

<p>Village President P. Sean Michels</p> <p>Village Clerk Cynthia Galbreath</p> <p>Village Administrator Brent M. Eichelberger</p>	 <p>SUGAR GROVE INCORPORATED 1911 10 S. Municipal Drive Sugar Grove, Illinois 60554 Phone: 630-466-4507 Fax: 630-466-4521</p>	<p>Village Trustees</p> <p>Robert Bohler Kevin Geary Mari Johnson Rick Montalto Thomas Renk</p>
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January 11, 2011
Regular Board Meeting
6:00 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Hearings
 - a. None
5. Appointments and Presentation
 - a. None
6. Public Comment on Items Scheduled for Action
7. Consent Agenda
 - a. Approval: Minutes of the December 21, 2010 Board and Committee of Whole Meetings
 - b. Approval: Vouchers
 - c. Ordinance: Amending Village Code 8-1-2, Public Utility Committee
8. General Business
 - a. Ordinance: Providing for a Residential and Small Business Electricity Program Referendum
 - b. Approval: Board Meeting Date Change
 - c. Discussion: Meadowridge Villas Annexation Agreement Amendment
9. New Business
 - a. None
10. Reports
 - a. Staff Reports
 - b. Trustee Reports
 - c. Presidents Report
11. Public Comments
12. Airport Report
13. Closed Session: Land Acquisition, Personnel, Litigation
14. Adjournment

Committee of the Whole Meeting
January 11, 2011
Cancelled

Ordinance 2011-0111FDA

ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF SUGAR GROVE, KANE COUNTY, THE QUESTION WHETHER THE VILLAGE SHOULD HAVE THE AUTHORITY UNDER PUBLIC ACT 096-0176 TO ARRANGE FOR THE SUPPLY OF ELECTRICITY FOR ITS RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO HAVE NOT OPTED OUT OF SUCH PROGRAM

Recitals

1. Recently, the Illinois Power Agency Act, Chapter 20, Illinois Compiled Statutes, Act 3855, added Section 1-92 entitled Aggregation of Electrical Load by Municipalities and Counties. (Hereinafter referred to as the "Act")
2. Under the Act if the Village seeks to operate the aggregation program under the Act as an opt-out program for residential and small commercial retail customers, then prior to an adoption of an ordinance to establish a program, the Village must first submit a referendum to its residents to determine whether or not the aggregation program shall operate as an opt-out aggregation program for residential and small commercial retail customers.
3. The Village Board hereby finds that it is in the best interest of the Village of Sugar Grove to operate the aggregation program under the Act as an opt-out program and to submit the question to the electors in a referendum pursuant to the Act.

BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF THE VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS AS FOLLOWS:

Section One: The Village Board of the Village of Sugar Grove finds that the recitals set forth above are true and correct and includes the recitals in the Ordinance.

Section Two: The Village Board finds and determines that it is in the best interests of the Village of Sugar Grove to operate the aggregation program under the Act as an opt-out program.

Section Three: In the event such question is approved by a majority of the electors voting on the question at the regular election on April 5, 2011, the Village Board may implement an opt-out aggregation program and if the Village Board adopts the program the Village shall comply with all the terms and provision of the Act.

Section Four: The Village Clerk is directed to certify and submit on or before January 18, 2011, the following question to the Kane County Clerk to be placed on the ballot for the general election to be held on April 5, 2011, in the following form:

Shall the Village of Sugar Grove have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program?

YES _____

NO _____

Section Five: This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on the 11th day of January, 2011.

P. Sean Michels, President of the Board of Trustees
of the Village of Sugar Grove, Kane County, Illinois

ATTEST:
Brent Eichelberger, Interim Village Clerk

	Aye	Nay	Absent
Trustee Bohler	_____	_____	_____
Trustee Johnson	_____	_____	_____
Trustee Montalto	_____	_____	_____
Trustee Geary	_____	_____	_____
Trustee Renk	_____	_____	_____
President Michels	_____	_____	_____

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: JUSTIN VANVOOREN, FINANCE DIRECTOR
SUBJECT: ORDINANCE: PROVIDING FOR A RESIDENTIAL/SMALL
BUSINESS ELECTRICITY PROGRAM REFERENDUM
AGENDA DATE: JANUARY 11, 2011 REGULAR BOARD MEETING
DATE: JANUARY 7, 2011

ISSUE

Should the Village Board authorize a referendum that would allow the Village to arrange for the supply of electricity for its residential and small business customers who have not opted out of such program.

DISCUSSION

The Village Board last discussed the issue at the December 21, 2010 Regular Board meeting. Staff was directed to place the ordinance on the January 11, 2011 agenda providing for the question to be placed on the April 5, 2011 ballot.

