

<p>Village President P. Sean Michels</p> <p>Village Clerk Cynthia Galbreath</p> <p>Village Administrator Brent M. Eichelberger</p>	 <p>SUGAR GROVE 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 Sean Herron Mari Johnson Rick Montalto David Paluch</p>
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**August 6, 2013
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
 - a. None
6. Public Comment on Items Scheduled for Action
7. Consent Agenda
 - a. Approval: Minutes July 2, 10, and 16 meetings
 - b. Approval: Vouchers
 - c. Approval: Treasurer's Report
 - d. Resolution: Authorizing Execution of an IGA with the SGT Road District for Joint Snow & Ice Control
8. General Business
 - a. Resolution: Authorizing an Agreement for Pavement Marking
 - b. Discussion: Comprehensive Sign Ordinance Update
 - c. Discussion: Accomplishments & Action Plans
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

Cancelled - Committee of the Whole

*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.

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: JUSTIN VANVOOREN, FINANCE DIRECTOR
SUBJECT: MONTHLY TREASURER'S REPORT
AGENDA: AUGUST 6, 2013 REGULAR BOARD MEETING
DATE: JULY 31, 2013

ISSUE

Should the Village Board approve the June 2013 monthly Treasurer's report.

DISCUSSION

The Summarized Revenue & Expense Reports are attached. At June 30, 2013 we are through 2 months of the year (16.7%).

The General Fund revenues and expenditures are at 27.2% and 14.1%, respectively. The main reason for the revenues being higher than budgeted is the timing of receipt of property taxes. The main reason for the expenditures being lower than budgeted is that many expenditures are attributable to the prior fiscal year, for which journal entries have already been made. The following expenditures have budget or actual amounts over \$5,000 and are higher than budget by 10% or more:

		<u>Budget</u>	<u>Actual</u>	<u>% Spent</u>	
01-51-6209	Uniform Allowance	9,675	4,400	45.5%	A
01-51-6307	I.S Services	9,840	4,035	41.0%	B
01-51-6309	Other Professional Svc.	7,475	10,520	140.7%	C
01-51-6403	Repairs&Maint - Equip	10,303	2,819	27.4%	D
01-53-6102	Salaries - overtime	10,576	3,303	31.3%	E
01-53-6603	Specialized supplies	5,500	3,658	66.6%	F
01-56-6307	I.S. Services	5,471	5,394	98.6%	G
01-57-6208	Training & Membership	9,975	4,029	40.4%	H
01-57-6309	Other Professional Svc.	18,725	6,300	33.7%	I

- A Pol – This is due to the timing of payments for uniform allowance.
B Pol – This is due to the timing of the annual payment for the New World Software maintenance agreement.
C Pol – This is related to contractual costs of temporary personnel.

- D Pol – This is due to the timing of the annual siren maintenance contract which was a budgeted item.
- E Str – This is due to more frequent mowing than usual, sink hole issues throughout the community, and EAB tree inspections and removals.
- F Str – This is due the seasonal purchase of mosquito control chemicals which was a budgeted item.
- G Fin – This is due to the timing of payment for the Village’s financial software maintenance agreement.
- H Brd – This is due to the timing of payment of Metro West COG dues.
- I Brd – This is due to the timing of the deposit for the National Citizens Survey which was a budgeted item.

Please note engineering invoices are paid approximately 2 months after services are provided. Thus, engineering services accounts in the General Fund, Infrastructure Fund, and Waterworks and Sewerage Fund will reflect a 2 month lag.

The General Capital Projects Fund revenues are at 15.9% and expenditures are at 8.7%. The expenditures are low due to projects not starting yet this year.

The Industrial TIF #1 Fund revenues are at 0.2% and expenditures are at 0.0%. The revenues and expenditures are low due to projects not starting yet this year.

The Industrial TIF #2 Fund expenditures are at 0.0%. The expenditures are low due to projects not starting yet this year.

The Infrastructure Capital Projects Fund revenues are at 8.3% and expenditures are 3.1%. The expenditures are low due to expenditures being attributable to the prior fiscal year, for which journal entries have already been made.

The Debt Service Fund revenues are at 14.6% and the expenditures are at 4.5%. The expenditures are low due to the timing of debt payments throughout the year.

