

<p>Village President P. Sean Michels</p> <p>Village Clerk Cynthia Galbreath</p> <p>Village Administrator Brent M. Eichelberger</p>	 <p><b>SUGAR GROVE</b> INCORPORATED 1881 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 David Paluch Thomas Renk</p>
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**Agenda  
December 04, 2012  
Regular Board Meeting  
6:00 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Hearing:
  - a. None
5. Appointments and Presentations
  - b. None
6. Public Comment on Items Scheduled for Action
7. Consent Agenda
  - a. Approval: Minutes of the November 20, 2012 Meeting
  - b. Approval: Vouchers
  - c. Ordinance: 2012-1204FDA, Tax Levy for the Fiscal Year May 1, 2013 to April 30, 2014
  - d. Ordinance: 2012-1204FDB, Abating 2012 Taxes related to Debt Service on the \$2,640,000 2006 General Obligation Alternate Revenue Bonds
  - e. Ordinance: 2012-1204FDC, Abating 2012 Taxes related to Debt Service on the \$8,500,000 2006A General Obligation Alternate Revenue Bonds
  - f. Ordinance: 2012-1204FDD, Abating 2012 Taxes related to Debt Service on the \$2,585,000 2008A General Obligation Alternate Revenue Bonds
  - g. Ordinance: 2012-1204FDE, Abating 2012 Taxes related to Debt Service on the \$590,000 2008B General Obligation Alternate Revenue Bonds
  - h. Ordinance: 2012-1204FDF, Abating 2012 Taxes related to Debt Service on the \$2,930,000 2009 General Obligation Alternate Revenue Bonds
  - i. Resolution: 20121206MPRO Mallard Point / Rolling Oaks SA Procedures
  - j. Ordinance: 2012-1206MPRO, Tax Levy for the Fiscal Year May 1, 2013 to April 30, 2014
  - k. Resolution: Review of Closed Session Minutes
  - l. Proclamation: National Drunk and Drugged Driving (3D) Prevention Month December 2012
  - m. Resolution: Acceptance of Easements for Water Main Looping
8. General Business
  - a. Approval: Liquor License for 1942 Route 30, Runway to Galloway \*STAR
  - b. Resolution: Amending Number of Liquor Licenses, Runway to Galloway \*STAR
  - c. Discussion: Mallard Point Wetland Maintenance
  - d. Discussion: Solar Panel Regulations
9. New Business
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 Whole for December 04, 2012 – Cancelled**

<p>Village President P. Sean Michels</p> <p>Village Clerk Cynthia Galbreath</p> <p>Village Administrator Brent M. Eichelberger</p>	 <p>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 David Paluch Thomas Renk</p>
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*The consent agenda is made up of items that have been previously discussed, non-controversial, or routine in subject manner and are voted on as a 'package'. However, by simple request any member of the Board may remove an item from the consent agenda to have it voted upon separately.*

*Items that are marked as \* STAR – indicate that the item is Subject to Attorney Review*

Members of the public wishing to address the Board shall adhere to the following rules and procedures:

1. Complete the public comment sign-in sheet prior to the start of the meeting.
2. The Village President will call members of the public to the podium at the appropriate time.
3. Upon reaching the podium, the speaker should clearly state his or her name and address.
4. Individual comment is limited to three (3) minutes. The Village President will notify the speaker when time has expired.
5. Persons addressing the Board shall refrain from commenting about the private activities, lifestyles, or beliefs of others, including Village employees and elected officials, which are unrelated to the business of the Village Board. Also, speakers should refrain from comments or conduct that is uncivil, rude, vulgar, profane, or otherwise disruptive. Any person engaging in such conduct shall be requested to leave the meeting.
6. The aforementioned rules pertaining to public comment may be waived by the Village President, or by a majority of a quorum of the Village Board.
7. Except during the time allotted for public discussion and comment, no person, other than a member of the Board, shall address that body, except with the consent of two (2) of the members present.



NATIONAL DRUNK AND DRUGGED DRIVING (3-D) PREVENTION MONTH  
DECEMBER 2012

*WHEREAS, motor vehicle crashes killed 918 people in Illinois during 2011; and*

*WHEREAS, hundreds of those deaths involved a driver impaired by alcohol; and*

*WHEREAS, the December holiday season is traditionally one of the most deadly times of the year for impaired driving; and*

*WHEREAS, for thousands of families across the state and the nation, holidays are a time to remember loved ones lost; and*

*WHEREAS, organizations across the state and the nation are joined with the, You Drink & Drive, You Lose, and other campaigns that foster public awareness of the dangers of impaired driving and anti-impaired driving law enforcement efforts; and*

*WHEREAS, the community of Sugar Grove is proud to partner with the Illinois Department of Transportation's Division of Traffic Safety and other traffic safety groups in that effort to make our roads and streets safer.*

*NOW, THEREFORE, I, P. Sean Michels do hereby proclaim December 2012 as Drunk and Drugged Driving (3-D) Prevention Month in the Village of Sugar Grove and do hereby call upon all citizens, government, agencies, business leaders, hospitals and health care providers, schools, and public and private institutions to promote awareness of the impaired driving problem, to support programs and policies to reduce the incidence of impaired driving, and to promote safer and healthier behaviors regarding the use of alcohol and other drugs this December holiday season and throughout the year.*



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*P. Sean Michels, President of the Board of Trustees*

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*Attest: Cynthia L. Galbreath, Village Clerk*



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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** CINDY GALBREATH, VILLAGE CLERK  
**SUBJECT:** PROCLAMATION: NATIONAL DRUNK AND DRUGGED DRIVING (3-D)  
PREVENTION MONTH  
**AGENDA:** DECEMBER 4, 2012 CONSENT AGENDA  
**DATE:** FRIDAY, NOVEMBER 30, 2012

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**ISSUE**

Should the Village of Sugar Grove proclaim December 2012 as National Drunk and Drugged Driving (3-D) Prevention Month.

**DISCUSSION**

The Illinois Department of Transportation respectfully requests that the Village join in their efforts to reduce alcohol and drug related motor vehicle fatalities and injuries. As December is unfortunately the month in which there are many impaired drivers on the roadways, they ask that we join them in proclaiming December as National Drunk and Drugged Driving Prevention Month.

**COSTS**

There are no costs.

**RECOMMENDATION**

That the Village Board Proclaims December 2012 as National Drunk and Drugged Driving (3-D) Prevention Month.

**PROPOSAL NO. 12-1119D-1**

December 4, 2012

Village of Sugar Grove  
10 S. Municipal Drive  
Sugar Grove, IL 60554

**Re: Mallard Point Wetland Restoration & Management Work**

TASK	DESCRIPTION	UNIT	NO. OF UNITS	UNIT COST	EXTENDED COST
1	Excavation of channels to connect open water pockets within existing stormwater detention basin	Lump Sum	1	\$6,315.00	\$6,315.00
1	Ground Preparation, Seeding, and Plugging of Exposed Shoreline Areas	Acre	1	\$5,500.00	\$5,500.00
2	Herbicide applications to 0.5 acre buffer planting area	Lump Sum	1	\$2,175.00	\$2,175.00
3	Cut and remove (off-site) dead vegetation from the 0.5 acre planting area	Lump Sum	1	\$2,445.00	\$2,445.00
4	Plant treated 0.5 acre buffer area with low profile prairie seed	Lump Sum	1	\$2,400.00	\$2,400.00
5	Installation of No Mowing/Dumping Signs	Each	5	\$125.00	\$625.00
6	Management of 0.5 acre buffer	Year	3	\$4,375.00	\$13,125.00
7	Herbicide and Prescribed burn of on-site natural areas (20+ acres)	Year	3	\$14,250.00	\$42,750.00
8	Cutting of woody tree and shrub species, herbicide application to stumps, and burning of debris.	Acre	25	\$2,100.00	\$52,500.00
	<b>TOTAL COST:</b>				<b>\$127,835.00</b>

**In addition to the above costs, semi annual inspections and clearing of debris from stormsewer structures should be performed by a qualified firm.**

The above costs address the initial three years typically associated with prairie establishment. Assuming the clearing would take place incrementally over 3 years, the initial three year budget would be broken out as follows: Year 1 - \$55,585.00; Year 2 - \$36,125.00; Year 3 - \$36,125.00. Long term maintenance after the initial three year period would consist of vegetation monitoring and management and debris clearing. Long term management is estimated to cost approximately \$12,250.00 per year.

