

President Brolley called the meeting to order at 7:03 p.m. followed by the Pledge of Allegiance.

<b>Roll Call</b>
------------------

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

Also present: Administrator Jeff Zoepfel, Attorney Laura Julien, Chief of Police Daniel Meyers, Deputy Chief of Police Armando Sanders, Director of Finance Justin VanVooren, Senior Planner Jerad Chipman, Engineer Peter Wallers, Village Clerk Penny FitzPatrick, Members of the Press and others.

<b>Public Participation</b>
-----------------------------

**A. Public Comments.**

Residents Mildred McNeal James, Yvonne Delucas, Russell Avery, Rich Woerth, Pete Sevilke, Marion Bond, Aimee and Gary Brito, Laura Thompson, Wayne Mory, Joe Marschall, Chris Haller, Mike Martin, Holly Fowler and Lisa Casbarian expressed their opposition to the proposed Gas N Wash development at Gordon Road and Route 30. They addressed potential traffic congestion, truck parking, gaming, property devaluation, and noise, light and environmental pollution concerns. It was mentioned that the area was well served by existing gas and car wash businesses and the special use was too intense for the proposed site. Resident Kyle Gennicks and others suggested the location be developed with a lower impact use such as a church, child or memory care facility, medical office or retail strip mall.

It was further noted that the Plan Commission voted unanimously against this proposal due to traffic and accident concerns at the intersection. President Brolley clarified that the Board accepts or rejects recommendations from the Plan Commission and staff, discusses and considers all factors and ultimately takes final action on behalf of the Village in regard to developmental proposals. He further explained that no tax incentives were offered for this project.

Advocates for the proposal, Brian Dolan of Dolan and Murphy Real Estate, Property Owners Gary Datro and Lori Schelling of GLR Ventures and Len McEnry, Gas N Wash Owner, reiterated the project's benefits in regard to providing \$400,000 in proposed tax revenue, offering a high end retail gas station/market to serve the community, development of a long term idle property and employment of 40-50 local employees. It was noted how cooperative the land and Gas N Wash owners were to addressing residential, Board, Plan Commission and staff concerns, and that they were willing to plant trees along Adam Avenue and donate the remaining open 1.5-acre property to the community. President Brolley closed the discussion, thanked everyone for their comments and said this item would be discussed later in the agenda for action.

**B. Swearing In of Officer Alex Lopez.**

Deputy Chief Sanders introduced Officer Alex Lopez and shared information regarding his background. President Brolley swore in Officer Lopez, his wife pinned on his badge and a group photo was taken with his family.

**C. Swearing In of Officer Lauren Buzzard.**

Deputy Chief Sanders introduced Officer Lauren Buzzard and shared information regarding her background. President Brolley swore in Officer Buzzard, her dad pinned on her badge and a group photo was taken with her family.

**D. Proclamation for Municipal Clerks Week.**

Trustee Sperling moved to approve the Proclamation for Municipal Clerks Week. Trustee Jungermann seconded this motion.

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

**E. Proclamation for Rain Barrel Promotion Month.**

Trustee Jungermann moved to approve the Proclamation for Rain Barrel Promotion Month. 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.

**F. Recognition of Police Chief Daniel Meyers.**

President Brolley read a Proclamation recognizing Police Chief Daniel Meyers for his education, training and thirty-three years of dedicated law enforcement service to the Village of Montgomery. He then presented Chief Meyers with a commemorative plaque, wished him an enjoyable retirement and took a group Board photo with him.

Trustee Bond moved to approve the Recognition of Police Chief Daniel Meyers. Trustee Jungermann seconded this motion.