The Waterworks and Sewerage Fund operating revenues and operating expenses are at 15.6% and 19.4%, respectively. The capital revenues and expenses are at 9.1% and 14.6%, respectively. The main reason for the expenses being high is the timing of debt payments throughout the year. The following expenses have budget or actual amounts over \$5,000 and are higher than budget by 10% or more:

		<u>Budget</u>	<u>Actual</u>	<u>% Spent</u>	
50-50-6307	I.S. Services	10,831	5,880	54.3%	J
50-50-8002	Debt – Principal	600,816	286,130	47.7%	K
50-50-8003	Debt – Interest	186,085	65,638	35.3%	L
50-71-8002	Debt – Principal	60,000	60,000	100.0%	M
50-71-8003	Debt – Interest	97,625	49,413	50.7%	N

- J Adm – This is due to the timing of payment for the Village’s financial software maintenance agreement.
- K Adm – This is high due to the timing of debt payments throughout the year and will not exceed budget.
- L Adm – This is high due to the timing of debt payments throughout the year and will not exceed budget.
- M Water Ops. – This is high due to the timing of debt payments throughout the year and will not exceed budget.
- N Water Ops. – This is high due to the timing of debt payments throughout the year and will not exceed budget.

The Refuse Fund revenues and expenses are at 16.4% and 8.5%, respectively. The expenses are below expectations due to the timing of payments being made to Waste Management.

Staff projected and included 10 residential and 6 commercial, and 350 miscellaneous permits in the fiscal year 2013 – 2014 budget approved by the Village Board, which we will track throughout the fiscal year and report on. As of July 31, 2013, 8 of the residential, 0 of the commercial, and 96 of the miscellaneous permits have been issued. The following accounts will be included in each Treasurer’s Report to reflect the revenues from building activity:

	<u>Budget</u>	<u>Actual</u>	<u>% Earned</u>
01-00-3310 Building Permits	47,550	14,365	30.3%
01-00-3320 Cert of Occupancy Fees	1,600	700	43.8%
01-00-3330 Plan Review Fees	2,965	1,083	36.6%
01-00-3340 Reinspection Fees	1,615	160	10.0%
01-00-3350 Transition Fees	0	0	0.0%
01-00-3740 Zoning and Filing Fees	5,500	750	13.7%
01-00-3760 Review and Dev. Fees	120,950	4,764	3.9%
30-00-3850 Improvement Donations	0	0	0.0%
30-00-3851 Emerg Warn Device Fee	0	0	0.0%
30-00-3852 Life Safety-Police	1,875	0	0.0%
30-00-3853 Life Safety-Streets	1,875	0	0.0%
30-00-3856 Commercial Fee	0	0	0.0%
35-00-3854 Traffic Pre-emption Donate	0	0	0.0%
35-00-3855 Road Impact Fee	46,600	23,300	50.0%
50-00-3310 Meter Reinspections	1,178	80	6.8%
50-00-3670 Meter Sales	13,550	3,390	25.1%
50-01-3651 Water Tap-On Fees	34,903	20,352	58.4%
50-01-3652 Sewer Tap-On Fees	7,684	755	9.9%
50-01-3791 Fire Suppr Tap-On Fee	17,403	0	0.0%

COST

There are no direct costs associated with the monthly Treasurer's report.

RECOMMENDATION

That the Board approve the June 2013 monthly Treasurer's reports.

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: RICH YOUNG, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: DISCUSSION: MANDATORY FIRE SPRINKLER REGULATIONS
AGENDA: AUGUST 6, 2013 COMMITTEE OF THE WHOLE MEETING
DATE: AUGUST 2, 2013

ISSUE

Review and discussion regarding The Office of State Fire Marshall proposed Fire Sprinkler Rulemaking.

DISCUSSION

Metro West has made the Village aware that The Office of the State Fire Marshall (OSFM) has introduced a rulemaking that would incorporate by reference the 2012 NFPA Life Safety Code 101. The rulemaking will require all new single-family homes and duplexes to have a fire sprinkler system installed in each dwelling. It would also require all existing assembly areas where 100 or more people are gathering for entertainment purposes (dance halls, bars with live entertainment and areas where seating on the floor is allowed) to have sprinkler systems installed within five years. Also all existing high rise building would have to be retrofitted with fire sprinklers within 12 years.

