

<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>
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**November 15, 2022**  
**Regular Board Meeting**  
**6:00 p.m.**

**Visit from Santa Claus to promote Main Street Holiday Lighting and Holiday in the Grove  
Friday, December 2<sup>nd</sup> and Saturday, December 3<sup>rd</sup>.**

**1. Call to Order**

President Konen called the meeting to order at 6:04 p.m.

**2. Pledge of Allegiance**

President Konen asked Trustee White to lead the Pledge of Allegiance.

**3. Roll Call**

The November 15, 2022 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 Michael Schomas, Trustee James F. White, Trustee Heidi Lendi (attended electronically), Trustee Ryan Walter (attended electronically)

**Absent:** 0

**Also Present:**

Village Administrator Eichelberger, Attorney Julien, Police Chief Rollins, Public Works Director Speciale, Community Development Director Magdziarz, Economic Development Director Cassa, Village Engineer Piotrowski and Assistant to the Village Administrator/Village Clerk Murphy

**4. Public Hearing**

a. 2022 Proposed Tax Levy Process

Administrator Eichelberger explained that the proposed tax levy was announced at the November 1, 2022, Regular Board Meeting. State Law requires that a taxing body hold a public hearing prior to passage of the tax levy ordinance if the operating portion of the proposed tax levy increases more than 5% when compared to the prior year's extended operating levy. The actual anticipated levy is \$1,971,056, which is \$102,148.62 or 5.47% above last year's levy extension. Notice of the public hearing was published pursuant to State Law in the November 3, 2022, edition of the Aurora Beacon News. It is anticipated

that passage of the tax levy ordinance will take place at the December 6, 2022, Board Meeting.

President Konen opened the Public Hearing at 6:07 p.m. No comments were given. President Konen closed the Public Hearing at 6:07 p.m.

## **5. Appointments and Presentation**

### **a. Tax Increment Financing Eligibility Study**

Jared Kanallakan of Moran Economic Development for the presented the Eligibility Study for a potential Tax Increment Financing (TIF) District on the Crown Community Development Property at I-88 and Route 47. Kanallakan reported that the Area of Analysis contains conditions that could qualify it as a “blighted area” per definitions used in the Illinois Tax Increment Allocation Redevelopment Act. President Konen asked Kanallakan to describe the next steps of the process. He reported that Moran has completed the work that is was contracted to do with the presentation of the report. Should the Village decide to move forward with creating a TIF District for the area, the process would take about four to six months and include meeting for public hearings. Trustee Walter asked about the percentage of affected acreage for flooding. Kanallakan responded that there is no statutory benchmark or threshold for chronic flooding.

## **6. Airport Report**

None

## **7. Public Comments on Items Scheduled for Action**

None

## **8. Consent Agenda**

**A motion was made by Trustee Schomas, seconded by Trustee Herron, to approve the Consent Agenda. The motion carried by the following vote:**

**AYES: 6**      Schomas, Herron, Bonnie, White, Lendi, White  
**Nays: 0**  
**Absent: 0**

- a. Approval:                      Minutes of the October 17, 2022 Special Village Board Meeting
- b. Approval:                      Minutes of the November 1, 2022 Village Board Meeting
- c. Approval:                      Vouchers
- d. Approval:                      Treasurer’s Report

## **9. General Business**

- a. Ordinance 20221115A:      Amending the Village Code Title 11, Zoning Regulations (Commercial District Fence Regulations)

Director Magdziarz reported that the Village Board previously approved a Zoning Ordinance amendment that permitted chain link fences for the purpose of screening outdoor storage areas in commercial districts in October. Since then, it has come to Village staff's attention that the amendment was not as specific as it should have been with respect to the desired outcome of screening outdoor storage areas with chain link fence material. The proposed amendment is intended to codify the desired outcome with chain link fences used to screen outdoor storage areas. The Planning Commission considered the proposed amendment and instead recommended eliminating chain link fence as an option entirely. Village staff is of the opinion the Planning Commission's recommendation is not consistent with the Village Board expectations. The draft Ordinance reflects the original proposed amendment. Board discussion ensued.