**Payment Agreement**

The Village of Sugar Grove, (hereinafter "Client") shall be solely liable for the timely payment of all amounts invoiced under this proposal. Invoices will be tendered by ENCAP, Inc. ("ENCAP") from time to time, but no more frequently than every two weeks, and shall be due and payable upon receipt. If Client objects to all or any portion of an invoice, Client shall nevertheless timely pay the undisputed amount of such invoice and promptly advise ENCAP in writing of the reasons for disputing any amount.

Client shall pay an additional charge of two (2) percent (or the maximum percentage allowed by law, whichever is lower) of the invoiced amount per month for any payment received by ENCAP

more than thirty (30) calendar days from the date of the invoice, excepting any portion of the invoiced amount in dispute and resolved in favor of Client. Payments shall first be applied to accrued interest and then to the unpaid principal amount.

If Client fails to pay invoiced amounts within thirty (30) calendar days of the date of the invoice, ENCAP may at any time, without waiving any other claim against Client and without incurring any liability to Client, suspend or terminate performance under this Agreement as long as any hazardous conditions created by ENCAP'S previously performed services are rendered non-hazardous to Clients employee's, agents and subcontractors, the general public, and the environment. Termination shall not relieve Client of its obligation to pay amounts incurred up to termination. ENCAP shall be entitled to recover any and all costs of collection associated with recovery of amounts due under this Payment Agreement, including but not limited to reasonable attorney's fees.

Client will indemnify and hold harmless ENCAP and its representatives, agents, employees, and successors and assigns from and against any and all claims, suits, actions, losses, penalties, fines, and damages of any nature whatsoever, and shall pay any reasonable attorney's fees, expert witnesses fees, and ENCAP fees, and court costs arising or resulting from (1) Client's breach of this Agreement; or (2) Client's negligence or intentional misconduct.

*\* All Legal Proceedings to be conducted in DeKalb County \**

Client shall accept full responsibility for payment notwithstanding any other agreement with owner or other party, and in no event will any provision in a contract, agreement, or understanding which conditions Client's payment to ENCAP upon receipt of the payment from any other party relieve Client from responsibility for payment to ENCAP.

By ENCAP, Inc.

By: Village of Sugar Grove

\_\_\_\_\_  
Jonathan Koepke

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** CINDY GALBREATH, VILLAGE CLERK  
**SUBJECT:** RESOLUTION CONCERNING THE REVIEW AND  
RELEASE OF EXECUTIVE SESSION MINUTES  
**AGENDA:** DECEMBER 04, 2012 CONSENT AGENDA REGULAR  
BOARD MEETING  
**DATE:** NOVEMBER 28, 2012

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**ISSUE**

Should the Village Board release minutes and authorize the destruction of certain recordings of the closed session meetings as authorized by Open Meetings Act and Village Resolution 20031216C.

**DISCUSSION**

Closed session minutes must be reviewed at least every six months to determine if they are releasable to the public. Additionally the recordings of the minutes must be held for at least 18 months after the closed session meeting. After the 18 month period they may destroyed with the approval of the Board. It is recommended that recordings prior to June 2011 be approved for destruction.

Staff recommends that the Village Board approve a resolution regarding the review and release of the closed session minutes.

**COSTS**

There is no cost associated with the adoption of this resolution.

**RECOMMENDATION**

That the Board adopts Resolution 20121204, A Resolution Concerning the Review of Executive Session Minutes and the Destruction of Closed Session Recording.

VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS

RESOLUTION NO. 20121204

**A Resolution Concerning the Review of Executive Session Minutes**

**BE IT RESOLVED** by the Board of Trustees of the Village of Sugar Grove, Kane County, Illinois as follows:

**WHEREAS**, the Village of Sugar Grove is required to periodically review the minutes of all executive sessions; and

**WHEREAS**, the President and the Board of Trustees for the Village of Sugar Grove have reviewed the minutes of all closed sessions of the Board occurring within the previous six (6) months;

**BE IT THEREFORE RESOLVED**, that the President and the Board of Trustees for the Village of Sugar Grove has determined that at this time there are no minutes, or portions that are not confidential and, therefore, available for public inspection.

**BE IT FURTHER RESOLVED**, that the President and the Board of Trustees for the Village of Sugar Grove has determined that the minutes or portions thereof as attached and labeled Exhibit A continue to require confidentiality, in order to protect the public interest or the privacy of an individual, and as such will remain unavailable for public inspection.

**BE IT FURTHER RESOLVED** that the President and Board of Trustees approve the destruction of audio tapes of closed meetings prior to June 01, 2011 as set forth by Resolution 20031216C, A Resolution Adopting a Policy for the Keeping of a Verbatim Record of Closed Meetings Under the Illinois Open Meetings Act.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois on this 4th day of December, 2012.

BY: \_\_\_\_\_  
P. Sean Michels, President of the Village Sugar Grove

	AYES	NAYS	ABSENT
Johnson	_____	_____	_____
Bohler	_____	_____	_____
Geary	_____	_____	_____
Paluch	_____	_____	_____
Montalto	_____	_____	_____
Renk	_____	_____	_____

ATTEST:

\_\_\_\_\_  
Cynthia L. Galbreath, Clerk, Village of Sugar Grove

| Minutes<br>Date |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| 06/14/93        | 01/25/00        | 08/14/01        | 01/07/03        | 01/04/05        | 01/08/08        | 04/19/11        |
| 06/28/93        | 01/02/00        | 08/21/01        | 01/21/03        | 02/01/05        | 02/05/08        | 05/17/11        |
| 10/11/93        | 01/18/00        | 10/16/01        | 02/04/03        | 03/22/05        | 07/15/08        | 07/19/11        |
| 06/20/94        | 03/28/00        | 10/09/01        | 03/04/03        | 06/14/05        | 09/16/08        | 08/02/11        |
| 07/12/93        | 01/11/00        | 09/25/01        | 02/01/03        | 03/08/08        | 06/17/08        | 09/06/11        |
| 11/22/93        | 02/22/00        | 10/23/01        | 02/18/03        | 05/31/05        | 08/05/08        | 09/20/11        |
| 10/17/94        | 06/06/00        | 12/18/01        | 03/17/03        | 06/28/05        | 09/28/08        | 10/04/11        |
| 12/05/94        | 07/18/00        | 01/08/02        | 03/18/03        | 07/05/05        | 10/21/08        | 12/06/11        |
| 04/01/96        | 09/20/00        | 04/16/02        | 05/06/03        | 09/20/05        | 01/20/09        | 01/03/12        |
| 01/03/95        | 09/05/00        | 03/05/02        | 03/25/03        | 07/19/05        | 11/18/08        | 01/17/12        |
| 03/31/95        | 09/19/00        | 04/09/02        | 04/15/03        | 09/06/05        | 01/06/09        | 02/07/12        |
| 03/20/95        | 09/12/00        | 3-5b            | 04/02/03        | 08/02/05        | 12/16/08        | 02/14/12        |
| 05/06/96        | 09/26/00        | 05/02/02        | 05/20/03        | 10/18/05        | 01/27/09        | 04/17/12        |
| 06/10/96        | 10/17/00        | 06/04/02        | 08/19/03        | 07/05/06        | 06/16/09        | 05/01/12        |
| 06/03/96        | 10/06/00        | 05/21/02        | 08/05/03        | 11/15/05        | 06/02/09        | 06/19/12        |
| 08/05/96        | 12/19/00        | 06/11/02        | 09/02/03        | 07/18/06        | 09/01/09        | 7/17/12         |
| 11/18/96        | 01/16/01        | 07/19/02        | 11/18/03        | 1-23-07         | 09/29/09        | 7/30/12         |
| 04/15/97        | 02/06/01        | 08/06/02        | 12/02/03        | 02/20/07        | 10/06/09        | 8/7/12          |
| 09/29/97        | 02/13/01        | 08/13/02        | 12/16/03        | 4-3-07          | 11/03/09        | 9/4/12          |
| 10/20/97        | 02/20/01        | 08/20/02        | 02/03/04        | 5-1-07          | 12/01/09        | 10/30/12        |
| 01/06/98        | 02/27/01        | 8-20b           | 02/17/04        | 5-15-07         | 01/05/10        |                 |
| 02/03/98        | 04/10/01        | 09/03/02        | 03/02/04        | 06/05/07        | 02/02/10        |                 |
| 03/10/98        | 04/17/01        | 09/17/02        | 04/02/04        | 06/19/07        | 04/06/10        |                 |
| 04/07/98        | 05/08/01        | 10/02/02        | 05/04/04        | 7-17-07         | 04/20/10        |                 |
| 05/05/98        | 05/15/01        | 10/15/02        | 05/05/04        | 10/02/07        | 05/04/10        |                 |
| 06/16/98        | 06/12/01        | 10-15b          | 07/06/04        | 10/16/07        | 05/18/10        |                 |
| 07/07/98        | 06/19/01        | 10/29/02        | 07/20/04        | 11-6-07         | 07/20/10        |                 |
| 09/09/98        | 06/26/01        | 11/05/02        | 07/27/04        | 11-20-07        | 09/07/10        |                 |
| 12/01/98        | 07/19/01        | 12/17/02        | 08/17/04        | 12-4-07         | 10/05/10        |                 |
|                 |                 | 12-17b          | 08/31/04        | 12-18-07        | 10/19/10        |                 |
|                 |                 |                 | 08-31-04b       |                 | 12/16/10        |                 |
|                 |                 |                 | 10/05/04        |                 | 12/21/10        |                 |
|                 |                 |                 | 11/16/04        |                 |                 |                 |

