

Matt Brolley, *Village President*  
Penny FitzPatrick, *Village Clerk*  
Stan Bond, *Trustee*  
Pete Heinz, *Trustee*  
Steve Jungermann, *Trustee*  
Denny Lee, *Trustee*  
Doug Marecek, *Trustee*  
Theresa Sperling, *Trustee*



Village Board Meeting  
Monday, June 11, 2018  
7:00 PM, Village Hall

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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.*

- A. Minutes of the Village Board Meeting of May 29, 2018.
- B. Executive Session Minutes of May 29, 2018.
- C. Building Report for May 2018.
- D. Accounts Payable for FY18 through June 7, 2018 in the Amount of \$10,590.83.
- E. Accounts Payable for FY19 through June 7, 2018 in the Amount of \$235,747.89.
- F. Cancellation of June, 19, 2018 Committee of the Whole.

6. **Items for Separate Action**

- A. Recommendation of Montgomery Development Fund Committee—Main and Webster Partners LLC.
- B. Loan Request—Main and Webster Partners LLC.

7. **Items for Discussion**

8. **New or Unfinished Business**

9. **Future Meetings**

- A. Village Board Meeting—Monday, June 25, 2018 at 7:00 p.m.
- B. Beautification Committee Meeting—Wednesday, June 13, 2018 at 6:00 p.m.
- C. Historic Preservation Commission—Monday, June 18, 2018 at 6:30 p.m.
- D. Intergovernmental Committee Meeting—Monday, June 25, 2018 at 6:00 p.m.

10. **Executive Session**

11. **Adjournment**

President Brolley called the meeting to order at 7:08 p.m. followed by the Pledge of Allegiance.

**Roll Call**

Trustee Sperling	Yea	Trustee Jungermann	Yea
Trustee Lee	Yea	Trustee Marecek	Yea
Trustee Heinz	Yea	Trustee Bond	Absent

Also present: Administrator Jeff Zoephel, Attorney Laura Julien, Chief of Police Phillip Smith, Deputy Chief of Police Armando Sanders, Director of Community Development Rich Young, Engineer Peter Wallers, Village Clerk Penny FitzPatrick, Members of the Press and others.

**Public Participation**

**A. Public Comments.**

Residents Chad Davis and Sara Klostermann discussed their continued concerns with chickens present at 2904 Shetland Lane in the Foxmoor Subdivision. They reiterated the code and zoning violations present and their concerns with the number of chickens, coop construction and placement, livestock fencing, sale of livestock and health and sanitation issues created by the presence of these chickens. They asked that the Board not allow an exception to the Village permitting, inspection and code enforcement regulations in regard to the petitioner's request for emotional support chickens.

Brittany Villotti, resident at 2904 Shetland Lane and petitioner requesting an accommodation, explained her husband's disabled veteran status and the doctor's referral note he received from the Veteran's Administration documenting his need for six emotional support chickens. She suggested their flock had not adversely impacted their surrounding neighbors or community and welcomed the Board to personally inspect their coop conditions and chickens for confirmation. She requested that the Board approve her husband's veteran accommodation for emotional support chickens.

Residents Lisa Casbarian and her daughter, Lili, spoke to the Board about revisiting the Village code to potentially allow for backyard hens. They shared their interest in the Kendall County 4H Poultry Spin Club Program, asked the Board to consider allowing backyard chickens and suggested they mandate permits and codes for hens and coops regarding setbacks, number of animal limits and dedicated space as other neighboring communities had already done.

Mary Wilson of Lakewood Creek West noted her continued concern with potential flooding affecting her home from the neighboring ComEd common area. She requested approval of the award of a contract to Conley Excavating for storm sewer improvements to correct the drainage issues present and protect the homes in her neighborhood from potential flood damage. President Brolley noted that this item would be discussed for Separate Action later in the meeting.

**Consent Agenda**

- A. Minutes of the Village Board Meeting of May 14, 2018.**
- B. Executive Session Minutes of May 14, 2018.**
- C. Accounts Payable for FY18 through May 24, 2018 in the Amount of \$192,367.36.**
- D. Accounts Payable for FY19 through May 24, 2018 in the Amount of \$83,557.69.**
- E. Appointment by the Village President of Hailey Brzoska, 3122 Fairfield Way, to the Historic Preservation Commission for a Term through May 31, 2021.**
- F. Waiver of Temporary Liquor License Fee for Montgomery Fest.**
- G. Waiver of Temporary Liquor License Fee for Beers, Bands and Barns.**

**H. Ordinance 1799 Authorizing the Purchase of Real Property (1335 Amber Drive) (Second Reading).**

Trustee Jungermann moved to approve Items A-H of the Consent Agenda. Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Sperling, Trustee Lee and Trustee Heinz voting yea.