Since the State of Illinois deregulated the electric market, nearly all of the change has been limited to the commercial market. To date, 76% of the commercial market has moved from ComEd to take advantage of lower cost suppliers. However, the number of residential households that has moved from ComEd to these lower cost suppliers has been negligible. Therefore, the State of Illinois recently amended the original Illinois electric deregulation legislation to allow municipalities to move all of their residents' electric accounts to alternative electric suppliers.

Under the "Opt Out" program, a municipality could move all ComEd accounts within the Village limits to a supplier of their choice, much like municipal contracts for cable or trash. If a resident did not want to move, they could "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.

At least two public hearings and/or informational meetings would be 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 us to negotiate more aggressive pricing compared to each municipality bidding alone.

Attached is the ordinance required to place the question on the April 5, 2011 ballot.

COSTS

There will be a cost to advertise for the public hearings/informational meetings of \$100 to \$300. This amount was not budgeted in fiscal year 2010 – 2011, but would come out of 01-57-6503 which currently has a remaining balance of \$14.

RECOMMENDATION

The Village Board approve an ordinance providing for the submission to the electors of the Village of Sugar Grove, Kane County, Illinois, the question whether the Village should have the authority under Public Act 096-0176 to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such program.

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: RICHARD YOUNG COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: DISCUSSION: MEADOWRIDGE VILLAS ANNEXATION
AGREEMENT AMENDMENT
AGENDA: JANUARY 11, 2011 COW
DATE: JANUARY 7, 2011

ISSUE

Does the Village desire to amend the Meadowridge Villas Annexation Agreement

DISCUSSION

DRH Cambridge Homes, Inc. (contract purchaser) and Melrose Holdings, Inc. (bank owner) have requested review and approval of an amendment to the Meadowridge Villas Annexation Agreement. The following summarize the requests from DRH Cambridge Homes, Inc. and Melrose Holdings, Inc. The current request would be the second amendment to Ordinance 2005-0705D which originally approved the development in 2005.

The applicant requests the following amendments:

Allow for DRH Cambridge Homes, Inc. as the contract purchaser, to acquire lots with a proposed lot acquisition take down schedule for the next two and a half years, however they would not assume the role of developer as Melrose Holdings, Inc. will still be the overall owner of the remaining vacant lots. The take down schedule is the anticipated purchase of lots over time instead of buying all vacant lots at once. At this point in time, the role of a traditional "developer" would be limited at best given that the final improvements, including the streets/right-of-ways, have been completed and accepted by the Village and all of the common areas have been deeded over to the HOA. What remains are the 28 lots for 56 du-plex units. There is reference in the amended Annexation Agreement to DRH Cambridge Homes, Inc. as the "New Developer". This status would be in references only to the lots that they acquire from time to time relating to the take out schedule. New Developer obligations for the lots that DRH Cambridge Homes, Inc. acquires would include the installation of mitigation trees, sidewalks and parkway improvements for and on the individual lots purchased.

DRH Cambridge Homes, Inc. has requested that impact fee adjustments be granted. Attached are the proposed Amended Exhibit F – Fees and a table comparing the fees under the existing annexation agreement, the current comparing the fees under the existing annexation agreement, the current Village-wide stimulus program and the proposed fees.

DRH Cambridge Homes, Inc. will provide proposed architectural elevations, which will be identified as, Amended Exhibit E2 that will provide for adjustments in the elevations and unit square footage. The elevations, which are anticipated to be in character with the existing homes, will be discussed at a subsequent meeting.

In as much as the Village has started the process of reviewing options for DRH Cambridge Homes, Inc. regarding the possible purchase of the undeveloped lots within Meadowridge Villas, it was felt that an opportunity for new home construction warranted flexibility with regards to submittal documents. This is an ongoing process and will continue as the Village Board considers the requested modifications to the agreement noted above. A Public Hearing on the requested amendments will be held at the next Regular Village Board Meeting published for January 19, 2011.

COSTS

There are legal review costs associated with this proposal along with future public hearing costs that will be paid by the developer.

RECOMMENDATION

That the Board review and comment on the requested modifications.

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT MICHELS & BOARD OF TRUSTEES
FROM: CYNTHIA L. GALBREATH, VILLAGE CLERK
SUBJECT: APPROVAL: CHANGE OF MEETING DATE
AGENDA: JANUARY 11, 2011 REGULAR BOARD MEETING
DATE: JANUARY 7, 2011

ISSUE

Does the Village Board desire to change the second meeting date in January.