Metro West and the Village Staff feel that this new requirement would place additional financial burdens on local governments and property owners as well as take away local control over the issue of fire sprinklers. Metro West has requested all municipalities pass a resolution opposing the proposed rulemaking. They also ask that we contact our state legislators to let them know the burden that this unfunded mandate represents to municipalities and property owners.

Attachments:

1. Sample Resolution opposing the proposed rulemaking.
2. Illinois Municipal League Fact Sheet on Mandated Residential Fire Sprinklers.

COST

There will be limited costs for the Village Attorney's review time.

RECOMMENDATION

That the Committee review this issue and provide any feedback prior to scheduling any Board action.

Mandated Residential Fire Sprinklers

IML POSITION: OPPOSE

The Office of the State Fire Marshal (OSFM) has introduced a rulemaking that would incorporate by reference the 2012 NFPA Life Safety Code 101. The rulemaking will require all new single-family dwellings and duplexes to have a fire sprinkler system installed in the dwelling. It also will require all existing assembly areas where 100 or more people are gathered for entertainment purposes (dance halls, bars with live entertainment and areas where seating on the floor is allowed) to have fire sprinklers installed within five years. In addition, all existing high rises will have to be retrofitted with fire sprinklers within 12 years.

The IML opposes this rulemaking for the following reasons:

- 1.** The cost of building a new house or living in a high rise will significantly increase impacting the real estate market, the new housing market, the ability to create affordable housing and the ability for municipalities to continue to grow. The cost to install a fire sprinkler system in a 3,100 square foot house can exceed \$10,000, not including any annual maintenance cost.
- 2.** The cost to municipalities will include the loss of new housing stock because potential new home buyers may not be able to afford this extra mandate, buildings that would be required to retro-fit fire sprinklers may have to close because the mandate is unaffordable, and the fire sprinkler requirement would cause an additional toll on municipal water supplies.
- 3.** This proposed rule imposes a building code standard that is typically a standard that is best decided by the local jurisdiction. In addition, the Fire Marshal has in no uncertain terms stated that it is the duty of the local jurisdiction to enforce this standard and in turn, imposes an additional burden on municipalities.
- 4.** Proponents claim that fire sprinklers in single-family homes and duplexes will save the homeowners money through low insurance premiums when in fact, what we have found with our insurance companies, there are only a few of the companies that are giving any credit for sprinkler systems. If they are giving credit, it is in the area of \$50 to \$100 per year on a \$1,000 per year premium homeowner's policy. Because of the increased value of the sprinkler system, the replacement cost of the house is higher so homeowners will be paying more in premiums.

Other Opponents Include:

City of Chicago
DuPage Mayors & Managers Conference
Illinois Association of Housing Authorities
Illinois Code Officials Association
Illinois Homebuilders Association
Illinois Library Association

Illinois Realtors Association
Illinois Retail Merchants Association
Metropolitan Mayors Caucus
Metro-West Council of Government
Northwest Municipal Conference
Will County Governmental League

SAMPLE RESOLUTION

RESOLUTION OPPOSING ANY UNFUNDED MANDATE DUE TO THE ADOPTION OF THE 2012 NFPA 101 LIFE SAFETY CODE

WHEREAS, the Office of the State Fire Marshal has submitted on June 28, 2013 a proposed rule adopting the 2012 NFPA 101 Life Safety Code; and

WHEREAS, the current adopted code is the 2000 NFPA 101 Life Safety Code; however, modifications were included to lessen the financial burden on homeowners; and

WHEREAS, the Office of the State Fire Marshall wants to adopt a rule that includes a requirement for the installment of fire sprinkler systems in new one and two family dwellings and the retro-fitting of sprinklers in high rises and areas of assembly; and

WHEREAS, the cost of building a new house or living in a high rise will significantly increase impacting the real estate market, the new housing market, the ability to create affordable housing and the ability for municipalities to continue to grow; and