<b>Items for Separate Action</b>
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**A. Award of a Contract to Conley Excavating for the Lakewood Creek West ComEd Storm Sewer Improvements in the Amount of \$140,649.50.**

Engineer Wallers recommended approval of this contract to Conley Excavating for the Lakewood Creek West ComEd Storm Sewer Improvements. He shared the bid came in under budget and the Village had worked favorably with this contractor previously. He also requested authorization for President Brolley to sign the ComEd lease agreement to be able to start work in June once it was approved. He shared the work should be completed within 60 days after it was started and noted the ComEd lease agreement would be subject to attorney review.

Trustee Jungermann moved to approve the Award of a Contract to Conley Excavating for the Lakewood Creek West ComEd Storm Sewer Improvements in the Amount of \$140,649.50. Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Sperling, Trustee Lee and Trustee Heinz voting yea.

**B. Temporary Liquor License for Oswego Chamber of Commerce.**

Administrator Zoepfel noted this Temporary Liquor License was for the Oswego Chamber of Commerce's 2<sup>nd</sup> annual event at Dickson Murst Farms. Angie Hibben, Executive Director for the Oswego Chamber, addressed the Board briefly and Trustees Sperling and Marecek thanked her for picking a great venue in Montgomery to host their annual event.

Trustee Marecek moved to approve the Temporary Liquor License for Oswego Chamber of Commerce. Trustee Sperling seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Sperling, Trustee Lee, Trustee Heinz and Trustee Jungermann voting yea.

**C. Ordinance 1813 Amending the Village Code Regarding Liquor Licenses and Outdoor Dining (Waiver of First and Passage on Second Reading).**

President Brolley noted Ordinance 1813 was a Waiver of First and Passage on Second Reading. Administrator Zoepfel shared this ordinance allowed for outdoor dining and prerecorded music to be played for Class B Liquor Licenses.

Trustee Marecek moved to approve Ordinance 1813 Amending the Village Code Regarding Liquor Licenses and Outdoor Dining (Waiver of First and Passage on Second Reading). Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Sperling, Trustee Lee, Trustee Heinz and Trustee Jungermann voting yea.

**D. Resolution 2018-010 Authorizing a Stationary Food Vendor License (Time to Drive Auto).**

President Brolley noted Resolution 2018-010 was required to come before the Board for approval. Director Young shared this request was for a Stationary Food Vendor License for Time to Drive Auto on Montgomery Road and noted it met the regulations in place for stationary food vendors. Staff recommended approval of this resolution and Attorney Julien clarified this resolution included all three stationary food vendor licenses that were authorized in the Village this year.

President Brolley asked and Director Young shared this unit would be open for public use on Montgomery Road. Trustee Sperling shared her concern with additional food truck permits being provided and wanted to be sure that these types of permits did not oversaturate the area and take business away from local restaurants.

Trustee Marecek **moved to approve Resolution 2018-010 Authorizing a Stationary Food Vendor License (Time to Drive Auto)**. Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Sperling, Trustee Lee, Trustee Heinz and Trustee Jungermann voting yea.

<b>Items for Discussion</b>
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**A. Chickens in Residential Subdivisions.**

Attorney Julien and Administrator Zoepfel discussed the two issues regarding Chickens in Residential Subdivisions as whether the Village wanted to change the regulations to lift the prohibition on chickens in Montgomery and secondly, how to deal with an emotional support animal request when it invokes zoning ordinances or Village code provisions. President Brolley clarified that the current zoning ordinance prohibiting chickens in the Village could be addressed at another time through the Plan Commission process and the discussion tonight would pertain to the accommodation request for emotional support chickens at 2904 Shetland Lane in the Foxmoor Subdivision.

Attorney Julien outlined that emotional support animals were subject to Fair Housing Act guidelines, explained that requests for emotional support animals had to be provided by a qualified medical provider with appropriate medical documentation and the Village could grant specific, reasonable accommodations on a case by case basis. Finally, she explained that after review, an accommodation could be granted but would still be subject to all applicable, reasonable and enforceable Village regulations, zoning ordinances and code requirements.

Board discussion and concerns were shared regarding the timing and manner in which the chickens in question were acquired without Board approval and in violation of Village code prior to submitting a request for an accommodation. Additional concerns were noted regarding the number of code violations present regarding noise, waste disposal, number of animals present, pen and coop construction, setbacks from the street and adjacent properties and a lack of agricultural zoning for livestock in the Foxmoor Subdivision.

**\*Trustee Heinz left the meeting at 8:17 p.m.**

President Brolley summarized that Staff would gather and consider all the facts and investigate the possibility of making an accommodation for this request based on the Fair Housing Act parameters. He noted this would be done without changing any existing ordinances regarding backyard chickens or negatively affecting the use and enjoyment of any neighboring properties in the Foxmoor Subdivision. He directed Staff to move forward with this administrative review process to verify the accommodation letter from the Veterans Administration and clarified that Board approval would not be required for this issue to be addressed.

