Village of Spring Grove – Village Board
Regular Meeting Agenda

1. Call to Order
2. Roll Call
3. President’s Report
   A. Consideration of an appointment to the Architectural Review Commission
   B. Proclamation-September is National Suicide Prevention Awareness Month
4. Clerk’s Report
5. Engineering Report
6. Public Works Report
7. Police Department Report
8. Committee Reports
9. Public Discussion (Public discussion shall be limited to three minutes per speaker)
10. Consent Agenda (items listed on the Consent Agenda will be approved by a single vote of the Board unless a member of the Board requests that a separate vote be taken on any item)
   A. Approval of the May 7, 2019 Village Board Regular Minutes
   B. Approval of an Ordinance authorizing the sale of surplus personal property owned by the Village
   C. Approval of a Resolution granting the authority to enter into an Intergovernmental Agreement for Police Mutual Aid with the McHenry County Conservation District
   D. Approval of the proposal from Platinum Terrain for the exploratory excavation at the wastewater treatment plant
   E. Approval of the remaining April 2019 Bills Payable
11. Unfinished Business
   A. Discuss solar energy regulations
12. New Business
   A. Consideration to waive the rental fees for the RBCHS Fishing Team Youth Bass Fishing Derby at Hatchery Park
   B. Consideration of an Ordinance amending Chapter 6, Other Provisions, of the Village Code regarding payment of all Village obligations prior to Village action
   C. Consideration of a Resolution awarding the contract for the 2019 Road Program to Curran Contracting Co.
   D. Consideration of an Ordinance approving a Ground Lease Agreement with Thelen Sand & Gravel for 14 acres adjacent to Thelen Park
13. Other Business
14. Adjournment

Posted: May 17, 2019 at 3:00 pm
MEETING MINUTES OF A REGULAR MEETING
OF THE VILLAGE OF SPRING GROVE
MAY 21, 2019

Council Chambers, Spring Grove, Illinois, May 21, 2019; a Regular Meeting of the Village Board was held this date at 6:02 p.m., at the Municipal Centre, 7401 Meyer Road; President Eisenberg presiding.

Roll Call. Roll call showed the following Board members present: President Mark Eisenberg; Trustees Mike Lee, Jeff Letzter, Pat Mazzanti, Bob McMahon, Kelly Popelka and Lloyd Simonson - 7. Absent: None. Also present for the Village were: Tom Sanders, Chief of Police/Executive Assistant; Mike Ringler, Public Works Supervisor; Scott Puma, Village Attorney; Steve Bicking, Village Engineer; and Sandi Rusher, Village Clerk.

President’s Report.
Consideration of the appointment to the Architectural Review Commission. President Eisenberg recommended the appointment of Carolyn Gaylord to ARC to fulfill one of the two openings. Ms. Gaylord’s term will expire in May 2021. Trustee Letzter moved, seconded by Trustee Mazzanti to accept the appointment put forth by President Eisenberg. Roll call vote: Ayes: Lee, Letzter, Mazzanti, McMahon, Popelka and Simonson - 6. Nays: None. Motion carried.

Proclamation – September is National Suicide Prevention Awareness Month. President Eisenberg read the proclamation in honor of the INK 5K event sponsored by the Isa Kranz Foundation that is being held later this month. The event coincides with the National Suicide Prevention and Action Month Proclamation project. He then presented the proclamation to Jim Kranz.

Clerk’s Report. Platinum Terrain filed their application and paid the fees to amend their special use permit by May 17, 2019. Preparations are under way for the Memorial Day Ceremony and the annual Fish Boil.

Engineering Report. The Army Corps of Engineers has approved the plans for the Main Street Bike Path. The bid for this project will be let in September 2019.

President Eisenberg has been working with Executive Assistant Sanders and Engineer Bicking on increasing parking downtown and revitalizing the downtown to make a Town Square. The property surrounding the property commonly known as the Oxtoby property will be enhanced by adding diagonal parking along Main Street with a 7-foot decorative concrete sidewalk and decorative light posts. This will double the parking to an estimated 20 parking spots. The sidewalk that abuts Blivin Street will be replaced with a 4-foot decorative concrete sidewalk and decorative light posts. These improvements will only outline the Oxtoby property. The sidewalks on the northside of Main Street from Blivin Street west to St. Peter’s Church will also be replaced this year. In addition, the garage on this property will be removed. It was noted all these improvements need to be done before the repaving of Main Street in 2020.

