

Village President
P. Sean Michels

Village Administrator
Brent M. Eichelberger



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Village Trustees

Sean Herron
Ted Koch
Jennifer Konen
Heidi Lendi
Rick Montalto
Ryan Walter

**December 1, 2020
Regular Board Meeting
6:00 p.m.**

1. Call to Order

President Michels called the meeting to order at 6:00 p.m.

President Michels stated that due to Governor Pritzker's Executive Order due to the COVID-19 pandemic, he has determined that an in-person meeting is not prudent or practical and, therefore, tonight's meeting was being held remotely.

2. Pledge of Allegiance

President Michels asked Trustee Konen to lead the Pledge of Allegiance.

3. Roll Call

The December 1, 2020 Village Board meeting was held via GoToWebinar. With the exception of President Michels who was in the Board Room at Village Hall, all other attendees noted below participated remotely.

Present: 6 President Sean Michels, Trustee Rick Montalto, Trustee Jen Konen, Trustee Heidi Lendi, Trustee Ryan Walter, Trustee Sean Herron

Absent: 1 Trustee Ted Koch

Also Present:

Administrator Eichelberger, Attorney Julien, Public Works Director Speciale, Police Chief Rollins, Community Development Director Magdziaz, Finance Director Anastasia, Public Works Deputy Director Merkel, Village Engineer Michele Piotrowski, and Senior Management Analyst/Village Clerk Murphy

4. Closed Session

A motion was made by Trustee Montalto, seconded by Trustee Herron, to adjourn to Closed Session per the exception to the Open Meetings Act *Pending and Probable Litigation* [5 ILCS 120/2(c)(11)] taking no action and returning therefrom. The motion carried by the following vote:

AYE: 6 Montalto, Herron, Walter, Lendi, Konen, Michels

Nays: 0 None

Absent: 1 Koch

Roll Call upon return to Regular Session at 6:22 p.m.

Present: 6 President Sean Michels, Trustee Rick Montalto, Trustee Jen Konen,
Trustee Heidi Lendi, Trustee Ryan Walter, Trustee Sean Herron

Absent: 1 Trustee Ted Koch

5. Public Hearing

None

6. Appointments and Presentation

None

7. Public Comments on Items Scheduled for Action

Plan Commissioner Jim Eckert, in attendance remotely, indicated that he was available to answer any questions during the solar panel discussion item.

8. Consent Agenda

A motion was made by Trustee Montalto, seconded by Trustee Herron, to approve the Consent Agenda. The motion carried by the following vote:

AYE: 5 Montalto, Herron, Walter, Lendi, Konen

Nays: 0 None

Absent: 1 Koch

a. Approval: Minutes of the November 17, 2020 Village Board Meeting

b. Approval: Vouchers

c. Proclamation: Impaired Driving Prevention Month

d. Resolution: Approving a PSA for Engineering Services for the 2021 Road Program

e. Resolution: Approving a Settlement Agreement

f. Resolution: Approving a Settlement Agreement

9. General Business

a. Ordinance: Tax Levy for the Fiscal Year May 1, 2021 to April 30, 2022

A motion was made by Trustee Herron, seconded by Trustee Montalto, to approve Ordinance 2020-1201FDA for Tax Levy for the Fiscal Year May 1, 2021, to April 30, 2022. The motion carried by the following vote:

AYE: 5 Herron, Montalto, Konen, Walter, Lendi

Nays: 0 None

Absent: 1 Koch

President Michels stated that he was interested in levying only for new growth rather than an increase on current property. Director Anastasia stated that the County is unable to give out final numbers for growth at this time; all figures are only estimates. Regardless of what the tax levy is, individual tax bills will change based on assessment.

Trustee Konen stated that many homes saw an EAV decrease from 2018 to 2019 and that residents benefited more from the Board holding water rates steady for FY2021.

Administrator Eichelberger explained that taxing bodies under the Tax Cap are not able to capture any forgone levy in the future. Current projected budget surplus, sans COVID, could be transferred to the Road Fund to support needed road repairs in the future.

Trustee Montalto stated that the Village is doing a good job with budgeting and the increase in the tax levy is a necessary evil to fund Village services.

Trustee Herron inquired about how CARES funds could be spent.

Board discussion ensued.

- b. Ordinance: Tax Levy of the Mallard Point Special Assessment for the Fiscal Year May 1, 2021, to April 30, 2022

A motion was made by Trustee Montalto, seconded by Trustee Herron, to approve Ordinance 2020-1201MPRO for Tax Levy of the Mallard Point Special Assessment for the Fiscal Year May 1, 2021, to April 30, 2022. The motion carried by the following vote:

AYE: 5 Montalto, Herron, Lendi, Konen, Walter
Nays: 0 None
Absent: 1 Koch

- c. Resolution: Declaring Notice of Ninth Installment, Accrual of Interest and Adoption of Special Assessment Supplemental Bond and Procedures Act

A motion was made by Trustee Montalto, seconded by Trustee Herron, to approve Resolution 2020-1201MPROA declaring notice of ninth installment, accrual of interest and adoption of Special Assessment Supplemental Bond and Procedures Act. The motion carried by the following vote:

AYE: 5 Montalto, Herron, Walter, Lendi, Konen
Nays: 0 None
Absent: 1 Koch

- d. Ordinance: Abating 2020 Taxes related to Debt Service on the \$5,460,000 2013A General Obligation Refunding Alternate Revenue Bonds

