

Village 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	Yea

Also present: Attorney Steve Andersson, Village Administrator Jeff Zoepfel, Chief of Police Dan Meyers, Deputy 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 (Two Minute Opportunity).**

There were no public comments this evening.

**Consent Agenda**

- A. Minutes of the Village Board Meeting of July 25, 2016.**
- B. Building Report for July 2016.**
- C. Accounts Payable through August 4, 2016 in the Amount of \$332,896.86.**
- D. Cancellation of the August 16th Committee of the Whole Meeting.**

Trustee Marecek **moved to approve items A-D 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, Trustee Jungermann voting yea.

**Items for Separate Action**

**A. Recommendation of the Plan Commission on PC 2016-020 A, Z, FP Annexation, Rezoning and Final Plat Located West of VVF on Aucutt Road – Old Dominion Freight.**

Director of Community Development Rich Young gave an overview of this item. He stated the engineers are reviewing the traffic study. Staff is recommending approval of the annexation, rezoning and final plat subject to final engineer review, review of the traffic study, and a landscape plan along with Village Attorney review. The Plan Commission concurred with the staff recommendation.

Trustee Marecek clarified that the right of way issue was resolved.

Trustee Lee moved to **approve the Recommendation of the Plan Commission on PC 2016-020 A, Z, FP Annexation, Rezoning and Final Plat Located West of VVF on Aucutt Road – Old Dominion Freight.** Trustee Marecek seconded this motion.

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

**B. Ordinance 1735 Annexing Territory, Zoning and Approving a Final Plat for Old Dominion Freight Line (Aucutt Road) (First Reading).**

This is the first reading; therefore, no action was taken. President Brolley stated this item will be on the consent agenda in two weeks and welcomed them to the Village.

**C. Recommendation of the Plan Commission on PC 2016-021 Z Regarding Fences - Text Amendment to Section 4 of the Zoning Ordinance.**

Director Young gave an overview of this item. Staff presented a text amendment to the Plan Commission in which they concurred, for the M1 and M2 zoning districts only, to allow chain-link fencing. He then reviewed reasoning behind the acceptance of this amendment. Staff recommended approval of this item, and the Plan Commission on a vote of 5-1 recommends approval as well.

Trustee Bond inquired about the basis for the one objection. Director Young reviewed the basis for the Commissioner's objection.

Trustee Marecek moved to **approve the Recommendation of the Plan Commission on PC 2016-021 Z Regarding Fences - Text Amendment to Section 4 of the Zoning Ordinance.** Trustee Lee seconded this motion.

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

**D. Ordinance 1736 Amending Section 4 of the Village's Zoning Ordinance Regarding Chain Link Fences (First Reading).**

This was a first reading, therefore, no action was taken. President Brolley inquired if there was any objection to place this item on consent in two weeks. There was no opposition from the Board.

**E. Resolution 2016-008 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the American Crystal Property at 1601 Commerce Drive.**

Director Young stated that items E-H are similar and gave an overview of each item regarding outdoor lighting. He reviewed the light pole standard for the Village in the M1 and M2 zoning district and stated that the Village has gotten several recent requests to allow for higher light poles.

American Crystal has requested that they be allowed to have 30 ft. light poles on their property to ensure safety of several areas on their property. Staff reviewed with the American Planning Association as well as surrounding communities what the average light pole standard would be for industrial areas and in general the standard was 30 ft. Therefore, staff felt the request from American Crystal was acceptable at 30 ft. Plan Commission concurred with staff on a vote of 6-0.

President Brolley inquired about discussing all requests prior to taking action on all of them. Director Young was in agreement.

After Director Young reviewed items E-H the Board had a brief discussion regarding each item.

Trustee Marecek moved to **approve the Resolution 2016-008 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the American Crystal Property at 1601 Commerce Drive.** Trustee Bond seconded this motion.

