

Matt Brolley, Village President
Penny FitzPatrick, Village Clerk
Thomas K. Betsinger, Trustee
Dan Gier, Trustee
Steve Jungermann, Trustee
Denny Lee, Trustee
Doug Marecek, Trustee
Theresa Sperling, Trustee



Village Board Meeting
Monday, July 27, 2020
7:00 PM, Village Hall *

THIS MEETING IS BEING RECORDED AND WILL BE AVAILABLE FOR VIEWING ON THE VILLAGE YOUTUBE CHANNEL.

AGENDA

*** This meeting will be conducted both in person and remotely due to the current Covid-19 restrictions. Please see page 2 of this agenda for instructions for submitting public comments and for viewing the meeting online.**

1. Call to Order

2. Roll Call

3. Public Participation

Members of the public are welcome to provide comments per the instructions on page 2 of this Agenda.

A. Public Comments (Two Minute Opportunity).

4. Consent Agenda

The following items are considered routine business by the Village Board and will be approved in a single vote in the form listed below.

- A. Minutes of the Village Board Meeting of July 13, 2020.
- B. Accounts Payable through July 23, 2020 in the Amount of \$252,189.01.
- C. Appointment of Justin VanVooren, 200 N. River St, to the Montgomery Development Fund Committee for a Term through September 30, 2023.

5. Items for Separate Action

- A. Ordinance 1881 Amending the Village Code (Chapter 12 – Offenses – Miscellaneous) (Second Reading).
- B. Ordinance 1882 Declaring Surplus Property (Waiver of First and Passage on Second Reading).

6. Items for Discussion

The following items are listed for discussion only. No decision or vote will be taken during this meeting.

A. Mill District Restaurant Stimulus Program.

7. New or Unfinished Business

8. Future Meetings

A. Plan Commission—Thursday, August 6, 2020 at 7:00 p.m.

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- B. Village Board Meeting—Monday, August 10, 2020 at 7:00 p.m.
 - C. Beautification Committee—Wednesday, August 12, 202 at 6:00 p.m.
 - D. Historic Preservation Commission – Monday, August 17, 2020 at 6:30 p.m. – (Canceled)
 - E. Committee of the Whole Meeting – Tuesday, August 18, 2020 at 7:00 p.m. – (May Be Canceled)
 - F. Intergovernmental Committee Meeting—Monday, August 24, 2020 at 6:00 p.m. (Canceled)
 - G. Village Board Meeting—Monday, August 24, 2020 at 7:00 p.m.

9. Executive Session

10. Adjournment

INSTRUCTIONS FOR REMOTE VIEWING AND COMMENTING

The Village of Montgomery will hold its regularly scheduled Board Meeting on Monday, July 27 at 7pm. Elected officials and staff have the option to participate in person or remotely due to the statewide Covid-19 situation. Gov. Pritzker has authorized a temporary change to the Open Meetings Act that waives the requirement that a physical quorum of elected officials be present to hold a public meeting.

Village Hall will be open for people to attend in person, subject to social distancing rules. No public restrooms will be available and masks are required.

The meeting will be streamed live on the Village’s YouTube channel (<https://www.youtube.com/user/MontgomeryIllinois>) for public viewing. Once the meeting begins, the video will appear on the Village’s channel and you can click on the video to watch live.

Those wanting to participate in the Public Comments portion of the meeting have three options:

- People attending the meeting in person may speak during Public Comments
- If not attending the meeting, please email your comments to zoephel@ci.montgomery.il.us or
- Call (331) 212-9002 and leave a voicemail with your comments

Please email or phone in your comments prior to the start of the meeting at 7pm. Comments received will be read during the Public Comments portion of the meeting.

Remote participation by elected officials, staff and the public will continue to be available for future meetings until further notice.

Please email buchanan@ci.montgomery.il.us or call (331) 212-9003 with any questions regarding this announcement.

President Brolley called the meeting to order at 7:02 p.m.

Roll Call

Trustee Gier	Yea	Trustee Betsinger	Yea
Trustee Sperling	Yea	Trustee Jungermann	Yea
Trustee Lee	Absent	Trustee Marecek	Yea

Also present: Administrator Jeff Zoephel, Attorney Laura Julien, Director of Community Development Rich Young, Director of Public Works Mark Wolf, Director of Finance Justin VanVooren, Engineer Peter Wallers, Chief of Police Phillip Smith, Clerk Penny Fitzpatrick, Members of the Press and others.

