they need to be registered under the TIF for the cost associated with that?

Administrator Koeppel said they have a Redevelopment Agreement with the Village of Sugar Grove that dictates payment of TIF funds when they reach certain milestones, one of which is having

certificates of occupancy for 100 homes south of I-88. Until they achieve this, they are not allowed to apply for reimbursement with the Village. When they are eligible to submit costs, they will be submitted in accordance with the Redevelopment Agreement and reviewed by a third party before any amounts are paid to the developer.

Expenses paid from the TIF Fund create a negative balance, which the Village carries until funds are received into the TIF. The Village will first repay itself in accordance with the Redevelopment Agreement. This repayment is specifically for the Village's legal expenses and does not cover costs related to Crown Community Development, Sugar Grove LLC, or any ongoing litigation.

Motion by Sugar Grove Park District, seconded by Blackberry Township, to receive and file the FY2025 TIF 3 Report.

Roll Call: Ayes: Blackberry Township, Sugar Grove Fire Protection District, Sugar Grove Public Library, Sugar Grove Park District, Sugar Grove Township, Town and Country Library, Village of Sugar Grove, Waubensee Community College Nays: Kaneland Community School District 302; Abstain: Village of Sugar Grove, Perry Elliott; Absent: Elburn Fire District, Kane County; **Motion Passed**

8. Adjournment

Motion by Sugar Grove Fire Protection District, seconded by Sugar Grove Township to adjourn the meeting at 12:39 pm.

Voice Vote: Ayes: Kaneland Community School District 302, Sugar Grove Fire Protection District, Sugar Grove Park District, Sugar Grove Public Library, Sugar Grove Township, Village of Sugar Grove, Waubensee Community College; Nays: None; Abstain: None; Absent: Sugar Grove Road District, Kane County; **Motion Passed**

ATTEST:

/s/ Tracey R. Conti
Tracey R. Conti
Village Clerk

Sandstone Aquifer Water Supply Summary for Sugar Grove, IL: Data Center Analysis

Daniel R. Hadley, Cecilia Cullen, and Daniel B. Abrams *Illinois State Water Survey*

11/22/2022

Risk to Sugar Grove's Deep Sandstone Water Supply

The Village of Sugar Grove is evaluating their water supply in anticipation of future growth and increased water demand. They have contracted the Illinois State Water Survey (ISWS) to use their established groundwater model^{1,2} to evaluate local risk to the deep sandstone aquifer based on adding future wells to meet the demands of a potential data center located near the Route 47 and I-88 interchange, north of Sugar Grove. **The updated modeling indicates that Sugar Grove could be at risk of declining performance for wells reliant on the Ironton-Galesville aquifer, particularly at proposed data center wells.**

