

Matt Brolley, Village President
Tiffany Francis, Village Clerk
Stan Bond, Trustee
Pete Heinz, Trustee
Steve Jungermann, Trustee
Denny Lee, Trustee
Doug Marecek, Trustee
Theresa Sperling, Trustee



Special Village Board Meeting
Monday, August 29, 2016
7:00 PM, Village Hall

THIS MEETING IS BEING RECORDED AND WILL BE AVAILABLE FOR VIEWING ON THE VILLAGE YOUTUBE CHANNEL.

AGENDA

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Public Participation

Members of the public are welcome to speak at this time. Please provide the Clerk with your name, address & phone number.

A. Public Comments (Two Minute Opportunity).

5. Consent Agenda

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below.

6. Items for Separate Action

A. Ordinance 1737 Amending the Village Code Regarding Class J Temporary Liquor Licenses (Waiver of First and Passage on Second Reading).

B. Ordinance 1738 Amending the Village Code Regarding Fireworks (Waiver of First and Passage on Second Reading).

7. Items for Discussion

The following items are listed for discussion only. No decision or vote will be taken during this meeting.

8. New or Unfinished Business

9. Future Meetings

A. Plan Commission – Thursday, September 1, 2016 at 7:00 p.m.

B. Village Board Meeting – Monday, September 12, 2016 at 7:00 p.m.

C. Beautification Committee – Wednesday, September 14, 2016 at 6:00 p.m.

D. Historic Preservation Commission – Monday, September 19, 2016 at 6:30 p.m.

E. Committee of the Whole Meeting – Tuesday, September 20, 2016 at 7:00 p.m.

F. Village Board Meeting – Monday, September 26, 2016 at 7:00 p.m.

10. Executive Session

11. Adjournment



VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA

- Resolution or Ordinance (Blue)
- Recommendation of Boards, Commissions & Committees (Green)
- Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: August 26, 2016

B of T Date: August 29, 2016

Subject: Ordinance 1737 Amending the Village Code Regarding Class J Temporary Liquor Licenses

Submitted By: Steven A. Andersson & Laura M. Julien, Village Attorneys

Background/Policy Implications:

The attached ordinance would allow for political groups to obtain a temporary liquor license under certain conditions. Following is information on other communities' ordinances:

Temporary Liquor License for political groups

	<u>Yes</u>	<u>No</u>	<u>Available for:</u>
Aurora	x		Nonprofit and for profit organizations and groups
Batavia		x	Not for profit educational, fraternal, political, civic, religious in existence for two years
Geneva	x		Educational, fraternal, political, civic, religious or non-profit organization
Naperville		x	Beer and wine only for picnic, carnival, or similar
N. Aurora		x	Church, service club, fraternal, or not-for-profit in existence for more than two years
Oswego	x		Political subdivision, nonprofit club or society, winery
Plainfield	x		Any local organization, business or group, for beer and wine only
Plano		x	Religious, charitable or not for profit only
Sugar Grove		x	Not for profit organizations or government entities; not more than 6% alcohol
Yorkville	x		Political subdivision, nonprofit club or organization, winery

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1737

**AN ORDINANCE AMENDING THE VILLAGE OF MONTGOMERY
VILLAGE CODE, CHAPTER 3, SECTIONS 3-7
OF THE VILLAGE OF MONTGOMERY, ILLINOIS
(CLASS J LICENSES-POLITICAL EVENTS)**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS ____ DAY OF _____, 2016.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS ____ DAY OF _____, 2016.

ORDINANCE NO. 1737

**AN ORDINANCE AMENDING THE VILLAGE OF MONTGOMERY
VILLAGE CODE, CHAPTER 3, SECTIONS 3-7
OF THE VILLAGE OF MONTGOMERY, ILLINOIS
(CLASS J LICENSES-POLITICAL EVENTS)**

BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

WHEREAS, the Village of Montgomery is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village of Montgomery Board of Trustees finds it is in the best interests of the citizens of the Village of Montgomery to amend the Village of Montgomery Village Code, Chapter 3, Sections 3-7, to allow for better regulation of its liquor establishments; and,

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE:

Chapter 3, Section 3-7 (10), is hereby amended to read as follows:

Sec. 3-7. Classification of licenses; fees established.