DISCUSSION

The second meeting date in January 2011 was officially published as the 18th. There was a publishing error for a public hearing before the Board and the date published was the 19th of January. In order to we will need to hold a meeting on the 19th. The hearing was inadvertently published for the 19th instead of the 18th. There is not sufficient time to correct the date and republish prior to the meeting. Republishing would also required additional funds being spent in publishing, postage as the notifications would also need to be re-sent to the surrounding home as required by statute. The public hearing is for an annexation agreement amendment for Meadowridge Villas.

COSTS

There is no cost associated with the change of meeting dates.

RECOMMENDATION

That the Village Board approves cancelling the January 18, 2011 regularly scheduled meeting and the holding a Board Meeting on January 19, 2011.



VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS

ORDINANCE 20110111A

An Ordinance Amending
Title 8, Chapter 1, Section 2
Of the Code of Ordinances
Of the Village of Sugar Grove,
Kane County, Illinois
For the Village of Sugar Grove, Illinois

Adopted by the Board of Trustees and President
Of the Village of Sugar Grove
This 11th day of January, 2011

Published in Pamphlet Form
By authority of the Board of Trustees
Of the Village of Sugar Grove, Kane County,
Illinois this 11th day of January, 2011.

ORDINANCE 20110111A

An Ordinance Amending Title 8 , Chapter 1, Section 2, Paragraph 1
Of the Code of Ordinances of the Village of Sugar Grove, Kane County, Illinois
For the Village of Sugar Grove, Illinois

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

WHEREAS, the Village is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5-3.1-300-5:

WHEREAS, the President and Board of Trustees of the Village of Sugar Grove have determined that it is in the best interests of the Village and its citizens to amend the Code of Ordinances for the Village of Sugar Grove.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

SECTION ONE: Title 8, Chapter 1, Section 2, Paragraph 1, of the Sugar Grove Village Code is hereby amended to read as follows:

The committee shall be appointed and meet on an as needed basis when required to meet. When appointed the committee shall be comprised of nine (9) member. Six (6) members shall be appointed by the President subject to the advice and consent of the Board of Trustees as provided in this code and three (3) shall be appointed by the governing board of the Prestbury Citizens Association.

SECTION TWO: To the extent that this ordinance is in conflict with any presently existing ordinances or portions thereof enforced in the Village Of Sugar Grove as of the effective date hereof, such prior and conflicting ordinances or portions thereof are hereby repealed. The repeal of any ordinance by this Ordinance shall not affect any right accrued or liability incurred under such repealed ordinance to the effective date hereof.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois this 11th day of January, 2011

P. Sean Michels,
President of the Village of Sugar Grove,
Kane County, Illinois

	Aye	Nay	Absent
Trustee Bohler	_____	_____	_____
Trustee Johnson	_____	_____	_____
Trustee Montalto	_____	_____	_____
Trustee Geary	_____	_____	_____
Trustee Renk	_____	_____	_____

ATTEST: _____
Village Clerk

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT MICHELS & BOARD OF TRUSTEES
FROM: CYNTHIA L. GALBREATH, VILLAGE CLERK
SUBJECT: ORDINANCE: AMENDING TITLE 8, CHAPTER 1, SECTION 2,
PARAGRAPH 1 (PUBLIC UTILITIES RATE COMMITTEE)
AGENDA: JANUARY 11, 2011 REGULAR BOARD MEETING
DATE: JANUARY 7, 2011

ISSUE

Does the Village Board desire to change the composition of the Public Utilities Rate Committee.

DISCUSSION

At this time there is a need to review utility rates to insure that the water and sewer funds remain fiscally sound. A judgment order requires that the Public Utilities Rate committee meet to review rates at any time it determined that a rate change may be needed. This judgment also requires that three (3) members of the committee be appointed by the governing board of the Prestbury Citizens Association. Village code states that six (6) members shall be residents appointed by the Village Board.

The role of this committee is to evaluate the current and future needs and operational costs of the water and sewer operations. After review if they believe a rate change is needed they would then forward a recommendation to the Village Board for consideration. (This committee is a recommending committee and any rate change would need to be approved and passed by the Village Board.) The last time the Public Utilities Rate Committee met was in 2002 and at that time their recommendation was for incremental increases up 25% of the then current rate.

In order to ensure the rate review process is completed in a timely and efficient manner it is proposed that the composition of the members be amended allowing for not only residents, but also for local business members, staff, and others to be appointed to the committee. An ordinance is attached which alters the composition to six (6) appointments made by the President, subject to the advice and consent of the Board and three (3) appointments made by the PCA Board.