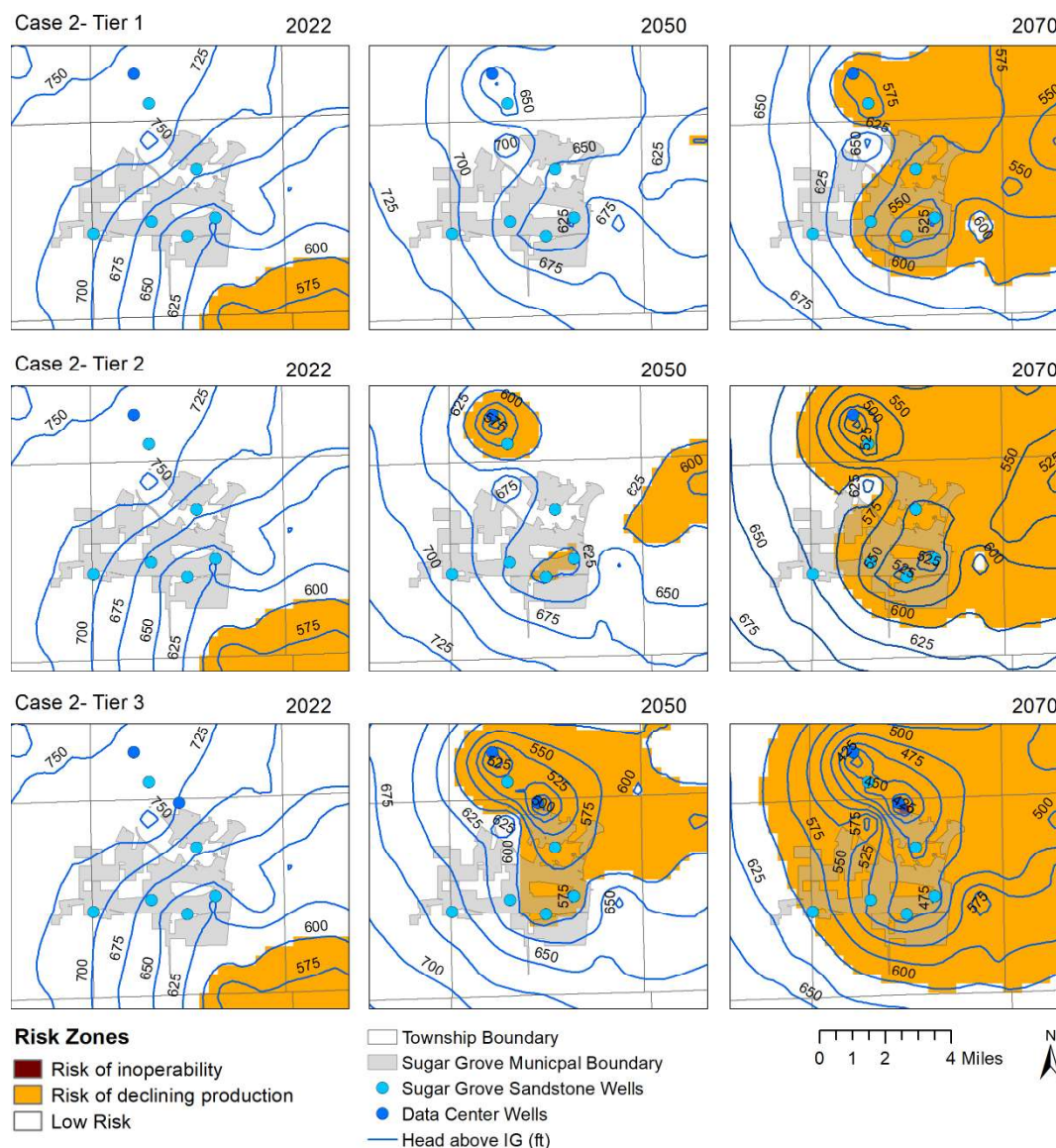


Figure 1. Risk associated with average conditions in the deep sandstone aquifer in the Sugar Grove area. The maps depict simulated heads above the top of the Ironton-Galesville aquifer (IG) for the Case 2-Tier 1, 2, and 3 scenarios for the following years: 2022, 2050, and 2070.

Discussion of the Maps

The maps in Figure 1 show where sandstone water supply risk is currently present and where it will grow in the future under average pumping conditions for different tiers of water demands within the Case 2 scenario² (Joliet region switches off the deep aquifer in 2030 followed by Oswego, Montgomery and Yorkville switching off of the deep aquifer in 2035, with communities following current trend [CT] projections³). The ISWS evaluated three different Tiers of water demands for a hypothetical data center:

- Tier 1 – One sandstone well (Sugar Grove 13) is added in 2025 and pumped at 500 gpm. This new data center well is located to the northwest of the proposed Sugar Grove 12 sandstone well. The well is assumed to operate at 100% capacity from April to September and at 50% capacity from October to March
- Tier 2– Same as Tier 1, but demands increase to 1000 gpm starting in 2027. Seasonal use stays the same.
- Tier 3 – Same as Tier 3, but another data center well (Sugar Grove 14) is added in 2030 and pumped at 1000 gpm. This new data center well is located to the southeast of the proposed Sugar Grove 12 sandstone well. Seasonal use stays the same.

Wells located in the orange zone are at-risk of declining performance as water levels lower. In general, the addition of new wells to meet the demands of a data center create larger zones of risk in comparison to the standalone Case 2 scenario (in which no new data center wells are installed) and puts municipal wells at risk on a sooner timeline. In Tier 1, every Sugar Grove well (except for Well 4) reaches this category by the year 2070. In Tier 2, Wells 10, 11, 12 and 13 reach this category in 2050 and every well (except Well 4) reaches this category in 2070. In Tier 3, most wells (except for Wells 4 and 9) reach this category in 2050 and by 2070 Well 9 also reaches this category.