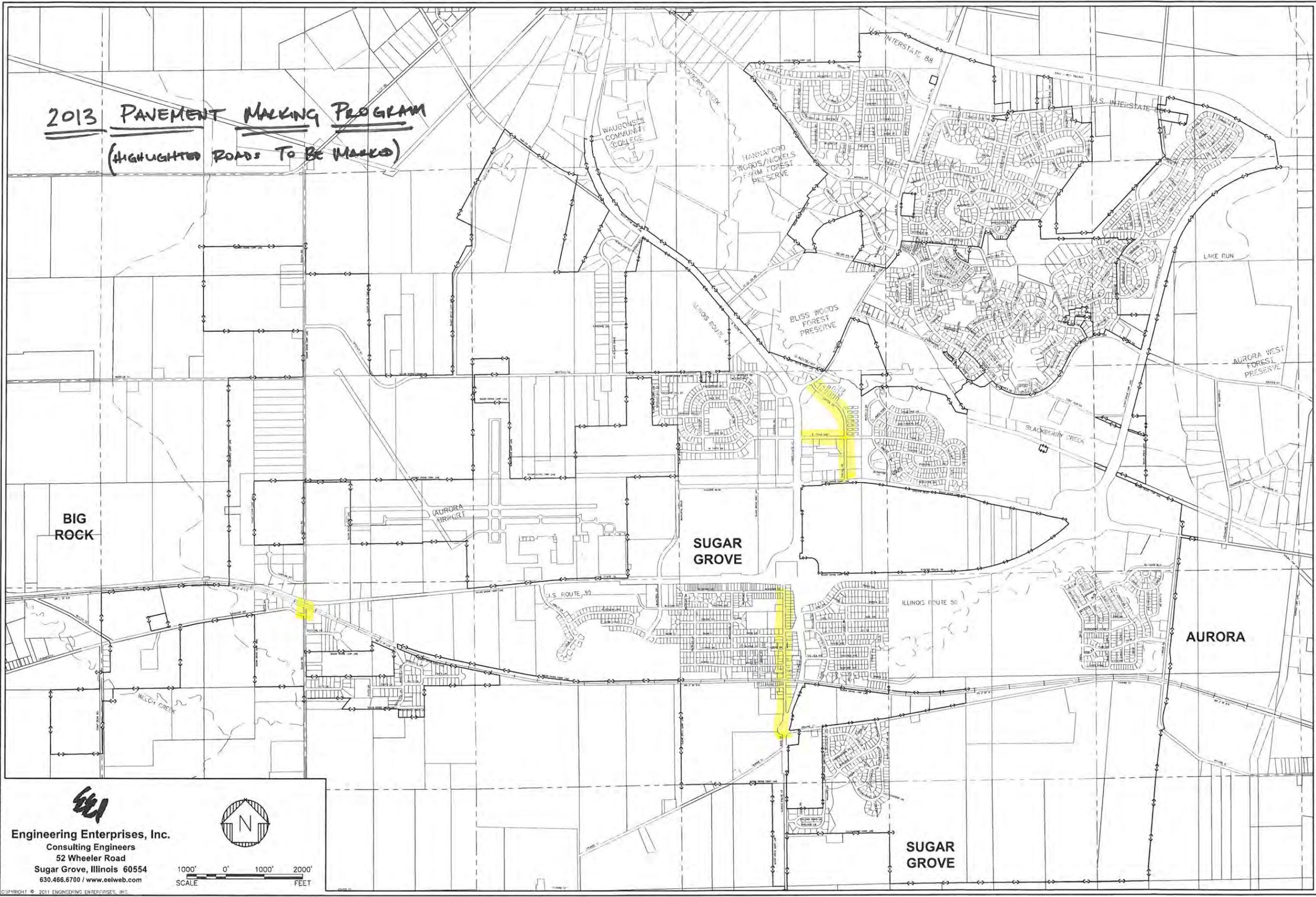
WHEREAS, the Office of the State Fire Marshal has stated that it is the duty of all local jurisdictions to enforce the NFPA Life Safety Code as adopted by the Office of the State Fire Marshal; and

WHEREAS, the adoption of the 2012 NFPA 101 Life Safety Code will lead to various other unfunded state mandates escalating costs for local governments, and

WHEREAS, the Village/City/Town of _____ believes that local officials have the best knowledge of what building requirements should be adopted and enforced within their community.