Attorney Julien closed stating that all facts, testimony and documentation provided would be investigated and considered to determine if an accommodation would be granted in this case. Administrator Zoepfel restated that since chickens are currently prohibited in the Village and the number of chickens present at this location are in excess of what is reasonable that the flock could be reduced while Staff is investigating the case. President Brolley stated that Staff's findings would be shared with the Board once the issue was investigated and resolved.

<b>New or Unfinished Business</b>
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Trustee Sperling noted that the Montgomery Rotary Club, Fox Valley Park District and Twin Oaks Landscaping Company with Trustee Jungermann collaborated to have fourteen new shade trees planted at the Lakewood Creek School Park.

Trustee Marecek shared that the Sunday in the Park Community Event will take place on Sunday, June 24th at the Lakewood Creek School Park. This family friendly event will have free ice cream from 4-5 pm, an Ozinga Touch-A-Truck Concrete Truck for kids, food trucks with food available for purchase and live music in the band shell offered from 5:00 - 7:30 p.m. for families to enjoy.

**Future Meetings**

- A. Village Board Meeting—Monday, June 11, 2018 at 7:00 p.m.
- B. Beautification Committee Meeting—Wednesday, June 13, 2008 at 6:00 p.m.
- C. Historic Preservation Commission—Monday, June 18, 2018 at 6:30 p.m.
- D. Committee of the Whole Meeting--Tuesday, June 19, 2018 at 7:00 p.m. (May Be Canceled.
- E. Intergovernmental Committee Meeting—Monday, June 25, 2018 at 6:00 p.m.
- F. Village Board Meeting—Monday, June 25, 2018 at 7:00 p.m.

**Executive Session: 8:34 – 8:43 p.m.**

- A. To Discuss the Acquisition of Real Property Pursuant to 5 ILCS 120/2(c)(5).

Trustee Jungermann **moved to go into Executive Session To Discuss the Acquisition of Real Property Pursuant to 5 ILCS 120/2(c)(5).** Trustee Sperling seconded this motion.

4 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Sperling and Trustee Lee voting yea.

**Adjournment: 8:45 p.m.**

Seeking no further business to come before the Board, it was moved by Trustee Jungermann and seconded by Trustee Marecek to **adjourn the meeting.**

4 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Sperling and Trustee Lee voting yea.

Respectfully submitted,

Penny FitzPatrick  
Village Clerk

**Building Report  
May 2018**

Permit Type	Total #	Valuation Totals	Permit Fee Total
Residential Additions & Alterations	39	\$ 154,843.00	\$ 2,423.00
Residential Misc.- Roof, window, etc.	62	\$ 582,866.00	\$ 8,640.00
Swimming Pool	3	\$ 15,600.00	\$ 165.00
Garage	0	\$ -	\$ -
Commercial Additions & Alterations	3	\$ 1,547,134.00	\$ 625.00
Commercial Misc.- Roof, window, etc.	2	\$ 1,300.00	\$ 60.00
Industrial Additions & Alterations	0	\$ -	\$ -
Industrial Misc.- Roof, window, etc.	0	\$ -	\$ -
Municipal Alt	0	\$ -	\$ -

**New Construction**

Residential- (Multi-family)	0	\$ -	\$ -
Residential-( Singlefamily)	2	\$ 300,500.00	\$ 13,835.55
Commercial	0	\$ -	\$ -
Industrial	0	\$ -	\$ -

<b>Grand Totals</b>	111	\$ 2,602,243.00	\$ 25,748.55
Previous Year	83	\$ 6,198,465.00	\$ 14,568.00
Year to Date Valuation:		\$	8,697,109.00

Residential Occupancies:

5 Commercial Occupancies:

5

Building Inspections	Total #	Code Violations	Total #
Backfill	0	Inoperable Vehicles	2
B-Boxes	0	Recreational Vehicle	3
Electric Service	0	Building without a permit	0
Final	2	Animal Related Violations	2
Final Building	0	Garbage and Debris	2
Final Electrical	2	Weeds and Grass	55
Final Fire	0	Brush Clearance	0
Final Framing	2	Vehicle Parking	3
Final Mechanical	2	Use Violations	0
Plumbing Inspections	13	Outdoor Storage	0
Final Survey	0	Other (List Below):	
Footing	0	Signs in ROW	50
Foundation	0	Snowplow Storage	0
Insulation	0	Temporary Signs	0
Porch & Stoop	0	Code Violations Total:	117
Post Hole	1	Code Violations Corrected:	115
Rough Concrete Prepour	0	Code Violations Remaining:	2
Rough Electrical	0	Properties being mowed by	
Rough Framing	0	Village:	0
Rough Mechanical	0	Inspections on Foreclosed Properties: 0	
Spot Survey	0		
Underground Electrical	0		
Wall	0	Additional Building Inspections by Matt: 65	
Water Meter	2	<b>Total Inspections:</b>	<b>89</b>