Representative Hydrographs for Sugar Grove under the Case 2-Tier 1 Scenario

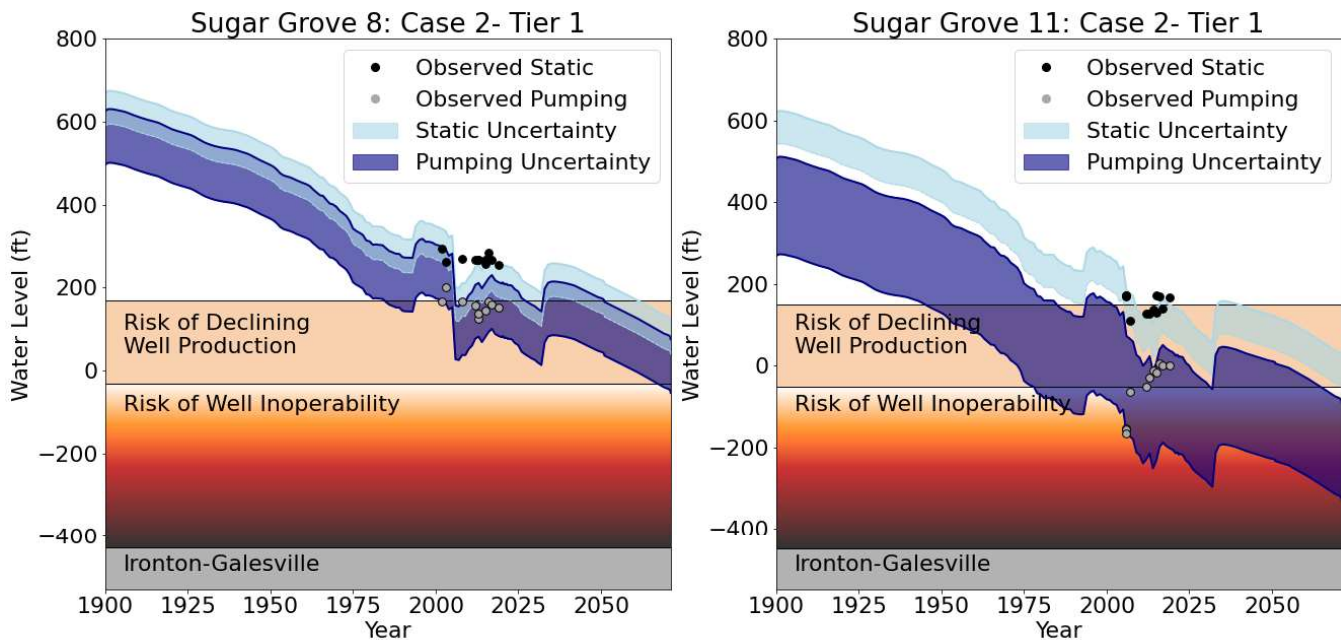


Figure 2. Representative hydrographs for Sugar Grove at Well 8 (left) and Well 11 (right). Under the Case 2-Tier 1 scenario, water levels in Sugar Grove will continue to decline and be at-risk of declining well productivity. The uncertainty of static and pumping water levels is highlighted in light blue and navy, respectively.

Hydrographs are used to plot the water level of a well through time and compare to risk thresholds, shown in Figure 2. Uncertainty accompanies projecting static and pumping water levels, thus we represent the possible range of future water levels in the hydrographs with highlighted bands based on observed data. Since the hydrographs account for uncertainty based on observed data at each well (whereas the simulated model results shown in Figure 1 do not), the hydrographs are a more important tool in the evaluation of risk. Risk to water levels is assessed based on feet above the top of the Ironton-Galesville unit, indicated by the grey block on the hydrographs. The light blue band represents the static (non-pumping) water level in the well where the upper bound indicates the static level in a particular well when surrounding wells are operating under average conditions, and the lower bound represents static level in a well when surrounding wells are operating under peak pumping.

When the light blue band reaches the top of the orange risk zone, the well is at-risk of declining well performance. Water levels at Well 8 and Well 11, shown in Figure 2, are projected to reach this threshold under average pumping conditions. It is important to note all operational Sugar Grove wells, in this model simulation, exhibit risk of declining well productivity by 2070 (Table 1). Greater risk occurs when static water levels fall into the most severe risk zone. Under peak demands (the lower bound of the light blue band), water levels at Well 11 enter the well inoperability risk zone in 2070.

Pumping water levels, shown by the navy band, are not used to explicitly define risk but are included in the hydrographs for additional perspective. The upper bound of the navy band is determined by the minimum drawdown observed (and assumes no change in future specific capacity); this would be the equivalent of maintaining the current pumping distribution, frequently rehabilitating a well, and potentially even redrilling older wells to avoid loss in specific capacity. The lower bound is estimated as the worst-case pumping level observed in the southwestern suburbs region. The deeper a pumping water level falls into the severe risk zone, the greater the risk of well inoperability.