NOW, THEREFORE, BE IT RESOLVED, that the Village/City/Town of _____ urges the rejection of any attempt by the Office of the State Fire Marshal to adopt the 2012 NFPA 101 Life Safety Code in any such manner that undermines local control and adds substantial financial costs associated with the imposition of the code.

2013 PAVEMENT MARKING PROGRAM
 (HIGHLIGHTED ROADS TO BE MARKED)



BIG ROCK

AURORA AIRPORT

SUGAR GROVE

AURORA

SUGAR GROVE



Engineering Enterprises, Inc.
 Consulting Engineers
 52 Wheeler Road
 Sugar Grove, Illinois 60554
 630.466.6700 / www.eeiweb.com



1000' 0' 1000' 2000'
 SCALE FEET

DATE: April 7, 2011 BY: S.E. B. LARRY WILSON - P.E. Sugar Grove Limits (24-30)
 COPYRIGHT © 2011 ENGINEERING ENTERPRISES, INC.

DATE: April 7, 2011 BY: S.E. B. LARRY WILSON - P.E. Sugar Grove Limits (24-30)
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**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: ANTHONY SPECIALE, DIRECTOR OF PUBLIC WORKS
GEOFF PAYTON, STREETS & PROPERTIES SUPERVISOR
SUBJECT: RESOLUTION: 2013 PAVEMENT MARKING PROGRAM
AGENDA: AUGUST 6, 2013 REGULAR BOARD MEETING
DATE: AUGUST 2, 2013

ISSUE

Should the Village Board approve the 2013 Pavement Marking Program.

DISCUSSION

The Kane County Division of Transportation offers a program similar to the State's Joint Purchasing Program in which Kane County Townships and Municipalities can take advantage of County pricing for pavement markings. The Village participated in this program last fiscal year, completing approximately 52,055 linear feet of marking. The 2013-2014 Fiscal Year Budget includes funds to continue participation in this program.

On Friday, March 28, 2013, the Kane County Division of Transportation opened sealed bids for the 2013 Paint Pavement Marking Program. The contract was awarded to the lowest responsive, responsible bidder, Preform Traffic Control Systems, Ltd., 625 Richard Lane, Elk Grove Village, Illinois 60007. Preform Traffic Control Systems, Ltd. has agreed to honor all awarded contract unit prices to local government agencies. Staff feels this program is the most cost effective and efficient means to fill this need.

The focus of the 2013 Program will be remarking Main Street (from the IL Route 47 north to Meadows Drive), Capitol Drive (from Bliss Road to Galena Boulevard), E. Park Avenue (from IL Route 47 to Capitol Drive) and the Dugan Road Quiet Zone.

COST

The total cost of the 2013 Pavement Marking Program is \$9,000.00. The Fiscal Year 13-14 General Fund Streets Budget, account number 01-53-6405: Repair & Maintenance Services - ROW includes \$9000.00 for this project.

RECOMMENDATION

The Village Board approves Resolution **20130806PW1** authorizing the Director of Public Works to execute an agreement in the not to exceed amount of \$9,000.00 with Preform Traffic Control Systems, Ltd., 625 Richard Lane, Elk Grove Village, Illinois 60007 for the 2013 Pavement Marking Program.



RESOLUTION NO. 20130806PW1

VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH
PREFORM TRAFFIC CONTROL SYSTEMS, LTD.**

WHEREAS, the Village of Sugar Grove Board of Trustees find that it is in the best interest of the Village to engage the services of Preform Traffic Control Systems, Ltd. to provide construction services for the 2013 Pavement Marking Program, and to execute the attached agreement;

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

An agreement between Preform Traffic Control Systems, Ltd. and the Village of Sugar Grove to provide construction services for the 2013 Pavement Marking Program. The Director of Public Works is hereby authorized to execute said agreement on behalf of the Village and to take such further actions as are necessary to fulfill the terms of said agreement.

Passed by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, at a regular meeting thereof held on the 6th day of August, 2013.