President Brolley noted the Board meeting was being held both in person with social distancing and virtually streamed due to COVID-19 restrictions. He shared Governor Pritzker permitted open meetings to be held in this manner during the pandemic emergency. Trustee Sperling was present for the meeting remotely via zoom video conference.

Public Participation

A. Public Comments.

President Brolley inquired and Administrator Zoephel clarified no Public Comments were received for the meeting.

Consent Agenda

- A. Minutes of the Village Board Meeting of June 22, 2020.**
- B. Building Report for June 2020.**
- C. Accounts Payable through July 9, 2020 in the Amount of \$1,683,436.95.**
- D. Cancellation of the July 21, 2020 Committee of the Whole Meeting.**

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

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Betsinger, Trustee Gier and Trustee Sperling voting yea.

Items for Separate Action

A. 2020 Pavement Management Study Report.

Engineer Wallers noted the final 2020 Pavement Management Study Report was submitted for approval with one addition to the program. He requested approval of the updated final plan and budget at this time. President Brolley inquired and Engineer Wallers discussed the timeframe for when the expected program design would be completed.

Trustee Betsinger inquired whether this municipal project would experience any impact due to the Governor's recent enactment of the Illinois Preference Act, requiring contracting crews to be comprised of 90% Illinois laborers on state funded public works projects. Engineer Wallers noted he did not anticipate concerns with this change and advised the contract documents for this program would be modified to accommodate this new requirement. He further shared pavement rejuvenation and preservation bids from contractors in Wisconsin would be closely monitored by staff.

Trustee Marecek moved to approve the 2020 Pavement Management Study Report. Trustee Gier seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Betsinger, Trustee Gier, Trustee Sperling and Trustee Jungermann voting yea.

B. Waiver of Bid for the Purchase of a GMC Medium Duty Truck for Public Works.

Director Wolf summarized this request to purchase a new vehicle for Public Works. He explained the short and long term need for this additional vehicle and advised that a surplus vehicle would be auctioned off at a later date, once it was no longer needed by the seasonal Public Works employees. He noted this new truck would be purchased from Coffman GMC Truck Sales and would have plowing equipment and a utility cab added to it. Director Wolf summarized the overall cost for this vehicle and equipment came in

under the budgeted amount and noted two other Public Works vehicles budgeted for this year would not be purchased at this time. He requested approval for this waiver of bid for the purchase of this new truck.

Trustee Jungermann inquired and Director Wolf advised the timeframe outlining when this vehicle could be purchased, up fitted and put into service as soon as possible. Trustee Sperling asked and Director Wolf shared the expected lead time needed to order and install the additional equipment requested for this vehicle from Monroe Truck Equipment, Inc. in Joliet, IL.

Trustee Marecek **moved to approve the Waiver of Bid for the Purchase of a GMC Medium Duty Truck for Public Works.** Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Marecek, Trustee Betsinger, Trustee Gier, Trustee Sperling and Trustee Jungermann voting yea.

C. Waiver of Bid and Award of a Contract for Street Striping.

Director Wolf summarized this request for a Street Striping Maintenance Contract with Preform Traffic Control Systems, LTD and noted this contract offered competitive pricing similar to that received by the Kane County Transportation Division. He shared the contractor had done an excellent job completing street striping work, traffic control and scheduling for the Village in past, was very familiar with the area and was favorable to work with. Director Wolf requested Board approval for this Waiver of Bid and Award of a Contract for Street Striping.

Trustee Jungermann shared concerns with making crosswalks near Lakewood Creek Elementary School more visible and well-marked. Director Wolf noted staff would work with Engineer Wallers to evaluate and consider how to provide better signage to delineate the four crosswalks in question. Trustee Betsinger questioned when this contract was last put out for competitive bids and requested that the vendor pricing be confirmed to be sure the best price point for the street striping service was being received. President Brolley shared he was in support of this request as long as comparative pricing information was confirmed and the Kendall County portion of Montgomery was subject to the same contract pricing benefits.

Trustee Gier **moved to approve the Waiver of Bid and Award of a Contract for Street Striping.** Trustee Marecek seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Gier, Trustee Sperling, Trustee Jungermann, Trustee Marecek and Trustee Betsinger voting yea.

D. Professional Services Agreement with Engineering Enterprises, Inc. for Design and Construction Engineering for Waubensee Creek Shared Use Path.

