

President Brolley called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

Roll Call

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

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

President Brolley noted the virtual Board Meeting was being streamed live on the Village of Montgomery's YouTube Channel and would be recorded for future viewing. Administrator Zoephel shared that he and Senior Planner Chipman were present in the Village Hall Board Room, which was open for residents to be able to watch the live meeting, if needed.

Public Participation

A. Public Comments.

President Brolley inquired and Administrator Zoephel noted no Public Comments had been received.

Consent Agenda

- A. Minutes of the Village Board Meeting of April 13, 2020.
- B. Executive Session Minutes of April 13, 2020.
- C. Accounts Payable through April 23, 2020 in the Amount of \$340,218.72.
- D. Proclamation Designating May 3-9, 2020 as Municipal Clerks Week.
- E. Appointment by the Village President of Ryan Morton, 2254 Gallant Fox Circle, to the Police Pension Board for a Term from May 1, 2020 through April 30, 2022.
- F. Appointment by the Village President of Erik Barnes, 2924 Astor Lane, to the Police Pension Board for a Term from May 1, 2020 through April 30, 2022.
- G. Appointment by the Village President of Brian Baier, 2062 William Drive, to the Board of Police and Fire Commissioners for a Term from May 1, 2020 through April 30, 2023.

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

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

President Brolley amended the order of the agenda and handled Items for Discussion - Item A. Liquor License Request for 1890 Douglas Road first before discussing Items for Separate Action A-H.

Administrator Zoephel summarized this liquor license request and asked for Board direction regarding this item. The applicant, Mr. Emad Yousif, requested Board approval to be able to serve beer and wine with the restaurant menu proposed for this location. Trustees Jungermann, Lee and Sperling inquired and Mr. Yousif clarified that he hoped to open in August after improvements were made. He noted no video gaming was planned, curbside pickup and Uber Eats would possibly be utilized if pandemic constraints continued, and he clarified this liquor license request pertained only to the franchise location at 1890 Douglas Road. After discussion, Board support and encouragement was shared for this request. President Brolley directed Mr. Yousif to work with staff to move forward with the next expected steps regarding this request, and noted this item would be addressed for action at a future meeting.

Items for Separate Action

A. Resolution 2020-007 Authorizing the Acceptance of Open Space and Common Areas in the Blackberry Crossings West Subdivision.

Director Young discussed this resolution, summarized the turf improvements completed to this property in the Blackberry Crossing West Subdivision and addressed the turnover acceptance agreement with the Fox Valley Park District for this open space/common

area. Trustees Betsinger and Jungermann inquired and Director Young outlined what the estimated timeline for this change of ownership would be and shared what the long-term park improvement plan, budget and schedule were for this parcel. President Brolley asked and Director Young clarified what portion of the property would be owned and maintained by the Village after the Fox Valley Park District took ownership of their portion of this property.

Trustee Gier **moved to approve Resolution 2020-007 Authorizing the Acceptance of Open Space and Common Areas in the Blackberry Crossings West Subdivision.** Trustee Betsinger seconded this motion.

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

B. Employee Sick Leave Donation Policy.

Administrator Zoepfel summarized the highlights of the Employee Sick Leave Donation Policy, noting it was a voluntary assistance program and employees with a demonstrated need could request to utilize the program. Trustee Betsinger questioned and Administrator Zoepfel addressed the policy program conditions regarding employee contributions, length of employment service requirements and benefit eligibility. Trustee Sperling asked and Administrator Zoepfel discussed whether employees already on a leave of absence could accrue sick time or donate hours to the sick leave bank.

Board discussion was had and concerns were raised about how the program would be best seeded to start, how the differing donated versus used hourly rate benefits would be balanced financially and how the Village's liability would be limited regarding this benefit. Administrator Zoepfel summarized the suggested policy parameters in regard to employee eligibility, required length of service, annual allowable donations, program cap limitations and a proposed initial number of weeks to seed the program. After discussion, President Brolley noted there was Board support to approve this policy based on the changes discussed, and he thanked Human Resources Manager Ostreko for putting this program together.

Trustee Betsinger **moved to approve the Employee Sick Leave Donation Policy.** Trustee Sperling seconded this motion.