Impact of Data Center Wells

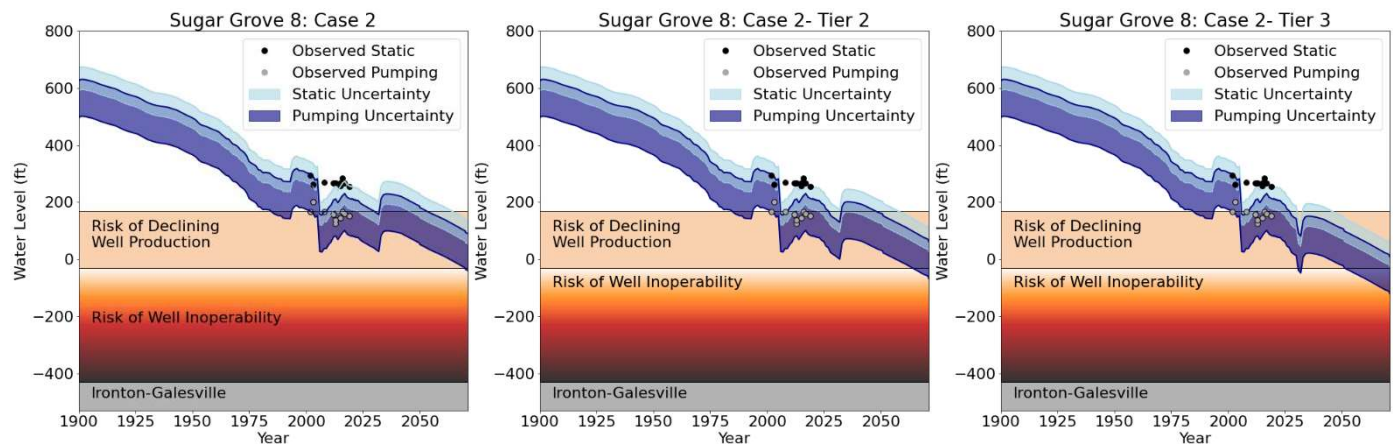


Figure 3. Hydrographs showing the impact of adding new data center demands for Sugar Grove 8. Left figure shows the case where no new data center wells are installed.

The addition of new data center wells increases drawdown at existing Sugar Grove wells into the future. For example, Figure 3 shows how these new demands manifest at Well 8, which was selected since this is the well that is in closest proximity to the proposed data center wells. The addition of 1000 gpm of withdrawals at Well 13 (Tier 2 scenario) adds on average 40 ft of additional drawdown at Well 8 by 2050. The addition of another 1000 gpm of withdrawals at Well 14 (Tier 3 scenario) adds on average 60 more feet of drawdown at Well 8 by 2050 (for a total of 100 feet of additional drawdown). Additional drawdown is less severe at Wells 11, 10, 9 and 4, since those are further away from the proposed data center.

Risk Tables

Table 1. Risk table for the model simulations representing a) average conditions and b) peak conditions.

a)

	Case 2 Tier 1		Case 2 Tier 2		Case 2 Tier 3	
	<i>Risk of declining production</i>	<i>Risk of inoperability</i>	<i>Risk of declining production</i>	<i>Risk of inoperability</i>	<i>Risk of declining production</i>	<i>Risk of inoperability</i>
Well 4	-	-	-	-	-	-
Well 8	2061	-	2058	-	2028 / 2045 ^a	-
Well 9	2028 / 2063 ^a	-	2027 / 2060 ^a	-	2027 / 2052 ^a	-
Well 10	2009 / 2040 ^a	-	2009 / 2033 ^a	-	2009	-
Well 11	2009 / 2039 ^a	-	2009 / 2033 ^a	-	2009	-
New Well 12	2062	-	2055	-	2046	-
New Well 13	2060	-	2027 / 2033 ^a	-	2027	-
New Well 14	NA	NA	NA	NA	2030 ^b	-

b)

	Case 2 Tier 1		Case 2 Tier 2		Case 2 Tier 3	
	<i>Risk of declining production</i>	<i>Risk of inoperability</i>	<i>Risk of declining production</i>	<i>Risk of inoperability</i>	<i>Risk of declining production</i>	<i>Risk of inoperability</i>
Well 4	-	-	-	-	2069	-
Well 8	2006 / 2041 ^a	-	2006	-	2006	~2070 ^c
Well 9	2008 / 2039 ^a	-	2008	-	2008	-
Well 10	2006	~2070 ^c	2006	2070	2006	2030 / 2064 ^a
Well 11	2006	~2070 ^c	2006	2069	2006	2030 / 2063 ^a
New Well 12	2047	-	2027 / 2043 ^a	-	2027	2069
New Well 13	2025 ^b	-	2025 ^b	~2070 ^c	2025 ^b	2060
New Well 14	NA	NA	NA	NA	2030 ^b	2055

^a In Sugar Grove, water levels reach the risk zones and then recover after 2030 when Joliet and other communities leave the aquifer. We indicate when water levels enter the risk zone both before and after this major change in water use.

^b Indicates that well was installed in this year and is already in the zone of risk at data of installation

^c Indicates that water levels are close to the “Risk of well inoperability” zone and would likely enter that zone in the years following 2070.

Long-term planning should account for risk to all wells. Thus, the risk table (Table 1) represents when wells become at-risk in each of the model scenarios. As pumping increases, the length of time that Sugar Grove can safely withdraw water from the sandstone shortens. Additionally, as one or more wells become at-risk, communities will need to consider the possibility of wells failing to meet supply.

Sugar Grove has four current wells and several proposed wells over which pumping can be distributed. It is possible that a couple of wells can become less operable and the village could experience declining well production. As a result, a few questions should be asked when considering this risk table:

- Can the local water system withstand a well that temporarily cannot meet demands during peak pumping conditions?
- What wells can absorb the additional pumping of a failed well?
- How will redistributed pumping from failed wells exacerbate risk at operating wells?

Technical Discussion of Maps, Hydrographs, and Tables

Take-Home: As sandstone water levels decline, uncertainty is magnified. The small sample of wells in Northeastern Illinois with static water levels approaching the “Risk of Well Inoperability” zone have struggled to provide adequate supply.

