

**December 04, 2018
Board Meeting
Village of Sugar Grove
6:00 PM**

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

Present: President Michels, Trustee Paluch, Trustee Lendi, Trustee Montalto, Trustee Koch, Trustee Herron and Trustee Johnson.

Quorum Established.

Also Present:

Administrator Eichelberger, Clerk Galbreath, Community Development Director Magdziarz, Finance Director Anastasia, Chief of Police Rollins, Public Works Director Speciale, and Senior Management Analyst Murphy.

PUBLIC HEARINGS

PH: Annexation Agreement Amendment – Crown Property, open and continue to 1/8

President Michels asked for a motion to continue to the Public Hearing to January 8 2019. Motion made by Trustee Herron and seconded by Trustee Johnson. **Motion Carried.**

PH: Boundary Agreement with Aurora

President Michels asked for a motion to continue to the Public Hearing to January 8 2019. Motion made by Trustee Herron and seconded by Trustee Johnson. **Motion Carried.**

APPOINTMENTS AND PRESENTATIONS

Fox Metro Update

Mr. Muth and Mr. Ferrak explained the items that Fox Metro is currently working. Most of the improvements at this time are for phosphorus removal. Removing phosphorus will improve even more the quality of the Fox River. They have also improved their overflow capability. Over flow is used for period of heavy rain when some sanitary sewers may have rainwater that infiltrates. Also the City of Aurora does have combined system (sanitary and storm) however they been working on separating the two and are doing a great job. Fox Metro incorporated in 1925, Sugar Grove annexed in 1999 and they serve seven communities

PUBLIC COMMENTS ON ITEMS SCHEDULED FOR ACTION

President Michels called for any public comment. Mr. Guddendorf asked that the Fire Department receive information on the boundary agreement with Aurora. No other member of the audience stepped forward and this item was closed.

CONSENT AGENDA

- a. Approval: Vouchers
- b. Proclamation: National Drunk and Drugged Driving Prevention Month
- c. Resolution: Review of Closed Session Minutes
- d. Ordinance: Tax Levy for the Fiscal Year May 1, 2019 to April 30, 2020
- e. Ordinance: Abating 2018 Taxes related to Debt Service – 2009 GO AR Bonds
- f. Ordinance: Abating 2018 Taxes related to Debt Service – 2013A GO AR Bonds
- g. Ordinance: Abating 2018 Taxes related to Debt Service – 2017 GO RAR Bonds
- h. Resolution: Declaring Notice of SA Supplemental Bond and Procedures Act
- i. Ordinance: Tax Levy for the Mallard Point SA for the FY May 1, 2019 to April 30, 2020
- j. Resolution: Authorizing a PSA for Engineering Services for the 2019 Road Program- EEI
- k. Resolution: Appropriating MFT Funds for the 2019 Road Program

- l. Resolution: Authorizing PSA for Traffic Impact Study for 47 & Community Drive Amendment #1 – HRG
- m. Resolution: Approving Water Treatment Facility Media Replacement

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

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

Motion Carried.

GENERAL BUSINESS

Resolution: Objecting to an Extra-Territorial Zoning Request

Died for lack of motion.

Resolution: Accepting a Proposal from SB Friedman, Chicago Illinois for the Provision of an Eligibility Study for Certain Real Property

Trustee Johnson **moved to Adopt a Resolution Accepting a Proposal from SB Friedman, Chicago Illinois for the Provision of an Eligibility Study for Certain Real Property.** Trustee Montalto the motion. President Michels then called for a roll call vote.

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

Motion Carried.

DISCUSSION ITEMS

Leaf Burning Regulations

Police Chief Rollins stated that leaf burning has been a means for disposing of the leaves in parts of the Village. Some residents have heavily wooded properties and others have smaller lots where homes are very close to one another.

All Village Departments receive citizen complaints during the fall timeframe. This fall was no different, seeing numerous complaints for health and safety issues due to burning of landscape debris, including leaves and the effects it has on the neighborhoods. Thick smoke drifting throughout various subdivisions, combined with the lasting smell entering into nearby residences from neighbor’s burning leaves, to unattended smoldering piles of leaves have been just some of the concerns raised again this year by our citizens. In addition, smoke has caused traffic safety impediment where burning of leaves in a

backyard has caused smoke out conditions on Rt. 56. One single residence open burning even with less than 10mph winds covered a plus 200 foot thick haze visibility issues while vehicles were traveling eastbound Rt. 56.

Officers who respond to these types of complaints, often feel helpless speaking with the callers when the landscape debris burning meets the existing permitted use. They ask to have the smoldering smoke and smell filled air entering their homes stop. Some of the residents explain in detail their existing health issues to the responding officers as they want the other party to cease with the burning of leaves and pay for dry cleaning, cleaning of the furniture, healthcare bills, and air duct cleaning. Officers are not able to provide relief to them as the other party is compliant with the existing ordinance as its written.