COSTS

The cost of approximately \$75.00 for the updating of the Village Code which is budgeted in 01-57-6309 Boards and Commissions - Other Professional Services. This account has a current balance of \$1,508.02.

RECOMMENDATION

That the Village Board adopts Ordinance 2011-01-11A, An Ordinance Amending 8-1-2-1 – Public Utilities Rate Committee and furthermore directs staff to contact the governing board of the Prestbury Citizens Association to inform them that the committee will be convening.

Meadowridge Villas
Exhibit F Amended - Village Development Related Fees (rev. 1/5/11)

(Valid for a period commencing XX/XX/11 and ending XX/XX/16, at which time the original **Exhibit F** shall be restored to full force and effect.)

Permit/Review Fees per Unit

Fee	Timing of Payment	Amount
Building Permit Fee	Payable per VILLAGE Ordinance	Note 1
Certificate of Occupancy	Payable per VILLAGE Ordinance	100.00 and Note 4
Unit Engineering Review	Payable per VILLAGE Ordinance	440.00 and Note 4
Water Meter	Payable per VILLAGE Ordinance	Note 2
Other Fees	Payable per VILLAGE Ordinance	Note 3

Donations and Connection Fees per Unit

Fee/Unit Amount	Timing of Payment	
Village		
Village Capital Improvement Fee	At Building Permit	6,280.00
Village Sewer Connection Fee	At Building Permit	940.00
Village Water Connection Fee	At Building Permit	5,300.00
Village Life Safety - Police	At Building Permit	180.00
Village Life Safety - Streets	At Building Permit	180.00
Village Road Impact Fee	At Building Permit	910.00
Village Commercial Fee	At Building Permit	460.00
Park		
Park Capital Development Fee	At Building Permit	400.00
Fire		

Fire Impact Fee	At Building Permit	243.00
Library		
Library Impact Fee	At Building Permit	106.00

Note 1 \$27/100 square foot, said fee may be altered and increased at the discretion of, and by, the Village.

Note 2 Varies by size of meter, amount to be paid shall be that amount set by VILLAGE uniformly throughout VILLAGE. Said fee may be altered and increased at the discretion of, and by, the Village.

Note 3 except as specified herein, the amount of all other fees imposed by VILLAGE shall be that amount set by VILLAGE uniformly throughout VILLAGE and said fees may be altered and increased at the discretion of, and by, the Village.

Note 4 May be altered and increased at the discretion of, and by, the Village.

Village of Sugar Grove
Permit, Impact, and Transition Fees (Meadowridge Villas)
\$200,000, 2 bedroom, 1,800 sq ft home (includes garage - no basement or deck)

	FYE 2011 Fees Per Annex Agrmnt	FYE 2011 Fees Under Current Stimulus	FYE 2011 Fees Under Poss Rev AA	
Permit Fees				
Building permit fee	\$ 486.00	\$ 486.00	\$ 486.00	This fee is based on the square footage of the home.
Certificate of Occupancy fee	100.00	100.00	100.00	
Plan review fee	58.60	58.60	58.60	This fee is 10% of the building permit and CO fees.
Engineering review fee	440.00	440.00	440.00	
Water meter	445.00	445.00	445.00	
Total permit fees	<u>\$ 1,529.60</u>	<u>\$ 1,529.60</u>	<u>\$ 1,529.60</u>	
Impact Fees				
Village capital improvement fee	\$ 6,878.00	\$ 6,878.00	\$ 6,280.00	
Village life safety - police	200.00	200.00	180.00	
Village life safety - streets	200.00	200.00	180.00	
Village commercial fee	500.00	200.00	460.00	
Village sewer connection fee	1,029.00	151.00	940.00	
Village water connection fee	5,801.00	1,979.00	5,300.00	
Village road impact fee	1,000.00	1,000.00	910.00	
	<u>15,608.00</u>	<u>10,608.00</u>	<u>14,250.00</u>	
School District land cash	487.00	487.00	-	This fee is based on the number of bedrooms.
School District impact fee	1,000.00	1,000.00	-	This fee is paid at CO and is based on the IGA with Kaneland #302.
	<u>1,487.00</u>	<u>1,487.00</u>	<u>-</u>	
Park District land cash	1,614.00	1,614.00	-	
Park District impact fee	800.00	800.00	400.00	
	<u>2,414.00</u>	<u>2,414.00</u>	<u>400.00</u>	
Fire District impact fee	486.00	486.00	243.00	
	<u>486.00</u>	<u>486.00</u>	<u>243.00</u>	
Library District impact fee	212.00	212.00	106.00	
	<u>212.00</u>	<u>212.00</u>	<u>106.00</u>	
Total impact fees	<u>\$ 20,207.00</u>	<u>\$ 15,207.00</u>	<u>\$ 14,999.00</u>	
Transition Fees				
Village transition fee	\$ 351.72	\$ -	\$ -	This fee is paid at CO and is based on the value of the home.
School District transition fee	2,500.00	-	-	This fee is paid at CO and is based on the IGA with Kaneland #302.
Park District transition fee	117.32	-	-	This fee is paid at CO and is based on the value of the home.
Fire District transition fee	422.55	-	-	This fee is paid at CO and is based on the value of the home.
Library District transition fee	163.30	-	-	This fee is paid at CO and is based on the value of the home.
Township transition fee	67.06	-	-	This fee is paid at CO and is based on the value of the home.
Total transition fees	<u>\$ 3,621.95</u>	<u>\$ -</u>	<u>\$ -</u>	
Total fees	<u>\$ 25,358.55</u>	<u>\$ 16,736.60</u>	<u>\$ 16,528.60</u>	