The maps (Figure 1) and hydrographs (Figures 2 and 3) depict simulated water level conditions through time under the three scenarios. The light blue band in Figures 2 and 3 represents the range of **static** levels—the water level in a well when the pump is off. When the pump is turned on, water levels generally fall an additional 200 to 400 ft for most high capacity wells in this region (**pumping** level) —represented by the navy band. The offset between the static and pumping levels in the hydrographs was based on observed measurements of Sugar Grove water levels sent in by the community. The model was adjusted until the simulated values matched observed static water levels (via a process known as calibration).

Another uncertainty in the model is the distribution of future pumping, complicated by the addition of possible not-yet-drilled community wells. Moving or shifting pumping would redistribute risk. While this would likely extend the life of the aquifer at one well, it could cost years of the estimated time left for another. We also removed multi-aquifer wells in Kane County based on historic trends extrapolated to the future, resulting in an additional loss of water to the deep Ironton-Galesville. These well removals usually only affect water levels at nearby neighboring wells.

As both static and pumping levels approach the top of the Ironton-Galesville aquifer, a few issues have been observed. A predominant concern is that wells with low static levels tend to also have the most extreme drawdown under pumping conditions. It is important to note that other issues can occur as water levels decline, including: 1) limits on pump settings (specifically, whether a pump can even be lowered into the Ironton-Galesville aquifer), 2) costs associated with lifting water from a greater depth, 3) the need to rehabilitate wells more frequently and aggressively, 4) the increased risk of pumping sand, 5) potential for caving the deeper sandstone formation, and 6) reduced production capacity of the well.

What do these results mean for Sugar Grove’s water supply?

Q1: Will Sugar Grove’s withdrawals ever be sustainable?

A: No. Withdrawals from the sandstone aquifer in the northeast Illinois have been unsustainable for over a century. Over the decades, the aquifer has slowly depleted and now many supply wells are threatened. If withdrawals continue to exceed sustainable supply, irreparable declines in water levels will occur, impacting the already limited timeline of availability for this water source.

Q2: How long can Sugar Grove meet needed supply from the sandstone?

A: **Planning based on a time-horizon of available water from an aquifer is challenging due to the sensitivity of projected water levels to minor changes in future demands.** Risk increases as demands increase, but for all scenarios simulated here, most Sugar Grove wells have water levels dropping into the zone of declining well production. These results indicate that Sugar Grove will most likely have adequate groundwater supplies from the Ironton-Galesville aquifer out to 2050, but this supply is at increasing risk by 2070 and beyond. The Village of Sugar Grove should continue to closely monitor their sandstone water supply.

Take Home:

Sugar Grove's sandstone withdrawals are inherently not sustainable. Future water level declines pose a risk to Sugar Grove's sandstone water supply source.

Bottom Line: Uncharted Territory

Sandstone water levels in the northeastern Illinois have never been as low as they are now. How further declines will manifest is difficult to say for certain, but the ISWS has observed water level declines that are greater than what is modeled. In other words, as water levels decline, previously unforeseen complexities emerge that are disadvantageous to well productivity and shorten the lifespan of a well. These emerging complexities, such as declines in specific capacities or constraints on pump settings, are the real danger as water levels decline into “uncharted territory”. As a result, it is critical not to immediately dismiss the model results as overly conservative. **It is imperative that monitoring and modeling continue as water levels decline into this uncharted territory over the next decade to improve our understanding of the uncertainty associated with these depths.**

References

- ¹Abrams, Daniel B.; Cullen, Cecilia. 2020. Analysis of Risk to Sandstone Water Supply in the Southwest Suburbs of Chicago. Available at <https://www.ideals.illinois.edu/handle/2142/109174>
- ²Hadley, Daniel R.; Cullen, Cecilia, Abrams, Daniel B. 2022. Sandstone and Shallow Water Supply Risk at Sugar Grove, IL, ISWS letter report, 3/22/2022
- ³Chicago Metropolitan Agency for Planning. 2018. 2050 Forecast of Population, Households, and Employment. Available at: <https://www.cmap.illinois.gov/data/demographics/population-forecast>

ACKNOWLEDGEMENTS:

This analysis is a regional collaboration with local input, which is essential to understanding risk. We thank:

- The Village of Sugar Grove for collaborating in this study
- Engineering Enterprises Inc. for collaborating on future demands

From: Sue Stillwell sstillwell@sugargroveil.gov

Sent: Thursday, July 9, 2026 4:21 AM

To: Michele Piotrowski MPiotrowski@eeiweb.com

Cc: Scott Koepfel skoepfel@sugargroveil.gov; Danielle Marion dmarion@sugargroveil.gov; Brad Merkel bmerkel@sugargroveil.gov

Subject: RE: Concerns, Area 1 Related Flooding

EXTERNAL SENDER: This email originated outside of EEI. Do not click links, open attachments, or respond if it appears to be suspicious.