Director Wolf shared staff had been working to increase sidewalk and bike path connectivity throughout the Village. He noted this agreement addressed the Waubensee Creek Shared Use Path and would connect the Gilman Trail to the Montgomery Library District Campus and the Route 30 sidewalk. He shared the Village was awarded a grant from Kendall County for completion of this path, explained the two potential path routes being considered and also outlined the estimated project scope, cost and schedule for this work. Director Wolf noted when the design engineering and bidding for the project would take place and shared that construction was scheduled for October 2020. He requested approval for this professional services agreement for the contract amount discussed.

President Brolley inquired and Director Wolf and Engineer Wallers addressed that funding for the path construction was budgeted for this year and the final project landscaping was expected to be completed by May or June 2021. Trustee Jungermann thanked staff for the shared use path connectivity and commented that Fairfield and Foxmoor residents were pleased to see work progressing on the path from their neighborhood to the Stuart Sports Complex. President Brolley inquired and Engineer Wallers clarified staff was working with ComEd to finalize the agreement and final project approval regarding the connection to the Fairfield/Foxmoor path.

Trustee Betsinger **moved to approve the Professional Services Agreement with Engineering Enterprises, Inc. for Design and Construction Engineering for Waubensee Creek Shared Use Path.** Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Betsinger, Trustee Gier, Trustee Sperling, Trustee Jungermann and Trustee Marecek voting yea.

E. Resolution 2020-015 Authorizing a Stationary Food Vendor License.

Director Young summarized this resolution request for two Stationary Food Vendor Licenses. He noted the vendors requesting license renewals were Primos Tacos at a new location at 1460-1490 Douglas Road and Taco Grill and Salsa Bar in the Ogden Hill Shopping Center near Menards. He noted staff recommended approval for both of these temporary food vendor licenses and requested Board approval for this resolution.

President Brolley questioned and Director Young clarified that a fee applied to each these food vendor license renewals. Trustee Marecek noted concern that Primos Tacos would be moving across the street from the La Chiquita Taqueria Restaurant on Douglas Road, providing direct competition to this established business.

Trustee Betsinger **moved to approve Resolution 2020-015 Authorizing a Stationary Food Vendor License**. Trustee Gier seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Betsinger, Trustee Gier, Trustee Sperling, Trustee Jungermann and Trustee Marecek voting yea.

F. Resolution 2020-018 Ratifying Executive Order 2020-03.

Administrator Zoepfel noted this resolution rescinded previous Executive Order 2020-02, which waived the water billing late and online fees due to the pandemic. He noted staff recommended charging these fees again going forward and requested Board approval to ratify this resolution request. President Brolley thanked Administrator Zoepfel and Attorney Julien for their work on this item.

Trustee Jungermann **moved to approve Resolution 2020-018 Ratifying Executive Order 2020-03**. Trustee Gier seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Betsinger, Trustee Gier and Trustee Sperling voting yea.

G. Ordinance 1881 Amending the Village Code (Chapter 12 – Offenses – Miscellaneous) (First Reading).

President Brolley noted this was First Reading of Ordinance 1881 and shared this item would not be voted on this evening. Administrator Zoepfel noted resident complaints had been received regarding children swimming in local ponds and retention basins. He shared staff was advised that a Village Ordinance would need to be adopted to be able to post signs prohibiting swimming in these areas and subsequently be able to enforce these code restrictions. He asked for Board feedback on whether or not they wanted to restrict swimming or other recreational activities in local ponds and basins.

Trustee Jungermann inquired how No Trespassing Signs were intended to be enforced in the Lakewood Creek West subdivision basins, which are privately owned and maintained. Chief Smith discussed the procedure and protocol involved to warn an individual if he/she were trespassing on private property and explained that they could be arrested if they failed to leave the area after being warned. Board discussion was had on whether enforcement would be handled differently on private versus publicly owned property in regard to trespassing, fishing and swimming restrictions. Attorney Julien summarized the proposed ordinance could specifically be tailored to work cooperatively with privately owned basins and to also abide by the rules and restrictions set forth by the Illinois Department of Natural Resources. She explained signs restricting recreational activities could be posted at the basins where enforcement was needed. President Brolley suggested signs be posted prohibiting swimming or bathing in all of the basins as they were not designed for that use.

