

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

<b>Roll Call</b>
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Trustee Sperling	Yea	Trustee Jungermann	Yea
Trustee Lee	Yea	Trustee Marecek	Yea
Trustee Heinz	Absent	Trustee Bond	Yea

Also present: Administrator Jeff Zoepfel, Attorney Steve Andersson, Chief of Police Phillip Smith, Director of Community Development Rich Young, Engineer Michele Piotrowski, Director of Public Works Rick Radde, Director of Finance Justin VanVooren, Village Clerk Penny FitzPatrick, Members of the Press and others.

<b>Public Participation</b>
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**A. Public Comments.**

Edie Johnson, manager of the Oak Grove Mobile Home Village, shared concerns over pedestrians crossing Douglas Road from her community. She requested that a section of sidewalk be added along Douglas Road to serve the residents who walk and ride their bikes in the area. Administrator Zoepfel and President Brolley discussed that this section of sidewalk would be considered for future addition to the sidewalk gap installation plan.

**B. Dolores Rodriguez of 220 Case Street, Regarding Parking and Traffic Issues on Case Street.**

Residents Dolores Rodriguez of Case Street and Tom Moland of Main Street discussed concerns with congested residential traffic flow, semi-truck parking, noise and loading/unloading issues in their residential neighborhood. They requested assistance from staff and the police department to resolve this situation. President Brolley asked staff to look into their concerns, contact the appropriate local businesses to discuss the issues and report back with their findings.

**C. Recognition of Montgomery Fest Volunteers.**

Trustee Lee, Montgomery Fest Chair, thanked the village board members and employees, police and public works departments, sponsors and volunteers, the Montgomery Rotary Club and Historic Preservation Commission members for their help in making Montgomery Fest a success this year. He presented certificates to the volunteers in attendance, thanked them for their contributions to the event and welcomed everyone back to help again and invite others to participate next year. Chief Smith thanked Joe Gillespie, Director of the Kendall County Emergency Management Agency, for the use of their police command center vehicle and presented him with a commemorative plaque.

Trustee Marecek thanked Clerk Fitzpatrick for her coordination with the parade and Trustee Jungermann thanked Director Radde and Chief Smith for their significant departmental assistance with the event. President Brolley also thanked all the participants for their planning and coordination efforts, Engineering Enterprises, Inc. for their video drone footage of the parade, car show and festival grounds and Marion Bond, President of the Montgomery Foundation, for her efforts with handling the beer tent. President Brolley welcomed all the volunteers present to have a photo taken together with him.

**D. MEDC Update.**

Charlene Coulombe-Fiore, Executive Director for the Montgomery Economic Development Corporation, commented that additional Montgomery Fest volunteers could possibly come from local business partners and she would be willing to help coordinate that next year. Director Fiore shared the semiannual MEDC recap for 2018 and noted Caterpillar would not be leaving the area until next year. She further commented on the addition of Grumpy Gaucho empanadas, Atreverte Confections macaroons and Capelli Academy of Cosmetology III, Inc. in downtown Montgomery and noted the 60<sup>th</sup> anniversary event and grand opening expansion of Earthmover Credit Union recently took place.

Director Fiore shared changes to the MEDC board with the pending retirement of Dr. Neil Schlupp and the addition of Old Dominion, Performance Foods and Fox Metro. She advised on upcoming MEDC events including their business networking annual Golf Outing on Thursday, September 13th, Montgomery Showcase Bus Tour on Thursday, October 11<sup>th</sup> and Holiday Appreciation Party on Thursday, December 6<sup>th</sup>, 2018 and she thanked the board, staff, residents, local businesses and MEDC partners for their support.

Trustee Jungermann inquired and Director Fiore explained that she works closely with the Community Development Department to offer private tours, make phone calls and coordinate with brokers to try to attract and secure sit down restaurants and additional retail and commercial development on the west side of Montgomery. President Brolley thanked Director Fiore for her presentation and noted everyone involved was working hard to remove road blocks with development. He further thanked the Community Development Department and MEDC for their efforts and recent success with the residential development plans for the Balmorea Subdivision and Ogden Hill Apartment Complex.

**E. Public Hearing on the Comcast Franchise Agreement.**

President Brolley opened the Public Hearing on the Comcast Franchise Agreement at 8:01 p.m. Hearing no comments, he closed the Public Hearing at 8:02 p.m.

<b>Consent Agenda</b>
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**A. Minutes of the Village Board Meeting of July 23, 2018.**

**B. Executive Session Minutes of July 23, 2018.**

**C. Accounts Payable through August 9, 2018 in the Amount of \$653,249.25.**

**D. Accounts Payable through August 23, 2018 in the Amount of \$747,830.71.**

**E. Request from Bread of Life Outreach Program, Inc. to Conduct Tag Days on October 12-13, 2018.**

**F. Ordinance 1818 Authorizing Execution and Adoption of a Cable Television Franchise Renewal Agreement with Comcast of Illinois (Second Reading).**

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

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

<b>Items for Separate Action</b>
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**A. Recommendation of the Plan Commission on PC 2018-017 Z Text Amendment to Sections 4 and 12 of the Zoning Ordinance Regarding Fees and Deposits.**

Director Young summarized the recommendation of the Plan Commission regarding fees and deposits and noted this amendment affected nuisance deposits, temporary uses and code enforcement items. He advised that staff recommended approval of this item.