ORDINANCE NO. 2012-1204FDA

AN ORDINANCE FOR TAX LEVY  
FOR THE FISCAL YEAR  
MAY 1, 2013 TO APRIL 30, 2014

PASSED BY THE BOARD OF TRUSTEES  
AND PRESIDENT OF THE  
VILLAGE OF SUGAR GROVE

This 4th day of December, 2012.

Published in pamphlet form  
by authority of the Board of Trustees of the  
Village of Sugar Grove, Kane County, Illinois

This 4th day of December, 2012.

**ORDINANCE No. 2012-1204FDA**

**ANNUAL TAX LEVY ORDINANCE**

An Ordinance levying taxes for all corporate purposes for the VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS, for the fiscal year commencing on May 1, 2013 and ending April 30, 2014.

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

**SECTION ONE:** That the amounts herein after set forth or so much thereof as may be authorized by law, and the same is hereby levied for such purposes as General Corporate, Police Protection, Police Pension, Audit, Liability Insurance, Illinois Municipal Retirement Fund, Social Security, Street Lighting, General Obligation Bonds, for the fiscal year of the said Village of Sugar Grove, Kane County, Illinois, beginning May 1, 2013 and ending April 30, 2014.

**SECTION TWO:** The amounts levied for each object or purpose is as follows:

	<b>BUDGET</b>	<b>TO BE PAID BY SOURCES OTHER THAN PROPERTY TAX</b>	<b>AMOUNT TO BE PAID BY PROPERTY TAX</b>
<b>I. GENERAL FUND</b>			
<u>Information Technology</u>			
Contractual services	\$ 28,982		
Commodities	<u>20</u>		
Total Information Technology	<u>29,002</u>		
<u>Administration</u>			
Personal services	244,471		
Contractual services	106,357		
Commodities	<u>1,225</u>		
Total Administration	<u>352,053</u>		
<u>Police</u>			
Personal services	1,635,379		
Contractual services	403,596		
Commodities	76,125		
Transfers	<u>57,310</u>		
Total Police	<u>2,172,410</u>		
<u>Streets Division</u>			
Personal services	305,510		
Contractual services	119,172		
Commodities	210,125		
Transfers	<u>91,027</u>		
Total Streets	<u>725,834</u>		
<u>Building Maintenance</u>			
Personal services	92,465		
Contractual services	20,151		
Commodities	14,900		
Transfers	<u>5,786</u>		
Total Building Maintenance	<u>133,302</u>		

**ANNUAL TAX LEVY ORDINANCE**

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	<b>BUDGET</b>	<b>TO BE PAID BY SOURCES OTHER THAN PROPERTY TAX</b>	<b>AMOUNT TO BE PAID BY PROPERTY TAX</b>
<b>I. GENERAL FUND (CONTINUED)</b>			
<u>Community Development</u>			
Personal services	\$ 354,353		
Contractual services	179,611		
Commodities	4,670		
Transfers	<u>5,688</u>		
Total Community Development	<u>544,322</u>		
<u>Finance</u>			
Personal services	122,763		
Contractual services	22,681		
Commodities	<u>2,112</u>		
Total Finance	<u>147,556</u>		
<u>Board &amp; Commissions</u>			
Personal services	55,305		
Contractual services	22,880		
Commodities	<u>1,000</u>		
Total Board & Commissions	<u>79,185</u>		
<b>TOTAL FOR GENERAL FUND:</b>	<b><u>\$4,183,664</u></b>	<b><u>\$1,729,816</u></b>	<b><u>\$2,453,848</u></b>
<b>SAID AMOUNTS ARE HEREBY LEVIED:</b>			
			\$1,267,229
			102,565
			204,382
			361,258
			21,000
			121,863
			83,121
			<u>292,430</u>
<b>TOTAL</b>			<b><u>\$2,453,848</u></b>

**ANNUAL TAX LEVY ORDINANCE**

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	<b>BUDGET</b>	<b>TO BE PAID BY SOURCES OTHER THAN PROPERTY TAX</b>	<b>AMOUNT TO BE PAID BY PROPERTY TAX</b>
<b>II. BOND DEBT FUND</b>			
*2006 Principal payment	285,000		
*2006 Interest payment	98,550		
*2006 Fiscal agent fees	<u>500</u>		
2006 GO Bond Debt	<u>384,050</u>	500	<u>\$383,550*</u>
*2006A Principal payment	360,000		
*2006A Interest payment	256,630		
*2006A Fiscal agent fees	<u>500</u>		
2006A GO Bond Debt	<u>617,130</u>	500	<u>\$616,630*</u>
*2008A Principal payment	45,000		
*2008A Interest payment	96,425		
*2008A Fiscal agent fees	<u>500</u>		
2008A GO Bond Debt	<u>141,925</u>	500	<u>\$141,425*</u>
*2008B Principal payment	130,000		
*2008B Interest payment	4,680		
*2008B Fiscal agent fees	<u>500</u>		
2008B GO Bond Debt	<u>135,180</u>	500	<u>\$134,680*</u>
*2009 Principal payment	245,000		
*2009 Interest payment	72,835		
*2009 Fiscal agent fees	<u>500</u>		
2009 GO Bond Debt	<u>318,335</u>	<u>500</u>	<u>\$317,835*</u>
Total GO Bond Debt	1,596,620		
* Total Amount Abated	<u>(1,594,120)*</u>		
Total Requested for Bond Debt	<u>\$ 2,500</u>	<u>\$2,500</u>	<u>\$ 0</u>
<b>SAID AMOUNTS ARE HEREBY LEVIED:</b>			
<b>BOND DEBT TAX</b>			<u><u>\$ 0</u></u>

**ANNUAL TAX LEVY ORDINANCE**  
**Page 4**

**SECTION THREE:** That the Village Clerk shall make and file with the County Clerk of said County of Kane, a duly certified copy of this Ordinance and that the amount levied by Section Two of the Ordinance is required by said Village of Sugar Grove as aforesaid and extended upon the appropriation tax book for the fiscal year of said Village of Sugar Grove beginning May 1, 2013 and ending April 30, 2014.

