

**Village of Sugar Grove
Regular Board Meeting**

November 7, 2006

6:00 P.M.

President Michels opened the meeting at 6:00 p.m. and asked that Trustee Renk lead the Pledge. President Michels then asked that the roll be called

Present: President Michels, Trustee Wolf, Trustee Geary, Trustee Renk, Trustee Heineman, Trustee Bohler, and Trustee Johnson.

Quorum Established

Absent: Trustee Renk

Also Present:

Administrator Brent Eichelberger, Clerk Cynthia Welsch, Community Development Director Scott Buening, Attorney Steve Andersson, Finance Director Justin VanVooren and Utilities Supervisor Brad Merkel.

PUBLIC HEARINGS

- a. None

APPOINTMENTS AND PRESENTATION

- b. Police Commission and Hearing Officer

President Michels recommended appointment Community Development Director, Scott Buening as the Hearing Officer for the Village of Sugar Grove and Brian Filler to the Sugar Grove Police Commission to a term which expires on 4-30-2007, Roger Griffin to the Sugar Grove Police Commission to a term which expires on 4-30-2008 and Rick Montalto to the Sugar Grove Police Commission to a term expires on 4-30-2009. Trustee Johnson **moved to ratify the appointments as recommended and requested by President Michels.** Trustee Renk seconded the motion. President Michels then called for a voice vote with all attendance voting AYE in a voice vote. Motion Carried.

PUBLIC COMMENTS ON ITEMS SCHEDULED FOR ACTION

President Michels called for any public comments on the items scheduled for action on the agenda. No member of the public stepped forward and this portion of the agenda was closed at 6:05p.m.

CONSENT AGENDA

- c. Approval: Minutes of the October 17, 2006 Meeting
- d. Approval: Vouchers
- e. Ordinance: Approving Traffic Control Signage – Windsor Pointe

Trustee Johnson moved **to approve the consent agenda as presented.** Trustee Bohler seconded the motion. President Michels then called for a roll call vote.

AYE:	Johnson	NAY:	None	ABSENT:	Absent
	Wolf				
	Bohler				
	Heineman				
	Geary				
	Renk				

Motion Carried.

GENERAL BUSINESS

Resolution In Support of Keeping Wheeler Road Open After Prairie Parkway Construction

Trustee Geary moved to approve A Resolution in Support of Keeping Wheeler Road Open After Prairie Parkway Construction. Trustee Johnson seconded the motion. The Board asked that the state representatives be sent a copy and that a copy also be sent to Big Rock and Kaneville asking for their support as well. President Michels called for discussion and hearing none called for a roll call vote.

AYE:	Johnson	NAY:	None	ABSENT:	None
	Wolf				
	Bohler				
	Heineman				
	Geary				
	Renk				

Motion Carried.

2007 for 2006 Tax Levy Announcement

Trustee Johnson moved to announce and approve the estimated proposed 2006 property tax levy in the amount of \$3,199,415.02. Trustee Bohler seconded the motion. President Michels called for discussion and hearing none called for a roll call vote.

AYE:	Johnson	NAY:	None	ABSENT:	Renk
	Wolf				
	Bohler				
	Heineman				
	Geary				

NEW BUSINESS

None

REPORTS

Staff was complimented on working with developers and for their assistance at the Aurora Airport disaster drill. The Board asked that when staff presents the 2007 calendar for adoption that the January 2007 meeting dates be shown on the 2nd and 4th Tuesday. Staff was also requested to forward a copy of the EMA draft to all Board members.

Trustee Wolf stated that he, staff and Attorney Wilson had met with the residents on Merrill that are being considered for annexation. The discussions went fairly well however there are a few items that the residents want that the Village cannot legally give. It was obvious that these residents will not be pleased in any fashion and Trustee Wolf asked that the annexation move forward as any future talks will not be productive. All items that were asked for that the Village can give have been approved of and the historical agreement with the County for the property(s) has been completed. The Board briefly discussed the proposed annexation and was in agreement that the annexation should move forward. The Board asked that staff forward them to them any paperwork that is available regarding the discussions and concessions with these property owners.

Trustee Bohler stated that he, Trustee Johnson and Administrator Eichelberger attended a meeting hosted by Kaneland School District regarding impact and transition fees. Maple Park is not willing at this time to utilize the transaction fee that is currently suggested by Kaneland and followed by other community. The Board discussed the issue and upon the end of the debate of the what to do regarding the transition fee and their position, discussion asked that staff request the attendance of Charles McCormick at a future meeting to explain the school district's position on fees.