**A motion was made by Trustee White, seconded by Trustee Herron, to approve Ordinance 20221115A, Amending the Village Code Title 11, Zoning Regulations (Commercial District Fence Regulations). The motion carried by the following vote:**

**AYES: 6**        White, Herron, Schomas, Bonnie, Lendi, Walter  
**Nays: 0**  
**Absent: 0**

- b. Resolution 20221115PD:        Authorizing Execution of an Agreement for the Purchase of Body Worn Cameras, Professional Redaction Software and Equipment (Axon Enterprises, Inc.)

Chief Rollins reported that staff recommends that purchasing body worn cameras, peripheral equipment, and the professional redaction software from Axon. The length of the agreement is for five years. (December 2022 through December 2027). Board discussion ensued.

**A motion was made by Trustee XXXX, seconded by Trustee XXXX, waive the formal bidding process and approve to approve Resolution 20221115PD, Authorizing Execution of an Agreement for the Purchase of Body Worn Cameras, Professional Redaction Software and Equipment (Axon Enterprises, Inc.). The motion carried by the following vote:**

**AYES: 6**        Schomas, Herron, White, Bonnie, Lendi, Walter  
**Nays: 0**  
**Absent: 0**

## **10. Public Comment**

Perry Elliot commented on the Crown development at I-88 and IL 47.

Julie Warpinski of Rosewood Farm commented on the Liquor License Ordinance revision.

Don Adams commented on the Crown development at I-88 and IL 47.

President Konen explained that the Village wants to work with Crown to avoid the land being developed under the County or Elburn which would eliminate the opportunity for the Village to help shape the project. Konen has spoken with Crown and they are very open to resident comments as they develop a proposed project. Konen also noted that the Board knows that residents do not want a development like the one proposed previously and that the Board also does not want that project.

## **11. Discussion Items**

### **a. Industrial Tax Increment Financing District #1 Future Planning**

Administrator Eichelberger noted the current balance of TIF #1 is \$1,446,000 after taxes have been collected in 2022. Staff met on November 3, 2022 to brainstorm on the future of TIF #1 and any potential projects in which could require TIF Funds to facilitate including Septic System Improvements/Enhancements/Expansion, Vacant Site Marketing Materials, Additional Cell Tower and Possible Acquisition and Demolition Costs. While Staff found these potential projects in the TIF, it is not believed any of these are projects will start in the near future. With that, Staff is comfortable recommending the Village Board could surplus up to \$1m of TIF #1 funds back to the taxing bodies within the TIF #1 boundaries. Board discussion ensued. The Board reached consensus to direct staff to prepare a resolution to declare a surplus of \$1 million of TIF #1 funds at the next Board meeting.

### **b. Zoning Ordinance Amendment-Data Center District**

Director Magdziarz reported that the Planning Commission held the requisite public hearing and discussed the proposed amendment. Generally, the Commission concurred with the proposed regulations. The Commission did not object to the proposed building height of 65-feet. The Commission raised a concern about the proposed landscaping requirements being in conflict with the need for security for these facilities.

Village staff is of the opinion the landscaping requirements are reasonable and a competent landscape architect can design a landscape plan that achieves the Village's objectives, as well as provide and maintain security of the facility. Board discussion ensued. The Board reached consensus to include minimum yard setbacks of an additional yard for every 1 foot of building height over 40 feet and have the ordinance come before the Board for a vote at the next Board meeting.