As a follow up to the ongoing drainage issues on Champion Court, Attorney Puma sent a letter to the developer of Heartland Crossing seeking their assistance with the removal of the dead trees and Engineer Bicking will visit the site for compliance as the developer regraded the property to reinstall the drainage swale.

Public Works Report. The department has received an increase in complaints from residents with water in the ditches from the recent rains. Supervisor Ringler was directed to inform the resident on Deer Trail Lane to attend a Board meeting with his displeasure because the system is working and the issue is that the property is low and the ground water is high.
The department will begin installing the emergency access driveway at Horse Fair Park in June and finish installing the playground equipment at Thelen Park.

Trustee McMahon commended staff for replacing the dead shrubs around the gazebo at Horse Fair Park in time for Memorial Day.

**Police Department Report.** The department acquired extra radios from the McHenry County Sheriff’s Office at no charge and has received a $10,000 grant for body and car cameras.

**Committee Reports.** None.

**Public Discussion.** President Eisenberg then opened the meeting up for discussion by the public.

David Domenella, resident of 3603 Ridge Road, stated he submitted an application for a solar array on the roof of his home and it was returned because it was submitted during the moratorium. President Eisenberg explained the moratorium was revisited because of the Board’s concerns with aesthetics and it was extended to receive input from the new Board members. The Board anticipates completing their review of the regulations by June 18 or sooner.

Paul LaBarbera, Magitek Energy Solutions, offered his expertise should the Village have any questions.

Mr. Domenella, President of the Richmond Spring Grove Rotary Club, presented plans for a boardwalk from Blivin Street to Hatchery Park. The Rotary preferred this plan versus constructing a bridge from Main Street to Hatchery Park because the cost would be substantially less. It is their hope to involve the community in this project. After much discussion, the Board appreciated the donation but stated this is not a priority for the village at this time because it would require the approval of the IDNR, where it exits into the park is a wet spot with erosion issues, and the Public Works Department does not have the time to construct. The Board suggested possibly constructing a gazebo in the Town Square with the funds. The Board thanked the Rotary for their continued support with their donations at Hatchery and Thelen Parks.

**Consent Agenda.** Trustee Simonson moved, seconded by Trustee Mazzanti to accept the consent agenda. Roll call vote: Ayes: Lee, Letzter, Mazzanti, McMahon, Popelka and Simonson – 6. Nays: None. Motion carried.

A. Approval of the May 7, 2019 Village Board Regular Minutes
B. Approval of an Ordinance authorizing the sale of surplus personal property owned by the Village
C. Approval of a Resolution granting the authority to enter into an Intergovernmental Agreement for Police Mutual Aid with the McHenry County Conservation District
D. Approval of the proposal from Platinum Terrain for the exploratory excavation at the wastewater treatment plant
E. Approval of the remaining April 2019 Bills Payable

Trustee Simonson moved, seconded by Trustee Letzter to approve the consent agenda. Roll call vote: Ayes: Lee, Letzter, Mazzanti, McMahon, Popelka and Simonson – 6. Nays: None. Motion carried.
New Business.
Consideration to waive the rental fee for the RBCHS Fishing Team Youth Bass Fishing Derby at Hatchery Park. Trustee McMahon suggested working in partnership with the RB Fishing Team for their Youth Bass Fish Derby that will be held at Hatchery Park on June 1 from 8am – noon because of their assistance in cleaning up the ponds and volunteering at the Fish Boil. The Fishing Team receives limited support from the high school and by co-sponsoring the event the village would increase the awareness of Hatchery Park. In addition, they village would not have to waive the $360 rental fee which could set a precedent for future events. A motion was not necessary given the Village is co-sponsoring the event.

Jim Kranz, representing the INK 5K Event, commented that they would prefer removing the portion of their 5K from the neighborhood on Winn Road to include Hatchery Park.

Unfinished Business - Discuss Solar Energy Regulations. A lengthy discussion ensued regarding the roof and ground mounted solar energy system (SES) regulation recommendations prepared by Trustee Letzter and staff.