Trustees Jungermann and Sperling shared concerns with protecting the naturalized areas surrounding the basins and asked if specific trails or fishing areas near these private and publicly owned basins should be determined and specifically marked for use. Trustee Betsinger suggested that a naturalist expert be consulted to recommend which recreational opportunities should be allowed or restricted in these basin areas. President Brolley summarized that prohibiting swimming or bathing in the basins was the concern being explored at this time and he supported allowing residents to be able to fish in the naturalized creek and basin areas.

Trustee Marecek agreed that swimming restrictions should be enforced in the Village-owned basins. Attorney Julien noted privately owned basins could post signs to prohibit swimming and an agreement could be drafted with the Village to be able to enforce the swimming ordinance restrictions in these areas. President Brolley reiterated that this was First Reading for this item and asked staff to consult with the naturalist suggested and the maintenance landscaper for these areas, Pizzo & Associates, Ltd., to determine what recreational activities should be permitted or restricted. Attorney Julien also suggested that the Illinois Department of Natural Resources be consulted in regard to what fishing guidelines and restrictions applied to these naturalized areas. President Brolley concluded that this item would come back for further discussion and action at a future meeting.

H. Resolution 2020-016 Authorizing a Forgivable Loan for F & C Industries.

Director Young shared this request was reviewed by the Montgomery Development Fund Committee and recommended for a forgivable loan for F & C Industries to have roofing work completed. He requested Board approval for this resolution.

Trustee Gier **moved to approve Resolution 2020-016 Authorizing a Forgivable Loan for F & C Industries**. Trustee Betsinger seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Gier, Trustee Sperling, Trustee Jungermann, Trustee Marecek and Trustee Betsinger voting yea.

I. Resolution 2020-017 Authorizing a Forgivable Loan for Atreverte Confections.

Director Young summarized this resolution requesting authorization for a forgivable loan for the addition of an outdoor patio café area, additional equipment and façade improvements for Atreverte Confections. He shared staff and the Montgomery Development Fund Committee recommended approval of this request.

President Brolley inquired and Director Young confirmed that the petitioner would have to secure approval from the building owner to be able to move forward with these improvements. President Brolley asked and Director Young and Attorney Julien addressed how these forgivable loan funds would be recovered if the petitioner went out of business. Trustee Betsinger asked and Director Young clarified the business owner would be responsible for repayment of this forgivable loan in the event of a default. President Brolley shared support for this request as it improved an existing building and business in the community.

Trustee Gier **moved to approve Resolution 2020-017 Authorizing a Forgivable Loan for Atrevete Confections.** Trustee Jungermann seconded this motion.

5 Yea. 0 No. Motion carried. Trustee Gier, Trustee Sperling, Trustee Jungermann, Trustee Marecek and Trustee Betsinger voting yea.

Items for Discussion

No Items for Discussion were shared.

New or Unfinished Business

Trustees Gier, Jungermann and Marecek thanked Tyler Bachman from WSPY News for his past work reporting on Village business and congratulated him on his upcoming new career endeavor. Trustee Marecek thanked staff, MEDC Executive Director Charlene Coulombe-Fiore and local banks for their instrumental work and partnership in securing seven million dollars in Paycheck Protection Program Loans to provide financial assistance to local businesses struggling during the pandemic. President Brolley thanked everyone for their attendance at this combined in person and virtually streamed zoom meeting. He thanked staff for their efforts and noted future Board meetings would likely be held in a similar manner as the pandemic conditions continued.

Future Meetings

- A. Historic Preservation Commission – Monday, July 20, 2020 at 6:30 p.m. – (Canceled).
- B. Committee of the Whole Meeting – Tuesday, July 22, 2020 at 7:00 p.m. – (Canceled).
- C. Intergovernmental Committee Meeting – Monday, July 27, 2020 at 6:00 p.m. (Canceled).
- D. Village Board Meeting – Monday, July 27, 2020 at 7:00 p.m.