**SECTION FOUR:** If any section, subdivision, sentence or clause of the Ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

**SECTION FIVE:** This Ordinance shall be in full force and effect from and after its passage, approval and recording according to law.

**PASSED** this 4th day of December, 2012, pursuant to roll call as follows:

Trustee Bohler	_____	Trustee Renk	_____
Trustee Geary	_____	Trustee Montalto	_____
Trustee Johnson	_____	Trustee Paluch	_____

**PASSED AND APPROVED THIS 4TH DAY OF DECEMBER, 2012.**

\_\_\_\_\_  
P. Sean Michels  
President of the Village of Sugar Grove

ATTEST:

\_\_\_\_\_  
Cynthia L. Galbreath  
Clerk of the Village of Sugar Grove

## Truth in Taxation Certificate

I, P. Sean Michels, presiding officer of the Village of Sugar Grove, hereby certifies that I am the presiding officer of the Village of Sugar Grove, and as such presiding officer I hereby certify that the levy ordinance, a copy of which is appended hereto, was adopted pursuant to, and in all respects in compliance with, the provisions of Section 4 through 7 of the Truth in Taxation Act”.

The notice and hearing requirements of Section 6 of the Act are applicable.

The notice requirements of Section 7 of the Act are inapplicable.

Date: December 4, 2012

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P. Sean Michels  
Village President

## **CERTIFICATE**

I, Cynthia L. Galbreath, certify that I am the appointed Municipal Clerk of the Village of Sugar Grove, Kane County, Illinois.

I further certify that on December 4, 2012 the President and Board of Trustees of the Village of Sugar Grove adopted Ordinance , An Ordinance for Tax Levy for the Fiscal Year May 1, 2013 to April 30, 2014.

I hereby certify that the attached Ordinance is a true copy of the Ordinance that was duly adopted by the Village of Sugar Grove Board of Trustees, at a meeting which was held on December 4, 2012 at 6:00 p.m. at which a quorum was present and acting throughout and that said copy has been compared by me with the original ordinance which was signed by the Village President on December 4, 2012.

Dated at Sugar Grove, Illinois this 4th day of December, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this 4th day of December, 2012.

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Cynthia L. Galbreath, Village Clerk

**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2012-1204FDB**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$2,640,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

Adopted by the President and  
Board of Trustees of the Village of Sugar Grove  
this 4th day of December, 2012

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County,  
Illinois, this 4th day of December, 2012

**ORDINANCE NO. 2012-1204FDB**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$2,640,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

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

**WHEREAS**, the President and Board of Trustees (the “Board”) of the Village of Sugar Grove, Kane County, Illinois (the “Issuer”), by ordinance adopted on the 18<sup>th</sup> day of April, 2006, (the “Ordinance”), did provide for the issue of \$2,640,000 General Obligation Bonds (Alternate Revenue Source) (the “Bonds”), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

**WHEREAS**, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

**WHEREAS**, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2012 to pay such debt service be abated:

**NOW, THEREFORE, Be It and It is Hereby Ordained** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

**Section 1:**     **Abatement of Tax.** The tax heretofore levied for the year 2012 in the Ordinance is hereby abated in its entirety.

**Section 2:**     **Filing of Ordinance.** Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Kane County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2012 in accordance with the provisions hereof.

**Section 3:**     **Effective Date.** This ordinance shall be in full force and effect forthwith upon its adoption.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on this 4th day of December, 2012.

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

ATTEST: \_\_\_\_\_  
Cynthia L. Galbreath, Clerk, Village of Sugar Grove

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

**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2012-1204FDC**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$8,500,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

Adopted by the President and  
Board of Trustees of the Village of Sugar Grove  
this 4th day of December, 2012

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County,  
Illinois, this 4th day of December, 2012

**ORDINANCE NO. 2012-1204FDC**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$8,500,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

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

**WHEREAS**, the President and Board of Trustees (the “Board”) of the Village of Sugar Grove, Kane County, Illinois (the “Issuer”), by ordinance adopted on the 6<sup>th</sup> day of June, 2006, (the “Ordinance”), did provide for the issue of \$8,500,000 General Obligation Bonds (Alternate Revenue Source) (the “Bonds”), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

**WHEREAS**, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

**WHEREAS**, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2012 to pay such debt service be abated:

**NOW, THEREFORE, Be It and It is Hereby Ordained** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

Section 1:     Abatement of Tax. The tax heretofore levied for the year 2012 in the Ordinance is hereby abated in its entirety.

Section 2:     Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Kane County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2012 in accordance with the provisions hereof.

Section 3:     Effective Date. This ordinance shall be in full force and effect forthwith upon its adoption.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on this 4th day of December, 2012.

---

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

ATTEST: \_\_\_\_\_  
Cynthia L. Galbreath, Clerk, Village of Sugar Grove

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

**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2012-1204FDD**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$2,585,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

Adopted by the President and  
Board of Trustees of the Village of Sugar Grove  
this 4th day of December, 2012

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County,  
Illinois, this 4th day of December, 2012

**ORDINANCE NO. 2012-1204FDD**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$2,585,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

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

**WHEREAS**, the President and Board of Trustees (the “Board”) of the Village of Sugar Grove, Kane County, Illinois (the “Issuer”), by ordinance adopted on the 17<sup>th</sup> day of June, 2008, (the “Ordinance”), did provide for the issue of \$2,585,000 General Obligation Bonds (Alternate Revenue Source) (the “Bonds”), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

**WHEREAS**, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

**WHEREAS**, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2012 to pay such debt service be abated:

**NOW, THEREFORE**, Be It and It is Hereby Ordained by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

**Section 1:**     Abatement of Tax. The tax heretofore levied for the year 2012 in the Ordinance is hereby abated in its entirety.

**Section 2:**     Filing of Ordinance. Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Kane County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2012 in accordance with the provisions hereof.

**Section 3:**     Effective Date. This ordinance shall be in full force and effect forthwith upon its adoption.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on this 4th day of December, 2012.

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

ATTEST: \_\_\_\_\_  
Cynthia L. Galbreath, Clerk, Village of Sugar Grove

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

**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2012-1204FDE**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$590,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

Adopted by the President and  
Board of Trustees of the Village of Sugar Grove  
this 4th day of December, 2012

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County,  
Illinois, this 4th day of December, 2012

**ORDINANCE NO. 2012-1204FDE**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$590,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

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

**WHEREAS**, the President and Board of Trustees (the “Board”) of the Village of Sugar Grove, Kane County, Illinois (the “Issuer”), by ordinance adopted on the 17<sup>th</sup> day of June, 2008, (the “Ordinance”), did provide for the issue of \$590,000 General Obligation Bonds (Alternate Revenue Source) (the “Bonds”), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

**WHEREAS**, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

**WHEREAS**, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2012 to pay such debt service be abated:

**NOW, THEREFORE, Be It and It is Hereby Ordained** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

**Section 1:**     **Abatement of Tax.** The tax heretofore levied for the year 2012 in the Ordinance is hereby abated in its entirety.

**Section 2:**     **Filing of Ordinance.** Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Kane County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2012 in accordance with the provisions hereof.

**Section 3:**     **Effective Date.** This ordinance shall be in full force and effect forthwith upon its adoption.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on this 4th day of December, 2012.

