

September 03, 2019
Board Meeting
Village of Sugar Grove
6:00 PM

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

Present: President Michels, Trustee Lendi, Trustee Herron, Trustee Montalto, Trustee Konen, Trustee Walter and Trustee Koch

Quorum Established.

Also Present:

Administrator Eichelberger, Attorney Wilson, Streets and Properties Supervisor Payton, Clerk Galbreath, Public Works Director Speciale, Community Development Director Magdziarz, Attorney Wilson, Management Analysts Murphy and Police Chief Rollins.

PUBLIC HEARINGS

None.

APPOINTMENTS AND PRESENTATIONS

Presentation 2018-2019 General Fund Preliminary Audit Findings

Finance Director Anastasia explained that during the Board meeting on August 20th there was a discussion regarding the Sidewalk Program on funding above the budgeted amount in fiscal year 2019-2020. With the anticipation of the fiscal year 2018-2019 audit being complete by the next meeting, it was decided to bring the sidewalk program back up after we determine if there was a deficit or surplus for fiscal year 2018-2019.

The Village has not received the final fiscal year 2018-2019 audit so everything is in draft form, however, the General Fund is showing a total net fund surplus of \$330,557, bringing the total General Fund balance to \$1,887,246. The unrestricted fund balance, or cash available for additional expenditures, showed a General Fund surplus of \$197,652, bringing the total unrestricted fund balance to \$1,640,701. For fiscal year 2019-2020, the Reserve Policy 25% of expenditures was \$1,289,983 **leaving an excess in unrestricted fund balance of \$350,718.**

This is a good sign, although one must remember all the items that have been cut from the budget or reduced from the budget for fiscal year 2019-2020, as well as other expenditures and projects that have been brought up by the Board in the past. Below is a list of those items with actual or estimated costs based on information at hand:

- Equipment Replacement Fund Schedule - **\$135,561** – Fiscal year 2019-2020 funded at 50%, should be the first item to be funded back to 100%.
- Part-Time Code Enforcement Officer - **\$4,250** - Board approved, after the budget was passed, to have the Code Enforcement Officer work on a reduced hour's basis unbudgeted. This amount is the net of what we will have paid the officer, less any revenue received.

- In-House Road Maintenance Program - **\$18,000** – With the extent of the in-house work to be completed (patching, shoulder material) due to harsh winter and heavy rains, the account 01-53-6609 Roadway Maintenance Supplies will be over budget.
- Sealcoat Bike Path - **\$5,000** – Moved to Fund 35 to still complete in fiscal year 2019-2020, normally a General Fund item.

The above items total \$144,811. If they are funded out of the FY2019-2020 General Fund, the remaining available balance will be reduced to **\$205,907**.

- High Priority Sidewalk Trip Hazards & Mallard Point ADA Ramps - **\$14,700**
- Additional Village-Wide Sidewalks and ADA Ramps - **\$774,166**
- Blackberry Creek Pedestrian/Bike Bridge Phase II/III Engineering and Construction contribution - **\$80,000 Phase II Engineering, \$80,000 Phase III Construction Engineering, \$538,950 Construction for a total of \$698,950 – Total Village Share \$174,738** – If the other 3 participants continue to be involved, this would be split 4 ways.
- Update Large Maps - **\$5,000** – Updating the large maps in the Board room, Public Works, etc.
- Police Pension Fund to EAN 100% - **\$83,000** – current funding level at State statutory minimum of \$548,000.
- 50/50 Tree Program - **\$15,000-\$20,000** – Increase 50/50 Tree Program funding level for residents.
- Village Electronic Message Entrance Sign - **\$50,000** – Additional Village sign similar to the one at Cross St. at the North end entrance to the Village by Waubensee.
- Extend “Stone Wall” along Sugar Grove Parkway and Sugar Lane - **\$100,000**
- Establish Economic Development Revolving Loan Program - **\$50,000** – Establish revolving loan program for new business as well as current business for façade programs, business start-up expenses, etc.
- Paint Public Works facility - **\$300,000** – Public Works has not been repainted since it was built in 2001.
- Prairie & Rt. 47 Realignment Feasibility and Phase I Engineering - **\$350,000\$450,000** – Feasibility and Phase I Engineering all 100% local funding.

In the past, any excess reserve balance or budget surplus was transferred to the Infrastructure Fund to complete additional road maintenance work. Currently, the Village completed roughly \$550,000 annually towards a road maintenance program, while the Engineer’s estimate should be \$2,000,000 annually.

The Board was then asked for direction on whether to utilize any of the proposed surplus to fund projects. The Board asked if the sidewalks/crosswalks were not to be completed this year if the Village would be a higher liability chance. The answer was no, however, the known trip hazardous should be addressed soon. President Michels stated that the Village does chip away at sidewalk work when an MFT projects are completed. President Michels recommended that the Board wait until December to make any decisions on using any surplus funds. The Board concurred.

