

President Brolley called the meeting to order at 7:05 p.m. followed by the Pledge of Allegiance.

**Roll Call**

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

Also present: Administrator Jeff Zoephel, Attorney Steve Andersson, Chief of Police Daniel Meyers, Director of Public Works Todd Hoppenstedt, Director of Finance Justin VanVooren, Director of Community Development Rich Young, Engineer Peter Wallers, Village Clerk Penny Fitzpatrick, Members of the Press and others.

**Public Participation**

**A. Public Comments.**

Steve Golz, owner of the Merlin Automotive Repair at 1947 US Route 30 in Montgomery, addressed the board regarding a proposal to build a Christian Brothers Auto Repair Service shop next to his business. He stressed that he did not want another full service automotive shop constructed next door to his facility.

**Consent Agenda**

**A. Minutes of the Village Board Meeting of January 8, 2018.**

**B. Accounts Payable through January 18, 2018 in the Amount of \$276,702.38.**

Trustee Jungermann **moved to approve Items A and B on the Consent Agenda.** Trustee Marecek seconded this motion.

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

**Items for Separate Action**

**A. PC Recommendation 2017-014A SU Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development to allow for a Second Motor Vehicle Service Located in the Orchard Crossing Subdivision – Christian Brothers Automotive Corporation.**

Director Young noted this was a Plan Commission Recommendation to allow a second automotive use within the Orchard Crossing Shopping Center and a public hearing had been held earlier this month. No one spoke on this issue at the public hearing. President Brolley further clarified that this was just the acceptance of the Plan Commission's recommendation and not approval of the ordinance.

Trustee Jungermann **moved to approve PC Recommendation 2017-014A SU Public Hearing and Consideration of an Amendment to a Special Use for a Planned Unit Development to allow for a Second Motor Vehicle Service Located in the Orchard Crossing Subdivision – Christian Brothers Automotive Corporation.** Trustee Marecek seconded this motion.

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

**B. Ordinance 1799 Amending the Orchard Crossings Planned Unit Development to Allow for a Second Motor Vehicle Services Special Use – Christian Brothers Automotive Services – 1937 U.S. Route 30 Highway (First Reading).**

President Brolley noted this was the first reading for Ordinance 1799 amending the Orchard Crossings PUD to allow for a Second Automotive Services Special Use. Director Young stated the site plan for this special use had been adjusted slightly for parking since the public hearing and a modified site plan will come back before the board for approval at a future meeting.

Board discussion was had clarifying what makes this a special use, which out lots this ordinance applied to, if any assurances were given to the Merlin's owner regarding future uses, who owned the out lots, and if this would be a nine-bay auto shop as proposed. They asked why the Plan Commission approved this request for an additional automotive use, if this second special use would damage any existing businesses, if Merlin's was notified about the public hearing and how this use was different from other food, automotive, or pharmacy businesses that operate in close proximity to one another.

Director Young clarified that this was a text amendment to the original PUD allowing a second motor vehicle service special use within the Orchard Crossings Shopping Center and the ordinance applied to the out lots surrounding Walmart. The lots are owned and developed by McVickers, it would be a company owned store and the Plan Commission felt it was an acceptable use within the shopping center. Attorney Andersson further explained the special use amendment to the PUD was based on land use criteria and the site was appropriate for this type of use.

Mr. John Thompson of McVickers Development, LLC addressed the board and explained that an 18-month holdback period was initially provided to Merlin's to prevent automotive competition at his location. That holdback period has expired and the Plan Commission felt that competition was now appropriate at this site.

Mr. Curtis Kane, Director of Development for Christian Brothers Automotive Services, addressed the board outlining that his company does not do mufflers, tires, body work, welding, transmissions or heavy automotive (only 1% of their work). They do handle brakes, shocks, tune-ups, diagnostics, check engine lights, electrical systems, AC service, drive train and suspension services that are different from what Merlin's offers. Christian Brothers work is computer driven, satellite linked repair of cars and Mr. Kane felt if granted, their location would offer a different kind of upscale diagnostic automotive service to the community.

The board discussed whether it made sense to have two automotive service businesses next to one another in close proximity. President Brolley noted that it does not fall on the board to protect one business from another, provide exclusionary zoning or provide favoritism with local businesses. The issue at hand was only if Christian Brothers Automotive Services met the criteria for a second motor vehicle services special use. Any further questions or comments should be directed to staff. The board will vote on this at a future meeting.