Trustee Marecek **moved to approve the Recommendation of the Plan Commission on PC 2018-017 Z Text Amendment to Sections 4 and 12 of the Zoning Ordinance Regarding Fees and Deposits.** Trustee Bond seconded this motion.

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

**B. Ordinance 1821 Amending the Village Code and Village Zoning Code Regarding Fees. (First Reading).**

President Brolley stated there was board agreement to place Ordinance 1821 on the Consent Agenda for a future meeting.

**C. Ordinance 1822 Approving Execution of a 3rd Amendment to the Annexation Agreement for the Balmorea Subdivision (Waiver of First and Passage on Second Reading).**

Director Young summarized Ordinance 1822 noting future development in Balmorea would include mailboxes with a black aluminum post and mailbox and landscaping would include trees, shrub options, sod in the front and side yards and seed in the backyards. He shared that staff recommended approval of this annexation agreement amendment for the Balmorea Subdivision subject to attorney review. President Brolley commented that he was pleased to work with Ryan Homes to build out and complete the Balmorea Subdivision.

Trustee Marecek **moved to approve Ordinance 1822 Approving Execution of a 3rd Amendment to the Annexation Agreement for the Balmorea Subdivision (Waiver of First and Passage on 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.

**D. Ordinance 1820 Accepting Land from Montgomery Properties L.L.C. (Waiver of First and Passage on Second Reading).**

Director Young shared Ordinance 1820 would accept recreational land from Montgomery Properties L.L.C. in regard to the Ogden Hill Apartments development. The land discussed runs along the Waubensee Creek and could be developed into a future path system connecting the Route 30 sidewalk bike path to the Virgil Gilman Trail. He summarized this ordinance was for acceptance of the dedication of this property and he requested approval for this item.

Trustee Jungermann **moved to approve Ordinance 1820 Accepting Land from Montgomery Properties L.L.C. (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.

**E. Resolution 2018-014 Authorizing Execution of Memo of Understanding for CMAP LTA Grant.**

Director Young noted Resolution 2018-014 addressed the execution of a letter of understanding for a CMAP LTA Grant. This grant was applied for and awarded and includes a cooperative process with the Chicago Metropolitan Agency for Planning to rewrite the village zoning ordinance and subdivision regulations in preparation for future development. He commented a task force of board members, staff, residents and business owners would be created to work on this process and he asked the board and plan commission for participant recommendations. Staff recommends approval of this resolution and letter of understanding with CMAP.

Trustee Bond **moved to approve Resolution 2018-014 Authorizing Execution of Memo of Understanding for CMAP LTA Grant.** 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. Aurora University-Spartan Athletic Field Performance Bond Reduction.**

Director Young summarized the request from Aurora University for a performance bond reduction as they had completed two of their proposed athletic fields and structures, parking areas and storm water management. He noted there are a few outstanding items regarding their storm water management drainage but stated Engineering Enterprises, Inc. had reviewed and recommended their bond be reduced to \$184,872, as adequate funds would still be available to complete the remaining improvements.

President Brolley questioned and Director Young explained that the existing storm water management detention facility had been modified after flooding occurred west of their property last year and the remaining bond was more than

adequate to complete the remaining improvements. Director Young shared that staff recommended approval of the performance bond reduction as requested.

Trustee Jungermann **moved to approve the Aurora University-Spartan Athletic Field Performance Bond Reduction.** Trustee Lee seconded this motion.

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

**G. Change Order for 2017 MFT and Infrastructure Road Program.**

Director Radde requested approval for a \$31,166 change order increase to the 2017 MFT and Infrastructure Road Program. He noted that the IRP program was still estimated to come in under budget even with this change.

Trustee Marecek **moved to approve the Change Order for 2017 MFT and Infrastructure Road Program.** Trustee Lee seconded this motion.

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

**H. Agreement with KenCom for Montgomery Data Conversion.**

Chief Smith summarized that KenCom does emergency dispatching for the village and was in the process of doing a records management data conversion. The cost to transfer the Montgomery Police Department data to the new system would be \$27,240 but he has coordinated a cost sharing project with the North Aurora Police Department. Chief Smith requested board approval to accept the agreement with KenCom for the Montgomery Data Conversion at a reduced project cost of \$13,620. President Brolley and the board thanked Chief Smith for coordinating this cost savings agreement with North Aurora.

