

**May 7, 2019
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 Lendi, Trustee Herron, Trustee Montalto and Trustee Koch

Quorum Established.

Also Present:

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

PUBLIC HEARINGS

None.

APPOINTMENTS AND PRESENTATIONS

Oaths of Office

President Michels congratulated Jennifer Konen, Heidi Lendi and Ryan Walter on being elected and administered the Oath of Office for Village Trustee, formally seating Trustee Walter, Trustee Lendi and Trustee Konen to their four-year term office.

PUBLIC COMMENTS

President Michels called for public comment. Hearing no comment this portion of the agenda was closed.

CONSENT AGENDA

- a. Approval: Minutes of the April 16, 2019 meeting
- b. Approval: Vouchers
- c. Proclamation: Public Works Week
- d. Proclamation: National Police Week & Peace Officer's Memorial Day
- e. Resolution: Authorizing the Purchase of an Easement for the Bliss Rd. & Sugar Grove Parkway Intersection Improvement Project - STAR
- f. Resolution: Approving a Collective Bargaining Agreement with Illinois FOP – Sergeants

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:	Konen	NAY:	None	ABSENT:	None
	Herron				
	Walter				

	Lendi				
	Montalto				
	Koch				

Motion Carried.

GENERAL BUSINESS

Ordinance: Granting as Special Use and Height Variation for the Sugar Grove Fire Protection District Training Facility

Trustee Koch moved to an Ordinance: Granting as Special Use and Height Variation for the Sugar Grove Fire Protection District Training Facility. Trustee Montalto seconded the motion. President Michels thanked the Fire Department for working on a great resolution in moving the structure, making better use of the property and pleasing the residents. Resident Knopp also thanked the department. President Michels then called for a roll call vote.

AYE:	Konen	NAY:	None	ABSENT:	None
	Herron				
	Walter				
	Lendi				
	Montalto				
	Koch				

Motion Carried.

DISCUSSION ITEMS

Sugar Grove Parkway Shared Use Path – Cross St. to Rolling Oaks

Public Works Director explained that this item is non-binding at this time. It for the Board to consider if the Village should authorize a Letter of Understanding with the Illinois Department of Transportation (IDOT) for the Future IL 47 widening from Cross Street to Galena Road. DISCUSSION Funding for the improvements for the Future IL 47 widening from Cross Street to Galena Road are tentatively funded in the Proposed Highway Improvement Program subject to plan readiness and funding availability.

A Letter of Understanding (LOU) is used to confirm the Villages concurrence and cost share responsibilities for the project. This project is currently in the final stages of the Phase I Approval Process. The scope of this work could consist of widening IL 47 from Cross Street to Galena Road to provide two lanes in each direction with a raised median, shoulder or curb and gutter, pedestrian / bicycle accommodations and intersection and safety improvements as needed. The items discussed in the LOU include: Pedestrian / Bicycle accommodations. The plan could include a 10’ wide shared use path on the east side of IL 47 from Rolling Oaks Road to Cross Street. Staff is recommending signing the LOU to indicate that the Village would be interested with the pedestrian / bicycle improvements. The Village would be responsible for the long-term

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maintenance associated with these improvements. The Village's estimated future costs associated with the LOU are \$18,800.

The funds would need to be included in the General Capital Fund in the future. In addition, the Village would need to fund in future budget years the long-term maintenance associated with these improvements. Costs for long term maintenance are undetermined at this time. IDOT will provide an updated cost estimate at the end of Phase II Engineering, which is expected to take 18-24 months.

At that time the Village will need to make a final decision on the path. A copy of the LOU is attached for your review and the final LOU would be subject to Attorney Review. COST There are no cost commitments at this time. Future costs are estimated at \$18,000 for construction and an undetermined cost for ongoing maintenance. That the Village Board discuss the Letter of Understanding with IDOT for the future IL 47 Mainline widening project and direct Staff to sign the LOU. It is estimated that the earliest the work would begin would be 2024.

The Board discussed the path and agreed that it is in the Village's best interest to authorize the Letter of Understanding.