As a point of reference, below is our existing ordinance regarding Open Burning.

4-6-1: DEFINITIONS:

As used in this chapter, the following words and terms shall have the meanings ascribed to them in this section:

OPEN BURNING OR OPEN FIRE: Any burning of materials outside any building whether in a container, pit, or enclosed in any manner.

PERSON: Any individual, group, association, or corporation of any form or type. (Ord. 648, 9-3-1996)

4-6-2: OPEN BURNING PROHIBITION:

Burning and open fires of any combustible materials of whatever type and kind within the village limits are prohibited with only certain limited exceptions as set forth in this chapter. (Ord. 648, 9-3-1996)

4-6-3: EXCEPTIONS:

Open fires may be maintained within the village under the following circumstances:

Village Officials: Fires started and attended by the personnel of the village or the Sugar Grove fire protection district.

A. Recreational Purposes: Recreational campfires of less than three feet (3') in diameter burning untreated wood only, within a contained area, from the hours of ten o'clock (10:00) A.M. until ten o'clock (10:00) P.M. Sunday through Thursday and ten o'clock (10:00) A.M. through one o'clock (1:00) A.M. on Friday and Saturday.

B. Request Permit: Festive and/or ceremonial burnings in excess of three feet (3') in diameter with a permit issued by the village. The village administrator or his/her designee shall review the permit request and may approve a permit with certain conditions or deny the request on the grounds of public safety when appropriate. Permitted burning hours shall be from the hours of ten o'clock (10:00) A.M. until ten o'clock (10:00) P.M. Sunday through Thursday and ten o'clock (10:00) A.M. through one o'clock (1:00) A.M. on Friday and Saturday.

C. Cooking: Open fires used for cooking food at public or private gatherings, provided that such fires are exclusively for said purposes between the hours of seven o'clock (7:00) A.M. until ten o'clock (10:00) P.M. Sunday through Thursday and seven o'clock (7:00) A.M. through one o'clock (1:00) A.M. on Friday and Saturday. (Ord. 648, 9-3-1996)

D. Landscape Debris: Leaves, diseased trees, and tree debris only may be burned on the premises on which they are generated, provided the burning takes place between ten o'clock (10:00) A.M. and six o'clock (6:00) P.M., with the wind velocity being less than ten (10) miles

per hour. Burning leaves and debris must be completely extinguished after six o'clock (6:00) P.M., or if not attended as per section [4-6-5](#) of this chapter. (Ord. 2011-07-05A, 7-7-2011)

4-6-4: FIRE LOCATION:

No open burning may be maintained upon any public right of way in the village whether it be street, alley, parkway, or any other area within such public right of way. The burning also must be maintained a distance of not less than twenty feet (20') from any such right of way. Burning must be maintained a distance of not less than five feet (5') from any neighboring side or rear lot line and not less than twenty feet (20') from any structure. This section refers specifically to subsections [4-6-3B](#), C, and E of this chapter. (Ord. 648, 9-31996)

4-6-5: ATTENDANCE:

At such times that any open burning is being maintained at any location for any reason, the fire must be attended by an adult owner of the property on which the fire is being maintained or a supervisory person, eighteen (18) years or older, in charge of the persons conducting the burning. All fires must be completely extinguished beyond permitted burning times or if not attended. (Ord. 648, 9-3-1996)

The by-products of the burning landscape debris continues to be the health and safety issue this year. Residents are citing the recent wildfires in California and concern for their residences because the fires are not physically attended by the party doing the burning. Also, as the leaves get wet, the smoke and smell is more intense as residents burn their leaves to dispose of them. In addition, complaints of bond fire size branches/logs from dead trees or damaged limbs is about the size of the fire. In addition, concern it is not properly attended or does not have immediate ability to be extinguished if an issues arises.

Residents have implored us to bring back in front of the Village Board their concerns and see if the ordinance can be changed.

For discussion purposes, there are many considerations and below are just a few to start the conversation.

Options:

- No Change to the Ordinance, keep as is, thus allow the current practice of burning of landscaping debris, including leaves.
- Minor change to the Ordinance while permitting Landscape Debris to be burned, but require the material to be placed in a contained built ring or fire pit not to exceed a certain diameter.
- If open burning of Landscape debris remains, require that a fully functioning water hose is within 10 feet of the open burning with the hose line charged.
- If open burning of Landscape debris remains, require that a responsible person is outside any structure within 25 feet of the open burning at all times. Change 4-6-5 to be more specific on the term "attended" And must be manned (physically present outside at all times within 25feet) by a person 18years of age and older who can put the fire out.
- Eliminate section 4-6-3-E Open Burning of Landscape Debris

Mrs. Michelson asked that the Board consider eliminating the burning of landscape degris. She has COPD and is adversely affected. Mr. Janik stated that he felt burning should be allowed as at bagging leaves is a lot of work. Mr. Joe wolf stated that burning should be banned. It is the right thing to do and there is a need to address it.