Visibility and Placement Recommendations
1. Roof Mounted Recommendation. Allow a roof mounted SES on front and side elevations of a structure (principal building and accessory structure) with a variance, permit as a matter of right if on rear elevations if it meets the regulations and remove the language that a SES should not be visible from a street or an adjacent property because this would be it nearly impossible to comply with unless you have a woode lot.

Trustees McMahon and Simonson disagreed with the recommendation and opined a roof mounted SES on the front of home is not aesthetically pleasing and doesn’t follow the regulations put in place to protect property values. Trustees Lee, Letzter, Mazzanti and Popelka agreed with the recommendation. It was the general consensus of the Board to accept the recommendation.

2. Ground Mounted Recommendation. Allow a ground mounted SES in the rear yard as a matter of right; permitted with a variance in the side yard; and strictly prohibited if located within the setback for a yard abutting a street and/or in the front yard of a house that is setback further than the minimum yard abutting a street setback.

Trustee Mazzanti opposed ground mounted SES while Trustee Simonson supported them. It was the general consensus of the Board to accept the recommendation.

Leasing Recommendation. Add language to Appendix H and the Zoning Ordinance that the use of a solar power purchase agreement is strictly prohibited in residentially zoned properties and is allowed by a special use permit in commercial and industrial zoned properties. It was the unanimous consensus of the Board to accept the recommendation.

Ground Mounted Solar Types Recommendation. Allow both standard ground mount and pole mount SES. It was the unanimous consensus of the Board to accept the recommendation.

Commercial Solar Farms Recommendation. Discuss if the village wants to allow these farms within its village limits with a special use permit or prohibit them by making it a prohibited use in the village through the Zoning Ordinance.
Trustee McMahon’s preference would be to make them prohibited, Trustee Simonson was neutral, and Trustees Lee, Letzter, Mazzanti and Popelka preferred to see them a special use permit with restrictions. It was the general consensus of the Board to allow commercial solar farms with a special use permit and to develop regulations.

Location of Solar Energy System Regulations in the Code Book Recommendation. Currently, both the Building Code and Zoning Ordinance address SES. For ease of navigating the regulations and lessen the confusion between ARC and Zoning, it was recommended all regulations for individual SES be removed from the Zoning Ordinance and be incorporated into Appendix H of the Building Code since it is considered a use and not structure and for the ease of being in one location in the Code Book. All regulations for commercial solar farms would still be located in the Zoning Ordinance. It was the unanimous consensus of the Board to accept the recommendation.

Types of Variances Considered. Based on previous discussions, the following are those regulations that the Board would only consider variances for:

1. Roof Mounted and Wall Mounted - Visibility and Placement Recommendation. Variances will be considered for SES that are on the front and side elevations of a roof or structure. It was the unanimous consensus of the Board to accept the recommendation.

2. Ground Mounted.
   A. Height Recommendation. The maximum height allowed on a ground mounted SES be reduced from 15 feet to 10 feet and a variance be sought for those taller than 10 feet. It was the unanimous consensus of the Board to accept the recommendation.

   B. Size Recommendation. The size of a ground mounted SES be determined by the maximum accessory building size allowed in each zoning district except for those lots that are 20,000 sq. ft. or less, which are limited to 300 sq. ft. It was the unanimous consensus of the Board to accept the recommendation.

   C. Location Recommendation. Allow a ground mounted SES in the rear yard as a matter of right if it meets the general requirements; permitted with a variance in the side yard; and strictly prohibited if located within the setback for a yard abutting a street and/or in the front yard of a house that is setback further than the minimum yard abutting a street setback. It was the unanimous consensus of the Board to accept the recommendation.

3. Multiple Systems Recommendation. Allow a property to have multiple solar energy systems with a variance, i.e. ground and roof mounted systems because one may not be enough to power their needs. It was the unanimous consensus of the Board to accept the recommendation.

Develop Standards for a Variance. Trustee Letzter and staff reviewed the variance standards from the Zoning Ordinance to develop the below standards. Attorney Puma stated the village needs to incorporate more standards as to what the Board would be willing to vary.