Village of Montgomery  
Bills to be Paid  
June 11, 2018  
FY18P13

**Police Department**

Streichers 678.72

**Public Works Department**

Edmonds 1,920.82

Layne Christensen 7,681.50

Mailbox Reimbursements 309.79

**Grand Total** 10,590.83

**Village of Montgomery**  
**Bills to be Paid**  
**June 11, 2018**  
**FY19**

<b><u>All Departments</u></b>	<b><u>Amount</u></b>
GFC	1,249.71
Kendall Printing	529.60
Mitel	2,801.31
Responsive	3,652.00
Verizon	2,210.56
<b><u>Elected Officials</u></b>	
Metro West	35.00
Metro West	105.00
Van Duser Productions	75.00
<b><u>Community Development/Building Department</u></b>	
Cannonball	1,700.00
Canon Financial	261.67
Tariq Dandan	1,625.00
<b><u>Finance Department/Water Billing</u></b>	
Azavar Audit	894.46
Comcast	263.95
Esser Hayes	1,786.00
MetroNet	249.95
Office Depot	20.19
Third Millennium	2,776.72
USPS	3,489.86
<b><u>Human Resources/Payroll</u></b>	
Guardian	5,215.39
Metropolitan Alliance of Police	612.00
Nationwide 457	1,000.00
Nationwide IRA	425.00
State Disbursement Unit	1,815.69
<b><u>Police Department</u></b>	
Archangels	100.00
AT&T	140.87
AT&T	113.92
CDW	36.45
Ledger Sentinel	28.00
JAMAR Technologies	3,595.00
Lynn Peavey Co	17.95



Neofunds	230.00
Office of Secretary of State	30.00
Ray O'Herron	172.11
SSPRF/LESO	400.00
Trotsky	260.00
Uline	133.47
Wally's Printing	89.05
Zuma	154.72

**Public Works Department**

Buchner Heating	368.00
Builders Asphalt	401.31
BW Signs	576.00
Carroll Distributing	44.78
CES	739.06
Cintas	71.36
Citywide	3,907.28
Coffman	42.00
Comcast	232.85
Constellation	7,436.06
Cornerstone	17,585.90
Cornerstone	9,506.00
Crescent Electric	86.01
DC Trash	98,239.80
Dynergy	19,341.85
Edmonds	942.29
Feece	6,594.49
Fox Metro	8,095.32
Grainger	394.00
Meade	520.00
Menards	354.92
Mid American Water	468.00
Midwest Salt	2,405.21
Motion Industries	32.76
Nicor	30.52
Petroleum Technologies	225.00
Priority Products	514.54
Ron Westphal	33.18
Schaefer's	987.42
Suburban Laboratories	805.00
Thyssen Krupp	811.23
Traffic Control & Protection	258.20
Van's Lock & Key	46.75
Viking Chemical	9,682.90
Water Products	208.80
Water Services	315.00
WE Mundy	4,283.50
Winding Creek	865.00

<b>Grand Total</b>	<u><u>235,747.89</u></u>
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**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:** June 7, 2018

**B of T Date:** June 11, 2018

**Subject:** Cancellation of June 19, 2018 Committee of the Whole Meeting

**Submitted By:** Debbie Buchanan, Deputy Clerk

**Background/Policy Implications:**

Approval is requested to cancel the Committee of the Whole Meeting scheduled for June 19, 2018.

**Describe Fiscal Impact/Budget Account Number and Cost:**

**Review:**

Village Manager: *Jeff Zoepfel*

Date: 06/07/2018

**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  
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:** June 7, 2018

**B of T Date:** June 11, 2018

**Subject:** Recommendation of the Montgomery Development Fund Committee

**Submitted By:** Rich Young, Director of Community Development

**Background/Policy Implications:**

The Montgomery Development Fund Committee received a forgivable loan request from Tom Michaels on behalf of the Main and Webster Partners, LLC in the amount of \$10,000 for the property located at 109 No. Main Street. The LLC would like to repair roofing and concrete flat work in front of the building with the help of the forgivable loan fund.

After reviewing the application, the Committee has recommended approved of the requested forgivable loan amount.

The Committee also recommended that a second request by Main and Webster Partners, LLC for a forgivable loan for an adjacent property located at 105 No. Main Street be resubmitted as a low interest loan request, which the applicants are in the process of reviewing with the Committee.