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

**F. Resolution 2016-009 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the Nexeo Property at 1501 Commerce Drive.**

Director of Community Development Rich Young gave a summary of this item. He stated that Nexeo is requesting a 30 ft. height for light poles and 30 ft. for the wall lighting. He then detailed that the wall pack lighting staff is also recommending that it go to 30 ft. on buildings. Staff recommendation and Plan Commission Recommendation is for 30 ft. on wall lighting as well as 30 ft. on pole lighting.

Trustee Marecek moved to **approve the Resolution 2016-009 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the Nexeo Property at 1501 Commerce Drive.** Trustee Bond seconded this motion.

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

**G. Resolution 2016-010 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the CenterPoint Property Located at 900 Knell Road.**

Director of Community Development Rich Young gave an overview of this item. He reviewed that CenterPoint is requesting 40 ft. wall lighting as well as 40 ft. pole lights. He stated that the staff recommended going with 30 ft. and 30 ft. and the Plan Commission by a vote of 4-2 felt the 40 ft. in the storage yard area and 40 ft. in the parking lot area was acceptable in this condition due to large scale coverage needed. President Brolley asked what the Plan Commission reasoning was for this particular case. Director Young reviewed the reasoning from the Plan Commission.

Trustee Marecek moved to **approve the Resolution 2016-010 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the CenterPoint Property Located at 900 Knell Road.** Trustee Lee seconded this motion.

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

**H. Resolution 2016-011 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the Old Dominion Property on Aucutt Road.**

Director Young gave an overview of this item. He stated that the request is for 30 ft. high light fixtures for the parking lot in the front and 40 ft. in the rear where the storage yard would be located. He stated that the Plan Commission agreed to this request by a vote of 4-2.

Trustee Lee stated his thoughts regarding the various lighting requests and stated that he is thrilled to have these companies in Montgomery.

Director Young reviewed that he would like to review this ordinance, especially the wall lighting, to see if there needs to be an amendment made to change the lighting standards.

Trustee Jungermann stated his approval of the 40 ft. lighting in the front and the back.

Trustee Bond verified that it would be downcast lighting. Director Young stated that for the most part it would be, however, in some cases there would be some angled lighting to the storage yard or the parking area in the rear portion.

President Brolley stated his concerns that it does not interfere with the drivers on Aucutt Road if there are 40 ft. poles in the front. He then verified with Director Young that staff's recommendation was 30 ft. across the board on items E-H.

Trustee Jungermann moved to **approve the Resolution 2016-011 Authorizing a Deviation to Section 12A of the Zoning Ordinance Allowing Light Fixtures to be Installed Above the Ordinance Standards on the Old Dominion Property on Aucutt Road.** Trustee Marecek seconded this motion.

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

After the vote, Director Young verified with President Brolley that for Old Dominion the approval was for 30 ft. for the front and 40 ft. for the rear.

**I. Ordinance 1734 Authorizing the Execution of the Sales Tax Incentive Agreement with Inland National Development Corporation (Second Reading).**

Director Young reviewed that there have been three changes made since the Board has seen the first draft of the agreement. He first stated that there are two separate property owners, Inland National Development and International Montgomery LLC and detailed which properties they own. He stated

that third item is in regards to the Board's request with wording in regards to the state's distribution of the municipal portion of the sales tax and that has been added and agreed to by Inland. Lastly, he stated that staff is recommending approval subject to Village Attorney review of the final document and moving forward as they know that Binny's is interested in getting started as soon as possible.

President Brolley appreciates that Inland is agreeable to that change.

Trustee Heinz moved to **approve the Ordinance 1734 Authorizing the Execution of the Sales Tax Incentive Agreement with Inland National Development Corporation (Second Reading)**. Trustee Bond seconded this motion.

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

**J. Resolution 2016-005 Authorizing Redevelopment Projects within the US Route 30 and Fifth Street Redevelopment Project Area.**

Director of Finance Justin VanVooren gave an overview of this item as well as Resolution 2016-006.