Executive Session: None

Adjournment: 7:52 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.**

4 Yea. 0 No. Motion carried. Trustee Jungermann, Trustee Marecek, Trustee Betsinger and Trustee Gier voting yea.

Respectfully submitted,

Penny Fitzpatrick
Village Clerk

Village of Montgomery
Bills to be Paid
July 27, 2020
FY21

<u>All Departments</u>	Amount
EEl	87,590.24
GFC	209.26
GFC	448.96
Mickey Wilson	8,588.90
Responsive	5,700.00
<u>Elected Officials</u>	
Van Duser	75.00
Voluntary Action Center	8,000.00
<u>Finance Department/Water Billing</u>	
AT&T	85.07
AT&T	87.66
MetroNet	249.95
<u>Human Resource</u>	
Discovery Benefits	135.00
Dreyer Clinic, Inc.	165.00
Legal Shield	502.16
Nationwide	650.00
Provident Life	389.50
State Disbursement Unit	1,815.69
<u>Police Department</u>	
AT&T	153.79
AT&T	157.34
AT&T	121.33
AT&T	121.33
Batteries Plus	55.90
Bryan P. O'Neill - PD Clothing Allowance	700.00
Camie Johnson, LTD	175.00
Filmtools	600.00
ILEAS	120.00
Kendall County Chiefs of Police Association	90.00
Quadient	190.64
Quadient	294.35
<u>Public Works Department</u>	
AT&T	132.15
AT&T	127.59
BDK Door	188.00
Cintas	312.08
City of Aurora	618.00
Citywide Building Maintenance	6,033.05

Coffman Truck Sales	44,208.00
Constellation	26,074.91
Creekside Compost, LLC	384.00
Dell Inc.	2,782.51
Dorner Company	1,163.00
First Place Rental	243.99
Fort Dearbron Enterprises	1,132.14
Frank Marshall Electric, Inc.	381.00
Gasvoda & Associates, Inc.	11,269.64
J&S Construction	5,111.00
Kendall County Concrete, Inc	299.00
LSLR	2,000.00
Menards	544.72
MetroNet	299.99
Midwest Salt	8,482.92
Nicor	78.68
Operations Services	4,800.00
Ozinga Materials	120.46
Schaefer Greenhouses	540.00
Trane U.S Inc	1,098.00
Van's Lock & Key Service	360.00
Viking Chemical Co	4,764.39
Virgil Cook & Son	2,316.37
Water Solutions Unlimited	7,727.34

Village Administrator's Office/Village Hall

CDW	46.19
ECB&S, LLC	875.00
Office Depot	61.60
Quadient	141.22

GRAND TOTAL 252,189.01



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 22, 2020

B of T Date: July 27, 2020

Subject: Appointment to the Montgomery Development Fund Committee

Submitted By: Matt Brolley, Village President

Background/Policy Implications:

Approval of the appointment by the Village President of the following to the Montgomery Development Fund Committee for a four-year term through September 30, 2023 is requested.

Justin VanVooren, Village of Montgomery Finance Director

Describe Fiscal Impact/Budget Account Number and Cost:

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Tuesday, prior to the Agenda distribution.



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 22, 2020

B of T Date: July 27, 2020

Subject: Ordinance 1881 Amending the Village Code (Chapter 12 – Offenses – Miscellaneous)

Submitted By: Laura M. Julien, Village Attorney

Background/Policy Implications:

The attached ordinance establishes a new section 12-44 to add a new miscellaneous offense (prohibition against recreational activities in certain water/waterways). This amendment is being proposed based upon concerns raised by the Police Department and Public Works regarding individuals swimming in certain ponds in residential areas. The ordinance would provide the Village with greater enforcement authority.

Describe Fiscal Impact/Budget Account Number and Cost:

N/A

Review:

Village Administrator: Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.



**VILLAGE OF MONTGOMERY
KANE AND KENDALL COUNTIES, ILLINOIS**

ORDINANCE NO. 1881

**An Ordinance Amending the Village Code
(Chapter 12 – Offenses – Miscellaneous)
Village of Montgomery, Illinois**

Adopted by the
President and Board of Trustees
of the Village of Montgomery
this 13th day of July, 2020.

Published in Pamphlet Form
by authority of the President and Board of Trustees
of the Village of Montgomery, Kane and Kendall Counties,
Illinois, this 14th day of July, 2020.

ORDINANCE NO. 1881

**An Ordinance Amending the Village Code
(Chapter 12 – Offenses – Miscellaneous)
Village of Montgomery, Illinois**

BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows;

WHEREAS, the Village of Montgomery is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and accordingly, acts pursuant to the powers granted to it under the Illinois Constitution and laws of the State of Illinois, including 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, pursuant to the above-cited powers the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and,

WHEREAS, the Village has identified an issue with the public engaging in conduct in relation to certain ponds and basins which it believes poses a threat to the general health, safety, and welfare of its residents; and,

WHEREAS, in order to protect the quality of the water supply and waterways throughout the Village and the health, safety, and welfare of persons dependent upon such water supply and waterways, the Village wishes to expressly prohibit recreational activities in certain ponds and basins.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE: INCORPORATION OF PREAMBLES

The preambles of this Ordinance are hereby incorporated into this text as if set out herein in full.