“(10) *Class J* temporary licenses. The local liquor control commissioner shall have the power to issue a temporary license for the sale of alcoholic liquor at a banquet, picnic, bazaar, fair or similar private or public assembly where food or drink is sold, served or dispensed. Such temporary license shall be issued only to the following: 1) a nonprofit club, society, fraternal or benevolent organization, or 2) a political event (fundraising or otherwise) where the licensee is a recognized political committee under State of Illinois or United States Federal law and the event is to support a ballot initiative which will be on the next electoral ballot in an area of the Village or a candidate for elective office on the next electoral ballot and whose district or precinct encompasses an area of the Village and shall be for a period of not more than three days. Not more than one temporary license shall be granted at a time. A fee of \$100.00 shall be assessed to each organization for the issuance of such temporary license.”

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this ____ day of _____, 2016.

Matthew Brolley
President of the Board of Trustees of the Village of Montgomery

ATTEST:

Tiffany Francis
Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
Trustee Stan Bond	___	___	___	___
Trustee Pete Heinz	___	___	___	___
Trustee Steve Jungermann	___	___	___	___
Trustee Denny Lee	___	___	___	___
Trustee Doug Marecek	___	___	___	___
Trustee Theresa Sperling	___	___	___	___
Village President Matthew Brolley	___	___	___	___



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: August 26, 2016

B of T Date: August 29, 2016

Subject: Ordinance 1738 Amending the Village Code Regarding Fireworks

Submitted By: Steven A. Andersson & Laura M. Julien, Village Attorneys

Background/Policy Implications:

The attached ordinance would amend the Village Code regarding fireworks.

Describe Fiscal Impact/Budget Account Number and Cost: N/A

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1738

**AN ORDINANCE AMENDING THE VILLAGE OF MONTGOMERY
VILLAGE CODE, CHAPTER 8 ¼ (FIREWORKS) SECTION 8 ¼-2 (FIREWORKS REGULATED)
OF THE VILLAGE OF MONTGOMERY, ILLINOIS**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS ____ DAY OF _____, 2016.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS ____ DAY OF _____, 2016.

ORDINANCE NO. 1738

**AN ORDINANCE AMENDING THE VILLAGE OF MONTGOMERY
VILLAGE CODE, CHAPTER 8 ¼ (FIREWORKS), SECTIONS 8 ¼-2 (FIREWORKS REGULATED)
OF THE VILLAGE OF MONTGOMERY, ILLINOIS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

WHEREAS, the Village of Montgomery is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution, and accordingly, acts pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Illinois Pyrotechnic Use Act, 425 ILCS 35/2 prohibits the possession, sale, and use of fireworks throughout the State of Illinois, except as otherwise provided through reasonable rules and regulations for permitting such displays as may be set by local ordinance; and,

WHEREAS, the Village of Montgomery Board of Trustees finds it is in the best interests of the citizens of the Village of Montgomery to amend the Village of Montgomery Village Code, Chapter 8 ¼, Section 8 ¼-3, to allow for better regulation of fireworks; and,

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE:

Chapter 8 ¼, Section 8 ¼-2, is hereby amended to read as follows:

Sec. 8 ¼-2. Fireworks Regulated.

- (a) It shall be unlawful for any person, firm or corporation to:
 - (1) Engage in distribution of fireworks;
 - (2) Possess fireworks; or
 - (3) Engage in fireworks display within the corporate limits of the Village of Montgomery, without first obtaining a permit under the terms of this chapter.
- (b) It shall also be unlawful to:
 - (1) Engage in distribution of fireworks;
 - (2) Possess fireworks; or
 - (3) Engage in fireworks display within the corporate limits of the Village of Montgomery when such action violates any provision of Illinois Fireworks Laws or the provisions of this chapter.
- (c) Further, it shall be unlawful to manufacture, build, assemble, construct or disassemble any fireworks within the corporate limits of the Village of Montgomery, unless such action is comprised of the assembly of premanufactured components of fireworks in conjunction with a permitted display of fireworks.

(d) For purposes of enforcing this provision, evidence of fireworks paraphernalia or other fireworks related debris which is found on the property shall be conclusive evidence that the activities set forth in subsections (a) through (c) have occurred and the property owner and/or lessee of such property shall be deemed responsible for such activities and may be subject to the penalties set forth in 8 ¼-8.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this ____ day of _____, 2016.

Matthew Brolley
President of the Board of Trustees of the Village of Montgomery

ATTEST:

Tiffany Francis
Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
Trustee Stan Bond	___	___	___	___
Trustee Pete Heinz	___	___	___	___
Trustee Steve Jungermann	___	___	___	___
Trustee Denny Lee	___	___	___	___
Trustee Doug Marecek	___	___	___	___
Trustee Theresa Sperling	___	___	___	___
Village President Matthew Brolley	___	___	___	___