

February 20, 2018
Board Meeting
Village of Sugar Grove
6:00 PM

President Michels opened the meeting at 6:00 PM and asked that Trustee Paluch lead the pledge lead the Pledge. The roll was then called.

Present: President Michels (6:22 p.m.), Trustee Herron, Trustee Lendi, Trustee Koch, Trustee Montalto, and Trustee Johnson.

Absent: Trustee Paluch

Quorum Established.

Also Present:

Clerk Galbreath, Finance Director Anastasia, Community Development Director Magdziarz, Police Chief Rollins, Director of Public Works Speciale, Water and Sewer Supervisor Merkel.

PUBLIC HEARINGS

None.

PUBLIC COMMENTS ON ITEMS SCHEDULED FOR ACTION

President Pro-Tem Johnson called for any public comment. Mr. Jerry Elliot of the Sugar Grove Water Authority presented the Board with pamphlets on Drinking Water. No other member of the stepped forward and this item was closed.

CONSENT AGENDA

- a. Approval: Minutes of January 23, February 5, and February 6 meetings
- b. Approval: Vouchers
- c. Approval: Treasurer's Report

Trustee Montalto **moved to Approve the Consent Agenda as presented.** Trustee Herron seconded the motion. President Michels then called for a roll call vote.

| AYE: | Koch | NAY: | None | ABSENT: | Paluch |
|------|----------|------|------|---------|--------|
| | Johnson | | | | |
| | Montalto | | | | |
| | Herron | | | | |
| | Lendi | | | | |

Motion Carried

GENERAL BUSINESS

Resolution: Authorizing an Agreement, - Wheeler Road Lift Station Rehabilitation

Trustee Koch **moved to Adopt a Resolution Authorizing an Agreement for the Rehabilitation of the Wheeler Road Lift Station.** Trustee Montalto seconded the motion. President Pro-Tem Johnson then called for a roll call vote.

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|------|----------|------|------|---------|--------|
| AYE: | Koch | NAY: | None | ABSENT: | Paluch |
| | Johnson | | | | |
| | Montalto | | | | |
| | Herron | | | | |
| | Lendi | | | | |

Motion Carried

Ordinance: Amending the Subdivision Code

Trustee Heron **moved to Approve the Consent Agenda as presented.** Trustee Montalto seconded the motion. President Pro-Tem Johnson then called for a roll call vote.

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|------|----------|------|------|---------|--------|
| AYE: | Koch | NAY: | None | ABSENT: | Paluch |
| | Johnson | | | | |
| | Montalto | | | | |
| | Herron | | | | |
| | Lendi | | | | |

Motion Carried

a.

DISCUSSION ITEMS

Sign Code Update

Community Development Director stated that in 2014 Village Board adopted a comprehensive amendment of the sign. In 2015, the US Supreme Court (SCOTUS) handed down a decision in *Reed v Town of Gilbert (AZ)* that turned sign regulations on its head. The Court decided that local sign ordinances which regulate signs based on *message content* are in violation of the First Amendment of the U.S. Constitution. In order to be consistent with the law of the land, the Village is faced with amending its sign regulations once again.

Attorney Andersson stated that the court decision affects all of the U.S. and the only decision left that can be discussed about a sign is size, dimension, lighting etc, and no wording. The Village can disallow signs that are vulgar or are defamitoy however it could go to court. The Village still has the right to remove a sign that is on any public property. HOA's are also ok to self-regulate signage.

Prior to *Reed*, the protection of speech, as it related to local sign ordinances, was limited to preventing local governments from banning disagreeable speech through sign ordinances. The majority opinion handed down in *Reed* greatly expanded that protection.

The sign at the center of the *Reed* case was a temporary directional sign. A local Church, which did not have a permanent home, relied upon the placement of temporary directional signs, each week, to inform members of the time and place of their worship service. The city held that the weekly placement of these signs violated the sign ordinance time limit provision for temporary directional signs. Because the sign ordinance allowed other similar temporary signs to be maintained for longer periods of time, the Court found that this difference in treatment, based solely on message content, is an unfair suppression of free speech.

The Court majority opinion recognizes the importance of local sign regulations which regulated time, place, and manner of signage. The opinion also recognizes the difficulty of creating a sign ordinance which is completely content neutral. The opinion makes clear that any regulations which are not content neutral must be narrowly tailored to protect a specific public interest.

Since the current Sugar Grove sign ordinance regulates signs based mostly on the content of their message, e.g. directional, menu boards, development name, business name, etc., this text amendment is intended to provide regulations that are not completely content neutral, but more content neutral than the current sign regulations.

The most profound differences between the regulatory content of the current sign ordinance and the proposed sign ordinance are as follows:

- The proposed sign ordinance relies mostly on sign type instead of message content to regulate signage.
- Temporary signs are not granted nonconforming status. All nonconforming temporary signs will be required to be compliant within six (6) months of the passage of the proposed amendment.
- The proposed amendment requires a minimum post size for temporary commercial “real estate” signs and prohibits the use of rough-cut plywood. The current ordinance provides no design requirements for “real estate” signs.
- The current ordinance requires that monument signs make full and continuous contact with the normal grade. The current ordinance does not require that monument signs be designed with a masonry base material. Landscape plantings around the base of the sign are not currently required. The proposed text amendment permits monument style signs with shrouded posts and a maximum open space of one (1) foot between the bottom of the sign and the natural grade. The proposed text amendment requires landscaping around the base of all monument signs. The proposed text amendment also requires the use of masonry materials for the base or supporting posts of all monument sign structures.

- The current sign ordinance prohibits pole signs as the primary identification sign on a lot nor does it require a minimum lot size or frontage for the installation of a ten (10) foot by twelve (12) foot monument style sign. Therefore, the current sign ordinance allows the same permanent freestanding sign on Sugar Grove Parkway and on Main Street. The proposed text amendment allows a pole sign to be installed as the primary signage for commercial lots that contain less than the requisite 150 feet of public street frontage for a monument sign. This will mostly apply to lots in the downtown core. The proposed ordinance will allow for a more fitting five (5) foot tall pole sign on these commercial lots.
- The proposed text amendment provides for a master sign plan. A master sign plan will be required for every new planned unit development and subdivision within the Village. This will be a way of insuring unified sign standards within planned unit developments after the developer has turned over control to individual owners and/or tenants.

The Planning Commission recommends approval of the comprehensive sign regulations amendment

PUBLIC COMMENTS

None.

REPORTS

Reports from all liaisons were given. Finance Director Anastasia stated that the first budget workshop will be held on March 6th and expected approval is set for April 3, 2018.

The Board congratulated Groovin' in the Grove for a successful evening.

President Michels asked when the area by the Dunk Donuts would be cleaned up. It was stated that they have until March 1st and if not done the work will be completed and paid for by the escrow.

AIRPORT REPORT

None.

ADJOURNMENT

Motion to adjourn made by Trustee Herron seconded by Trustee Montalto at 6:40 p.m.