SECTION TWO: CREATION OF SECTION 12-44 – PROHIBITION AGAINST RECREATIONAL ACTIVITIES IN CERTAIN WATER/WATERWAYS

A new Section 12-44 is hereby established, which shall read as follows:

Section 12-44 Prohibition Against Recreational Activities in Certain Water/Waterways

No person or domestic animal shall bathe, swim, wade, wash or otherwise enter or engage in recreational activities in any water or waterway within areas posted against such use.

SECTION THREE: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, this 13th day of July, 2020.

Matthew Brolley,
President of the Board of Trustees of the Village of Montgomery

ATTEST:

Penny Fitzpatrick,
Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
Trustee Tom Betsinger	___	___	___	___
Trustee Doug Marecek	___	___	___	___
Trustee Dan Gier	___	___	___	___
Trustee Steve Jungermann	___	___	___	___
Trustee Denny Lee	___	___	___	___
Trustee Theresa Sperling	___	___	___	___
Village President Matt Brolley	___	___	___	___



**VILLAGE OF MONTGOMERY
REQUEST FOR BOARD OF TRUSTEES ACTION
FOR INCLUSION ON BOARD AGENDA**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 22, 2020

B of T Date: July 27, 2020

Subject: Ordinance 1882 Declaring Surplus Property

Submitted By: Mark Wolf, Director of Public Works

Background/Policy Implications:

Staff is requesting that the following items be declared surplus by the Village Board. Upon approval, staff will begin marketing the items for resale as the replacement vehicles which were previously approved for purchase become available.

The items include:

1-2012 Chevy Tahoe (PD [#822](#)), 1- 2013 Chevrolet Tahoe (PD [#838](#)), 1- 2014 Ford Taurus (PD [#846](#)), 2- 2008 Chevrolet GMC pick-up trucks (PW [#284 & #286](#)), 1- fiberglass utility body (PW), 2- zero turn lawn mowers ([PW](#)), and 1- snow pusher plow (PW).

In addition, staff is requesting that the board retroactively declare and ratify the sale of a 2013 Chevrolet Tahoe as surplus property. This vehicle was inadvertently left off the list of property approved as surplus in March 2019 via Ordinance 1849 and was sold along with the declared March 2019 surplus vehicles in February 2020.

Describe Fiscal Impact/Budget Account Number and Cost:

All the above listed items hold some residual value and will be marketed mostly through auction sites for resale. In the past the Village has received average or above average value through the auction process.

Review:

Village Administrator Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.



VILLAGE OF MONTGOMERY

ORDINANCE NO. 1882

**AN ORDINANCE DECLARING SURPLUS PROPERTY
OF THE VILLAGE OF MONTGOMERY,
KANE AND KENDALL COUNTIES, ILLINOIS**

PASSED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS
THIS 27TH DAY OF JULY, 2020.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES,
ILLINOIS, THIS 28TH DAY OF JULY 2020.

ORDINANCE NO. 1882

AN ORDINANCE DECLARING SURPLUS PROPERTY OF THE VILLAGE OF MONTGOMERY, KANE AND KENDALL COUNTIES, ILLINOIS

BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

WHEREAS, the Village of Montgomery is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 et seq.; and,

WHEREAS, the Village of Montgomery Board of Trustees has determined that certain items of property are surplus, obsolete, or no longer suitable for use by the Village of Montgomery; and,

WHEREAS, in addition, the Village of Montgomery Board of Trustees has further determined it appropriate to retroactively declare and ratify the sale of a certain vehicle as surplus property, which was inadvertently left out of Ordinance 1849, approved by the Board of Trustees on March 19, 2019, and disposed of with the vehicles so declared by said Ordinance on February 3, 2020;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois, as follows:

SECTION ONE: SURPLUS PROPERTY

That pursuant to 65 ILCS 5/11-76-4, the President and Board of Trustees find the following described property:

- 2012 Chevrolet Tahoe
- 2013 Chevrolet Tahoe
- 2014 Ford Taurus
- 2008 Chevrolet Silverado 2500HD
- 2008 Chevrolet Silverado 2500HD
- Fiberglass utility bed
- Bobcat zero turn turf mower
- Bobcat zero turn turf mower
- Bonnell light duty snow pusher

now owned by the Village of Montgomery is no longer necessary or useful, and the best interest of the Village will be served by the sale or disposal of said items. These items are

hereby declared surplus property and the Village staff is hereby authorized to and directed to sell or dispose of said property.

