

**December 21, 2010
Village of Sugar Grove
Regular Board Meeting
6:00 P.M.**

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

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

Quorum Established.

Also Present:

Administrator Brent Eichelberger, Clerk Cynthia Galbreath, Chief of Police Brad Sauer, Attorney Steve Andersson, Engineer David Burroughs, Finance Director Justin VanVooren, Community Development Director Richard Young, and Director of Public Works Tony Speciale.

PUBLIC HEARINGS

None.

APPOINTMENTS AND PRESENTATIONS

Finance Director, Justin VanVooren presented the Distinguished Budget Award to President Michels and the Board of Trustees.

PUBLIC COMMENTS

President Michels called for any public comments on items scheduled for action (as read by President Michels) and any other comments. Dan Olsem, Crown Development asked that the Village Board not enter into the agreement with the school district as he felt that this would be a detriment to development. Perry Clark, resident, also asked that the Board not enter into the agreement and further stated that if the school needed funding they should talk with the state. Mr. Clark also asked for an explanation of why the agreement is back on the agenda.

As there were no further comments / questions and this portion of the agenda was closed at 6:10 p.m.

CONSENT AGENDA

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

- a. Approval: Minutes of the December 7, 14, and 16, 2010 Meetings
- b. Approval: Vouchers
- c. Approval: Treasurer’s Report
- d. Resolution: Releasing a Letter of Credit for Prairie Glen Office Park - subject to attorney review
- e. Resolution: Releasing a Letter of Credit for Chesterbrook Academy - subject to attorney review
- f. Resolution: Authorizing Use of Unexpended Bond Proceeds

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|------|----------|------|------|---------|------|
| AYE: | Johnson | NAY: | None | ABSENT: | None |
| | Montalto | | | | |
| | Geary | | | | |

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| | Renk | | | | |
| | Bohler | | | | |

Motion Carried.

GENERAL BUSINESS

Resolution Authorizing Entering into a School Impact Fee Agreement

Trustee Montalto **moved to approve a Resolution Authorizing Entering into a School Impact Fee Agreement, subject to attorney review.** Trustee Johnson seconded the motion.

Attorney Andersson explained that this item although voted on last meeting is one that can come back with no qualifications and there are no statutes that prohibit it. That being said it is being brought back this evening as Melisa Taylor had already been sworn in as a county board member prior to the vote and as the two office that of trustee and county board member are incompatible her vote did not count. Trustee Johnson stated that she felt Sugar Grove should in the spirit of cooperation approve the agreement even though she agreed that the numbers are wrong. The school district has shown that they are willing to move forward and have a study commissioned. Trustee Renk asked that the numbers be reiterated. Administrator Eichelberger stated that they are at the 60% level and also for the floor and the ceiling and the age restricted housing is exempt. Trustee Geary stated that he was not in favor of moving forward at this time and that he preferred to wait till the Dahlstrom study was completed. Trustee Bohler asked if it was guaranteed that the study would be complied in a years time. He further stated that the school district needs to acknowledge that times are different now than they were when this was put in place. Dr. Schuler answer yes it will be done and the group (all the municipality) would have it by the end of 2011. President Michels stated that he felt Sugar Grove should lead and show cooperation. Hearing no further discussion President Michels then called for a roll call vote.

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| AYE: | Montalto | NAY: | Renk | ABSENT: | None |
| | Johnson | | Geary | | |
| | Bohler | | | | |

Motion Carries

Resolution Authorizing Entering into an Agreement with Kane County

Trustee Geary **moved to approve a Resolution Authorizing Entering into an Agreement with Kane County, subject to attorney review.** Trustee Johnson seconded the motion. President Michels thanked that the team, staff, the county and the residents for their patience and for working together. Hearing no discussion President Michels then called for a roll call vote.

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| AYE: | | NAY: | | ABSENT: | None |
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Motion Carries

Discussion of Future Land Use Along Denny Road

Community Development Director, Richard Young, explained that a potential purchaser and a current resident of Sugar Grove is looking to purchase a portion of the property at the northeast corner of Denny Road and Bliss Road. This property (40.18 acres) was previously controlled by Inland however now is owned by the bank. The potential purchaser is looking to purchase a 5.12 acre parcel. The potential purchaser is looking for feedback on whether or not the Village Board would generally be favorable to the amendments to the Comprehensive Plan, Annexation Agreement, and Zoning of the parcel they are looking to purchase so that they may develop an estate lot.

There is existing estate residential east of the planned fire station site, existing single-family residential to the south (across Denny Road), and both estate residential or single-family residential shown in this vicinity on the Comprehensive Plan. Staff checked with the Sugar Grove Fire Protection District is ok with the idea of the estate residential lot to the west of their site. They also indicated that in their view the remainder of their property which they plan to sell for residential development could be either estate residential or single-family residential. This would need to come back to later Village Board meetings for formal review, after it has been reviewed by the Plan Commission.

The Board discussed the request and indicated that they were okay with the proposed purchase and amendments and in fact would support the whole 40+ acres being rezoned. Staff was directed to inform the bank that the Village was in favor of the proposal (in order to assist the purchaser) and to move forward when necessary on the amendments proposed.

Discussion of Residential Electricity Supplier Choice Program

Finance Director Justin VanVooren explained that the State of Illinois deregulated the electric market and that nearly 76% of the commercial market has moved from ComEd to take advantage of lower cost suppliers. However, the number of residential households that moved from ComEd to lower cost suppliers has been negligible. Therefore, the State of Illinois amended the original Illinois electric deregulation legislation to allow municipalities to move all of their residents' electric accounts to alternative electric suppliers. This program is called the "Opt Out" program allowing residents to opt out of the municipal choice and move back to ComEd. A municipality would only consider an "Opt Out" program if they could offer residential rates lower than those of ComEd. Currently, those lower rates are available in the marketplace. The first step toward implementation of an "Opt Out" program requires the passage of an ordinance to place the measure on the ballot. At least two public hearings and/or informational meetings are required to educate the voting public. Should the measure be passed, the municipality would then entertain bids from various suppliers for power for the entire community. NIMEC would then aggregate all municipal members to buy power together. Aggregating the residents' load of all NIMEC members would enable them to negotiate more aggressive pricing compared to each municipality bidding alone. A timeline, as well as the ordinance, were also presented, should the decision be made to place the question on the April 5, 2011 ballot.

The Board discussed the Opt Out program and decided that it would be in the best interest of Sugar Grove to move forward and place the Opt Out program on the April 5, 2011 ballot. Staff was instructed to begin the preparations for the program.

NEW BUSINESS

None.

REPORTS

None.

PUBLIC COMMENTS

President Michels called for any public comments. No comments were / questions were asked – public comments closed

Closed Session - Personnel

Trustee Geary **moved to Adjourn to Closed Session to Discuss Personnel, taking no action as per the exception to the Open Meetings Act and to adjourn therefrom.** Trustee Johnson seconded the motion. President Michels called for a roll call vote.

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| AYE: | Johnson | NAY: | None | ABSENT: | None |
| | Montalto | | | | |
| | Geary | | | | |
| | Renk | | | | |
| | Bohler | | | | |

Motion Carried.

Meeting Adjourned at 9:15 pm.

Respectfully Submitted, Clerk Cynthia Galbreath