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 Sean Herron	_____	_____	_____	_____
Trustee Mari Johnson	_____	_____	_____	_____
Trustee Rick Montalto	_____	_____	_____	_____
Trustee David Paulich	_____	_____	_____	_____

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: RICH YOUNG, COMMUNITY DEVELOPMENT DIRECTOR
MIKE FERENCAK, VILLAGE PLANNER
SUBJECT: DISCUSSION: ZONING (SIGN) ORDINANCE TEXT
AMENDMENT TO AMEND SECTIONS 11-7-2, 11-7-3, 11-7-4,
11-9A-2, 11-12-3, 11-12-6, 11-14 AND 12-6-10
AGENDA: AUGUST 6, 2013 COMMITTEE OF THE WHOLE MEETING
DATE: AUGUST 2, 2013

ISSUE

Review and discussion of the Comprehensive Sign Ordinance Amendment.

DISCUSSION

At the July 16, 2013 Committee of the Whole meeting, Sections 1 and 3 of the Sign Ordinance Amendment were reviewed. On August 6th we will review the Sections covering Excluded Signs (Sec. 4), Prohibited Signs (Sec. 5), Permitted Residential Signs (Sec. 7), and Permitted Non-Residential Signs (Sec. 8). If there is time we will also review Temporary Signs (Sections 10 and 11), otherwise those will be covered at the next meeting with Sections 6 and 12. Staff will bring various photos of signs to tonight's meeting to provide some examples of how the proposed regulations would apply to signs. Please bring your Draft Sign Code Ordinance dated July 16, 2013 from the last packet to the meeting.

The Committee of the Whole last reviewed the text of this amendment at the November 3, 2009 meeting. The Committee was in support of the amendment, but it was not in final draft form. Some sections were not complete and the staff and Plan Commission were still generating comments. One significant change needed was a reformatting of the layout of the amendment suggested by the Village Attorney. Due to other priorities the amendment was not reformatted at that time.

In March of this year the amendment was reformatted. Other important improvements were made to the amendment including adjustments to other sections of the Village Code that discuss signage. The draft was reviewed by the Plan Commission at a public hearing at the April 17, 2013 meeting. There was no comment from the public. The Plan Commission recommended approval of the amendment 5-0 with a few minor corrections needed. Staff has made these corrections and final adjustments to definitions and text.

The proposed Sign Ordinance is not directly comparable to the existing Sign Ordinance as the format and chapters have been reconfigured. Staff believes it has been formatted

in a much more logical fashion that will be easier and more efficient to utilize on a day-to-day basis (both for staff and the public).

As there is a lot of material to cover in this Ordinance, staff would suggest reviewing the material over several meetings. Staff suggests reviewing Section 1, the definition of Sign as listed in Section 2 Definitions, and Section 3 at the first meeting. A review of these will provide the basis for understanding all the details in the following Sections. At the second meeting, staff suggests reviewing Sections 4 to 5, and Sections 7 to 11. These are the main regulations in the Ordinance. Finally, at a third meeting, staff suggests reviewing the remaining sections: Section 6, and Section 12. Section 2 should be reviewed throughout all meetings.

The content of the proposed Sign Ordinance is a combination of relevant parts of the current Sign Ordinance, standards from other municipalities, and views from staff, the Plan Commission, and the Village Board. Many materials were referenced including sign plans, the Route 47 Corridor Manual, news articles, planners' resources, conference materials, pictures of signs both in and outside the Village, and other research.

In addition to the Sign Ordinance itself, CD staff intends to create a separate sign permit application which will include all submittal requirements and a description of the submittal, review, and approval process.

Attachments:

1. Draft Sign Ordinance (dated July 16, 2013)

COST

The only cost to date was publication of the public hearings and Village Attorney time.

RECOMMENDATION

That the Committee review the Comprehensive Sign Ordinance Update over three meetings and provide any feedback prior to scheduling for approval at a regular Board meeting.

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
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MIKE FERENCAK, VILLAGE PLANNER
SUBJECT: DISCUSSION: ZONING (SIGN) ORDINANCE TEXT
AMENDMENT TO AMEND SECTIONS 11-7-2, 11-7-3, 11-7-4,
11-9A-2, 11-12-3, 11-12-6, 11-14 AND 12-6-10
AGENDA: AUGUST 6, 2013 COMMITTEE OF THE WHOLE MEETING
DATE: AUGUST 2, 2013

ISSUE

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In addition to the Sign Ordinance itself, CD staff intends to create a separate sign permit application which will include all submittal requirements and a description of the submittal, review, and approval process.