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PUBLIC COMMENTS

President Michels read the agenda items and the called for comments on those items on the agenda. Hearing no comments President Michels closed this portion of the agenda.

CONSENT AGENDA

- a. Approval: Minutes of the August 20, 2019 Meeting
- b. Approval: Vouchers
- c. Proclamation: Chamber of Commerce Week

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

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

Motion Carried.

GENERAL BUSINESS

Discussion of the 2019 Sidewalk Program

Director of Public Works Speciale that in follow up to the Boards discussion at the July 16, 2019 Board Meeting, as the decision was made while discussing surplus no discussion is needed at this time on the program.

DISCUSSION ITEMS

Village Board Meeting Recording

Administrator Eichelberger stated that earlier this year, the Village Board directed staff to look into video recording Village Board meetings. At the August 20th Village Board meeting, the Board asked that staff also look into audio recording the meetings. Following this direction, several recording options were researched. While there are many choices available, solutions that were little to no cost were the focus as this expense was not budgeted.

After testing different options, it was determined that the lowest cost solution to video record the Village Board meetings is to use a laptop and then upload recordings to the Village YouTube channel following editing. The equipment required is a laptop, webcam, editing software and a microphone. All of the required equipment is currently owned by the Village. The video would be fixed camera with a broad view showing Village Board members from a distance. A screen shot of the view is attached. If the board should choose to move ahead with video recording, it may be necessary to purchase 2-3 additional microphones depending on the quality of the audio during the video recording of the meetings.

The Village already owns equipment to allow for audio recording of Board meetings. Recordings can be done electronically and then made available to the public on the website. The number of recordings available on the website at any one time will be dependent on the size of the recordings. Recordings will be available upon request if not on the website until they are approved for disposal through our State approved Records Retention Schedule. We are waiting

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to hear from the Archivist for the required retention timeline, however, we would expect it to be at least three months after approval of the minutes. It may be necessary to purchase 2-3 additional microphones depending on the quality of the audio when accessed through the web site.

The Board discussed the options presented and directed staff to have a trial run on both options at the next meeting, review the recordings and report back the quality results on both.

At this time (6:20 p.m.) Trustee Konen left the Board room.

Park Property Transfer

The Village Board previously discussed this item at its August 20, 2019 meeting. At that time the Board expressed some concern about the use of the park, particularly that it remains open to the general public. A public access easement could be placed over the park if the HOA would agree to it.

Staff presented a general background on the Park. The Hannaford Farm HOA has expressed concern about the use of the park, particularly for organized sports activities, if conveyed to the Park District. While the park site could accommodate regulation fields for youth soccer and Little League baseball, a football field would encroach on the existing path. The introduction of any regulation sport field would require relocation or removal of the playground equipment and the shelter. The attached overlays illustrate that while the site could accommodate regulation sport fields but it would be extremely tight and create much friction with neighboring lot owners. The Park District has not been contacted to determine if they would agree to any formal use restrictions.

The Park District has confirmed their willingness to accept the park subject to the inspections/improvements. They also confirmed that they do not object to the park being HOA owned.

The Hannaford Farm annexation agreement is clear that the park site was intended to be conveyed to the Sugar Grove Park District. The Village is merely a middleman in the transaction.

When the Hannaford Farm subdivision was being reviewed by the Village, a park site was requested from and provided by the developer as part of the subdivision and annexation agreement approval. Additionally, the Village required the developer to improve the park site, as well as other open spaces in Hannaford Farm. At the time, it was anticipated the park site would be conveyed from the Village to the Sugar Grove Park District. The park site was conveyed to the Village by dedication on the final plat for Unit 2. Since the completion of the park site improvements, the original developer defaulted on his obligations and the Hannaford Farm HOA has been maintaining the park site. As recently as 2017, the Village approached the Park District about conveying the park site to the District. At that time, the Park District expressed interest but subject to certain conditions, including improvements to bring the playground and equipment up to current industry requirements, and documentation the playground facility complied with manufacturer's recommendations and standards. Neither the Village nor the HOA could provide the documentation to satisfy the Park District. In the meantime, the HOA reconsidered the conveyance question and requested conveyance of the park site to the HOA, rather than the Park District.

In 2017 the Sugar Grove Park District advised that prior to acceptance of the park they would require professional inspections estimated to cost \$4,750. They also provided a \$10,000 speculative estimate for needed repairs/improvements.

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Should the park be conveyed to the Hannaford Farm HOA, they would determine what repairs/improvements to make and fully fund them.

Should the park be conveyed to the Park District the necessary inspections and repairs could be paid for through the Hannaford Farm Fee In Lieu of Developer (FILOD). \$14,750 in cost would add approximately \$190 to each lot.

Attorney Wilson gave a summary of how the park could be transferred either to the Park District or to the Hannaford HOA.