**Describe Fiscal Impact/Budget Account Number and Cost:**

**Review:**

Village Manager: *Jeff Zoepfel*

Date: 06/07/2018

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

MONTGOMERY DEVELOPMENT FUND

FORGIVABLE LOAN APPLICATION INFORMATION

1. Applicant/Business Information:

Applicant's Name: Thomas Michaels

Home Address: 504 Fairhaven Drive, Yorkville, IL 60560

Home Phone: (630) 553-0505 (630) 373-0474 (cell)

Personal Email: mainandwebsterpartnersllc@gmail.com

Name of Business: Main and Webster Partners, LLC

Business Address: 109 N. Main St., Montgomery, IL 60538

Business Phone: (630) 373-0474

Business Email/Website: mainandwebsterpartnersllc@gmail.com

Date Business Started: family business since 1925 / llc 1/1/2017

Business Ownership:  Sole Proprietorship  Partnership  
 Corporation  Other

Principal Owners (List Individuals Owning 10 Percent or More of Business):

Thomas Michaels, Joanna Michaels,

Eugene Michaels, Joan Michaels

Number of Current Employees: Full Time 0 Part Time 0

Anticipated Number of Employees: After 1 Year Full Time 0 Part Time 0  
After 2 Years Full Time 0 Part Time 0

2. Location of Property for Business Operation:

Applicant:  Owns  Leases Business Property

If Leased: Owner's Name \_\_\_\_\_

Owner's Address \_\_\_\_\_

Term of Lease \_\_\_\_\_

If Existing Building: SF Occupied 4,000 Year Constructed 1960

If New Construction: SF NEW \_\_\_\_\_ Estimated Cost of Improvements \_\_\_\_\_

Assessed Value of Property: \$ 146,000 (Most Recent Year)

Real Estate Taxes Paid: \$ 4774.50 Year 2017

## MONTGOMERY DEVELOPMENT FUND

### 3. Proposed Uses of Funds/Project Costs

Describe the proposed project including activities to be financed in whole or in part by the Village funding:

MDF: Concrete flatwork repairs on west side.  
Major roof repairs.

**Estimated Project Costs:**

Land Acquisition	\$
Site Improvements	\$
New Construction	\$
Renovation/Rehabilitation	~\$11,000
Machinery/Equipment	\$
Inventory/Working Capital	\$
Other Costs	\$
<b>Total</b>	<b>\$11,000</b>

**Project Schedule: Identify Major Milestones (such as):**

Engineering Complete	_/_/_
Permits Approved	_/_/_
Construction/Rehabilitation Start	5/1/18
Machinery/Equipment Purchase	_/_/_
Machinery/Equipment Installation	_/_/_
Construction/Rehabilitation Complete	_/_/_
Job Retention/Creation	_/_/_
Project Close-out	5/1/18

### 4. Project Financing

Requested MDF Loan:	\$10,000
Other Financing Required (Source)	
<i>Bank or Other Private Lender</i>	\$
<i>SBA Loan</i>	\$
<i>Owner Equity</i>	\$1,000
<b>Total Project Cost</b>	<b>\$11,000</b>

**Certification:** The undersigned certifies that to the best of my knowledge and belief, all information contained in this loan application and in the accompanying statements and documents is true, complete and correct. The undersigned agrees to notify the Village President or his designee of any material changes. It is further agreed that whether or not the loan herein applied for is approved, the undersigned will pay the Village of Montgomery for costs, if any, of surveys, credit review, appraisals, etc. performed by the Village with the prior written consent of the applicant. The applicant agrees to furnish any additional information to the Village as needed to review and consider this loan request.

Thomas Mubail  
 Signature of Applicant

4/29/18  
 Date

# MONTGOMERY DEVELOPMENT FUND

## AUTHORIZATION TO RELEASE INFORMATION

I/We hereby authorize the release to the Village of Montgomery of any and all information they may require at any time for any purpose related our credit transaction with them. I/We further authorize the President of the Village of Montgomery or his designee, to release such information to any entity they deem necessary for any purpose related to our credit transaction with the Village. I/We understand that the Village of Montgomery may utilize, publish or distribute certain data/information about the below listed company/business entity for surveys, reports, public relations and other items as may be required by the Village of Montgomery or as may be in the best interest of the Village of Montgomery ongoing operations and I/We authorize such documentation to be used in such a manner as the Village of Montgomery deems appropriate.

I/We further authorize the Village of Montgomery to contact and make inquiries of my/our lenders, customers, suppliers, creditors, investors and other persons deemed necessary and appropriate by the Village of Montgomery to obtain or verify information concerning our current and proposed business, operations and financial condition. I/We hereby release the Village of Montgomery Corporation and its Trustees, officers, directors, employees and agents (collectively, the "Indemnified Parties") from any liability of damages resulting from such contacts and inquiries. I/We agree to indemnify and hold the parties harmless from and against any liability, claims, damages, costs and expenses (including attorney's fees and costs) incurred by or asserted against any of them as a result of or in connection with any of such contacts or inquiries.