Amending Code for Meetings Rules and Procedures – Visitors (Public Comment)

Clerk Galbreath stated it has been brought to Staff's attention that the Village of Sugar Grove Code needs to be amended to recognize changes in the Open Meetings Act. The Open Meetings Act allows for public bodies to make reasonable regulations on public comments. Reasonable regulations include "time, place, and manner" to allow for comments one feels necessary to further a significant government interest. For example, limiting public comments to time limits is permitted. The Village's current code for accepting comments at a meeting calls for a person to state their name and address which has been determined by the Illinois Attorney General to be unreasonable. The Act does not require a public body subject itself or others to harassment or vulgarity, and rules prohibiting such speech by the public are regularly upheld when they are reasonably enforced. Public officials can also take comfort in the fact that no portion of the Open Meetings Act, or any other law, requires that members of the public body respond to public comments or otherwise engage in a dialogue or debate with a speaker. This is true even if a member of the public demands an immediate answer to their question or concern.

It is Staff's recommendation that an ordinance be prepared to update Code be as follows: 1-8-2 G. Meetings; Rules of Order and Procedures

1. Visitors desiring to address the Board shall raise their hand when the call for public comment is given. The Village President will the recognize members of the public at which time they may address the Board.
2. Individual comment is limited to three (3) minutes. The Village President will notify the speaker when time has expired.
3. 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.
4. 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

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That the Board discuss amending the rules for meetings regarding public comment and while concerned about setting a time limit, understood that this can easily be overridden and if so desired amended in the future. The Board directed staff to prepared an ordinance amending as presented.

REPORTS

Director of Public Work Speciale stated that staff is starting to use hot patch on pot holes and working ROW restoration from the winter. Chief Rollins stated that he would be attending a Police Memorial function at Mooseheart and the Cop on a Rooftop would be on May 17 at Dunkin.

President Michels thanked staff for working on the community newsletter. Trustee Lendi asked about the status of the Sugar Grove Parkway and Park Avenue traffic device. It was answered that the updated study and information has been submitted to IDOT for response. Trustee Koch reminded everyone about the Chamber After Hours. Trustee Montalto gave an update regarding Groovin in the Grove.

Trustee Konen asked about the forms of communization that can be used in the meetings. She wondered how to go about asking for things to be placed on an agenda for discussion. It was explained that any item can be discussed in a meeting it is just an item that is up for formal approval that needs to be placed on an agenda. However, that being said it is best to bring up at a meeting and get it on a discussion for discussion as it gives both the Board and staff time to gather their thoughts and information on a topic. Trustee Konen thanked staff for that in put as she likes to be able to discuss items with other to get a feel off what they feel and to feed off their ideas. Trustee Konen said she would like to talk about Crown at a meeting as it looks like it may be going to Elburn. Trustee Leni asked if something could be put on the web to let the people know they are interested in going to Elburn and what the status is.

Administrator Eichelberger stated that Crown has withdrawn and reached out to Elburn however no formal petition has been submitted. Crown is exploring other options and does have the option to de-annex from Sugar Grove. They could even make a formal petition to another municipality prior to de-annexing. Trustee Montalto stated that Crown going to Elburn would not be good as Elburn has said there would be no residential in the area if it became a part of Elburn.

Trustee Walter stated he also wanted to be open and share.

Someone asked about boundary agreements (it was missed whom, as the audience was loud) and Administrator Eichelberger explained the Public Hearing procedure and that Elburn is not responsive at this time.

President Michels explained his testimony for MetroWest before the senate regarding Illinois Infrastructure needs.

AIRPORT REPORT

None.

PUBLIC COMMENTS

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It was asked if the Village would be doing any vision planning with community input like was done in the past, similar to the TIF presentation. President Michels stated that the Board would be doing some capital planning and it will be on the agenda, perhaps in the Fall. Administrator Eichelberger also stated that Q & A's will be on the web within a week from the TIF meeting.

Another audience member asked about the private meetings that the Trustee's had with Crown and what happened and when will the public know and why the secrecy.

Administrator Eichelberger stated that Crown requested the meetings to determine if it was a viable project and they were informed of the Village Board and the Public concerns, traffic, air quality etc. No new plans were discussed. The Board was firm that the plans need to be changed. He further explained that anyone can meet one on one with a member of the Board (any Board not just Sugar Grove). There are no secrets being kept and the meetings were not secret.

ADJOURNMENT

Motion adjourn at 7:03 p.m. by Trustee Herron, seconded by Trustee Montalto.

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