**C. PC Recommendation 2017-014B SU Public Hearing and Consideration of a Special Use for a Motor Vehicle Service Located in the Orchard Crossing Subdivision – Christian Brothers Automotive Corporation.**

President Brolley noted that the Plan Commission Recommendation 2017-014B was a special use for Christian Brothers Automotive Corporation at this site in the Orchard Crossing Subdivision. Staff had nothing further to add to the discussion on this item.

Trustee Jungermann moved to approve PC Recommendation 2017-014B SU Public Hearing and Consideration of a Special Use for a Motor Vehicle Service Located in the Orchard Crossing Subdivision – Christian Brothers Automotive Corporation. Trustee Marecek seconded this motion.

4 Yea. 1 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Sperling and Trustee Lee voting yea. Trustee Bond voting no.

**D. Ordinance 1800 Granting a Special Use for Motor Vehicle Services in the Orchard Crossings Planned Unit Development – Christian Brothers Automotive Services – 1937 U.S. Route 30 Highway (First Reading).**

President Brolley noted Ordinance 1800 would grant a Special Use for Motor Vehicle Services in the Orchard Crossings PUD for Christian Brothers Automotive Services. This was a first reading and the board would be voting on this item at a future meeting.

**E. Well No 8 Water Treatment Plant Cation Exchange Media Replacement.**

Director Hoppenstedt stated that the Well Number 8 Water Treatment Plant Cation was in need of a media exchange replacement. The bid from Global Water Services, LLC provided a total bid project cost of \$117,600, which included a required baseline and post construction radiological survey. Trustee Lee asked about references for Global Water Services, LLC as they operate out of Iowa. Director Hoppenstedt noted their reference checks had been done and EEI shared they had worked with this contractor in the past and had received positive feedback on their work.

Trustee Bond moved to approve Well No 8 Water Treatment Plant Cation Exchange Media Replacement. Trustee Marecek seconded this motion.

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

**F. Ordinance 1797 Appointing Amalgamated Bank as Bond Paying Agent for the 2008, 2011, 2013 and 2014 bonds (Waiver of First and Passage on Second Reading).**

President Brolley noted Ordinance 1797 appoints Amalgamated Bank as the Bond Paying Agent for the 2008, 2011, 2013 and 2014 bonds. This is a waiver of first and passage on the second reading. Director VanVooren stated this ordinance would move the bond paying agent duties to Amalgamated Bank, which already provides services to the village for the 2017 General Obligation Bonds as well as the 2006 and 2018 Lakewood Creek Special Assessment Bonds.

Trustee Jungermann moved to approve Ordinance 1797 Appointing Amalgamated Bank as Bond Paying Agent for the 2008, 2011, 2013 and 2014 bonds (Waiver of First and Passage on Second Reading). Trustee Marecek seconded this motion.

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

**G. Ordinance 1798 Appointing Village of Montgomery as Bond Paying Agent for 2007 Bonds (Waiver of First and Passage on Second Reading).**

Director VanVooren noted Ordinance 1798 appoints the Village of Montgomery as the Bond Paying Agent for the 2007 bonds. He shared there is only one year left on these bonds and the village plans to pay them in December.

Trustee Marecek moved to approve Ordinance 1798 Appointing Village of Montgomery as Bond Paying Agent for 2007 Bonds (Waiver of First and Passage on Second Reading). Trustee Lee seconded this motion.

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

**Items for Discussion**

There were no Items for Discussion this evening.

**New or Unfinished Business**

There was no New or Unfinished Business this evening.

**Future Meetings**

- A. Plan Commission Meeting – Thursday, February 1, 2018 at 7:00 p.m. (canceled).
- B. Village Board Meeting – Monday, February 12, 2018 at 7:00 p.m.
- C. Beautification Committee Meeting—Wednesday, February 14, 2018 at 6:00 p.m.
- D. Committee of the Whole Meeting--Tuesday, February 20, 2018 at 7:00 p.m.
- E. Village Board Meeting—Monday, February 26, 2018 at 7:00 p.m.

**Executive Session – Time: 7:51 to 8:38 p.m.**

- A. To Discuss the Acquisition of Real Property Pursuant to 5 ILCS 120/2(c)(5).**
- B. To Discuss the Employment of an Employee Pursuant to 5 ILCS 120/2 (c)(1).**

Trustee Jungermann moved to go into Executive Session To Discuss the Acquisition of Real Property Pursuant to 5 ILCS 120/2(c)(5) and To Discuss the Employment of an Employee Pursuant to 5 ILCS 120/2 (c)(1). Trustee Marecek seconded this motion.

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

**Adjournment: 8:39 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.**

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

Respectfully submitted,

Penny Fitzpatrick  
Village Clerk