Trustee Bond **moved to approve the Agreement with KenCom for Montgomery Data Conversion.** Trustee Sperling seconded this motion.

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

**I. Ordinance 1825 Ratifying the Purchase and Acquisition of Land Within the Village of Montgomery (310 N. River Street) (Waiver of First and Passage on Second Reading).**

Attorney Anderson summarized Ordinance 1825 and noted this item followed up on a land acquisition process which was decided in executive session to negotiate, offer a contract and purchase the property at 310 N. River Street under a beneficial trust. He shared this ordinance finalizes the purchase agreement approved and committed to in executive session and it ratifies the purchase of this property in open session.

Trustee Marecek **moved to approve Ordinance 1825 Ratifying the Purchase and Acquisition of Land Within the Village of Montgomery (310 N. River Street) (Waiver of First and Passage on Second Reading).** Trustee Jungermann seconded this motion.

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

**J. Ordinance 1817 Amending the Village Code Regarding Water Regulation In and Out of the Village (Second Reading).**

Administrator Zoepfel summarized this was the second reading for Ordinance 1817 and he answered previous board questions regarding transfer amounts, if funding was earmarked for the water supply, new development tap fees and rate increase comparison options. He shared that staff recommended the Option 5a water rate increase to achieve long term future alternate water supply funding.

Board discussion was had regarding expenses and the cost of operations, current water rate percentages, the impact of the water rate options over time and whether water usage could be more precisely captured. Administrator Zoepfel, Director VanVooren and Director Radde addressed various board questions and noted digital smart meters would need to be installed village wide to more accurately capture the number of gallons used by each household. It was discussed that a meter replacement program would need to be planned and budgeted for over time to better assist with monthly billing, moderate water loss, provide residents with a more accurate rate capture and help to justify the water rate increases. President Brolley asked staff to look further into the cost of a complete meter replacement program.

After much discussion, board consensus was reached to support the Option 5a water rate increase as it would provide revenue for a future alternate water supply for the village. The board noted this was a difficult but necessary rate increase, staff would work to keep expenses down and look for opportunities for cost savings going forward and the water rate would be reexamined again every three years. President Brolley noted the amended water rate would responsibly provide for and ensure clean water for years to come in the Village of Montgomery.

Trustee Marecek **moved to approve Ordinance 1817 Amending the Village Code Regarding Water Regulation In and Out of the Village (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.

#### Items for Discussion

There were no Items for Discussion this evening.

#### New or Unfinished Business

Trustee Sperling advised she was concerned to see recent tractor trailer parking in commercial parking lots near Walmart, Settlers Landing and in the Ogden Hill shopping centers. She asked Chief Smith to review and enforce the no tractor trailer parking agreements in these locations and he commented he would check into the issue for her.

Trustee Marecek thanked the Bristol Kendall Fire Chief for attending the board meeting. He also shared he recently attended a church service at the Lakewood Creek Clubhouse for a new church start up and he noted that more formal church services would be starting up for this church at Lakewood Creek School after Labor Day. He commented he was pleased to see community involvement to develop this new church on the west side of town.

Trustee Jungermann asked for an update on the Brian Lane drainage construction project and noted approval was taking an incredibly long time. Administrator Zoepfel advised that staff was still waiting on ComEd for final approval and Director Young shared that staff was inquiring and working to get the construction started as soon as possible.

Trustee Jungermann additionally asked if staff could review the need for a four way stop at Gordon and Concord Roads. He inquired when the stoplight at Galena and Concord Roads would be constructed and Administrator Zoepfel clarified construction should start this fall and finish next spring. Trustee Jungermann also asked if the property tax rebate amount could be increased from \$45 to \$60 per home and how more residents could be encouraged to participate in this program. President Brolley noted this item could be discussed further and possibly amended during the next budget cycle.

#### Future Meetings

- A. Beautification Committee—Wednesday, September 12, 2018 at 6:30 p.m.
- B. Village Board Meeting—Monday, September 10, 2018 at 7:00 p.m.

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C. Committee of the Whole Meeting—Tuesday, September 18, 2018 at 7:00 p.m. (May Be Canceled).

D. Village Board Meeting—Monday, September 24, 2018 at 7:00 p.m.

**Executive Session: 9:02 to 9:18 pm.**

A. To Discuss Collective Negotiating Matters Pursuant to 5 ILCS 120/2 (c)(2).

B. To Discuss Litigation, Where the Village of Montgomery Finds That Such Action is Probable or Imminent Pursuant to 5 ILCS 120/2(c)(11).

Trustee Jungermann **moved to adjourn to Executive Session To Discuss Collective Negotiating Matters Pursuant to 5 ILCS 120/2 (c)(2) and To Discuss Litigation, Where the Village of Montgomery Finds That Such Action is Probable or Imminent Pursuant to 5 ILCS 120/2(c)(11).** Trustee Bond seconded this motion.

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

**Adjournment: 9:21 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