

President Brolley called the meeting to order at 7:07 p.m. followed by the Pledge of Allegiance.

Roll Call

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

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

President Brolley advised that the Board Meeting was being held both remotely and in person, in accordance with the Governor's Executive Order pertaining to the ongoing pandemic.

Public Participation

A. Public Comments.

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

President Brolley congratulated Director Young on his retirement and presented him with a plaque of appreciation for his years of dedicated service. Director Young shared it had been an honor to work with staff, his Community Development team, the Village Board, Plan Commission, Attorney Julien and Engineer Wallers over the years to accomplish so much in the Village. He thanked everyone for their collaboration and friendship and noted that his last day of work would be Friday, February 26th.

Consent Agenda

- A. Minutes of the Village Board Meeting of February 8, 2021.
- B. Accounts Payable through February 22, 2021 in the Amount of \$444,426.86.
- C. Accounts Receivable Report for January 2021.
- D. Proclamation for Engineers Week.

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

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

Items for Discussion

A. Schematic Design and Cost Estimates for Public Works Building.

Director Wolf noted staff, Engineering Enterprises, Inc., Camosy Construction and Williams Architects had worked together to provide design development options and cost estimates for the proposed Public Works Building. He advised what the design options included and outlined the next expected phases for the project. Director Wolf explained that Camosy Construction would provide a guaranteed maximum price for the project once the schematic design was complete and that early bid packages would be planned to include site work, structural steel and precast concrete panel materials. Engineer Wallers discussed the overall master site plan for the property and noted the new facility would have access off both Aucutt and Knell Roads.

Engineer Dettmann summarized the detailed site plan and noted entrance and access points, planned road improvements, gating and fencing, water, sanitary sewer and detention pond locations and the possible removal of an out of service railway spur. Tyler Thiel and John Camosy of Camosy Construction summarized the recap for their conceptual budget which summarized line items by discipline and discussed the construction costs, architecture, engineering and consulting fees, furniture budget, alternate covered parking option and the total project cost. Mark Bushhouse of Williams Architects previewed the three exterior schematic design options and mid-range materials suggested for the facility and explained the four project zones: an equipment and vehicle garage, administration and common area, shop area and a fleet maintenance area. He shared where the staff entrances, locker rooms and showers would be located,

security measures in the common areas to restrict public access and what types of trench drains would be used in the vehicle storage area. Architect Bushhouse also described the work and storage areas on the main shop and mezzanine levels and the fleet maintenance area attributes and equipment. He requested Board direction on which design option they preferred to maintain quality and durability and achieve the overall cost estimates.

Director Wolf noted his preference for the brick exterior option which was cost effective and required less maintenance. Board questions inquired and Architect Bushhouse and Director Wolf addressed concerns regarding the amount of windows in the reception and training/wellness areas, the cost effectiveness of providing mezzanine storage on the second level, whether Police Department vehicles could be outfitted in house and whether the wash bays were wide enough to adequately service all the Public Works equipment. Also asked was whether a natural gas generator was planned for the facility, what the practical benefit of overhangs outside the public entrance and shop areas were and whether landscaping would comply with local native landscaping requirements. Trustee Gier additionally asked if a plaque honoring late Trustee Heinz was planned and whether it could be installed in a prominent place inside the facility.

Additional Board questions were asked and Mr. Thiel, Director Wolf and Engineer Dettmann addressed whether conventional insurance would be utilized, whether the furniture budget included the planned wellness equipment, whether the water main relocation and fiber optic budget were addressed in the cost estimates and whether a fluctuation in structural steel pricing could affect the overall budget and bonding for this project. Final questions addressed where the alternate covered parking structure was in the design, how the contingency budget could change as the design development phase progressed and was finalized and how the two different railroad crossings affecting the property would be addressed. Director Wolf thanked Camosy Construction, Williams Architects, Engineers Wallers and Dettmann and staff for their hard work on the schematic design and cost estimates and said he welcomed the Board's input and oversight regarding this ongoing project.

Items for Separate Action

A. Recommendation of the Plan Commission on PC 2021-003 Z 2021 Zoning Map Update.

President Brolley noted Items for Separate Action A. and B. would be discussed together and acted on separately. Senior Planner Chipman shared the annual Zoning Map Update would incorporate changes proposed in the Unified Development Ordinance and bring some parcels in accordance with the comprehensive plan. He outlined zoning map corrections and land use plan changes that were amended from the previous proposal. Trustee Jungermann inquired and Planner Chipman noted this item requested the Board's acceptance of the recommendation. He shared staff hoped to bring the Zoning Map Updates back with the Unified Development Ordinance for discussion and action at a future meeting.

Trustee Jungermann **moved to accept the Recommendation of the Plan Commission on PC 2021-003 Z 2021 Zoning Map Update.** Trustee Gier seconded this motion.

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

B. Ordinance 1904 Repealing and Replacing the Village's Official Zoning Map (First Reading).

President Brolley noted this was First Reading of Ordinance 1904. He inquired and noted Board approval was given to place this item on the Consent Agenda at a future meeting.