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

<b>Consent Agenda</b>
-----------------------

**A. Minutes of the Village Board Meeting of April 9, 2018.**

**B. Minutes of the Special Village Board Meeting of April 11, 2018.**

**C. Executive Session Minutes of April 11, 2018.**

**D. Accounts Payable through April 19, 2018 in the Amount of \$533,573.20.**

**E. Accounts Receivable Report for March 2018.**

**F. Appointment by the Village President of Nick Plattos, 2144 Gallant Fox, to the Plan Commission for a Term through January 31, 2023.**

**G. Appointment by the Village President of Nick Plattos, 2144 Gallant Fox, to the Zoning Board of Appeals for a Term through January 31, 2023.**

**H. Appointment by the Village President of Steve Bohler, 1823 Winmont Court, to the Police Pension Board for a Term through April 30, 2020.**

**I. Appointment by the Village President of Erik Barnes, 2924 Astor Lane, to the Police Pension Board for a Term through April 30, 2020.**

**J. Ordinance 1807 Approving the Final Plan of a Special Use for a Planned Unit Development for an Apartment Complex Located in the Ogden Hill Subdivision – S.R. Jacobson and Edward Rose & Sons (Second Reading).**

**K. Ordinance 1808 Granting a Rezoning of 1460 SE River Road From R-3 Traditional Neighborhood Residence District to B-2 General Retail Business District (Second Reading).**

**L. Ordinance 1809 Annexing Territory for Aurora University (1625 and 1696 Jericho Road) (Second Reading).**

**M. Ordinance 1810 Amending a Planned Unit Development in the Village of Montgomery (Aurora University Athletic Campus) (Second Reading).**

**N. Ordinance 1812 Amending the Village Code Regarding Alcoholic Beverages Closing Hours (Second Reading).**

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

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

**President Brolley called for a brief recess starting at 8:07 p.m. to congratulate Chief Meyers and have cake to celebrate his career and retirement. The board was called back to order and reconvened at 8:24 p.m. to continue the meeting.**

<b>Items for Separate Action</b>
----------------------------------

**A. Ordinance 1799 Granting a Special Use for Gas N Wash (Waiver of First and Passage on Second Reading).**

President Brolley noted Ordinance 1799 was a waiver of first and passage on second reading. Senior Planner Chipman shared that updated packets were provided to the Board for review. Representatives for Gas N Wash, Scott Pritchett – Architect and Lymon Tieman – Attorney, addressed the Board, noting new renderings and site layouts were provided to comply with requests from the Board, Staff and residents and they asked for Board support for their revised proposal. President Brolley reiterated that the Plan Commission unanimously turned down the initial project proposal for this development but that significant amendments had been made to the site plan since that recommendation.

Board discussion was had regarding the benefits of the proposal including the quality of the business model, lack of residential issues with the existing locations and favorable services provided in those communities. Further comments in support of the proposal included the revenue to be gained and controls that would exist in regard to noise, light, sound, traffic flow and environmental protection. President Brolley summarized how hard the Board and staff were working to bring new commercial development to the area.

Significant Board concerns were shared in regard to the high impact of the use and possible adverse effects on traffic congestion and decreased property values. Also discussed were parking restrictions and enforcement of truck weight limitations on residential streets and potential gaming exposures. President Brolley closed the discussion commenting on how far the petitioners went beyond the required Village standards to comply with requests and concerns. He summarized the need for a supermajority Board vote in favor of this item for the motion to pass.

Trustee Lee **moved to approve Ordinance 1799 Granting a Special Use for Gas N Wash (Waiver of First and Passage on Second Reading)**. Trustee Heinz seconded this motion.

2 Yea. 4 No. Motion failed. Trustee Lee and Trustee Heinz voting yea. Trustee Jungermann, Trustee Marecek, Trustee Bond and Trustee Sperling voting no.

Following the Board vote, President Brolley summarized the motion failed four to two. He invited future resident participation in bringing desired development to the community and shared this had been one of the hardest Board votes because of the residential opposition. He commented that the site location was the only reason the Board did not vote in favor of this special use proposal and he thanked residents for taking the time to share their feedback and comments.

**B. Appointment by the Village President of Phillip J. Smith as Chief of Police.**

President Brolley recommended approval of the appointment of Phillip J. Smith as Chief of Police.

Trustee Sperling **moved to approve the Appointment by the Village President of Phillip J. Smith as Chief of Police**. Trustee Marecek seconded this motion.