A motion was made by Trustee Montalto, seconded by Trustee Herron, to approve Ordinance 2020-1201FDF abating 2020 taxes related to debt service on the \$5,460,000 2013A General Obligation Refunding Alternate Revenue Bonds. The motion carried by the following vote:

AYE: 5 Montalto, Herron, Konen, Walter, Lendi

Nays: 0 None

Absent: 1 Koch

- e. Ordinance: Abating 2020 Taxes related to Debt Service on the \$3,100,000 2017 General Obligation Alternate Revenue

A motion was made by Trustee Montalto, seconded by Trustee Herron, to approve Ordinance 2020-1201FDG abating 2020 taxes related to debt service on the \$3,100,000 2017 General Obligation Alternate Revenue Bonds. The motion carried by the following vote:

AYE: 5 Montalto, Herron, Lendi, Konen, Walter

Nays: 0 None

Absent: 1 Koch

10. Discussion Items

- a. Residential Solar Panels

Director Magdzairz explained that after consideration of the issue, the Planning Commission, while supportive of alternative energy sources, voted to recommend no change to the current regulations pertaining to solar collectors on a roof facing a street. The Commission does recommend a change to the application requirement, specifically, replacing the requirement for a demolition plan with restoration of the roof surface for residential solar applications. Village staff concurs with the Planning Commission's recommendation. Plan Commissioner Jim Eckert offered insights on the maintenance and installation problems discussed by the Plan Commission regarding solar panels. Board discussion ensued. Staff will bring back an ordinance as proposed for a vote at a future meeting.

- b. Mid-Year Budget Update

Director Anastasia presented the FY2020-2021 Mid-Year Budget Update as outlined in the agenda memo. Board discussion ensued.

- c. Sugar Grove Water Authority Contribution

Director Speciale reported that the Village received a request to contribute financially to the Sugar Grove Water Authority (SGWA) of Sugar Grove Township in support of a

proposal by the Illinois State Water Survey (ISWS) to perform a Groundwater Quality Analysis and Continuation of Groundwater Monitoring in Sugar Grove Township. Requested financial not-to-exceed support is as follows:

Year 1 - \$4,300 Year 2 - \$3,000 Year 3 - \$3,500 Total Program = \$10,800

Director Speciale stated that the project is valuable to the community and staff is in support of the contribution as requested. The Board reached consensus to financially support the project as proposed and directed staff to bring back a resolution for approval at the next meeting.

11. Reports

a. Staff

Administrator Eichelberger reported that the Village has locked in a topsoil broker for the removal of the Hannaford Farm dirt piles. Staff is currently drafting agreements. At the last Elburn Board Meeting, the Elburn Village Board indicated a discussion regarding the Sugar Grove/Elburn boundary agreement would take place at the December 7 Committee of the Whole meeting. Administrator Eichelberger reached out to Crown today; the company has no current plans for property development. Trustee Konen asked if there was a timeframe for the removal of the dirt in Hannaford Farm. There is currently no set timeframe.

Director Magdzairz reported that the construction fence is down around Prairie Point in anticipation of furniture delivery. The contractor has mostly completed all the work in the building. They are close to opening; currently working on getting state approvals.

Police Chief Rollins report that the Police Department received Federal Use of Force Certification. This certification will help the Village be eligible for grants and help with community relations. He encouraged residents to lock car doors and close garage doors. Trustee Konen stated that she felt the speed limit sign on Capitol Drive at Bliss is too close to the intersection for drivers to recognize. Chief Rollins said the Village follows federal guidelines for sign placement and that he will look into the placement of the signs. Trustee Konen asked about 25 mph speed limits in front of parks in the Village. Chief Rollin said he would check on the issue and report back.

Chief Rollins and Director Speciale reported that the no thru signs at Mallard Point signs were put up last week.

Director Speciale reported that comments from the Village on the Kane County 2050 Transportation were submitted. The quiet zone at Galena should be active by the end of the year. The November 24 snowfall required no road treatment, however, some salt was put down around buildings. Well 10 is scheduled to be back in service by the end of the year.

b. Trustees

Trustee Konen asked if the Board could have a discussion on use of surplus funds.

Trustee Lendi thanked Jim Eckert for his expertise on the solar panel discussion.

Trustee Montalto reported that Groovin' in the Grove plans continue to develop. The June concert will feature The Chain, a Fleetwood Mac cover band. The July concert will feature Rico, a Santana cover band. The August concert will feature Secondhand Soul, with a Motown sound. The Aurora Area Convention and Visitors Bureau will meet this Thursday.

c. President

President Michels reported the World Hindu Council of America has talked about having a COVID testing site this Saturday. He will pass along specific details when he receives them. He stated that he was glad to see fence down at Prairie Point.

12. Public Comments

None

13. Airport Report

None

14. Adjournment

A motion was made by Trustee Montalto, seconded by Trustee Herron, to adjourn the Regular Meeting of the Board of Trustees at 8:32 p.m. The motion carried by the following vote:

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| AYE: 5 | Montalto, Herron, Lendi, Konen, Walter |
| Nays: 0 | None |
| Absent: 1 | Koch |

ATTEST:

/s/ Alison Murphy

Alison Murphy

Village Clerk