Disclaimer: This fee schedule is representative of typical gross fees at this time and does not take into consideration credits for certain improvements. The Village regularly reviews and adjusts fees. Actual fee schedules will be determined at time of approval and may vary from this schedule.

Village of Sugar Grove
Permit, Impact, and Transition Fees (Meadowridge Villas)
\$250,000, 3 bedroom, 3,900 sq ft home (includes garage, basement, and deck)

	FYE 2011 Fees Per Annex Agrmnt	FYE 2011 Fees Under Current Stimulus	FYE 2011 Fees Under Poss Rev AA	
Permit Fees				
Building permit fee	\$ 1,053.00	\$ 1,053.00	\$ 1,053.00	This fee is based on the square footage of the home.
Certificate of Occupancy fee	100.00	100.00	100.00	
Plan review fee	115.30	115.30	115.30	This fee is 10% of the building permit and CO fees.
Engineering review fee	440.00	440.00	440.00	
Water meter	445.00	445.00	445.00	
Total permit fees	<u>\$ 2,153.30</u>	<u>\$ 2,153.30</u>	<u>\$ 2,153.30</u>	
Impact Fees				
Village capital improvement fee	\$ 6,878.00	\$ 6,878.00	\$ 6,280.00	
Village life safety - police	200.00	200.00	180.00	
Village life safety - streets	200.00	200.00	180.00	
Village commercial fee	500.00	200.00	460.00	
Village sewer connection fee	1,029.00	151.00	940.00	
Village water connection fee	5,801.00	1,979.00	5,300.00	
Village road impact fee	1,000.00	1,000.00	910.00	
	<u>15,608.00</u>	<u>10,608.00</u>	<u>14,250.00</u>	
School District land cash	900.00	900.00	-	This fee is based on the number of bedrooms.
School District impact fee	1,000.00	1,000.00	-	This fee is paid at CO and is based on the IGA with Kaneland #302.
	<u>1,900.00</u>	<u>1,900.00</u>	<u>-</u>	
Park District land cash	2,319.00	2,319.00	-	
Park District impact fee	800.00	800.00	400.00	
	<u>3,119.00</u>	<u>3,119.00</u>	<u>400.00</u>	
Fire District impact fee	486.00	486.00	243.00	
	<u>486.00</u>	<u>486.00</u>	<u>243.00</u>	
Library District impact fee	212.00	212.00	106.00	
	<u>212.00</u>	<u>212.00</u>	<u>106.00</u>	
Total impact fees	<u>\$ 21,325.00</u>	<u>\$ 16,325.00</u>	<u>\$ 14,999.00</u>	
Transition Fees				
Village transition fee	\$ 439.65	\$ -	\$ -	This fee is paid at CO and is based on the value of the home.
School District transition fee	2,500.00	-	-	This fee is paid at CO and is based on the IGA with Kaneland #302.
Park District transition fee	146.65	-	-	This fee is paid at CO and is based on the value of the home.
Fire District transition fee	528.19	-	-	This fee is paid at CO and is based on the value of the home.
Library District transition fee	204.13	-	-	This fee is paid at CO and is based on the value of the home.
Township transition fee	83.82	-	-	This fee is paid at CO and is based on the value of the home.
Total transition fees	<u>\$ 3,902.44</u>	<u>\$ -</u>	<u>\$ -</u>	
Total fees	<u>\$ 27,380.74</u>	<u>\$ 18,478.30</u>	<u>\$ 17,152.30</u>	

Disclaimer: This fee schedule is representative of typical gross fees at this time and does not take into consideration credits for certain improvements. The Village regularly reviews and adjusts fees. Actual fee schedules will be determined at time of approval and may vary from this schedule.