Good Evening,

I was thinking this over. When you say:

To date, we have not been asked to determine whether the improvements are eligible for TIF reimbursement. However, I understand that the Village may ultimately be required to review and approve future TIF reimbursement requests. While EEI does not make recommendations regarding TIF reimbursement eligibility, as we are not TIF consultants, we could potentially be asked to provide technical input on matters such as:

1. Verification that the improvements have been completed and, potentially, whether the associated costs appear reasonable.
2. **Evaluation of whether the engineering improvements satisfy specific technical criteria established within the state statute.**

If you did not evaluate whether the engineering improvements satisfied the state statute, **who did?**

If SB Friedman states they relied on EEI and EEI states they have never evaluated whether the engineering improvements satisfy the requirements of the state statute only a county ordinance, am I correct in understanding that not one Engineer has ever confirmed the Engineering will satisfy the requirements of the state statute?

There are two (2) different steps of the TIF:

- 1) TIF Eligibility determination
- 2) Request and payment for TIF eligible reimbursements

During the TIF eligibility determination phase, SB Friedman relied on EEI's Drainage Statement to evaluate one of the statutory factors necessary to establish TIF eligibility. Specifically, the Drainage Statement addressed whether the area contains "surface water that discharges from all or a part of the area and contributes to flooding within the same watershed."

At that stage of the process, neither the Village's TIF attorney nor the TIF consultant requested that EEI determine or verify whether a redevelopment project would "provide facilities or improvements to contribute to the alleviation of all or part of the flooding." It is our understanding that this determination is evaluated, if necessary, in

connection with a future TIF reimbursement request rather than during the initial TIF eligibility analysis.

As noted previously, EEI has not been asked to review any projects for TIF reimbursement eligibility to date. For that reason, our engineering review letters have consistently included the following statement:

“...this review is intended to review the requirements for final engineering and is not intended to review the requirements as it pertains to the Tax Increment Financing requirements.”

This language was intentionally included to clarify that EEI's review was conducted solely for engineering approval purposes and was not intended to constitute a determination regarding TIF reimbursement eligibility. (Please note that this statement was removed in our last letter at the Village's request.)

As discussed previously, the state statute does not establish a specific engineering metric or methodology for determining whether improvements “contribute to the alleviation of all or part of the flooding.” Accordingly, interpretation of this requirement falls within the purview of the Village's TIF attorney and other TIF advisors. Once the applicable evaluation criteria are established, EEI can assess whether the engineering improvements satisfy those criteria.

To date, the direction provided by the Village's TIF attorney has been that compliance with the Kane County Stormwater Ordinance would serve as the relevant engineering standard for evaluating stormwater-related improvements. If a different standard or interpretation is to be applied, EEI would require direction from the Village's TIF attorney regarding the appropriate evaluation criteria before conducting any such review.

Finally, it is important to note that EEI's role is limited to providing technical engineering analysis. The ultimate determination of TIF eligibility and reimbursement eligibility involves legal, financial, and policy considerations that extend beyond the scope of engineering review and are typically addressed by the Village, its TIF consultant, and legal counsel.

I was considering whether we need an outside Engineering firm for this single question or to purchase additional services from EEI to get a clear answer to the question I've been repeatedly asking (If the downstream flooding has resulted only with 100 year floods or greater and the FEMA maps show this area floods during a 100 year flood, but the Engineer states a 100 year flood is more than this system is designed for and during a recent storm there was *increased* flooding, water volume and water flow rate from this development, how does any of that scenario reduce the qualifying downstream flooding in any way or

comply with state statute?) The fact that this answer doesn't already exist is the root of the problem.

It is my opinion that an additional engineering review is not warranted at this time. As outlined above, the primary need is clarification from the Village's TIF attorney regarding the appropriate evaluation standard for determining compliance with the applicable TIF requirements. Upon receiving that direction, EEI can assess the improvements against the established criteria and provide the necessary engineering evaluation.

Please answer this question with a very clear response, if possible:

Was any engineer asked during the approval process whether the engineering improvements satisfy the specific technical criteria established within the state statute related to TIF qualification, or were the Engineers directed to only consider the county ordinance?

During the TIF creation process, EEI was not asked to determine whether future engineering improvements would satisfy the statutory criterion of whether "the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding." Rather, our role was limited to evaluating whether surface water discharging from the area contributed to flooding within the watershed, as required for the TIF eligibility analysis at that time. The Kane County Stormwater Ordinance was not a factor in developing the Drainage Statement during the TIF eligibility. However, in the conclusion, we did indicate that stormwater detention facilities with outlet structures would be needed to control discharge rates.

Furthermore, independent of the TIF eligibility, some discussions were had with the Village TIF attorney regarding the evaluation metric for future TIF reimbursement requests if the TIF passed as to what will be the metric to "contribute to the alleviation of all or part of the flooding," and the direction at that time was that they would have to meet the Kane County Stormwater Ordinance. Just to reiterate, we are not TIF consultants, our participation in the TIF reimbursements is limited to the following (if requested):

- 1. Verification that the improvements have been completed and, potentially, whether the associated costs appear reasonable.**
- 2. Evaluation of whether the engineering improvements satisfy specific technical criteria established within the state statute.**

The TIF goes beyond whether engineering metrics are met which is why a TIF (not engineering) consultant would also likely be needed beyond EEI.