I/We acknowledge that the Village of Montgomery may from time to time offer advice or recommendations about business operations and practices. I/We agree to indemnify and hold harmless from and against any liability, claims, damages, costs and expenses (including attorney's fees and costs) incurred by or asserted against any of them as a result of or in connection with any such advice, recommendations or consultations.

I/We hereby authorize the transfer of and/or sharing of credit and other information pertaining to this application with the Small Business Development Centers, public and/or private lending institutions, and/or participating lenders and other agencies and entities. I/We certify that the enclosed information (plus all attachments and forms) is valid and correct to the best of my/our knowledge. I/We hereby acknowledge that if any representation, warranty or information, either supplied by me/us, obtained through the due diligence conducted by the Village of Montgomery, or brought to the knowledge of the Village of Montgomery at any time, shall prove to have been false, incomplete or incorrect in any material respect, then the remaining unpaid principal amount of any funds borrowed through my/our influence from the Village of Montgomery MDF shall become immediately due and payable, along with all accrued interest and cost of collections.

I/We hereby acknowledge that all loan approvals will be in writing and subject to the terms and conditions set forth in a commitment letter signed by the Village President of Montgomery and that any loan ultimately made by the Village of Montgomery will also be subject to the terms and conditions of definitive loan documents in form and substance acceptable to the Village of Montgomery.

Company Name: MAIN & WEBSTER PARTNERS LLC  
Company Address: 504 FAIRHAVEN DR YORKVILLE, IL 60560  
Officer Name: (Print) THOMAS MICHAELS  
Phone/Email: 630-373-0474 mainandwebsterpartnersllc@gmail.com  
Thomas Michael 4/29/18  
Signature Date

MONTGOMERY DEVELOPMENT FUND

ALL INDIVIDUALS GUARANTYING THE PROPOSED LOAN MUST SIGN BELOW

	Print Name	Signature	Date
1.	<u>THOMAS MICHAELS</u>	<u>Thomas Michael</u>	<u>5/28/18</u>
2.	<u>JOANNA MICHAELS</u>	<u>Joanna Michael</u>	<u>5/28/18</u>
3.	<u>EUGENE MICHAELS</u>	<u>Eugene Michael</u>	<u>5-28-18</u>
4	<u>JOAN MICHAELS</u>	<u>Joan Michael</u>	<u>5/28/18</u>

## History of 105 & 109 N. Main St., Montgomery, IL

Barney and Felix Michaels purchased the A.C Esser and Son Grocery in 1925 (105 N. Main St.). The store known as Michaels Brothers was in business until the late 1950s when Felix's sons Paul and Gene took over and continued to operate under the same name. In the early 1960s, due to the increase in population and business, they found it necessary to put up a larger building adjacent to the existing facility (109 N. Main St.). They remained in business until 1995 when due to Paul's failing health, they closed the business. The Michaels Brothers were in business for 75 years on the same corner. The property has remained in the hands of the Michaels Family and has been used for various retail purposes. 105 N. Main St. is home to 3 businesses, K&M Hair Design, Corporate Services Employment Agency and Joanie's Nails, as well as a residential apartment. In the immediate future, 109 N. Main will be opening as the Capelli School of Cosmetology and should make for a more vibrant old town downtown.





**LLC FILE DETAIL REPORT**

<b>File Number</b>	06082742		
<b>Entity Name</b>	MAIN AND WEBSTER PARTNERS, LLC		
<b>Status</b>	ACTIVE	<b>On</b>	11/15/2017
<b>Entity Type</b>	LLC	<b>Type of LLC</b>	Domestic
<b>File Date</b>	12/12/2016	<b>Jurisdiction</b>	IL
<b>Agent Name</b>	THOMAS P. MICHAELS	<b>Agent Change Date</b>	12/12/2016
<b>Agent Street Address</b>	504 FAIRHAVEN DR	<b>Principal Office</b>	504 FAIRHAVEN DRIVE YORKVILLE, IL 605600000
<b>Agent City</b>	YORKVILLE	<b>Managers</b>	<a href="#">View</a>
<b>Agent Zip</b>	60560	<b>Duration</b>	PERPETUAL
<b>Annual Report Filing Date</b>	11/15/2017	<b>For Year</b>	2017
<b>Series Name</b>	NOT AUTHORIZED TO ESTABLISH SERIES		

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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:** June 7, 2018

**B of T Date:** June 11, 2018

**Subject:** Loan Request 109 No. Main Street.

**Submitted By:** Rich Young, Director of Community Development

**Background/Policy Implications:**

Based on the acceptance of a recommendation by the Montgomery Development Fund Committee for the approval of an MDF loan, staff is seeking Board approval of a loan request for a forgivable loan submitted by Main and Webster Partners, LLC

If the Board approves the request, a formal agreement will be prepared by the Village Attorney.