That the President and Board of Trustees retroactively declare and ratify the sale of a 2013 Chevrolet Tahoe as surplus property.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Montgomery, Kane and Kendall Counties, Illinois this 27th day of July 2020.

Matthew Brolley
President of the Board of Trustees of the Village of Montgomery

ATTEST:

Penny Fitzpatrick
Clerk of the Village of Montgomery

	Aye	Nay	Absent	Abstain
Trustee Tom Betsinger	___	___	___	___
Trustee Dan Gier	___	___	___	___
Trustee Steven Jungermann	___	___	___	___
Trustee Dennis Lee	___	___	___	___
Trustee Douglas Marecek	___	___	___	___
Trustee Theresa Sperling	___	___	___	___
Village President Matthew Brolley	___	___	___	___



**VILLAGE OF MONTGOMERY
DISCUSSION ITEM**

- Resolution or Ordinance (Blue)
 Recommendation of Boards, Commissions & Committees (Green)
 Other Business (Pink)

To: Village President and Board of Trustees

From: Jeff Zoepfel, Village Administrator

Date: July 24, 2020

Meeting Date: July 27, 2020

Subject: Mill District Restaurant Stimulus Program

Submitted By: Richard Young, Director of Community Development

Background/Policy Implications:

With the Village searching for ways to add restaurants within the Mill District area, staff feels that a way to potentially jump start this type of investment would be to expand the scope of the Montgomery Development Fund (MDF) program. The expanded scope could include generous incentives to attract restaurant tenants which could include full beverage service and/or microbrewing operations, deli service, butcher shop, cafés, outdoor dining, etc.

New restaurant establishments could be the cornerstone of a Mill District revival, but major capital investment will be needed. Through the use of subsidies of between \$100,000 and \$200,000 for each application, new restaurant tenants could use incentives to upgrade mechanical systems, add kitchen equipment, upgrade needed grease-trap systems, refurbish outdated structures, add outdoor dining areas or even build a new structure.

Minimum requirements for the Village to provide financing in the form of a grant through the MDF program should include:

- Applicant's ability to demonstrate that they have successful experience planning, establishing and operating a restaurant establishment.
- Any proposed establishments should provide at least full lunch and dinner service.
- Applicants should be willing to provide a family-friendly environment in their restaurant with dining spaces separate from bar area.
- Preference should be given to restaurants that emphasize the use of farm-fresh ingredients, locally sourced produce and other health-conscious options.
- Proposals should include a detailed statement identifying the owner's goals and objectives.
- Applicants will be required to describe the economic impact of the proposed establishment, including the anticipated number of jobs that will be created.

- Applicants must delineate how the grant funds will be utilized and have a full business plan which identifies how they will secure the additional capital needed to create the establishment.
- The business plan must demonstrate the fiscal ability to complete the establishment of a restaurant and begin operations. Additional financial information may be required. All business plans and financial information should be reviewed by the MDF Committee and the Village Board but remain confidential.

The focus on dining in the Mill District would mark a new direction in the Village's sense of community and economic strategy. A recent edition of the publication "Downtown Idea Exchange", noted that "food and drink are key parts of any thriving downtown. The addition of outdoor dining brings added benefits for individual businesses and the downtown as a whole."

Similar to the sales tax and fee rebate programs already in place for vacant commercial buildings and new single-family residential home construction, staff would like to review with the Village Board consideration of a program that would hopefully add needed restaurants within the Mill District. If approved, this addition to the MDF program enhances the likelihood of increasing the activity level within the heart of the downtown and would provide a greater sense of community.

Describe Fiscal Impact/Budget Account Number and Cost:

Over time, the impact to the general fund budget should be positive.

Review:

Village Administrator: Jeff Zoepfel

NOTE: All materials must be submitted to and approved by the Village Administrator by 12:00 noon, Thursday, prior to the Agenda distribution.