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

ATTEST: \_\_\_\_\_  
Cynthia L. Galbreath, Clerk, Village of Sugar Grove

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

**VILLAGE OF SUGAR GROVE  
KANE COUNTY, ILLINOIS**

**ORDINANCE NO. 2012-1204FDF**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$2,930,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

Adopted by the President and  
Board of Trustees of the Village of Sugar Grove  
this 4th day of December, 2012

Published in Pamphlet Form  
by authority of the Board of Trustees  
of the Village of Sugar Grove, Kane County,  
Illinois, this 4th day of December, 2012

**ORDINANCE NO. 2012-1204FDF**

**An Ordinance abating  
The tax heretofore levied for the year 2012  
To pay debt service on \$2,930,000  
General Obligation Bonds (Alternate Revenue Source)  
Of the Village of Sugar Grove, Kane County, Illinois**

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

**WHEREAS**, the President and Board of Trustees (the “Board”) of the Village of Sugar Grove, Kane County, Illinois (the “Issuer”), by ordinance adopted on the 17<sup>th</sup> day of February, 2009, (the “Ordinance”), did provide for the issue of \$2,930,000 General Obligation Bonds (Alternate Revenue Source) (the “Bonds”), and the levy of a direct annual tax sufficient to pay principal and interest on the Bonds; and

**WHEREAS**, the issuer will have Pledged Revenues (as defined in the Ordinance) available for the purpose of paying the debt service due on the Bonds during the next succeeding bond year; and

**WHEREAS**, it is necessary and in the best interests of the Issuer that the tax heretofore levied for the year 2012 to pay such debt service be abated:

**NOW, THEREFORE**, Be It and It is Hereby Ordained by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows:

**Section 1:**     **Abatement of Tax.** The tax heretofore levied for the year 2012 in the Ordinance is hereby abated in its entirety.

**Section 2:**     **Filing of Ordinance.** Forthwith upon the adoption of this ordinance, the Village Clerk shall file a certified copy hereof with the County Clerk of Kane County, Illinois, and it shall be the duty of said County Clerk to abate said tax levied for the year 2012 in accordance with the provisions hereof.

**Section 3:**     **Effective Date.** This ordinance shall be in full force and effect forthwith upon its adoption.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on this 4th day of December, 2012.

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

ATTEST: \_\_\_\_\_  
Cynthia L. Galbreath, Clerk, Village of Sugar Grove

	Aye	Nay	Absent
Bohler	___	___	___
Geary	___	___	___
Johnson	___	___	___
Renk	___	___	___
Montalto	___	___	___
Paluch	___	___	___

## RESOLUTION NO 2012-11204B

### Amending the Number of Liquor Classes for the 2012-2013 Licensing Year

**BE IT RESOLVED**, by the Board of Trustees of the Village of Sugar Grove, Kane County, Illinois as follows:

**WHEREAS**, Village Code Chapter 2, Section 3-2-7: Number of Licenses, provides that the cost and fees for obtaining and maintaining liquor licenses within the Village of Sugar Grove shall be set from time to time by the Board of Trustees of the Village of Sugar Grove by resolution of said Board of Trustees; and;

**WHEREAS**, Village Code Chapter 2, Section 3-2-7: Number of Licenses provides that maximum number of allowable per Class Licenses shall be determined by resolution by the Board of Trustees. In addition, the Board of Trustees may regulate the number of licenses by geographical area within the Village of Sugar Grove;

**NOW THEREFORE BE IT RESOLVED**, by the Board of Trustees of the Village of Sugar Grove, Kane County, Illinois as follows:

1. That the annual fee for each class of liquor license and the number of licenses per Class within the Village of Sugar Grove shall be as follows:

	CLASS	ANNUAL FEE	#	ESTABLISHMENT
A	TAVERN	\$1,900.00	0	
B	PACKAGE LIQUOR	\$1,250.00	7	Aldi, Amoco,Embassy, Jewel, Village Liquor, Phillips 66, Walgreens
C	TEMPORARY LICENSE	\$ 50.00	0	
D	CLUB LICENSE	\$ 750.00	1	American Legion
E	RESTAURANT	\$1,450.00	2	Fireside Runway to Galloway
L	RESTAURANT w/ TAVERN	\$1,850.00	1	Open Range
F	BEER AND WINE RESTAURANT	\$1,950.00	0	
G	GOLF COURSE	\$ 900.00	1	Bliss Creek
H	HOTEL	\$2,200.00	0	
J	SPECIALTY BASKET LICENSE	\$ 575.00	0	
K	CATERING LICENSE	\$1,150.00	0	
M	FARMERS MARKET LICENSE	\$200.00	0	
N	PRIVATE COUNTY CLUB	\$2,400.00	1	Rich Harvest
O	TEMPORARY GOVERNMENTAL SPECIAL EVENTS	\$ 50.00	0	
P	WINE AND BEER SPECIALTY SHOP	\$1,200.00	0	

**PASSED AND APPROVED**, by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, on the 4th day of December, 2012.

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

BY: \_\_\_\_\_  
P. Sean Michels, President of the Board of Trustees

Attest: \_\_\_\_\_  
Cynthia L. Galbreath, Village Clerk

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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** ANTHONY SPECIALE, DIRECTOR OF PUBLIC WORKS  
GEOFF PAYTON, STREETS & PROPERTIES SUPERVISOR  
**SUBJECT:** DISCUSSION: MALLARD POINT WETLAND RESTORATION  
**AGENDA:** DECEMBER 4, 2012 REGULAR BOARD MEETING  
**DATE:** NOVEMBER 30, 2012

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**ISSUE**

Should the Village Board discuss the Mallard Point wetland restoration.

**DISCUSSION**

The Mallard Point Drainage Project includes restoration of the wetlands and pond area. The project would include; clearing the woody plants and shrubs, herbicide applications on stumps and the planting buffer area, cutting / removing all dead vegetation from the planting areas, ground preparation, planting plugs at the shoreline, seeding the buffer area with low profile prairie plantings and installation on "No Mowing / No Dumping" signs. An annual prescribed burn would also be necessary. This restoration project is anticipated to take three years to complete.

The estimated cost for the 3-year restoration is \$131,425.00 for the work described above. This would be broken down over a three-year period. In addition, an extended maintenance program is recommended for a three-year period following restoration. The estimated cost for maintenance is \$12,250.00 annually and would consist of vegetation monitoring, debris clearing and dredging of open water pockets. A representative of EnCap will attend the meeting to discuss the project.

**COST**

There are no costs associated with discussion.

**RECOMMENDATION**

The Village Board discusses the Mallard Point Wetland restoration project and subsequent maintenance recommendations.

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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** JUSTIN VANVOOREN, FINANCE DIRECTOR  
**SUBJECT:** AN ORDINANCE FOR TAX LEVY OF THE MALLARD POINT SPECIAL ASSESSMENT FOR THE FISCAL YEAR MAY 1, 2013 TO APRIL 30, 2014  
**AGENDA:** DECEMBER 4, 2012 REGULAR BOARD MEETING  
**DATE:** NOVEMBER 30, 2012

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**ISSUE**

Shall the Board approve the Mallard Point Special Assessment tax levy.

**DISCUSSION**

The Village of Sugar Grove passed an ordinance authorizing improvements to the Mallard Point and Rolling Oaks Subdivisions and applied to the Sixteenth Judicial Circuit Court of Kane County for an assessment of the costs of the improvement on December 16, 2011. An assessment was filed with that court on April 25, 2012, the hearing on the Confirmation of the Assessment Roll was held on the May 29, 2012. The assessment was approved and the Village now needs to levy for the special assessment against said property owners.

Please find attached a resolution allowing the Village to begin collecting the special assessment and an ordinance of the levy itself.

**COST**

Not applicable.

**RECOMMENDATION**

That the Board adopt:

- 1) Resolution 2012-1204MPROA, Declaring Notice of First Installment, Accrual of Interest and Adoption of Special Assessment Supplemental Bond and Procedures Act; and

- 2) Ordinance 2012-1204MPRO, An Ordinance for Tax Levy of the Mallard Point Special Assessment for the Fiscal Year May 1, 2013 to April 30, 2014.



