

President Brolley called the meeting to order at 7:06 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	Absent

Also present: Administrator Jeff Zoephel, Attorney Laura Julien, Chief of Police Phillip Smith, Engineer Peter Wallers, Director of Finance Justin VanVooren, Senior Planner Jerad Chipman, Acting Director of Public Works Mark Wolf, Village Clerk Penny Fitzpatrick, Members of the Press and others.

**Public Participation**

**A. Public Comments.**

No Public Comments were shared.

**B. Proclamation for National Engineer's Week.**

President Brolley read the Proclamation for National Engineer's Week on February 17-25, 2019 in the Village of Montgomery and requested approval of this item. Engineer Wallers shared that Engineering Enterprises, Inc. was overseeing an engineering competition at Krug Elementary School with their 5th grade students.

Trustee Marecek **moved to approve the Proclamation for National Engineers Week.** Trustee Sperling seconded this motion.

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

**Consent Agenda**

- A. Minutes of the Village Board Meeting of January 28, 2019.**
- B. Executive Session Minutes of January 28, 2019.**
- C. Building Report for January 2019.**
- D. Accounts Payable through January 24, 2019 in the Amount of \$391,983.19.**
- E. Cancellation of the February 19<sup>th</sup>, 2019 Committee of the Whole Meeting.**

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

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

**Items for Separate Action**

**A. Recommendation of the Plan Commission on PC 2019-004 Z 2019 Zoning Map Update.**

President Brolley noted the Plan Commission's recommendation regarding the 2019 Zoning Map Update and Ordinance 1841 would be discussed together and voted on separately. Senior Planner Chipman shared this annual update addressed the rezoning, annexations and special use changes to the zoning map and noted the Plan Commission recommended unanimously to approve this item.

Trustee Jungermann **moved to approve the Recommendation of the Plan Commission on PC 2019-004 Z 2019 Zoning Map Update.** Trustee Marecek seconded this motion.

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

**B. Ordinance 1841 Approving the 2019 Official Zoning Map (Waiver of First and Passage on Second Reading).**

President Brolley requested a motion for Ordinance 1841 as it was discussed previously.

Trustee Marecek **moved to approve Ordinance 1841 Approving the 2019 Official Zoning Map (Waiver of First and Passage on Second Reading).** Trustee Sperling seconded this motion.

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

**C. Recommendation of the Plan Commission on PC 2019-005 Special Use Request for Outdoor Storage Located at 1717 Industrial Drive – Lumberman’s Wholesale, Inc.**

President Brolley noted the Plan Commission’s recommendation regarding Outdoor Storage and Ordinance 1840 would be discussed together and voted on separately. Senior Planner Chipman noted all set back, fencing, and landscaping screening requirements would apply to this special use request. He further noted the Plan Commission voted unanimously to recommend approval of this item.

Board discussion was had and questions were asked regarding where the proposed outdoor storage would be located, if the storage area would be gated and screened with landscaping and what the materials stored would be. Additional questions included how high the materials would be stacked, how long they would be stored outside and what the neighboring property owners’ concerns were. Finally, Trustee Lee questioned if the petitioner was abiding by the covenants of the industrial park and who would enforce those covenants regarding this request.

Senior Planner Chipman clarified the concerns of the neighboring property owners and Attorney Julien explained how the covenant rules and regulations would apply and be enforced for this request. Jeff Esposito of Lumberman’s Wholesale, Inc. explained what the materials stored outside would be and where and how high the materials would be stacked. He also clarified that long-term outdoor storage would be anticipated until the expiration of their ten-year building lease.

Trustee Marecek **moved to approve the Recommendation of the Plan Commission on PC 2019-005 Special Use Request for Outdoor Storage Located at 1717 Industrial Drive – Lumberman’s Wholesale, Inc.** Trustee Jungermann seconded this motion.

3 Yea. 0 No. 1 Abstaining. Motion carried. Trustee Marecek, Trustee Sperling and Trustee Jungermann voting yea. Trustee Lee abstaining.

**D. Ordinance 1840 Granting a Special Use for Outdoor Storage (Lumberman’s Wholesale Inc. - 1717 Industrial Drive) (First Reading).**

President Brolley noted Ordinance 1840 would come back for discussion and action and would not be added to the Consent Agenda at a future meeting.

***President Brolley called a brief recess at 7:28 p.m. and reconvened the meeting at 7:33 p.m.***

**E. Award of a Contract to Virgil Cook & Son, Inc. for Traffic Signal Installation at Galena Road and Concord Drive in the Amount of \$231,517.08.**

Engineer Wallers summarized the request and staff recommendation for the Award of a Contract to Virgil Cook & Son, Inc. for a traffic signal installation project. Trustee Jungermann questioned and Engineer Wallers clarified the project construction costs would be shared between Kendall County, the Village of Oswego and the Village of Montgomery as per the Intergovernmental Agreement that applied to this project.