Attachments:

1. Draft Sign Ordinance (dated July 16, 2013)

COST

The only cost to date was publication of the public hearings and Village Attorney time.

RECOMMENDATION

That the Committee review the Comprehensive Sign Ordinance Update over three meetings and provide any feedback prior to scheduling for approval at a regular Board meeting.

INTERGOVERNMENTAL AGREEMENT FOR SNOW PLOWING

This Agreement entered into this ____ day of _____ 2013 by and between the Sugar Grove Township Road District, a unit of local government of the State of Illinois, (hereinafter the "District") and the Village of Sugar Grove, a municipal corporation of the State of Illinois, (hereinafter the "Village"). The Village and the District are collectively sometimes referred to herein as the "Parties" and each individually as a "Party".

WITNESSETH

WHEREAS, the Village and the District are authorized to agree and cooperate among themselves pursuant of the provisions of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act of the Illinois Compiled Statutes; and,

WHEREAS, due to the nature of Village boundary lines, certain streets are, for certain distances, out of the Village's jurisdiction for a short period of time (hereinafter referred to as "gap areas") and thereafter are again in the Village's jurisdiction; and,

WHEREAS, similarly, due to the nature of Village boundary lines, certain streets are, for certain distances, out of the Township's jurisdiction for a short period of time (hereinafter referred to as "gap areas") and thereafter are again in the Township's jurisdiction; and,

WHEREAS, it is in the best interest of the Citizens of the Village and the Township that the snow plows of one jurisdiction plow these gap areas of streets rather than skipping such areas and leaving them for the other jurisdiction to plow; and,

WHEREAS, this agreement shall be to the benefit of the citizens of the District and the Village and shall further the safety of the motoring public.

NOW THEREFORE, in consideration of the above stated preambles and for good and valuable consideration the sufficiency of which is agreed to between the Parties, both the District and the Village agree as follows, to wit:

1. The Village and the District agree to coordinate on a yearly basis (through their staff) which jurisdiction shall plow which gap areas of which streets. An initial exhibit of listed streets is attached hereto as Exhibit A; however, due to the changing nature of boundary lines, the staff of each jurisdiction is hereby empowered to attach an amended Exhibit A, from time to time, if both jurisdictions' staffs agree to the amended Exhibit A.

2. The Jurisdiction charged with a given street agrees to perform snow plowing and ice control in accordance with standards established by the jurisdiction plowing said street and with any and all standards promulgated therefore by the Illinois Department of Transportation and in compliance with any and all applicable provisions of the Illinois Compiled Statutes.

3. Each jurisdiction shall continue to perform at its own cost all other items of routine highway maintenance on its streets, including but not limited to, the following:

All highway striping
Highway resurfacing
Highway reconstruction
Maintenance of all highway signs
Crack sealing
Shoulder grading

4. The Village shall indemnify, defend, and save harmless as herein provided, the District, its officers, agents, officials, servants, and employees from any and all liability, claims, manner of actions, cause, and causes of action, suits, sums of money, covenants, controversies, agreements, promises, damages, judgments, claims, and demands, whatsoever, in law or in equity, and particularly and without limiting the generality of the forgoing any and all personal injuries, property damage or death, including claims for indemnity or contribution, attorneys' fees, and litigation expenses all and in any case or manner arising out of, caused by, or in consequence of the negligence of the Village, and/or their employees, officers, agents, or servants arising from its obligations under this Agreement.

5. The District shall indemnify, defend, and save harmless as herein provided, the Village, its officers, agents, officials, servants, and employees from any and all liability, claims, manner of actions, cause, and causes of action, suits, sums of money, covenants, controversies, agreements, promises, damages, judgments, claims, and demands, whatsoever, in law or in equity, and particularly and without limiting the generality of the forgoing any and all personal injmies, property damage or death, including claims for indemnity or contribution, attorneys' fees, and litigation expenses all and in any case or manner arising out of, caused by, or in consequence of the negligence of the District, and/or their employees, officers, agents, or servants arising from its obligations under this Agreement.