Obviously, my concern is the county ordinance is not specifically for the flooding that is used to qualify for the TIF, in this case, downstream which has occurred in 100 year floods or greater.

The County Ordinance was developed specifically to mitigate flooding for all developments, which includes the Grove. Please refer to the purpose of the Kane County Stormwater

Ordinance: <http://www.sterlingcodifiers.com/codebook/printnow.php> (pg 8 of 171)

Sue



Sue Stillwell

Village President | [Village of Sugar Grove](#)

160 S. Municipal Dr., Suite 110, Sugar Grove, IL 60554

T: 630.391.7200 | F: 630.391.7210 | E: sstillwell@sugargroveil.gov

2025 Illinois Compiled Statutes

Chapter 225 - PROFESSIONS, OCCUPATIONS, AND BUSINESS OPERATIONS

225 ILCS 325/ - Professional Engineering Practice Act of 1989.

Sec. 4. Definitions. As used in this Act:

(o) "Professional engineering practice" means the consultation on, conception, investigation, evaluation, planning, and design of, and selection of materials to be used in, administration of construction contracts for, or site observation of, an engineering system or facility, where such consultation, conception, investigation, evaluation, planning, design, selection, administration, or observation requires extensive knowledge of engineering laws, formulae, materials, practice, and construction methods. A person shall be construed to practice or offer to practice professional engineering, within the meaning and intent of this Act, who practices, or who, by verbal claim, sign, advertisement, letterhead, card, or any other way, is represented to be a professional engineer, or through the use of the initials "P.E." or the title "engineer" or any of its derivations or some other title implies licensure as a professional engineer, or holds himself or herself out as able to perform any service which is recognized as professional engineering practice.

Examples of the practice of professional engineering include, but are not limited to, transportation facilities and publicly owned utilities for a region or community, railroads, railways, highways, subways, canals, harbors, river improvements; land development; stormwater detention, retention, and conveyance, excluding structures defined under Section 5 of the Structural Engineering Practice Act of 1989; irrigation works; aircraft and airports; traffic engineering; waterworks, piping systems, sewers, sewage disposal works, storm sewer, sanitary sewer and water system modeling; plants for the generation of power; devices for the utilization of power; boilers; refrigeration plants, air conditioning systems and plants; heating systems and plants; plants for the transmission or distribution of power; electrical plants which produce, transmit, distribute, or utilize electrical energy; works for the extraction of minerals from the earth; plants for the refining, alloying or treating of metals; chemical works and industrial plants involving the use of chemicals and chemical processes; plants for the production, conversion, or utilization of nuclear, chemical, or radiant energy; forensic engineering, geotechnical engineering including, subsurface investigations; soil and rock classification, geology and geohydrology, incidental to the practice of professional engineering; geohydrological investigations, migration pathway analysis (including evaluation of building and site elements), soil and groundwater management zone analysis and design; energy analysis, environmental risk assessments, corrective action plans, design, remediation, protection plans and systems, hazardous waste mitigation and control, and environmental control or remediation

systems; recognition, measurement, evaluation and control of environmental systems and emissions; control systems, evaluation and design of engineered barriers, excluding structures defined under Section 5 of the Structural Engineering Practice Act of 1989; modeling of pollutants in water, soil, and air; engineering surveys of sites, facilities, and topography specific to a design project, not including land boundary establishment; automated building management systems; control or remediation systems; computer controlled or integrated systems; automatic fire notification and suppression systems; investigation and assessment of indoor air inhalation exposures and design of abatement and remediation systems; or the provision of professional engineering site observation of the construction of works and engineering systems. In the performance of any of the foregoing functions, a licensee shall adhere to the standards of professional conduct enumerated in 68 Ill. Adm. Code 1380.300. Nothing contained in this Section imposes upon a person licensed under this Act the responsibility for the performance of any of the foregoing functions unless such person specifically contracts to provide it. Nothing in this Section shall preclude an employee from acting under the direct supervision or responsible charge of a licensed professional engineer.

EEI CONCLUSIONS STATE DETENTION FACILITIES WITH CONTROLLED DISCHARGE RATES CAN REDUCE THE POSSIBILITY OF INCREASED DOWNSTREAM FLOODING

1.5 Conclusions

It appears that all runoff from the study area currently contributes to downstream flooding within Zone X and Zone AE areas of Blackberry Creek and then the Fox River. Future development in the proposed TIF District #3 could result in additional downstream flooding with detrimental effects. The construction of stormwater management facilities, such as detention and/or infiltration basins, could mitigate these effects. Stormwater detention facilities with outlet structures that control discharge rates should be incorporated into the proposed development within the proposed TIF district to reduce the possibility of increased downstream flooding.