The Board discussed the various options that had been presented. Most of the Board members agreed that burning of landscape debris should be eliminated. However understanding that some residents prefer to burn they asked that staff poll surrounding communities to how landscape debris is handled. Staff was directed to research and return additional information to the Board.

Proposed Transportation Projects (PTP) Update

Director Special stated that this item was discussed at the November 6, 2018 Board Meeting. Staff has reviewed the PTP list in consultation with the Village Board and the Village Engineer. Existing conditions, development patterns and future traffic volumes were used to develop the following list. The facilitation of economic development and congestion mitigation were critical factors in the update. As the Village has stressed the importance of staying ahead of planning for our transportation needs; this list continues to be an important tool in preparing for our future.

1. (1.c) SGP (IL 47) & I-88 Interchange eastbound on-ramp and westbound off-ramp.
2. (New) SGP (IL 47) & Community Drive (mid-point between Galena Boulevard and US 30) signalized intersection.
3. (1.e) SGP (IL 47) reconstruction and widening to a four lane urban section with center protected turn lanes from I-88 Interchange south to Old Oaks Road.
4. (1.b) SGP (IL 47) reconstruction and widening to an urban section with center protected turn lanes from Galena Boulevard south to Chelsea Road.
5. (4.a) Seavey Road/Orchard Gateway reconstruction and widening from SGP (IL47) to Bliss Road.
6. (13) Bliss Road & I-88 full interchange construction.
7. (4.b) Seavey Road/Orchard Gateway reconstruction and widening from Bliss Road east to Aurora city limits.
8. (New) SGP (IL 47) & Bliss Road/Wheeler Road intersection reconfiguration.
9. (New) SGP (IL 47) & Park Avenue intersection signalization.
10. (New) SGP (IL 47) & Prairie Street realignment and intersection signalization.
11. (6.a-f) Multimodal transportation center & service.
12. (8) Gordon Road extension from Parkside Drive south to Jericho Road.
13. (12) Denny Road extension from Red Bud Lane west to SGP (IL 47).
14. (3.a) Municipal Drive extension from Galena Boulevard north to Wheeler Road.
15. (11) Ke-De-Ka Road extension from SGP (IL 47) west to Heartland Drive & connecting to Cardinal Drive.
16. (3.b) Municipal Drive extension from Wheeler Road north to Hartland Drive/SGP (IL 47).

17. (1.d) SGP (IL 47) reconstruction and widening to an urban section with center protected turn lanes from Old Oaks Road south to Galena Boulevard.
18. (1.a) SGP (IL 47) reconstruction and widening to an urban section with center protected turn lanes from Chelsea Road south to IL 30 (Base Line Road) with replacement of the railroad bridge.
19. (2) Galena Boulevard reconstruction and widening to an urban section with center protected turn lane from Capitol Drive east to Gordon Road.
20. (1.f) SGP (IL 47) median landscaping from Cross Street north to Wheeler/Bliss Road.
21. (14) Hankes Road & IL 56 partial interchange construction.
22. (10) US30 widening to a four lane rural with center protected turn lane from Municipal Drive west to Dugan Road.
23. (9.a-c) Municipal Drive extension from Snow Street south to US30 (Baseline Road).
24. (5) Wheeler Road reconstruction to a rural Class II Truck Route from Heartland Drive west to Dugan Road.
25. (7) Dugan Road reconstruction to a rural Class II Truck Route from US30 north to Wheeler Road.
26. (New) Quiet Zone / Prairie Street realignment
27. (New) Galena Boulevard turn lanes at Gordon Road intersection / IL 56
28. (New) Galena Boulevard & Gordon Road intersection signalization
29. (New) Esker Drive Extension from Harter Road to SGP (IL 47)
30. (New) New roadway connection over Blackberry Creek from Galena Boulevard to Hankes Road

The Board discussed the list and agreed on the items. However, they asked that items 9 and 10 move up to the 5 and 6 spots.

REPORTS

Director Speciale stated that the snow received was heavy causing downed trees and power line. Chief Rollins stated that responded to many accidents of motorist sliding off the roads.

Trustee Herron stated all went with the holiday in the Grove. Trustee Koch commented on the Ribbon Cutting at Anytime fitness. He also reminded everyone about the upcoming holiday luncheon at the chamber. Trustee Johnson stated that soon the indoor Farmer Market would be at the Library.

President Michels stated he had a great talk with the 4th graders at McDole Elementary School and wished Illinois a Happy 100th Birthday.

AIRPORT REPORT

None.

PUBLIC COMMENTS

None.

Closed Session

Trustee Johnson **moved to Adjourn to Closed Session to discuss personnel as per the exceptions to the open meeting and adjourn the meeting therefrom.** Trustee Montalto seconded the motion. President Michels then called for a roll call vote.

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

Motion Carried.

ADJOURNMENT

Motion adjourn at 7:45 p.m. by Trustee Johnson, seconded by Trustee Montalto.