Trustee Sperling asked how many years were left on this particular TIF. Director VanVooren stated that there are about 13 years left on this TIF. Trustee Sperling verified with Director VanVooren that that the debt is going for ten years. Trustee Marecek asked if they will be using money that has already accrued. Director VanVooren stated there is about \$200,000 in the TIF fund already and the Village will utilize those funds first prior to using some of the debt.

Trustee Jungermann moved to **approve the Resolution 2016-005 Authorizing Redevelopment Projects within the US Route 30 and Fifth Street Redevelopment Project Area**. Trustee Marecek seconded this motion.

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

**K. Resolution 2016-006 Expressing Official Intent Regarding Certain Capital Expenditures to be Reimbursed from Proceeds of General Obligation Debt Certificates to be Issued by the Village of Montgomery.**

Director of Finance Justin VanVooren gave a detailed summary of this item.

Trustee Marecek moved to **approve the Resolution 2016-006 Expressing Official Intent Regarding Certain Capital Expenditures to be Reimbursed from Proceeds of General Obligation Debt Certificates to be Issued by the Village of Montgomery**. Trustee Jungermann seconded this motion.

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

**L. Ordinance 1733 Authorizing and Providing for an Installment Purchase Agreement and Authorizing and Providing for the Issue of a \$352,850 Debt Certificate, Series 2016 (Waiver of First and Passage on Second Reading).**

Director of Finance VanVooren stated that staff is requesting this item be tabled for the night due to various reasons. The Board was in consensus to table this item.

**M. Purchase of Ammonia Analyzers for Automated Water Treatment and Chemical Feed from Hach in the Amount of \$52,024.00.**

Director of Public Works Todd Hoppenstedt gave an overview of this item. He stated that he is requesting \$26,000 per facility to add ammonia and chlorine analyzers. He detailed the specifics regarding the request. He then detailed what the current request would cover for the two facilities and stated they will continue to evaluate what would be needed at each plant.

Trustee Bond moved to approve the Purchase of Ammonia Analyzers for Automated Water Treatment and Chemical Feed from Hach in the Amount of \$52,024.00. Trustee Marecek seconded this motion.

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

**Items for Discussion**

There were no Items for Discussion this evening.

**New or Unfinished Business**

Trustee Marecek asked Director Hoppenstedt for an update on the polyphosphate. Director Hoppenstedt stated that they have monitored the system since it started in June and nothing has been noted from residents. He stated he has reached out to a few residents that were having issues and he stated he is pleased to state that there have not been any complaints and there has been some improvement and good feedback. He has spoken with Mr. Kennedy and he has stated there has been some improvement.

Trustee Marecek thanked the Rotary Club for all they did with the street mural and it was great to see the community come together. Village President thanked Engineer Wallers and his staff for all the time spent setting up for the street mural.

Trustee Bond gave an overview of Montgomery's Got Talent activity that will be at Montgomery Fest this year. He then showed a short video to give a sample of the acts that will take stage.

**Executive Session – Time: 7:58-8:36**

- A. 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).**
- B. To Discuss Collective Negotiating Matters Pursuant to 5 ILCS 120/2 (c)(2).**
- C. To Discuss Litigation Which is Filed and Pending, Pursuant to 5 ILCS 120/2(c)(11).**

Trustee Jungermann moved to adjourn to Executive Session 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), To Discuss Collective Negotiating Matters Pursuant to 5 ILCS 120/2 (c)(2), and To Discuss Litigation Which is Filed and Pending, Pursuant to 5 ILCS 120/2(c)(11). Trustee Marecek seconded the motion.

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

<b>Items for Separate Action</b>
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**A. Report on Closed Session Minutes**

Village Attorney Steve Andersson gave a summary of the Closed Session Minutes to be released.

Trustee Bond moved to approve the release of closed session minutes as stated. Trustee Sperling seconded the motion.

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

<b>Adjournment: 8:39 p.m.</b>
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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, Trustee Lee voting yea.

Respectfully submitted,

Tiffany Francis  
Village Clerk