## RESOLUTION 20121204MPROA

### DECLARING NOTICE OF FIRST INSTALLMENT, ACCRUAL OF INTEREST AND ADOPTION OF SPECIAL ASSESSMENT SUPPLEMENTAL BOND AND PROCEDURES ACT

**WHEREAS**, the Village of Sugar Grove, Kane County, Illinois has petition the 16<sup>th</sup> judicial circuit for confirmation of a special assessment in the Village; and

**WHEREAS**, the court has confirmed said special assessment in the case of IN RE SPECIAL ASSESSMENT FOR THE VILLAGE OF SUGAR GROVE, A MUNICIPAL CORPORATION IN KANE COUNTY, ILLINOIS Case No: 2011 TX 183; and

**WHEREAS**, the Village seeks to utilize the provisions of 50 ILCS 460/10:

**NOW, THEREFORE**, Be It and It is Hereby Resolved by the Village Board of the Village of Sugar Grove, Kane County, Illinois, as follows:

Section 1. The Village hereby adopts the provisions of the Special Assessment Supplemental Bond and Procedures Act 50 ILCS 460/10.

Section 2. The Village hereby directs its attorneys and officers to file with the court a Notice of First Installment and accrual of Interest to be collected by the County Clerk in accordance with the regular tax collection schedule of the county beginning with collection in the year 2012. Interest to accrue effective August 1<sup>st</sup> 2012.

Section 3. All actions of the officers, agents and employees of the Village that are in conformity with the purposes and intent of this Declaration, whether taken before or after the adoption hereof, are hereby ratified, confirmed and adopted.

Section 4. Pursuant to 50 ILCS 460/40 the award of all contracts of construction for the Special Assessment project herein are ratified and confirmed.

Section 6. This Declaration shall be filed immediately in the office of the Village Clerk.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 4th day of December, 2012.

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

ATTEST: \_\_\_\_\_  
Cynthia L. Galbreath  
Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Mari Johnson	___	___	___	___
Trustee Thomas Renk	___	___	___	___
Trustee Rick Montalto	___	___	___	___
Trustee Robert E. Bohler	___	___	___	___
Trustee David Paluch	___	___	___	___
Trustee Kevin M. Geary	___	___	___	___

ORDINANCE NO. 2012-1204MPRO

AN ORDINANCE FOR TAX LEVY OF THE  
MALLARD POINT SPECIAL ASSESSMENT  
FOR THE FISCAL YEAR  
MAY 1, 2013 TO APRIL 30, 2014

PASSED BY THE BOARD OF TRUSTEES  
AND PRESIDENT OF THE  
VILLAGE OF SUGAR GROVE

This 4th day of December, 2012.

Published in pamphlet form  
by authority of the Board of Trustees of the  
Village of Sugar Grove, Kane County, Illinois

This 4th day of December, 2012.

**ORDINANCE No. 2012-1204MPRO**

An Ordinance levying taxes for the Mallard Point Special Assessment for the VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS, for the fiscal year commencing on May 1, 2013 and ending April 30, 2014.

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

**SECTION ONE:** That the amounts herein after set forth or so much thereof as may be authorized by law, and the same is hereby levied for the Mallard Point Special Assessment, for the fiscal year of the said Village of Sugar Grove, Kane County, Illinois, beginning May 1, 2013 and ending April 30, 2014.

**SECTION TWO:** The amount hereby levied for the Mallard Point Special Assessment is \$75,612.02.

**SECTION THREE:** That the Village Clerk shall make and file with the County Clerk of said County of Kane, a duly certified copy of this Ordinance and that the amount levied by Section Two of the Ordinance is required by said Village of Sugar Grove as aforesaid and extended upon the appropriation tax book for the fiscal year of said Village of Sugar Grove beginning May 1, 2013 and ending April 30, 2014.

**SECTION FOUR:** If any section, subdivision, sentence or clause of the Ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

**SECTION FIVE:** This Ordinance shall be in full force and effect from and after its passage, approval and recording according to law.

**PASSED** this 4th day of December, 2012, pursuant to roll call as follows:

Trustee Bohler	_____	Trustee Renk	_____
Trustee Geary	_____	Trustee Montalto	_____
Trustee Johnson	_____	Trustee Paluch	_____

**PASSED AND APPROVED THIS 4TH DAY OF DECEMBER, 2012.**

\_\_\_\_\_  
P. Sean Michels  
President of the Village of Sugar Grove

ATTEST:

\_\_\_\_\_  
Cynthia L. Galbreath  
Clerk of the Village of Sugar Grove

## **CERTIFICATE**

I, Cynthia L. Galbreath, certify that I am the appointed Municipal Clerk of the Village of Sugar Grove, Kane County, Illinois.

I further certify that on December 4, 2012 the President and Board of Trustees of the Village of Sugar Grove adopted An Ordinance for Tax Levy of the Mallard Point Special Assessment for the Fiscal Year May 1, 2013 to April 30, 2014.

I hereby certify that the attached Ordinance is a true copy of the Ordinance that was duly adopted by the Village of Sugar Grove Board of Trustees, at a meeting which was held on December 4, 2012 at 6:00 p.m. at which a quorum was present and acting throughout and that said copy has been compared by me with the original ordinance which was signed by the Village President on December 4, 2012.

Dated at Sugar Grove, Illinois this 4th day of December, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village, this 4th day of December, 2012.

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Cynthia L. Galbreath, Village Clerk

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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT MICHELS & BOARD OF TRUSTEES  
**FROM:** CYNTHIA L. GALBREATH, VILLAGE CLERK  
**SUBJECT:** RESOLUTION AMENDING THE NUMBER OF LIQUOR LICENSES AND APPROVAL OF A CLASS E LIQUOR LICENSE FOR 1942 ROUTE 30, RUNWAY TO GALLOWAY  
**AGENDA:** DECEMBER 04, 2012 BOARD MEETING AGENDA  
**DATE:** NOVEMBER 30, 2012

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**ISSUE**

Should the Village of Sugar Grove increase the number of liquor licenses and approve a liquor license for a restaurant to be located at 1942 Route 30 (Runway to Galloway)

**DISCUSSION**

An application for a Class E, Restaurant Liquor License has been received for 1942 Route 30 (Runway to Galloway). As this establishment has been vacant for a number of years and one of the corporate officers, Mr. Stephane Corbiere, is not a citizen, staff requested that legal review the application to insure compliance with the Village's Liquor Control Code, Title 3, Chapter 2. Per Attorney Andersson the application is in compliance. All background checks have been completed and the application is complete with the exception of the receipt of the Kane County Health Department Certificate and the Certificate of Occupancy.

A state liquor license is required for all liquor establishments. One of the state licensing application requirements is that a copy of the local license must be submitted. The applicant Mr. Stephen Fulton would like to open the establishment this month. In order to assist this business in achieving a December opening the application is being submitted for consideration at this time. Mr. Fulton and Mr. Corbiere will be in attendance at the December 04, 2013 meeting.

It is recommended that the Commissioner and Commission review the application and determine if it is in the best interest of the Village of Sugar Grove to approve a Class E liquor license subject to receipt of the Health Department Certificate and the Certificate of Occupancy.

**COSTS**

The total cost for the approval of the liquor license is approximately \$150.00 for legal review. The costs are within budgeted amounts in Administration – Legal – 01 50 6301.

## **RECOMMENDATION**

That the Board by consensus adopts Resolution #20121204, A Resolution Amending the Number of Liquor Classes for the 2012-2013 Licensing Year

and

that the Village President and Village Board acting in their capacity as the Liquor Commissioner and Commission approve a Class E for Runway to Galloway located at 1942 Route 30, subject to review and approval by the Village Attorney and/or Staff, issuance of the health department certificate and the certificate of occupancy.

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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** RICH YOUNG, COMMUNITY DEVELOPMENT DIRECTOR  
MIKE FERENCAK, VILLAGE PLANNER  
**SUBJECT:** DISCUSSION: ZONING ORDINANCE TEXT AMENDMENT TO  
CREATE SECTION 11-4-21 SOLAR ENERGY SYSTEMS  
**AGENDA:** DECEMBER 4, 2012 COMMITTEE OF THE WHOLE MEETING  
**DATE:** NOVEMBER 30, 2012

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### **ISSUE**

Discussion of draft text amendment to zoning ordinance for solar energy systems, with focus on aesthetic issues of small solar energy systems.

