

Village President Brolley called the meeting to order at 7:00 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	Yea

Also present: Administrator Jeff Zoepfel, Attorney Steve Andersson, Police Chief Daniel Meyers, Deputy Police Chief Armando Sanders, Director of Public Works Todd Hoppenstedt, Director of Finance Justin VanVooren, Director of Community Development Rich Young, Engineer Peter Wallers, Members of the Press and others.

Public Participation

A. Public Comments.

None at this time.

B. Proclamation for Engineers Week.

President Brolley read the Proclamation for Engineers Week celebrating the knowledge, skill, creativity and innovation that Engineers use to meet the challenges of the 21st century. He declared the week of February 19th-25th National Engineers Week on behalf of the citizens and Village Officials in the Village of Montgomery.

President Brolley shared that again this year Engineer Peter Wallers and EEI are partnering with the Krug Elementary fifth graders to do an engineering challenge with them. Several EEI engineers will visit the school to coach and teach the students and the fifth graders will complete a structural engineering newspaper challenge with what they have learned. A final contest winner of the event will be determined by March 1st.

Trustee Jungermann moved to approve the Proclamation for Engineers Week. Trustee Marecek seconded this motion.

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

C. Chief Tom Meyers, Regarding the TIF Rebate Process.

Chief Tom Meyers of the Montgomery Countryside Fire Department addressed the Board regarding his concerns about how the TIF rebate process was being implemented. He does not believe it is being rebated as he felt it was agreed to in January 2014. He questioned why some existing buildings had been removed from the TIF rebate, shared that discussions with staff had been going on for a

year, and expressed a desire to resolve the issue as soon as possible without the need for costly Fire Department and Village Attorney involvement. Chief Meyers said he hoped to come to a mutually agreeable solution to maintain a cooperative relationship with the Board that would endure for the length of the 23-year long resolution agreement.

President Brolley thanked Chief Meyers for his presentation and shared that it is a concern for everyone involved to resolve this outstanding TIF Rebate issue. He reiterated that the goal of the TIF Fund was to promote economic development and growth in Montgomery and that the TIF Fund rebate was a unique way to provide revenue back to the Fire Protection District and other taxing bodies. He said he looked forward to reaching a consensus on the resolution, which would include an easier to understand process, in the near future.

The Trustees thanked Chief Meyers for his presentation and strongly urged that this issue be expediently resolved within the next month, if possible.

President Brolley summarized that it was important to implement a policy that was clear for everyone involved due to the long-range scope of the resolution as it allows for the Fire Protection District to make planning and staffing decisions with the rebate funding. He directed staff to proceed with the negotiations and to come back to the Board as soon as a finalized agreement was available.

Consent Agenda

- A. Minutes of the Village Board Meeting of January 23, 2017.**
- B. Executive Session Minutes of January 23, 2017.**
- C. Building Report for January 2017.**
- D. Accounts Payable through February 9, 2017 in the Amount of \$560,081.44.**
- E. Accounts Receivable Report for January 2017.**

Trustee Marecek moved to approve items A-E on the Consent Agenda. Trustee Jungermann seconded this motion.

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

Items for Separate Action

- A. Professional Services Agreement with Engineering Enterprises, Inc. for Construction Engineering Services for the 2017 MFT and Infrastructure Road Program.**

Director Hoppenstedt presented the professional services agreement with Engineering Enterprises, Inc. for the 2017 Road Program. The pavement management report update detailed the use of MFT and IRP funds and focuses on resurfacing 7.58 miles of roadway that was approved by the Board in June 2016. The program included crack sealing and patching throughout the Village. The project is

currently out to bid and Director Hoppenstedt will come back to the Board with a contract award when it is available. This work is anticipated to begin in April 2017 and the proposed fee will cost \$220,457, which is in line with the amount budgeted for in the current fiscal year. He asked for Board approval of this agreement.

Trustee Jungermann **moved to approve the Professional Services Agreement with Engineering Enterprises, Inc. for Construction Engineering Services for the 2017 MFT and Infrastructure Road Program.** Trustee Marecek seconded this motion.

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

B. Letter of Understanding with Illinois Department of Transportation for Maintenance of ADA Ramps and Crosswalks over State Routes.

Director Hoppenstedt presented the letter of understanding from the Illinois Department of Transportation sent to the Village in October 2016. It requires the Village to take responsibility for the maintenance of ADA accessible crosswalks that cross state routes. Only one crosswalk exists in the Village that is applicable for this agreement at Gordon Road at Route 30. Director Hoppenstedt recommended that the Board sign the letter of understanding and asked for Board approval.