6. This agreement may be terminated by either Party hereto, commencing the ensuing year, upon ninety days written notice of such termination, prior to January 1, to the Village's President or the District's Supervisor.

IN WITNESS WHEREOF, the parties set their hands and seals as of this ____ day of _____ 2013.

Village:

District:

Village President

Highway Commissioner

Village Clerk

Ex-Officio Clerk

Date

Date

Exhibit A

Areas of roadways to be plowed by jurisdiction

Village:

Prairie St. (East of Rt. 47 to Village limits)

Norris Rd. (South of Rt. 88)

Denny Rd. (Bliss Rd. to Norris Rd.)

Dugan Rd. (Village limits to Scott Rd.)

Wheeler Rd.

Township:

KeDeKa Rd.

New Bond Rd.

Prairie St. (West of Rt. 47)

Main St (1st St. to Rt. 47)

Hankes Rd. (west Village limits to Winthrop New Rd intersection)

Merrill Rd. (west Village limits to Wheatfield Rd)

**VILLAGE OF SUGAR GROVE
BOARD REPORT**

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: ANTHONY SPECIALE, DIRECTOR OF PUBLIC WORKS
GEOFF PAYTON, STREETS / PROPERTIES SUPERVISOR
SUBJECT: RESOLUTION: INTERGOVERNMENTAL AGREEMENT WITH SUGAR
GROVE TOWNSHIP ROAD DISTRICT FOR SNOW AND ICE CONTROL
AGENDA: AUGUST 6, 2013 REGULAR BOARD MEETING
DATE: JULY 29, 2013

ISSUE

Should the Village enter into an agreement with Sugar Grove Township Road District for snow and ice control.

DISCUSSION

The intergovernmental agreement for snow and ice control was discussed at the July 16, 2013 Committee of the Whole meeting and was recommend to be brought back for approval.

The agreement stipulates that each agency will communicate on a yearly basis any changes to the designated areas, the agency providing service will execute operations based on the standards established by the responsible agency and that each jurisdiction will retain the maintenance responsibilities outside of snow removal (such as pavement maintenance, pavement striping and shouldering, etc.). Each agency shall also hold the other harmless in regards to any claims, law suits or accidents. Either agency could terminate the agreement with written notice 90 days prior to January 1st of any given year.

The agreement has been review by the Village Attorney and Greg Huggins of the Sugar Grove Township Road District and has been found to be acceptable pending final development of the gap areas. The final agreement has been attached for execution.

COST

There are no costs associated with entering into this agreement with the Township. Attorney fees for reviewing the document are estimated at \$200.

RECOMMENDATION

The Village Board approves **Resolution #20130806PW2** authorizing the Village President to enter into an intergovernmental agreement for Snow and Ice Control with Sugar Grove Township Road District.



RESOLUTION NO. 20130806PW2

VILLAGE OF SUGAR GROVE, KANE COUNTY, ILLINOIS

RESOLUTION AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH SUGAR GROVE TOWNSHIP ROAD DISTRICT FOR SNOW AND ICE CONTROL OPERATIONS

WHEREAS, the Village of Sugar Grove Board of Trustees find that it is in the best interest of the Village to enter into an Intergovernmental Agreement with the Sugar Grove Township Road District for Snow and Ice Control Operations, and to execute the attached agreement;

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

That attached hereto and incorporated herein by reference as Exhibit A is an agreement between the Sugar Grove Township Road District and the Village of Sugar Grove for to provide for Snow and Ice Control Operations. The Village President is hereby authorized to execute said agreement on behalf of the Village and to take such further actions as are necessary to fulfill the terms of said agreement.

Passed by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, at a regular meeting thereof held on the 6th day of August, 2013.

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

ATTEST: _____
 Cynthia Galbreath, Village Clerk,
 Village of Sugar Grove

	Aye	Nay	Absent	Abstain
Trustee Robert E. Bohler	_____	_____	_____	_____
Trustee Kevin M. Geary	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee Mari Johnson	_____	_____	_____	_____
Trustee Rick Montalto	_____	_____	_____	_____
Trustee David Paluch	_____	_____	_____	_____