

<p>Village President Jennifer Konen</p> <p>Village Clerk Alison Murphy</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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March 21, 2023
Village Board Meeting
6:05 p.m.

1. Call to Order

President Konen called the meeting to order at 6:05 p.m.

2. Pledge of Allegiance

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

3. Roll Call

The March 21, 2023 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 Heidi Lendi, Trustee Michael Schomas (attended remotely via GoToMeeting), Trustee Ryan Walter, Trustee James F. White

Absent: 0

Also Present:

Attorney Julien (arrived at 7:00 p.m.), Finance Director Anastasia, Police Chief Rollins, Community Development Director Magdziarz, Economic Development Director Cassa and Assistant to the Village Administrator/Village Clerk Murphy

President Konen asked the Trustees if there was any objections to Trustee Schomas attending electronically due to illness. No objections were made.

4. Public Hearing

a. Cable Franchise Agreement (Comcast)

Assistant to the Administrator Murphy explained that Comcast had reached out to the Villages of Elburn and Sugar Grove to provide fiber service to certain commercial areas in town in the fall. Both municipalities negotiated together with Comcast to write a contract similar to the Metronet agreement passed in 2018. The negotiated contract is up for consideration tonight and for Public Hearing. Notice was made in the Kane County Chronicle and given to Mediacom and Metronet as other franchisees.

President Konen opened the public hearing at 6:07 p.m. No comments were given. The hearing was closed at 6:07 p.m.

5. Appointments and Presentation

- a. Proclamation: Fix a Leak Week

President Konen read the Proclamation declaring March 20-26, 2023 Fix a Leak Week.

6. Airport Report

Tony Speciale noted that at his State of the City presentation, Aurora Mayor Irvin announced a concept plan for \$10 million in improvement to Aurora Airport.

7. Public Comments on Items Scheduled for Action

None

8. Consent Agenda

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

AYES: 6 Herron, Water, Bonnie, Lendi, White, Schomas

Nays: 0

Absent: 0

- a. Approval: Minutes of the March 7, 2023 Village Board Meeting
- b. Approval: Vouchers
- c. Ordinance 20230321B: Establishing a Back-Up Special Service Area #29 (Prairie Grove Commons Subdivision)

9. General Business

- a. Ordinance 20230321C: Zoning Ordinance Amendment, Truck Parking in Residential Zoning Districts

Director Magdziarz noted that the Board previously discussed amending truck parking regulations and approved an amendment of Title 6 of the Village Code that clarified which license plate classification and truck types would not be permitted to park in residential zoning districts. The proposed amendment is the zoning version of the same amendment and will remove conflicts between Title 6 and Title 11 of the Village Code.

A motion was made by Trustee White, seconded by Trustee Herron, to approve Ordinance 20230321C, Amending the Village Code Title 11, Zoning Regulations (Truck Parking in Residential Zoning Districts). The motion carried by the following vote:

AYES: 6 White, Herron, Walter, Lendi, Bonnie, Schomas

Nays: 0

Absent: 0

- b. Ordinance 20230321A: Authorizing Execution of a Cable Franchise Agreement (Comcast) – STAR

Assistant to the Village Administrator Murphy noted that the Village and the Village of Elburn have been negotiating a cable franchise agreement with Comcast for the past few months. The Village and Comcast have reached consensus on the agreement presented, which is similar to the Metronet franchise agreement approved by the Village in 2018. Representatives from Comcast were on hand to answer any questions.

A motion was made by Trustee Herron, seconded by Trustee Bonnie, to approve Ordinance 20230321A, Authorizing Execution of a Cable Franchise Agreement (Comcast), subject to attorney review. The motion carried by the following vote:

AYES: 6 Herron, Bonnie, Lendi, Walter, White, Schomas

Nays: 0

Absent: 0

- c. Resolution 20230321PD: Approving an Agreement with Flock Safety for License Plate Readers (LPR)

Chief Rollins noted that during the FY23-24 budget discussions, he presented the desire to utilize LPR cameras around the community for crime prevention and the ability to collect evidence to assist in solving crimes. The Board gave tentative approval for the Police to procure four cameras at the FY24 budget workshops. Board discussion ensued. Trustee Lendi expressed concerns regarding privacy.