**Describe Fiscal Impact/Budget Account Number and Cost:**

**Review:**

Village Manager: *Jeff Zoepfel*

Date: 06/07/2018

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

MONTGOMERY DEVELOPMENT FUND

FORGIVABLE LOAN APPLICATION INFORMATION

1. Applicant/Business Information:

Applicant's Name: Thomas Michaels

Home Address: 504 Fairhaven Drive, Yorkville, IL 60560

Home Phone: (630) 553-0505 (630) 373-0474 (cell)

Personal Email: mainandwebsterpartnersllc@gmail.com

Name of Business: Main and Webster Partners, LLC

Business Address: 109 N. Main St., Montgomery, IL 60538

Business Phone: (630) 373-0474

Business Email/Website: mainandwebsterpartnersllc@gmail.com

Date Business Started: family business since 1925 / llc 1/1/2017

Business Ownership:  Sole Proprietorship  Partnership  
 Corporation  Other

Principal Owners (List Individuals Owning 10 Percent or More of Business):

Thomas Michaels, Joanna Michaels,

Eugene Michaels, Joan Michaels

Number of Current Employees: Full Time 0 Part Time 0

Anticipated Number of Employees: After 1 Year Full Time 0 Part Time 0  
After 2 Years Full Time 0 Part Time 0

2. Location of Property for Business Operation:

Applicant:  Owns  Leases Business Property

If Leased: Owner's Name \_\_\_\_\_

Owner's Address \_\_\_\_\_

Term of Lease \_\_\_\_\_

If Existing Building: SF Occupied 4,000 Year Constructed 1960

If New Construction: SF NEW \_\_\_\_\_ Estimated Cost of Improvements \_\_\_\_\_

Assessed Value of Property: \$ 146,000 (Most Recent Year)

Real Estate Taxes Paid: \$ 4774.50 Year 2017

## MONTGOMERY DEVELOPMENT FUND

### 3. Proposed Uses of Funds/Project Costs

Describe the proposed project including activities to be financed in whole or in part by the Village funding:

MDF: Concrete flatwork repairs on west side.  
Major roof repairs.

**Estimated Project Costs:**

Land Acquisition	\$
Site Improvements	\$
New Construction	\$
Renovation/Rehabilitation	~\$11,000
Machinery/Equipment	\$
Inventory/Working Capital	\$
Other Costs	\$
<b>Total</b>	<b>\$11,000</b>

**Project Schedule: Identify Major Milestones (such as):**

Engineering Complete	J J
Permits Approved	J J
Construction/Rehabilitation Start	5/1/18
Machinery/Equipment Purchase	J J
Machinery/Equipment Installation	J J
Construction/Rehabilitation Complete	J J
Job Retention/Creation	J J
Project Close-out	5/1/18

### 4. Project Financing

Requested MDF Loan:	\$10,000
Other Financing Required (Source)	
<i>Bank or Other Private Lender</i>	\$
<i>SBA Loan</i>	\$
<i>Owner Equity</i>	\$1,000
<b>Total Project Cost</b>	<b>\$11,000</b>

**Certification:** The undersigned certifies that to the best of my knowledge and belief, all information contained in this loan application and in the accompanying statements and documents is true, complete and correct. The undersigned agrees to notify the Village President or his designee of any material changes. It is further agreed that whether or not the loan herein applied for is approved, the undersigned will pay the Village of Montgomery for costs, if any, of surveys, credit review, appraisals, etc. performed by the Village with the prior written consent of the applicant. The applicant agrees to furnish any additional information to the Village as needed to review and consider this loan request.

Thomas Mubail  
 Signature of Applicant

4/29/18  
 Date

# MONTGOMERY DEVELOPMENT FUND

## AUTHORIZATION TO RELEASE INFORMATION

I/We hereby authorize the release to the Village of Montgomery of any and all information they may require at any time for any purpose related our credit transaction with them. I/We further authorize the President of the Village of Montgomery or his designee, to release such information to any entity they deem necessary for any purpose related to our credit transaction with the Village. I/We understand that the Village of Montgomery may utilize, publish or distribute certain data/information about the below listed company/business entity for surveys, reports, public relations and other items as may be required by the Village of Montgomery or as may be in the best interest of the Village of Montgomery ongoing operations and I/We authorize such documentation to be used in such a manner as the Village of Montgomery deems appropriate.