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

C. Agreement Between the Village of Montgomery and Metropolitan Alliance of Police.

Chief Smith summarized the highlights of this agreement with the Metropolitan Alliance of Police and requested approval for this item. He summarized the agreement term through 2025, salary range increases, amended residency requirements and increased number of personal days provided for officers. Trustee Sperling, Trustee Marecek and Administrator Zoepfel all thanked Chief Smith, Human Resources Manager Ostreko and the officers for their hard work in successfully negotiating this agreement.

Trustee Sperling **moved to approve the Agreement Between the Village of Montgomery and Metropolitan Alliance of Police.** Trustee Marecek seconded this motion.

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

D. Pizzo and Associates Basin Stewardship Contract Extension

Director Wolf summarized this item regarding a basin stewardship contract extension for prescribed burns and forestry throughout the Village. He requested approval for this one year contract extension with no cost increase with Pizzo and Associates. He further noted additional bids for this work would be secured in the fall during the growing season for these basins areas. President Brolley requested and Director Wolf noted the past basin maintenance expenses could be summarized and reviewed to project what the costs of these services could be expected to be going forward.

Trustee Jungermann **moved to approve the Pizzo and Associates Basin Stewardship Contract Extension.** Trustee Gier seconded this motion.

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

E. Montgomery Development Fund Program Amendment / DCEO Grant Program.

President Brolley clarified this topic would be handled as an Item for Discussion and no action would be taken at this meeting. He further credited Trustee Gier for his leadership in suggesting this amendment to the Montgomery Development Fund Program to

provide financial assistance to local businesses during the ongoing pandemic. Director Young summarized this program, noting it could grant up to \$5,000 to qualified local businesses, after loan committee application review and Board approval. Director Young also summarized the Downstate Small Business Stabilization Program, noting its eligibility requirements for specific types of non-essential businesses, stipulations regarding the allowable number of full-time employees and franchise locations, the process for how applications would be considered for review and parameters for how the program would be administered. He further clarified the program was backed by funds from the Department of Commerce and Economic Opportunity and that grant protection would have to be separately secured for businesses in Kane County.

Director Young requested approval to begin taking applications for program consideration and advised a resolution for these items would come back to the Board for approval at a future meeting. Board discussion was had and concerns were shared regarding whether the eligibility requirements for the Downstate Small Business Stabilization Program tracked with the Governor's Executive Order for essential versus non-essential businesses. Further questions addressed what protection the Village had against repayment obligations for grants backed by the State of Illinois, whether local business owners with fewer than five Illinois franchise locations would be eligible for assistance, how long the window to accept applications would remain open and whether a program fund cap would be established to prevent all of the MDF Program's assets from being depleted. Additional Board questions addressed how long an applicant had to be in business to be eligible for financial assistance, how the assistance programs would be advertised to local businesses and what the MDF Program's current asset balance was.

Director Young and Administrator Zoepfel noted the Village's Facebook, webpage and business email database and MEDC Executive Director Fiore's business contacts would be used to communicate the availability of these programs to local businesses. Attorney Julien and Director Young discussed how to determine whether non-essential businesses were temporarily or permanently out of business due to the Governor's Executive Order and what the repayment protocol would be if a business accepted grant money but then went out of business permanently. President Brolley discussed that these programs were intended to provide established Montgomery businesses with financial assistance to weather the circumstances of the pandemic and remain in operation. Trustee Sperling further inquired and Director Young addressed how long grant applicants would be required to remain in business after receiving assistance.

Administrator Zoepfel summarized the changes discussed and noted the MDF Program Amendment would provide assistance to local businesses that had been in operation for at least twelve months and applications would be accepted and reviewed for consideration. He noted a \$100,000 program cap would be established and could be amended according to the program's response. He also shared final approval of this proposal would come back to the Board at a future meeting. Trustee Jungermann thanked Director Young for his work on this program to support local businesses during these unprecedented times.

F. Resolution 2020-009 Authorizing the Execution of an Intergovernmental Agreement for Kendall County Transportation Alternatives Program (KC-TAP) Funding Grant to the Village of Montgomery for Constructing a Multi-Use Path Connecting Sidewalks Along U.S. Route 30 and the Virgil Gilman Trail (2020).

Attorney Julien summarized funding details for this resolution. Trustee Betsinger inquired and Engineer Wallers discussed the project scope and expected timeline to bid, secure permits and determine wetland and center line delineation for this project. President Brolley noted his thanks for this cooperative Intergovernmental Agreement with Kendall County for this multi-use path project.