### **c. Video Gaming Cafés**

Administrator Eichelberger explained that the Village does not currently issue liquor licenses for the purpose of video gaming cafés. The Village receives occasional requests for licensing for video gaming cafés and at the October 4<sup>th</sup> Board meeting the Board directed staff to prepare a report for further discussion at a future board meeting. Staff reported that gaming cafés do not create a burden for law enforcement and bring in additional revenues. Board discussion ensued. The Board reached consensus that when

interested parties contact the Village regarding games cafés, staff is to instruct them that the Board is willing to listen to their proposal in a new development space.

d. Amending Title 3, Chapter 2 (Liquor Control)

Assistant to the Village Administrator/Village Clerk Murphy reported that at the September 20th meeting, the Board directed staff to draft language to include a requirement for food service and also language to include a waiver for the food service requirement. The Board reviewed and discussed the proposed language and reached consensus to approve a fixed percentage of sales (15%) food service requirement with On Premise liquor licenses and an Overlay Permit Classification – Food Service Waiver that will allow for the requirement of food service to be waived by the Village Board with no fee. Staff will bring back the ordinance in its entirety for Board approval at the next Board meeting.

e. Nixle-Emergency Notification Platform

Chief Rollins noted that the Sugar Grove Fire Prevention District has notified the Village that they are no longer interested in utilizing the Nixle Emergency Notification system. The District has been partnering financially with the Village for 50% of the costs. The renewal payment for Nixle is due shortly and staff would like the Board's direction on continuing the service for a total of \$5,800 for 12 months. The Board reached consensus to fully fund the service and to have Director Anastasia determine the funding split.

## 12. Reports

a. Staff

Administrator Eichelberger reported that the Village and the Patrol Union agreed to a contract in principle. He thanked the officers, Chief Rollins and Director Anastasia for their hard work. He noted that the group worked together to come to agreed terms in one meeting and negotiations were cordial.

Director Cassa reported that the Economic Development Corporation Board will meeting tomorrow. He and Eichelberger attend an open house at Revv Aviation. He noted that Rich Harvest Farms will host the Village's commercial developer reception on November 9, 2023.

Director Speciale updated the Board on the status of the Blackberry Bridge IGAs. All agreement are moving forward.

Chief Rollins reported that Officer Moreno is now out on solo patrols. A Cake and Coffee reception will be held on December 6<sup>th</sup> for a new patrol officer. The Village is still looking for one Patrol Officer. Rollins noted that he is now reporting Open Burning complaints in his Staff Report. He attended a meeting at St. Charles gun range. St. Charles is looking for financial support for classroom space at the range. Many local Senators and Representatives were present.

b. Trustees

Trustee Bonnie reported that he attend the Old Second Bank re-opening ribbon cutting.

Trustee Herron reported that the Town Center Committee met yesterday and are real close to completing their brochure. The next meeting is December 19<sup>th</sup>.

Trustee Schomas reported that he attended the Park District meeting and the PD Board approved the IGA for the Blackberry Creek Bridge pending review by their attorney. The Board also discussed the purchase of new property near the airport.

c. President

President Konen reported that she attended the Old Second Bank re-opening ribbon cutting and an Investment Committee meeting. She will be attending the TIF Joint Review Board meeting and Economic Development Corporation Board meeting tomorrow and a Community Ice Rink meeting this Thursday. Konen and Chief Rollins will attend a meeting at Rich Harvest Farms regarding next year's LIV Golf Event. Holiday in the Grove will be held December 5<sup>th</sup> and 6<sup>th</sup>. She noted that she and Director Cassa will be travelling to Carmel, IN in January to meet with the Mayor and a developer.

**13. Closed Session**

None

**14. Adjournment**

**A motion was made by Trustee White, seconded by Trustee Herron, to adjourn the Regular Meeting of the Board of Trustees at 8:34 p.m. The motion carried by the following vote:**

<b>AYES: 5</b>	Herron, Bonnie, Schomas, Lendi, Walter
<b>Nays: 1</b>	White
<b>Absent: 0</b>	

ATTEST:

/s/ Alison Murphy

Alison Murphy

Village Clerk