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

**Trustee Heinz left the meeting at 8:59 p.m.**

**C. Resolution 2018-009 Authorizing an Intergovernmental Agreement (IGA) for Local Technical Assistance (LTA) with the Chicago Metropolitan Agency for Planning (CMAP).**

Senior Planner Chipman noted this item allowed for the collaboration of Village and CMAP staff to redraft the zoning and subdivision control ordinances. He shared the grant was awarded last year and the 24-month project would include public

participation. President Brolley disclosed that he is an unpaid representative on the CMAP Board for Kane and Kendall Counties and no Village Board conflict existed in regard to this Intergovernmental Agreement.

Trustee Marecek **moved to approve Resolution 2018-009 Authorizing an Intergovernmental Agreement (IGA) for Local Technical Assistance (LTA) with the Chicago Metropolitan Agency for Planning (CMAP)**. Trustee Sperling seconded this motion.

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

**D. Ordinance 1811 Establishing a Comprehensive Fee and Deposit Schedule for Building and Development (Second Reading).**

President Brolley noted this was the second reading for Ordinance 1811 and that having all Village fees for building and development listed in one ordinance would be helpful for residents. Senior Planner Chipman summarized that notes on land use categories for different business districts were shared in the Board packets.

Trustee Marecek **moved to approve Ordinance 1811 Establishing a Comprehensive Fee and Deposit Schedule for Building and Development (Second Reading)**. Trustee Jungermann seconded this motion.

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

**E. Professional Services Agreement with Engineering Enterprises, Inc. for Construction Engineering for the Riverside Water Main Replacement.**

President Brolley expressed appreciation for the project oversight from EEI to ensure the installation was being done according to Village standards. Trustee Marecek further thanked staff for the planning needed to complete the street resurfacing after the water main repairs were completed. Trustee Sperling asked and Engineer Wallers stated the project would be starting soon with completion projected in July and road paving expected to be done later this year.

Trustee Bond **moved to approve the Professional Services Agreement with Engineering Enterprises, Inc. for Construction Engineering for the Riverside Water Main 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 1800 Amending Village Code Section 6-10 Regarding Mailboxes (First Reading).**

Administrator Zoepfel requested feedback on the draft ordinance regarding mailboxes. Board discussion was had questioning if any standard for materials would be included in the ordinance and how that standard would affect existing annexation agreements. Attorney Julien summarized the Village would not be subject to mailbox replacement reimbursement if they were not installed per the US Post Office and Village Ordinance Standards. She further clarified the Village code policy language regarding mailboxes could be amended to prohibit the use of unreinforced materials.

Trustee Bond shared, on behalf of the Foxmoor and Fairfield neighborhood residents, that he was thankful for the clarification that residents could replace their white mailbox posts with reinforced, solid materials instead of unreinforced PVC plastic posts. President Brolley asked staff to include policy language in the ordinance that directed residents to use structurally sound materials when replacing their mailboxes to withstand the weight of snow coming off the plows. He appreciated the discussion and conclusion and noted this item would be on separate action at a future meeting.

<b>Items for Discussion</b>
-----------------------------

There were no items for discussion this evening.

**New or Unfinished Business**

Trustee Jungermann asked for an update on the Brian Lane Drainage Improvements. Engineer Wallers noted the project was out for bid until May 4<sup>th</sup> with awards projected for the May 14, 2018 Board Meeting. He shared they are awaiting feedback on the status of the Commonwealth Edison permits and depending on the outcome, they may extend their bid deadline to provide an estimated start date for the project.

Trustee Jungermann also asked for a status update on the north/south stop sign installation review for the Chad Lane and Chad Court intersection at Adam Avenue. Engineer Wallers noted he previously observed traffic at that location, did not feel the intersection warranted a stop sign and would resend his traffic analysis results to the Board for review.

**Future Meetings**

- A. Plan Commission Meeting—Thursday, May 3, 2018 at 7:00 p.m.
- B. Beautification Committee Meeting—Wednesday, May 9, 2018 at 6:00 p.m.
- C. Village Board Meeting—Monday, May 14, 2018 at 7:00 p.m.
- D. Historic Preservation Commission—Monday, May 21, 2018 at 6:30 p.m.
- E. Committee of the Whole Meeting--Tuesday, May 22, 2018 at 7:00 p.m. (Canceled)
- F. Village Board Meeting—Tuesday, May 29, 2018 at 7:00 p.m.

**Executive Session: None**

**Adjournment: 9:17 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