### **DISCUSSION**

A resident in Windsor West subdivision, located at 197 Oxford Avenue, has proposed the installation of a solar energy system at his residence. Due to the expiration of a Federal tax credit at the end of the year, the resident would like to install the system by December 31, 2012. With this in mind, a draft text amendment for these systems was presented to the Plan Commission on November 14, 2012. After tonight's meeting, the draft text amendment would be reviewed by the Plan Commission with a recommendation at a Special meeting on December 12, 2012. The text amendment would then be presented to the Village Board on December 18, 2012 for a vote.

This text amendment would create a new section within the General Provisions Chapter of the Zoning Ordinance. Through the definitions portion of the draft text amendment certain classes of solar energy systems are defined. The discussion tonight is focused on the aesthetic controls for small solar energy systems, like those that a homeowner or business owner would install on their own building or grounds as accessory structures, not commercial / utility scale solar farms.

In the draft ordinance all small solar energy systems (whether ground or building mounted) need to meet certain standards including color, uniformity, positioning, and quantity:

- The color requirement calls for the support structure for solar collector panels to match other structures on the lot or the material it is being mounted to – it does not require the solar collector panels to be any particular color.
- The uniformity requirement states that when multiple solar collector panels are located on one lot they shall match each other in style.
- The positioning requirement requires that concentrated sunlight or glare from solar collector surfaces be oriented away from neighboring windows.
- The quantity requirement requires that only one small solar energy system (which may include multiple collector panels) is permitted per lot.

Ground mounted systems have certain additional requirements for setbacks, yards, and height.

- The setback requirement calls for a setback of at least 1.1 times the total height of a monopole mounted solar collector panel from property lines and utility lines.
- The yard requirement states that ground mounted systems cannot be installed in front or corner side yards.
- The height requirement limits ground mounted systems to 15 feet in total height.

Building mounted systems are divided into two primary types of allowed systems, flush roof mounted and non flush roof mounted.

- Flush roof mounted systems are defined as projecting six inches or less in height above the roof surface, with the collector panels being parallel to the roof surface.
- Non flush roof mounted systems are defined as projecting more than six inches in height above the roof surface. These are typically not parallel to the roof surface because the goal is often to mount the panel at a better solar angle than the roof provides.

Building mounted systems have certain additional requirements for roof type, setbacks, mounting location, height and area. The requirements for setback and area do not vary between flush and non flush systems and are listed immediately below. The requirements for roof type, mounting location, and height do vary between flush and non flush systems and are listed further below.

- The setback requirement states that all building mounted systems be setback at least one foot from all edges of the roof section on which they are mounted.
- The area requirement limits the solar collector panel surface area to no more than 80% of the roof section on which it is mounted. If more than one roof section is to contain collectors, the Fire District shall confirm adequate roof access is provided for emergency personnel in the event of an emergency.

Flush roof mounted systems

- The roof type requirement allows flush roof mounted systems on sloped or flat roofs.
- The mounting location requirement allows flush roof mounted systems on all sections of roof, including front and corner side yards.
- There is no additional height requirement for flush roof mounted systems, as by definition they are six inches or less in height.

Non flush roof mounted systems

- The roof type requirement allows non flush roof mounted systems only on flat roofs if the solar collector panels are completely screened from view to an observer's eye six feet above the ground at any point along an abutting property line. Typically this would be through the use of parapet walls.
- The mounting location requirement prohibits non flush roof mounted systems on sections of roof adjacent to front and corner side yards.

- The height requirement limits non flush roof mounted systems so that they do not extend above the highest point of the roof section on which they are mounted.

Staff believes the above standards would be appropriate to regulate small solar energy systems for aesthetics. Other requirements are included in the draft text amendment for non-aesthetic issues and the building code further regulates their installation.

Staff would like to receive Committee feedback on the proposed standards. In particular, Committee feedback on the mounting location requirement for flush roof mounted systems is needed by staff. The mounting location requirement is a question of utility vs. aesthetics. Solar panels in this region are generally aimed for a southern exposure to the sun. However, approximately one quarter of all buildings in the Village have their southern exposure as their front yard. In addition, only some roof surfaces in the Village would match the color of solar panels.

- Would the Committee prefer to allow flush roof mounted systems on all roof sections, including those adjacent to front and corner side yards, as proposed? Or would the Committee prefer to allow them only on roof sections adjacent to rear and side yards as is proposed by staff for non flush roof systems?
- Since solar collector panels are typically black / gray / silver, would the Committee prefer a requirement that states that the panels can only be mounted on a matching roof surface?
- Does the Committee have any other aesthetic issues they would recommend be included?

The following items are attached for your information:

1. Draft Text Amendment (to be provided by Tuesday)
2. Photos of 197 Oxford Avenue (3)
3. Roof Plan for 197 Oxford Avenue
4. Photos of flush roof mounted system like that proposed for 197 Oxford Avenue (4)
5. Photo of a non flush roof mounted system (2)

## **COST**

The public notice was published in a local newspaper and cost under \$150.

## **RECOMMENDATION**

That the Committee of the Whole discuss the aesthetic issues regarding small solar energy systems, in particular the questions posed, and provide any feedback to staff for a final drafted ordinance and vote.



11/29/2012 09:56



11/29/2012 09:56



11/29/2012 09:57

Panels are not to scale Left ridgeline is 18' 6"  
Right ridgeline is 12' 2". There is a change in height  
of about one foot between them.





**This 1.4kW Solar PV Array provides power for a hybrid, grid-tie system with battery backup.**

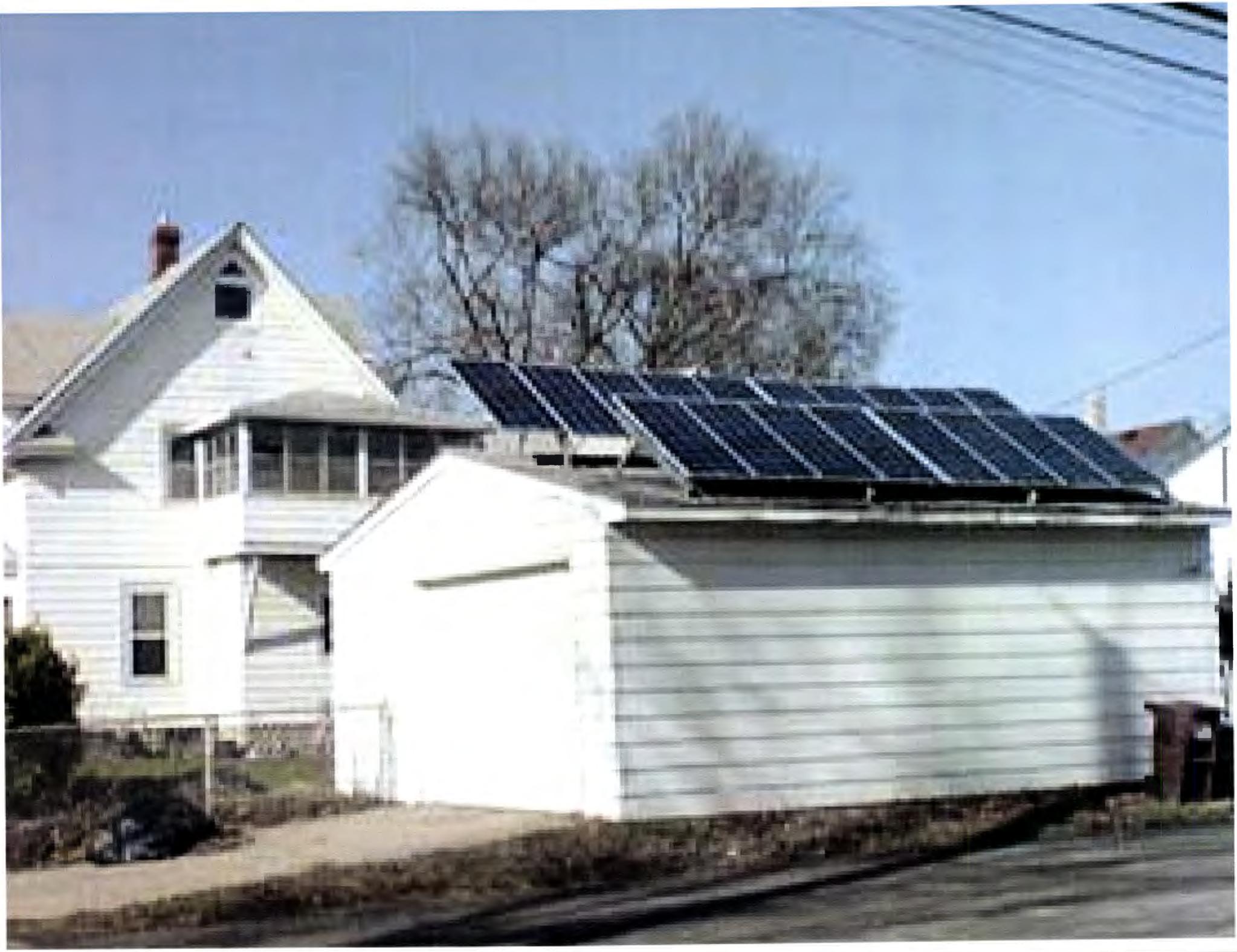
5120 Keweenaw Social Hallway  
Chicago, Illinois