A motion was made by Trustee White, seconded by Trustee Herron, to approve Ordinance 20230321PD, Authorizing an Agreement between the Village of Sugar Grove and Flock Group, INC, for the Installation and Access to License Plate Reader Technology and Software. The motion carried by the following vote:

AYES: 5 White, Herron, Bonnie, Walter, Schomas

Nays: 1 Lendi

Absent: 0

- d. Resolution 20230321PW3: Authorizing Execution of an Agreement with IDOT for the 2023 Road Program (MFT)

Director Anastasia noted at the September 20, 2022 Board Meeting, the Board discussed and approved the Design Engineering for the 2023 Road Program including the resurfacing of the Windsor Pointe Subdivision including concrete improvements. On February 24, 2023 the Village opened sealed bids for the road program. Builders Paving LLC, was the lowest responsive, responsible bidder for the resurfacing contract with a construction cost of \$1,328,800.00

A motion was made by Trustee Lendi, seconded by Trustee Walter, to approve Ordinance 20230321PW3. Authorizing Execution of an Agreement with IDOT for the 2023 Road Program (MFT). The motion carried by the following vote:

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

- e. Resolution 20230321PW2: Authorizing Execution of an Agreement with IDOT for the 2023 Road Program (Rebuild Illinois)

Director Anastasia noted in order to expend the Rebuild Illinois funds allocated for FYE 24, the Village must pass a resolution authorizing the expenditure and submit it to the State. Staff is requesting approval of a resolution in the amount of \$592,937.70 for the FYE 24 Rebuild Illinois portion of the program.

A motion was made by Trustee Lendi, seconded by Trustee Walter, to approve Ordinance 20230321PW2, Authorizing Execution of an Agreement to Expend Rebuild Illinois Funds for the 2023 Road Program. The motion carried by the following vote:

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

- f. Resolution 20230321PW4: Authorizing a Professional Services Agreement with Engineering Enterprises Inc. for Phase III Engineering Services for Norris Rd.

Director Anastasia presented the proposal from Engineering Enterprises, Inc. to provide Phase III Engineering Services for the Norris Road Resurfacing Surface Transportation Program (STP) Project. The total cost for the Phase III Construction Engineering is \$71,873.00, the Villages share would be \$17,968.25.

A motion was made by Trustee White, seconded by Trustee Herron, to approve Ordinance 20230321PW4, Authorizing Execution of an Agreement with Engineering Enterprises, INC for the Phase III Norris Road Resurfacing STP Project. The motion carried by the following vote:

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

- g. Resolution 20230321PW5: Authorizing the Village's Share of Construction & Construction Engineering Costs for the Norris Road Resurfacing Projects

Director Anastasia explained that in order to receive Federal Funds for the Norris Road Resurfacing Project it is necessary to approve a Resolution Authorizing the Village's

share of the Surface Transportation Program (STP) Project. Attached for your review is the Joint Funding Agreement. The total for the Construction & Construction Engineering for this project is \$693,157.00, the Village's share would be \$173,289.25.

A motion was made by Trustee White, seconded by Trustee Bonnie, to approve Ordinance 20230321PW5, Authorizing the Village's Share of Construction & Construction Engineering Costs for the Norris Road Resurfacing Project. The motion carried by the following vote:

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

- h. Ordinance 20230321D: Final Planned Unit Development Plan, Prairie Grove Commons Unit 2, Lot 1 (Casey's)

Director Magdziarz presented the Planned Unit Development for Lot 1 in Prairie Grove Commons (PGC) Unit 2. The applicant, Casey's, is proposing to develop the lot for a gas station mini-mart in accordance with the approved PGC PUD. Representatives from Casey's made a presentation regarding the development. It was noted that the conditions outlined in Section One of the presented Ordinance need to be revised to the six updated conditions.