PUBLIC COMMENTS

No public comments were received concerning any village business.

ADJOURNMENT

Trustee Geary **moved to adjourn the regular meeting at 6:20 p.m.** Trustee Johnson seconded the motion. All members in attendance voted **AYE**.

Respectfully submitted, Cynthia L. Welsch, Village Clerk

November 7, 2006
Committee of the Whole Meeting
6:45 p.m.

Present: President Michels, Trustee Wolf, Trustee Geary, Trustee Renk, Trustee Heineman, Trustee Bohler, and Trustee Johnson.

Quorum Established

Also Present:

Administrator Brent Eichelberger, Clerk Cynthia Welsch, Community Development Director Scott Buening, Attorney Steve Andersson, Public Works Director Tony Speciale and Streets and Properties Supervisor Geoff Payton.

Rezoning from M-1 to B-# Sugar Grove Research Park Lot 16

Community Development Director Scott Buening stated this rezoning is to correct a map error. The property was zoned B-3 but was mistakenly at sometime shown on the zoning map as M-1. It cannot be considered a Scribner's error as the map as been officially adopted. The Board reviewed the paperwork presented and requested that the rezoning ordinance be placed on the November 21, 2006 consent agenda for approval.

Text Amendment and Special Use for Catering Facility – 60 Maple Street

Community Development Director Buening informed the Board that this request is for a text amendment and special use to allow a catering service to operate in an existing building at 60 Maple Street. The property is currently zoned B-1 and as catering services by ordinance are only allowed as a permitted use in B-2 and B-3 district the text amendment will allow catering in a B-1 as a special use. The special use would then allow the petitioners to operate out of the existing vacant building. The Board reviewed the paperwork presented and requested that the text amendment and the special use ordinances be placed on the November 21, 2006 consent agenda for approval.

Front Yard Setback Variance – 1137 Ottawa Circle

Community Development Director Buening informed the Board that the petitioner was granted a building permit and an error on the site plan occurred when the plan was submitted. The Plan Commission conducted a public hearing and required, no public input was received and the Plan Commission voted unanimously to approve the variance for a front yard set back from 20 feet to 13.57 feet. The Board revised the paperwork presented and requested that the variance ordinance be placed on the November 21, 2006 consent agenda for approval.

Minor Amendment to the Prairie Glen PUD

Administrator Brent Eichelberger stated that staff still believes that annexation agreements should not be amended, however, as directed they have met with the developer and staff is presenting what they believe to be a good compromise. Community Development Director Scott Buening stated that the Plan Commission did recommend approval with amendments. The Board discussed the proposed amendments and questioned if what type of vote, majority or super majority was required for the amendment. Attorney Andersson answered that only a simple majority as the Plan Commission recommended approval, even if it was amended. The only time a super majority would be required in this type of circumstance is when the Plan Commission denies a motion of

recommendation of approval. Some Board members expressed dismay that this developer is once again before the Board asking for yet another PUD amendment. Others expressed concern with the architectural changes. Some were in agreement and felt that allowing this developer to change items would help the housing market within the Village. Staff was directed to prepare the ordinance for possible approval at the November 21, 2006 meeting.

Utility Tax Audit Program

Finance Director Justin VanVooren reported that the expiration of the audit statute of limitations expires on December 29, 2006 for the telecommunications tax. What this means is that after this date the Village cannot ask for an audit. Staff is recommending that an audit begin and that this audit be contracted with a 3rd party. At this time staff recommends Azavar Technologies. For any funds found the funds would be split 50/50 between the Village and Azavar. The Board reviewed the information agreed that an audit needed to be conducted however asked that staff determine if residents would be charged back taxes and indicated that they preferred that this not be done. This item will be brought back upon further investigation for approval consideration at that time.

Street Maintenance Bonds

Finance Director Justin VanVooren presented the Board with information that had been gathered regarding the possibly of bonding for Street Maintenance. The Board reviewed the information presented and indicated that while they understand that there are streets within the Village that need attention they would prefer not to issue bonds that would encumber MFT funds for the future.

Meeting Adjourned at 7:45 p.m.

Respectfully submitted, Cynthia Welsch, Village Clerk