Trustee Jungermann **moved to approve the Letter of Understanding with Illinois Department of Transportation for Maintenance of ADA Ramps and Crosswalks over State Routes.** Trustee Marecek seconded this motion.

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

Items for Discussion

A. Sales Tax Incentive Request from Lucky's Beef n Dogs.

Director Young presented a Sales Tax Incentive Request from Lucky's Beef n Dogs. It requested similar consideration to the tax rebates previously granted to 9'ers Grill and La Chiquita Food Market and included the sales business plan, financial projections and remodeling costs for the old Pizza Hut building at 1890 Douglas Road. The building permit for restaurant renovations and liquor license were already issued to Lucky's by the Village. Director Young asked the Board for direction on the issue.

James Manfre, restaurant owner of Lucky's Beef and Dogs addressed the Board regarding his Sales Tax Incentive request. He explained how unexpected renovations and delays occurred to bring the old Pizza Hut building up to code in regard to mold remediation, plumbing and grease trap issues. He hoped to partner with the Village for a long-term commitment and requested a tax incentive to assist him with the unexpected costs he had encountered to date.

Much discussion was had and questions were raised in regard to how the tax rebate would be calculated, what the term of the rebate would be, if it would be capped and how the tax percentage would incrementally increase based on sales over time. President Brolley noted that Lucky's does meet some of the criteria for the tax rebate as they would be filling a vacant store front, investing in a building and providing a need for a sit-down restaurant in the Village.

Some concerns shared were that Mr. Manfre is not the building owner and that the investment numbers were unclear as to what he would have to pay out versus the building owner for the improvements. President Brolley and the Trustees also raised points of concern in regard to rebating \$100,000 in tax payer dollars for this project that has an emphasis on video gaming in a family-friendly atmosphere, and requested assurance that no outdoor gaming signage would exist.

In summary, the Board was in favor of working with the petitioner for future review with a need to tone down the gaming aspect of the business, that the dollar amount of the rebate would be in proportion with the investment incurred and that more accurate out of pocket investment numbers would need to be shared for the building owner and petitioner. The Board does not want to see the property remain vacant and would like to have a family-friendly restaurant added to Douglas Road. Director Young will continue to work with the petitioner and will come back to the Board when an updated request is ready.

New or Unfinished Business

Trustee Marecek shared that an incident occurred on Margaret and Lakewood Creek Drive where a driver almost hit a student and the driver was visibly shaken. He contacted staff after being notified of the issue and they quickly came up with a resolution to make visibility more clear at the crosswalk by changing some signage and parking. He wanted to thank staff for their quick response and resolution within 24 hours of the incident.

Trustee Jungermann shared that an issue arose in Orchard Prairie North when someone blew up a gas can near the pedestrian bridge near Aldi and burned half an acre of field. He felt they were lucky it did not reach the nearby homes. He noted ongoing issues occurring on the west side that the Police Department is aware of and doing their best to handle and asked for Board support to possibly increase police patrols in the area.

Future Meetings

- A. Plan Commission – Thursday, February 16, 2017 at 7:00 p.m.**
- B. Committee of the Whole Meeting – Tuesday, February 21, 2017 at 7:00 p.m.**
- C. Village Board Meeting – Monday, February 27, 2017, at 7:00 p.m.**

Executive Session 9:00 – 9:15 pm

- A. To Discuss the Employment of an Employee Pursuant to 5 ILCS 120/2 (c)(1).**
- B. To Discuss the Minutes of Meetings for the Purposes of Approval by the Body of the Minutes as Mandated by Section 2.06 Pursuant to 5 ILCS 120/2(c)(21).**

President Brolley directed that only item **A. To Discuss the Employment of an Employee Pursuant to 5 ILCS 120/2 (c)(1)** would be discussed in Executive Session. **Item B: To Discuss the Minutes of Meetings for the Purposes of Approval by the Body of the Minutes as Mandated by Section 2.06 Pursuant to 5 ILCS 120/2(c)(21)** was no longer on the agenda for Executive Session this evening.

Trustee Jungermann **moved to go into Executive Session to Discuss the Employment of an Employee Pursuant to 5 ILCS 120/2 (c)(1)**. Trustee Bond seconded this motion.

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

Items for Separate Action

A. Report of Closed Session Minutes

President Brolley advised that the Board would not report on this topic this evening.

Adjournment: 9:17 p.m.

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

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

Respectfully submitted,

Penny Fitzpatrick
Village Clerk