A motion was made by Trustee White, seconded by Trustee Herron, to approve Ordinance 20230321D, Approving a Final Planned Unit Development Plan, Prairie Grove Commons Unit 2, Lot 1 (Casey's) with a revision that lists six conditions for compliance in Section One. The motion carried by the following vote:

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

10. Public Comment

Jim Eckert commented on the insurance requirements for solar panel applications.

Tom Muth commented on the upcoming election for the Fox Metro Board.

Jeffrey Humm commented on the upcoming election for Fox Metro Board.

Tony Speciale commented on the STP and Rebuild Road Programs.

11. Discussion Items

- a. Solar Application Requirements – Zoning Amendment

Director Magdziarz explained that in the course of administering the solar regulations in the zoning regulations, Village staff has encountered resistance to the insurance

requirement associated with the application requirements. The zoning regulations require proof of insurance with the application but, in reality, an insurance company is not going to issue coverage in advance of the improvement. This has become problematic for residents desiring to add this feature to their homes. The Planning Commission recommends keeping some form of insurance requirement, however, Village staff recommends eliminating the requirement. Board discussion ensued. The Board directed staff to include a provision that requires a certified stamp on plans and for Director Magdziarz to work with Attorney Julien on requirements and bring it back to the Board for further consideration. The Board reached consensus to still not allow front facing panels.

b. FY23-24 Budget Workshop #3

Director Anastasia noted that the two extra license plate readers were added, but other than that no other changes were made to the budget. President Konen raised the issue of reallocating state grant funds currently earmarked for the Park and 47 intersection traffic signal, which IDOT has said is ineligible, for two turning pork chops on Park that would allow only right hand turns from Park onto IL 47 while still allowing left and right turns onto Park from 47. Konen contacted Sen. DeWitte to see if it was possible to reallocate those state funds for that project. Konen asked Chris Ott of EEI if he could draw plans for the pork chops to present to Sen. DeWitt. President Konen said that the funds that the Village had allocated for the traffic signal could then be used in FY24-25 to complete the roads in Windstone, moving that project up a year. This would be subject to getting the state funds to cover the pork chops. Staff will work to put a cost estimate together.

c. FY23-24 Zoning, Subdivision, Building Permits and Other Charges

President Konen asked staff to review surrounding municipalities for their fees and bring back the results for the Board to consider.

12. Reports

a. Staff

President Konen asked Director Magdziarz how many more lots Ryan Homes had to build in Settlers Ridge. Magdziarz said about 20 remained and they are scheduled to be built out in FY24. Konen asked if staff can talk to them about Timbercrest. Magdziarz said he is meeting with Ryan Homes to talk about additional lots in Settlers Ridge.

Chief Rollins noted that the department has been working hard to resolve cases in partnership with other jurisdictions. Konen thanked Chief and his staff for their efforts.

Director Cassa reported on the newly announced Back to Business program from the State of Illinois.

b. Trustees

Trustee Lendi reported that she attended the Meet the Candidate forum on Saturday.

Trustee White reported that he attended a fund raiser for resident Steve Ekker.

Trustee Schomas that the Forest Preserve is looking to purchase property at Bliss and Norris.

c. President

President Konen reported that she is working on the 47 and Park pork chop access. She and staff met with Rep. Underwood to discuss grant for a North Elevated Water Storage Tank. Konen noted that the CPEP program may come back for a review of guidelines. She is meeting with other taxing bodies and announced Coffee with Konen events for residents to informally meet with her on March 23 from 7-9 am and April 18 from 4-6 pm in the Village Board Room.

13. Closed Session

A motion was made by Trustee White, seconded by Trustee Herron, to adjourn to Closed Session per the exception to the Open Meetings Act *Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Personnel [5 ILCS 120/2(c)(1)]* taking no action and adjourning therefrom at 8:19 p.m. The motion carried by the following vote:

AYES: 5 White, Walter, Lendi, Bonnie, Schomas
Nays: 1 Herron
Absent: 0

14. Adjournment

A motion was made by Trustee White, seconded by Trustee Bonnie to adjourn the Regular Meeting of the Board of Trustees at 9:00 p.m. The motion carried by voice vote.

ATTEST:

/s/ Alison Murphy
Alison Murphy
Village Clerk