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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** JUSTIN VANVOOREN, FINANCE DIRECTOR  
**SUBJECT:** ORDINANCES ABATING 2012 TAXES RELATED TO DEBT SERVICE  
**AGENDA:** DECEMBER 4, 2012 REGULAR BOARD MEETING  
**DATE:** NOVEMBER 21, 2012

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**ISSUE**

Shall the Board abate the property tax levies related to the following General Obligation Alternate Revenue Bonds: 2006 Bonds issued in the amount \$2,640,000, 2006A Bonds issued in the amount of \$8,500,000, 2008A Bonds issued in the amount of \$2,585,000, 2008B Bonds issued in the amount of \$590,000, and 2009 Bonds issued in the amount of \$2,930,000.

**DISCUSSION**

The designated revenue sources for these bonds, pursuant to Bond Ordinances, are net water and sewer revenues, capital improvement funds, and non-home rule sales tax. There is sufficient revenue from these sources, other than property taxes, to make the debt service payments. Should the Board not pass the proposed ordinances, the Board opens the Village up to legal action by tax objectors and limits its ability to issue new debt under the alternate bond scenario.

Attached are the ordinances abating the property tax levies for each of the above issuances.

**COST**

Not applicable.

**RECOMMENDATION**

That the Board adopts the following ordinances:

Ordinance 2012-1204FDB, An Ordinance Abating 2012 Taxes related to Debt Service on the \$2,640,000 2006 General Obligation Alternate Revenue Bonds.

Ordinance 2012-1204FDC, An Ordinance Abating 2012 Taxes related to Debt Service on the \$8,500,000 2006A General Obligation Alternate Revenue Bonds.

Ordinance 2012-1204FDD, An Ordinance Abating 2012 Taxes related to Debt Service on the \$2,585,000 2008A General Obligation Alternate Revenue Bonds.

Ordinance 2012-1204FDE, An Ordinance Abating 2012 Taxes related to Debt Service on the \$590,000 2008B General Obligation Alternate Revenue Bonds.

Ordinance 2012-1204FDF, An Ordinance Abating 2012 Taxes related to Debt Service on the \$2,930,000 2009 General Obligation Alternate Revenue Bonds.

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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** JUSTIN VANVOOREN, FINANCE DIRECTOR  
**SUBJECT:** AN ORDINANCE FOR TAX LEVY FOR THE FISCAL YEAR MAY 1, 2013  
TO APRIL 30, 2014  
**AGENDA:** DECEMBER 4, 2012 REGULAR BOARD MEETING  
**DATE:** NOVEMBER 21, 2012

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**ISSUE**

Shall the Board approve the Annual Property Tax Levy Ordinance.

**DISCUSSION**

The proposed tax levy was announced at the November 6, 2012 Board Meeting and notice of a public hearing was published pursuant to State Statute in the November 10, 2012 edition of the Kane County Chronicle. The public hearing was conducted on November 20, 2012 and there was no public comment made on the proposed levy.

While the proposed tax levy totals \$4,047,967.72, the Village will abate the property taxes on bonds and it is anticipated that the County will reduce the levy request during the extension process pursuant to the "Tax Cap" Act.

**COST**

Not applicable.

**RECOMMENDATION**

That the Board adopt Ordinance 2012-1204FDA, An Ordinance for Tax Levy for the Fiscal Year May 1, 2013 to April 30, 2014.

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**VILLAGE OF SUGAR GROVE  
BOARD REPORT**

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**TO:** VILLAGE PRESIDENT & BOARD OF TRUSTEES  
**FROM:** RICHARD YOUNG COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** RESOLUTION: EASEMENTS FOR WATER MAIN LOOPING  
**AGENDA:** DECEMBER 4, 2012  
**DATE:** NOVEMBER 30, 2012

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**ISSUE**

Should the Village Board authorize execution of Grant of Easements for the proposed Settlers Ridge Subdivision to Mallard Point Subdivision water main looping improvement.

**DISCUSSION**

The Village of Sugar Grove Water Works System Needs Assessment Plan identified the need for a second water main connection to the Mallard Point Subdivision. The addition of a second water main would provide better water service to the Mallard Point Subdivision and ensure adequate fire flow in case of emergency.

As a part of this proposed improvement, the Village needed to acquire both temporary construction and permanent water main easements in order to construct and maintain the public water main.

*As of this writing, signed documentation for two of the necessary three easements have been received and we anticipate receiving the third prior to the meeting. If the third is not received staff will recommend that no action be taken on any of the easements.*

**COSTS**

The costs associated with the acquisition for these easements have been budgeted and are part of the Waterworks and Sewerage Fund and will be publicly disclosed upon approval.

**RECOMMENDATION**

That the Board approve Resolution 20121204C authorizing the execution of and acceptance of Grants of Easements for the Settlers Ridge to Mallard Point water main looping improvements, subject to Village Attorney review.



**Resolution 20121204C**

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT AGREEMENTS FOR THE SETTLERS RIDGE TO MALLARD POINT WATERMAIN LOOP IMPROVEMENT SUGAR GROVE TOWNSHIP, KANE COUNTY, ILLINOIS**

**WHEREAS**, the Village is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution; and

**WHEREAS**, the Village has been presented with easement agreements for a water main which will connect the Settlers Ridge Subdivision to the Mallard Point Subdivision within Sugar Grove Township; and

**WHEREAS**, it is in the Village’s best interest to obtain these easements for the proposed water main connection on public and private property; and

**WHEREAS**, the proposed water main loop from the Settlers Ridge Subdivision to the Mallard Point Subdivision is identified in the Village of Sugar Grove Water Works System Needs Assessment.

**NOW, THEREFORE, BE IT RESOLVED** by the President and Board of Trustees that the Village Board hereby accepts said Grant of Easements, hereby attached, and that the Village President and Village Clerk are hereby authorized to execute said Agreements on behalf of the Village.

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, at a regular meeting thereof held on the 4<sup>th</sup> day of December, 2012.

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

ATTEST: \_\_\_\_\_  
Cynthia Galbreath, Clerk, Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Robert E. Bohler	_____	_____	_____	_____
Trustee Kevin M. Geary	_____	_____	_____	_____
Trustee Rick Montalto	_____	_____	_____	_____
Trustee Marie Johnson	_____	_____	_____	_____
Trustee Thomas Renk	_____	_____	_____	_____
Trustee David Paluch	_____	_____	_____	_____