Trustee Marecek **moved to approve the Award of a Contract to Virgil Cook & Son, Inc. for Traffic Signal Installation at Galena Road and Concord Drive in the Amount of \$231,517.08.** Trustee Sperling seconded this motion.

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

**F. Waiver of Bid and Award of a Contract to Cornerstone Partners for Rejuvenative Pruning in the Amount of \$57,313.78.**

Acting Director Wolf summarized this request for Rejuvenative Pruning of shrubs and shade trees throughout the Village. He noted staff recommended approval of this waiver of bid and award of a contract request to Cornerstone Partners. Trustees Sperling and Jungermann inquired and Acting Director Wolf noted the proposed work would begin in the next few weeks and be done by hand as recommended and per the standards set by Village Arborist, Ed Pfaff.

Trustee Marecek **moved to approve the Waiver of Bid and Award of a Contract to Cornerstone Partners for Rejuvenative Pruning in the Amount of \$57,313.78.** Trustee Jungermann seconded this motion.

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

**G. Resolution 2019-001 Authorizing Repair Work in IDOT Right-of-Way.**

Acting Director Wolf summarized this resolution request and renewal agreement addressed the IDOT standards and requirements for repair work done by the Village in the IDOT Right-of-Way. He recommended approval of this item.

Trustee Jungermann **moved to approve Resolution 2019-001 Authorizing Repair Work in IDOT Right-of-Way.** Trustee Marecek seconded this motion.

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

**H. Ordinance 1842 Amending Section 1-11 of the Village Code (Building and Development Fees) (First Reading).**

Senior Planner Chipman summarized the comprehensive Building and Development Fee Code updates which included engineering re-inspection, new construction, solar panel and wind energy fees and requested approval of this item. Trustee Sperling inquired and Attorney Julien clarified the fees would apply to new solar panel applications requests. President Brolley noted Ordinance 1842 would be added to the Consent Agenda at a future meeting.

**I. Ordinance 1843 Adopting Certain National Codes and Amending Section 6-1 of the Village Code (2015 International Building Code) (First Reading).**

President Brolley shared the Village Building Code updates presented in Ordinances 1843, 1844, 1845, 1846, 1847 and 1848 would be discussed together and voted on separately at a future meeting. Senior Planner Chipman noted the Village Code updates included verbiage changes, reclassifications and adoption of the 2015 International Building Code.

Trustee Marecek inquired if 2015 is the most recent update, and Senior Planner Chipman clarified that there is a 2018 Building Code update; however, the 2015 update is the one up for action at this time and that historically we have adopted updated codes every six years. He also noted Building Inspections Supervisor Klupar and Attorney Julien had worked with the Fire Protection Districts to review the code updates to help maintain the Village's insurance rating and shared language was added to the code which referenced and clarified Montgomery's five separate fire protection district jurisdictions.

**J. Ordinance 1844 Adopting Certain National Codes and Amending Section 6-4 of the Village Code (2015 International Existing Building Code) (First Reading).**

President Brolley suggested Ordinance 1844 be added to the Consent Agenda at a future meeting.

**K. Ordinance 1845 Adopting Certain National Codes and Amending Section 6-13 of the Village Code (2015 International Residential Code) (First Reading).**

President Brolley suggested Ordinance 1845 be added to the Consent Agenda at a future meeting.

**L. Ordinance 1846 Adopting Certain National Codes and Amending Section 6-15 of the Village Code (2015 International Fuel Gas Code) (First Reading).**

President Brolley suggested Ordinance 1846 be added to the Consent Agenda at a future meeting.

**M. Ordinance 1847 Adopting Certain National Codes and Amending Chapter 8 of the Village Code (2015 International Fire Code) (First Reading).**

President Brolley suggested Ordinance 1847 be added to the Consent Agenda at a future meeting.

**N. Ordinance 1848 Adopting Certain National Codes and Amending Section 6-3 of the Village Code (2015 International Mechanical Code) (First Reading).**

President Brolley suggested Ordinance 1848 be added to the Consent Agenda at a future meeting.

**Items for Discussion**

No Items for Discussion were shared.

**New or Unfinished Business**

No New or Unfinished Business was shared.

**Future Meetings**

- A. Committee of the Whole – Tuesday, February 19, 2019 at 7:00 p.m. (Canceled).
- B. Intergovernmental Committee—Monday February 25, 2019 at 6:00 p.m.
- C. Village Board Meeting—Monday, February 25, 2019 at 7:00 p.m.

**Executive Session: None**

**Adjournment: 7:48 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 Sperling and Trustee Lee voting yea.

Respectfully submitted,

Penny Fitzpatrick  
Village Clerk