I/We further authorize the Village of Montgomery to contact and make inquiries of my/our lenders, customers, suppliers, creditors, investors and other persons deemed necessary and appropriate by the Village of Montgomery to obtain or verify information concerning our current and proposed business, operations and financial condition. I/We hereby release the Village of Montgomery Corporation and its Trustees, officers, directors, employees and agents (collectively, the "Indemnified Parties") from any liability of damages resulting from such contacts and inquiries. I/We agree to indemnify and hold the parties harmless from and against any liability, claims, damages, costs and expenses (including attorney's fees and costs) incurred by or asserted against any of them as a result of or in connection with any of such contacts or inquiries.

I/We acknowledge that the Village of Montgomery may from time to time offer advice or recommendations about business operations and practices. I/We agree to indemnify and hold harmless from and against any liability, claims, damages, costs and expenses (including attorney's fees and costs) incurred by or asserted against any of them as a result of or in connection with any such advice, recommendations or consultations.

I/We hereby authorize the transfer of and/or sharing of credit and other information pertaining to this application with the Small Business Development Centers, public and/or private lending institutions, and/or participating lenders and other agencies and entities. I/We certify that the enclosed information (plus all attachments and forms) is valid and correct to the best of my/our knowledge. I/We hereby acknowledge that if any representation, warranty or information, either supplied by me/us, obtained through the due diligence conducted by the Village of Montgomery, or brought to the knowledge of the Village of Montgomery at any time, shall prove to have been false, incomplete or incorrect in any material respect, then the remaining unpaid principal amount of any funds borrowed through my/our influence from the Village of Montgomery MDF shall become immediately due and payable, along with all accrued interest and cost of collections.

I/We hereby acknowledge that all loan approvals will be in writing and subject to the terms and conditions set forth in a commitment letter signed by the Village President of Montgomery and that any loan ultimately made by the Village of Montgomery will also be subject to the terms and conditions of definitive loan documents in form and substance acceptable to the Village of Montgomery.

Company Name: MAIN & WEBSTER PARTNERS LLC  
Company Address: 504 FAIRHAVEN DR YORKVILLE, IL 60560  
Officer Name: (Print) THOMAS MICHAELS  
Phone/Email: 630-373-0474 mainandwebsterpartnersllc@gmail.com  
Thomas Michael 4/29/18  
Signature Date

MONTGOMERY DEVELOPMENT FUND

ALL INDIVIDUALS GUARANTYING THE PROPOSED LOAN MUST SIGN BELOW

Print Name	Signature	Date
1. <u>THOMAS MICHAELS</u>	<u>Thomas Michael</u>	<u>5/28/18</u>
2. <u>JOANNA MICHAELS</u>	<u>Joanna Michael</u>	<u>5/28/18</u>
3. <u>EUGENE MICHAELS</u>	<u>Eugene Michael</u>	<u>5-28-18</u>
4 <u>JOAN MICHAELS</u>	<u>Joan Michael</u>	<u>5/28/18</u>

## History of 105 & 109 N. Main St., Montgomery, IL

Barney and Felix Michaels purchased the A.C Esser and Son Grocery in 1925 (105 N. Main St.). The store known as Michaels Brothers was in business until the late 1950s when Felix's sons Paul and Gene took over and continued to operate under the same name. In the early 1960s, due to the increase in population and business, they found it necessary to put up a larger building adjacent to the existing facility (109 N. Main St.). They remained in business until 1995 when due to Paul's failing health, they closed the business. The Michaels Brothers were in business for 75 years on the same corner. The property has remained in the hands of the Michaels Family and has been used for various retail purposes. 105 N. Main St. is home to 3 businesses, K&M Hair Design, Corporate Services Employment Agency and Joanie's Nails, as well as a residential apartment. In the immediate future, 109 N. Main will be opening as the Capelli School of Cosmetology and should make for a more vibrant old town downtown.



**LLC FILE DETAIL REPORT**

<b>File Number</b>	06082742		
<b>Entity Name</b>	MAIN AND WEBSTER PARTNERS, LLC		
<b>Status</b>	ACTIVE	<b>On</b>	11/15/2017
<b>Entity Type</b>	LLC	<b>Type of LLC</b>	Domestic
<b>File Date</b>	12/12/2016	<b>Jurisdiction</b>	IL
<b>Agent Name</b>	THOMAS P. MICHAELS	<b>Agent Change Date</b>	12/12/2016
<b>Agent Street Address</b>	504 FAIRHAVEN DR	<b>Principal Office</b>	504 FAIRHAVEN DRIVE YORKVILLE, IL 605600000
<b>Agent City</b>	YORKVILLE	<b>Managers</b>	<a href="#">View</a>
<b>Agent Zip</b>	60560	<b>Duration</b>	PERPETUAL
<b>Annual Report Filing Date</b>	11/15/2017	<b>For Year</b>	2017
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