This is not the same as alleviating any part of the pre-development downstream flooding

8/3/2026



**A RESOLUTION OF THE JOINT REVIEW BOARD FOR THE I-88 & IL-47
REDEVELOPMENT PROJECT AREA FINDING NON-COMPLIANCE WITH THE
ILLINOIS TAX INCREMENT FINANCING ACT, 65 ILCS 5/11 74.4-3**

WHEREAS, the Joint Review Board (the “JRB”) of the I-88 & IL-47 Redevelopment Project (the “Project”) is a duly organized and validly existing entity organized and operating under the Illinois Tax Increment Redevelopment Act (65 ILCS 5/11-4-1, *et seq.*)(the “Act”); and

WHEREAS, the members of the JRB consist of:

- a. Village of Sugar Grove, Illinois
- b. Blackberry Township
- c. Sugar Grove Township
- d. Elburn Fire District
- e. Sugar Grove Fire District
- f. Kane County, Illinois
- g. Kaneland Community Unit School District 302
- h. Sugar Grove Library District
- i. Town and Country Library
- j. Sugar Grove Park District
- k. Waubensee College 51

(individually a “Member,” and collectively the “Members”); and

WHEREAS, Crown Community Development (“Crown”) has initiated development efforts in accordance with agreements with the Village of Sugar Grove, Illinois (the “Village”) and the Act in furtherance of the Project; and

WHEREAS, Section 5/11-74.4-2(b) of the Act states that “in order to promote and protect the health, safety, morals, and welfare of the public, that blighted conditions need to be eradicated and conservation measures instituted, and that redevelopment of such areas be undertaken; that to remove and alleviate adverse conditions it is necessary to encourage private investment and restore and enhance the tax base of the taxing districts in such areas by the development or redevelopment of project areas. The eradication of blighted areas and treatment and improvement of conservation areas and industrial park conservation areas by redevelopment projects is hereby declared to be essential to the public interest.”

WHEREAS, Section 5/11-74-4-3 of the Act states that a blighted area means any improved or vacant area where the area is “subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding”; and

WHEREAS, the JRB met on August 13, 2026 (the “Meeting”) to consider the Project’s compliance with the Act and whether the Project ameliorates blighted conditions as required; and

WHEREAS, the JRB reviewed and considered the public record, documents, other evidence and heard testimony at the Meeting; and

NOW, THEREFORE, BE IT RESOLVED by Joint Review Board of the I-88 & IL-47 Redevelopment Project, as follows:

1. The JRB hereby find that the recitals are full, true and correct and hereby incorporate and make them part of this Resolution.
2. The JRB finds that the Project does not comply with the Illinois Tax Increment Redevelopment Act provisions regarding the elimination of Blight.
3. The JRB advises the Village of Sugar Grove Board of Trustees of its findings and recommends that the Board of Trustees pursue measures to ensure the actual remediation of flooding and blighted conditions by Crown; and
4. The JRB recommends that its future approval of any Tax Increment funding for the Project be contingent on Crown’s actual remediation of blighted conditions; and
5. The JRB recommends that the Village of Sugar Grove Board of Trustees adopt a similar Resolution in opposition to the Project; and
6. That the provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED by a roll call vote on this _____ day of _____, 2026.

<u>Member</u>	<u>Aves/Yeas</u>	<u>Noes/Nays</u>	<u>Absent</u>	<u>Abstain</u>
Village of Sugar Grove, Illinois				
Blackberry Township				
Sugar Grove Township				
Elburn Fire District				
Sugar Grove Fire District				
Kane County, Illinois				
Kaneland Community Unit School District 302				
Sugar Grove Library District				
Town and Country Library				
Sugar Grove Park District				
Waubensee College 51				
Public Member				
Totals				

APPROVED by me this _____ day of _____, 2026.

Sue Stillwell, Chairperson
Joint Review Board

Attested, published and filed in my office on _____, 2026

Tracy Conti, Village Clerk
Village of Sugar Grove, Illinois

STATE OF ILLINOIS)

COUNTY OF KANE) SS
)

CLERK'S CERTIFICATE

I, Tracy Conti, certify that I am the duly appointed and acting Municipal Clerk of the Village of Sugar Grove, Kane County, Illinois, and I do hereby certify that I am currently the keeper of its books and records and that the attached hereto is a true and correct copy of a Resolution entitled:

**A RESOLUTION OF THE JOINT REVIEW BOARD FOR THE I-88 & IL-47
REDEVELOPMENT PROJECT AREA FINDING NON-COMPLIANCE WITH THE
ILLINOIS TAX INCREMENT FINANCING ACT, 65 ILCS 5/11 74.4-3**

I certify that on _____, 2026, the Joint Review Board for the I-88 & I-47 Redevelopment Project Area (or the Corporate Authorities, if required by law) passed and approved the above referenced Resolution.

I do further certify, in my official capacity, that a quorum of said Joint Review Board was present at the meeting and that the meeting was held in compliance with all requirements of the Open Meetings Act (5 ILCS 120/1, *et seq.*).

DATED at Sugar Grove, Illinois, this _____ day of _____, 2026.

Tracy Conti, Village Clerk
Village of Sugar Grove, Illinois