   A. The extent to which the particular physical shape of the roof of the subject property results in practical difficulty or hardship upon the owner, as distinguished from a mere inconvenience;

   B. The extent to which conditions upon which the variance request is unique to the roof style of the building and may not be applicable to other buildings within the village; and

   C. That the variance will not confer on the applicant any special privilege that is denied by these regulations to other structures or buildings within the village.
It was the unanimous consensus of the Board to have Attorney Puma prepare additional standards.

Types of Variances Not Considered Recommendations. The following regulations will be prohibited from a variance being sought and a change to the existing language:

A. Arrangement. The ordinance currently states “Solar panels are to be arranged in uniform patterns. Randomly placed/angled panels will be not be acceptable.” This is a standard variance often sought because our Building Code only permits vent pipes on the rear side of a roof. Having to uniformly arrange the solar panels may be difficult if the homeowner can’t relocate the vent pipes but so far, the homeowners have been able to relocate vent pipes to make the panels uniform. At some point in the future, the Board may have to allow for some flexibility if homeowners are not able to arrange uniformly.

B. Design - color of solar panels, frames and mounting hardware. It was recommended the language be revised to state “All materials used for racking, mounts, mounting clamps, and flashing shall be a color consistent with the color of the roof surface to minimize visibility.”

It was the unanimous consensus of the Board to accept the recommendations.

Trustee McMahon would like to see language included regarding the installation of SES. He will work with Attorney Puma on such language.

There being no further comments or objections, Attorney Puma and staff were directed to prepare an ordinance for the Board’s consideration.

New Business Continued. Consideration of an Ordinance amending Chapter 6, Other Provisions, of the Village Code regarding payment of all Village obligations prior to Village action. The ordinance prohibits the entry into any contract or take action on any request for a license, permit, certificate of occupancy, business license, annexation, zoning application or development if the person owes outstanding fees, fines or other debt to the Village. Trustee Letzter moved, seconded by Trustee Lee to approve the ordinance as presented. Roll call vote: Ayes: Lee, Letzter, Mazzanti, McMahon, Popelka and Simonson - 6. Nays: None. Motion carried.

Consideration of a Resolution awarding the contract for the 2019 Road Program to Curran Contracting Co. The bids were higher than expected but Engineer Bicking and Executive Assistant Sanders recommended awarding the whole program and then reduce it to fit the budget. Curran Contracting had the lowest responsible bid of $414,168.61. Trustee Mazzanti moved, seconded by Trustee Simonson to approve the resolution as presented. Roll call vote: Ayes: Lee, Letzter, Mazzanti, McMahon, Popelka and Simonson - 6. Nays: None. Motion carried.

In a similar matter, Executive Assistant Sanders explained the Village does have a plan in place for the replacement of roads and does an annual observation to determine which roads need to be repaved. With the new standards in place, roads should last 20-25 years versus 10-15.
Consideration of an Ordinance approving a Ground Lease Agreement with Thelen Sand & Gravel for 14 acres adjacent to Thelen Park. The Ordinance approves a new five-year Ground Lease Agreement that expires on May 31, 2019. Trustee Mazzanti moved, seconded by Trustee Popelka to approve the ordinance as presented. Roll call vote: Ayes: Lee, Letzter, Mazzanti, McMahon, Popelka and Simonson - 6. Nays: None. Motion carried.

Other Business. Trustee McMahon reported the village entrance signs being done as an Eagle Scout Project is moving forward.

President Eisenberg and Executive Assistant Sanders will reach out to the Village of Fox Lake to discuss renewing the Boundary Agreement that expires in 2020 and meet with St. Peter’s Church regarding the lease agreement for the ball fields at Spring Grove Park.

Trustee Mazzanti inquired when the pop machine was installed at Thelen Park because RBBA has a concern with its location. Trustee McMahon stated the pop machine was installed to generate money as the village receives 20% of the proceeds and to give park visitors a beverage choice since the concession stand is not always open during games. Its location was determined by its proximity to the security cameras and exterior lighting.

There being no further business, Trustee Simonson moved, seconded by Trustee Popelka to adjourn the meeting at 7:40 p.m. On voice vote, the motion carried.

Respectfully Submitted,

[Signature]
Sandi Rusher, Village Clerk