C. Ordinance 1905 Amending Various Provisions of the Village Code – Chapter 3 (Alcoholic Beverages) (Waiver of First and Passage on Second Reading).

President Brolley noted Ordinances 1905 and 1906 would be discussed together and acted on separately. Attorney Julien summarized that Gray's Mill Estate requested a liquor license to allow alcohol service for their multiple venues, special and seasonal events and to permit the prepackaged sale of growlers on a to-go basis. She noted an annual list of their special events would be submitted to the Village for approval and clarified that the newly created Class R Liquor License would address the tasting component of their operations. She requested approval for Ordinance 1905, subject to an amendment to the language regarding tastings.

Administrator Zoepfel noted this event venue liquor license permitted the service of alcohol and outdoor live music until 10 pm, which was currently prohibited for other restaurants. Board questions asked which nearby residences and restaurants would be affected by this request and whether Police Chief Smith anticipated any issues with enforcing this ordinance. Also asked were how Covid restrictions and safeguards would be enforced for special events planned this spring, what recourse the Liquor Commissioner would have to approve or deny any requested special events and whether the tasting service fell within the scope of their regular restaurant liquor license. After further discussion and clarification, President Brolley requested that Ordinance 1905 be amended to include language regarding tastings, noted this item would be subject to Attorney Revisions and requested a revised vote for this item.

Trustee Marecek **moved to approve Ordinance 1905 Amending Various Provisions of the Village Code – Chapter 3, Subject to Attorney Revision Regarding Tastings (Alcoholic Beverages) (Waiver of First and Passage on Second Reading)**. Trustee Jungermann seconded this motion.

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

D. Ordinance 1906 Amending the Village Code Section 3-9 (Gray's Mill Estate) (Waiver of First and Passage on Second Reading).

Attorney Julien discussed whether Ordinance 1906 granting a Class O Liquor License for tastings done by Gray's Mill Estate was required and whether language for those operations would be struck from this ordinance. President Brolley requested that a copy of the ordinance be provided to the Board for review once it was finalized.

Trustee Jungermann **moved to approve Ordinance 1906 Amending the Village Code Section 3-9, Subject to Attorney Review (Gray's Mill Estate) (Waiver of First and Passage on Second Reading)**. Trustee Marecek seconded this motion.

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

E. Ordinance 1907 Amending Chapter 18 ¼ - 6 of the Village Code (Tobacco Products) (Waiver of First and Passage on Second Reading).

Attorney Julien shared that Ordinance 1907 updated the Village's policy to follow State Law language regarding the age verification requirement for online sale of tobacco products. She noted this clean up item gave the police enforcement authority, if necessary.

Trustee Marecek **moved to approve Ordinance 1907 Amending Chapter 18 ¼ - 6 of the Village Code (Tobacco Products) (Waiver of First and Passage on Second Reading)**. Trustee Gier seconded this motion.

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

F. Ordinance 1908 Authorizing the Issuance of \$17,800,000 General Obligation Alternate Bonds of the Village of Montgomery, Illinois for the Purpose of Financing a New Public Works Facility and Refunding Outstanding Alternate Bonds of the Village (Waiver of First and Passage on Second Reading).

Director VanVooren summarized Ordinance 1908 which authorized the issuance of alternate revenue bonds to finance the new Public Works Facility and refund the Series 2011 bonds. Trustees Marecek, Betsinger and Lee inquired and Director VanVooren explained the benefits of refunding and reissuing the outstanding bonds for an overall cost savings. Trustee Lee asked and Administrator Zoepfel explained that Ordinance 1908 set the maximum bond amount that could be issued for the project. President Brolley asked and Director VanVooren reiterated what the timeline and expected next steps would be for the authorization, notice of BINA Hearing, rating call, sale, ordinance adoption and closing process for these bonds.

Trustee Gier **moved to approve Ordinance 1908 Authorizing the Issuance of \$17,800,000 General Obligation Alternate Bonds of the Village of Montgomery, Illinois for the Purpose of Financing a New Public Works Facility and Refunding Outstanding Alternate Bonds of the Village (Waiver of First and Passage on Second Reading)**. Trustee Lee seconded this motion.

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

G. Revised Intergovernmental Agreement with the Village of Oswego, United City of Yorkville and Kendall County for Federal Lobbyist Services.

Administrator Zoepfel summarized the two minor changes that had been made to this Revised Intergovernmental Agreement. Trustees Betsinger and Marecek inquired and Administrator Zoepfel addressed how the cost of any legal action would be shared between the participating parties and noted the location of any legal proceedings regarding this agreement would take place in Kendall County.

Trustee Jungermann **moved to approve the Revised Intergovernmental Agreement with the Village of Oswego, United City of Yorkville and Kendall County for Federal Lobbyist Services**. Trustee Marecek seconded this motion.

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

H. Purchase of Bobcat T76 Track Skid Loader in the Amount of \$63,517.

Director Wolf noted the purchase of this piece of equipment would save on annual rental equipment fees and would be used by all divisions of the Public Works Department throughout the year. Trustee Marecek inquired and Director Wolf clarified that the mower attachment for this unit would be purchased separately and allow for dense brush vegetation to be cleared. Trustees Lee and Betsinger

asked and Director Wolf clarified that this equipment would be purchased out of the FY2021 budget, instead of the FY2022 budget and shared that the mower attachment would come back separately for Board consideration and approval at a future meeting.