- A. Park District transfer could occur through an Intergovernmental Agreement
- B. HOA Ownership could be achieved by:
 - a. Bidding out sale – notice and other procedures must be followed.
 - b. Sale at auction – must be authorized by resolution to surplus and a certified appraisal obtained.
 - c. In a “depressed county” determined by unemployment rates sell by agent or auction and authorized by resolution

The following is a summary of Trustees comments and concerns and answers if applicable.

As long as it is open to all and posted as a Hannaford Resident only Park having the HOA have ownership is acceptable.

It was questioned why the Village who owns the park did not turn it over sooner and what gives the Village the rights to not except a park after so many years. Why now? Why would the HOA be forced to take care of it, maintain it, insure it for so long.

Why even consider using the FILOD (fee in lieu of development) to make improvements.

Who gives the right to the Park District and or Village to say what has to be done to the park if it is turned over to the Park District.

Audience Comments and questions

The HOA went to the Park District 10 years ago and was told it would be around \$10,000 to bring it up to snuff so the HOA just kept doing the maintenance. There are people who come to Hannaford to take photos at the Barn by the ponds and they are posted no trespassing because of liability. The parks are not posted at this time but the HOA may have concerns about liability insurance and an increase in cost if parks must be public. What if the HOA board kept the park and later decided to place another recreational use at the park site such as a pool.

The FILOD fee has never been used to assist the HOA in bringing the park up to standard. Perhaps that can be negotiated.

Why has this come up after so many years.

It has been maintained, upgraded and insured for 10 years and the HOA has paid for all, why is this even a question.

Answers

The annexation agreement refers to the owners/developers and there assigns. This is now the homeowners who are purchasing after the development failed as they have legally per the annexation agreement taken over that role. The FILOD fee pays for those public improvements that were not completed in the development that needed to be done.

Because of unusual circumstances with the developer failing, the bank that held the letter of

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credit failing there were no funds to finish out the development's public improvements. The Village never formally accepts any improvements – road, lights, watermains, sewer mains, or parks until they are completed and up to the standards as specified in Village code or in this case Park code.

It has been brought up at this time as the Village received a request from the tax assessor to verify all Village owned property for tax exempt status. The park site was included with that notice. Because of this the Village needs to clear up ownership and tax status.

The Board expressed their desire that the HOA be able to keep the park. Staff was directed to send a letter to the HOA Board asking if they are indeed willing to take on the park and to formally state and make assurances that the park will remain open to the public.

After a response is received the Board will begin the procedures to turn over the park, hopefully to the HOA however the HOA is not open to the terms of leaving it open, it will begin procedures to formally turn it over to the Park District.

REPORTS

Staff

It was questioned why the newsletter stated that burning can only occur on sunny days. Staff stated that the ordinance was presented and passed modeling the County ordinance. Staff will try to obtain a good definition of sunny. It was also asked if a fire pit ring was okay. Staff answered yes, that is considered contained.

It was questioned how the paving is coming along with the Annette Circle Project. It was stated that it is complete, only restoration remains. Route 47 work is still in process by IDOT as Hankes Bridge.

Route 47 and Park light was inquired about. Staff answered IDOT has been firm in supporting a light. An informational packet is being put together for state legislators.

Trustee

Trustee Montalto gave an overview of Groovin' in the Grove and that the last performance would be in September.

Trustee Walter asked if the sidewalk issue would be discussed again. President Michels answered in the spring.

President Michels stated that Jewel had a re-grand opening and many Jewel official were there expressed how happy Jewel is o be in Sugar Grove

AIRPORT REPORT

None.

PUBLIC COMMENTS

It was stated that recording of the meetings needs to be done to insure accuracy of the minutes and also that they should be verbatim. People want to read the minutes to know what is going on and accuracy and verbatim is necessary.

It was questioned what was going on with Crown. Do they not have dates or plans to move forward that the Village has been informed of? It has been brought of that there were meetings that were not held public – secret meetings they are referred to as.

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It was answered that it is believed they have a schedule and a plan however nothing has been shared with the Village.

As to secret meetings there have been no secret meetings. Meetings that were held with Crown that were informal and one and one were announced at a public meeting. The meetings were to show the trustees a perhaps new draft and see if it met with the Board was thinking individually. No board members committed to anything and all informed Crown it wouldn't fly what they were thinking about.

The Public was given plenty of time to give comments and opinions about the Crown Project. Persons also need to bear in mind that a and owner/ developer has the right to ask that their petition move forward and to have their due process.

An audience member stated they were glad to see the recent survey and hoped the Village would use that means of obtaining opinions in the future.

It was asked if the Hannaford Farm Park has an issue with the public access (pathway) will the Village fix it. It was answered yes, anything in the right of way

ADJOURNMENT

Motion adjourn at 7:35 p.m. by Trustee Herron, second by Trustee Montalto.

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