Trustee Gier **moved to approve the Purchase of Bobcat T76 Track Skid Loader in the Amount of \$63,517.** Trustee Lee seconded this motion.

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

President Brolley announced a brief recess at 9:07 p.m. and called the meeting back to order at 9:20 p.m.

Items for Discussion

A. Unified Development Ordinance.

Senior Planner Chipman provided further information on two topics previously discussed regarding this ordinance. He outlined the size of permitted garage structures and discussed current fence height restrictions as dictated by existing neighborhood Homeowners Associations, Annexation Agreements and Village Code. Trustee Jungermann asked and Director Young noted that variance consideration for a garage structure larger than 1100 square feet could be addressed on a case-by-case basis. Planner Chipman noted staff proposed adopting a five-foot fence height standard in the ordinance and requested Board feedback on this topic.

Extensive Board discussion was had regarding which fence height was most appropriate as a Village-wide standard since varying neighborhood Homeowners Associations and Annexation Agreements would supersede the Unified Development Ordinance standard. Further discussion questioned whether the current fence height maximum was six feet tall, what height would best promote community interaction, keep dogs contained in residential yards and would maintain a unified standard where six-foot fences already exist. Director Young suggested and Jake Seid of CMAP agreed that the ordinance proposed was the best overall compromise for a unified fence height and garage structure standard for the Village.

Trustee Lee asked and Planner Chipman discussed how the ordinance addressed the number and size of sheds permitted, was similar to the existing Village Ordinance and noted some existing Homeowners Associations and Annexation Agreements did not allow for sheds. President Brolley asked and Planner Chipman advised what next expected steps and timeline for adoption of this ordinance would be. President Brolley suggested that any ordinance changes in the UDO be clearly summarized and disseminated to residents, possibly using the Village newsletter. Trustees Jungermann, Marecek and Betsinger requested and Senior Chipman noted this ordinance would come back for further discussion as an Item for Separate Action at a future meeting.

B. Budget General Fund Discussion.

Director VanVooren summarized the FY2021 Financial Report. He discussed the how budget revenues and sales tax amounts received were affected by the pandemic and caused restrictions on businesses, cancelations of community events and reductions in donations. He shared that expenses were reduced by pausing non-essential expenditures, canceling community events and pausing hiring for some staff positions. He thanked the Board and staff for their proactive response and assistance provided to residents and businesses through water bill assistance, small business grant programs and outdoor dining options for restaurants.

Director VanVooren noted amendments to the FY2022 budget and shared some items that were moved from FY2022 to the FY2021 budget. He summarized the top three revenues for the Village as sales, property tax and income tax revenues, reiterated that the Board had frozen property taxes for the seventh year on existing buildings and noted the property tax growth seen was generated from new residential and commercial growth. He also shared the estimated Income Taxes (Local Government Distributive Fund) expected, noted they were based on the recent 2020 Census and advised that the State's pending budget could potentially impact the Village's income tax revenues. Director VanVooren discussed where some of the General Fund Expenditures for FY2022 were expected to be spent and noted Sonya Abt, the new Director of Community Development, would be joining staff on March 1st. He congratulated and wished Director Young well on his upcoming retirement.

President Brolley thanked Director VanVooren, Administrator Zoepfel, the Department Heads and staff for their hard work in balancing the FY2021 budget while experiencing challenging circumstances during the pandemic. He inquired and Director VanVooren discussed the possible addition of a part time Community Development Department Intern to help with ordinance enforcement and noted this topic could be discussed further once Director Abt joined the staff in March. President Brolley requested that any General Fund Budget questions be addressed before this item came back for Board discussion and approval at a future meeting.

New or Unfinished Business

Trustee Jungermann thanked Public Works and the Police Department for their hard work during the recent snowstorms. He also cautioned residents not to park vehicles directly across from one another on residential streets after significant snowfalls, as some residents did not allow for sufficient clearance for snowplows, school buses and essential equipment to pass through residential neighborhoods. Trustee Lee congratulated Chief Smith for winning the flapjack contest.

Future Meetings

- A. Plan Commission Meeting – Thursday, March 4, 2021 at 7:00 p.m. (May be canceled).
- B. Village Board Meeting – Monday, March 8, 2021 at 7:00 p.m.
- C. Beautification Committee – Wednesday, March 10, 2021 at 6:00 p.m.
- D. Historic Preservation Commission – Monday, March 15, 2021 at 6:30 p.m.
- E. Committee of the Whole Meeting – Tuesday, March 16, 2021 at 7:00 p.m.
- F. Intergovernmental Committee Meeting—Monday, March 22, 2021 at 6:00 p.m.
- G. Village Board Meeting—Monday, March 22, 2021 at 7:00 p.m.

Executive Session: None

Adjournment: 10:03 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 Betsinger, Trustee Gier and Trustee Lee voting yea.

Respectfully submitted,

Penny Fitzpatrick
Village Clerk