Trustee Marecek **moved to approve Resolution 2020-009 Authorizing the Execution of an Intergovernmental Agreement for Kendall County Transportation Alternatives Program (KC-TAP) Funding Grant to the Village of Montgomery for Constructing a Multi-Use Path Connecting Sidewalks Along U.S. Route 30 and the Virgil Gilman Trail (2020).** Trustee Betsinger seconded this motion.

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

G. Resolution 2020-008 Adopting an Investment Policy.

Director VanVooren summarized this Resolution, noted its date of adoption and relation to the Sustainable Investing Act. Trustee Marecek inquired and Director VanVooren noted the Village was already following this policy direction in regard to its investments.

Trustee Marecek **moved to approve Resolution 2020-008 Adopting an Investment Policy.** Trustee Gier seconded this motion.

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

H. Professional Services Agreement with Engineering Enterprises, Inc. for Jackson Street Sanitary Sewer Improvements - Construction Engineering in the Amount of \$21,096.00.

Director Wolf noted this agreement addressed the construction engineering for these sewer improvements and he requested approval of this item. Engineer Wallers clarified the specific cost for the construction engineering portion of this overall project. Trustee Lee inquired and Director Wolf noted the anticipated timeline for construction for these Jackson Street Sanitary Sewer improvements.

Trustee Jungermann **moved to approve the Professional Services Agreement with Engineering Enterprises, Inc. for Jackson Street Sanitary Sewer Improvements - Construction Engineering in the Amount of \$21,096.00.** Trustee Gier seconded this motion.

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

I. Change Order #1 for the Lead Service Line Replacement Project - Request for Time Extension.

Engineer Wallers summarized this time extension request for the Lead Service Line Replacement Project and explained how the Governor's Shelter in Place Order had delayed the contractor's ability to complete this project. He also advised there was no change to the contract price and noted when the project dates had been extended to. Engineer Wallers also explained this change order would require IEPA approval, due to the forgivable loan involved with the project. Trustees Sperling and Betsinger asked and Engineer Wallers addressed whether this time extension would affect the loan agreement for the project and whether the expected State grant funding could be relied on for these improvements.

Trustee Gier **moved to approve Change Order #1 for the Lead Service Line Replacement Project - Request for Time Extension.** Trustee Betsinger seconded this motion.

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

Items for Discussion

A. Liquor License Request for 1890 Douglas Road.

President Brolley noted this item was discussed earlier in the meeting after the Consent Agenda.

B. Status of Community Events for 2020.

President Brolley requested Board feedback on how staff should proceed with organizing, rescheduling or canceling the Community Events Scheduled for 2020 due to the social distancing constraints present. Administrator Zoephel summarized the postponement of the Community Garage Sale, Food Truck Festival and Concerts in the Park Events scheduled in May and June. He noted potential issues with hosting Montgomery Fest, the River Run and the Tree Lighting Ceremony if social distancing limitations continued and affected the Village's ability to maintain clean environments, secure event sponsorships and ensure resident event attendance.

Board discussion was had regarding what financial obligations and contract commitment timeframes existed with the carnival, food, fireworks, stage and band vendors for these events. Administrator Zoephel shared the cancelation clauses for these agreements were being reviewed to determine the best course of action to either host, reschedule or cancel these events. Additional Board discussion was had and staff was directed to determine whether the vendor availability for the Montgomery Fest and River Run events had changed due to social distancing requirements. Community Relations Manager Vargas inquired and Trustee Gier confirmed the Dime Jingle and Senior Luncheon events would be canceled for June. President Brolley noted this item would come back for further discussion in two to four weeks once more information was available regarding whether these community events could be held.

C. ILWARN Membership for Village of Montgomery.

Director Wolf summarized the benefits of participating in the ILWARN program to help ensure emergency preparedness, mutual agency assistance and provide access to disaster response tools to ensure continued safe drinking water to residents. He noted there was no membership cost for enrollment and the Village had taken steps to apply for participation in this program.

New or Unfinished Business

Administrator Zoephel summarized the Property Tax Rebate Program participation results and noted rebate checks would be mailed out to residents next week. Board questions were raised regarding what the Water Billing Assistance Program eligibility, timeframe to apply, covered billing services and account credit protocol would be for the April billing cycle. Administrator Zoephel and Director VanVooren summarized the number of households that had participated in the program to date and estimated what the program

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benefit amount was expected to be. It was suggested that reminders and program clarifications be sent out to residents to encourage program participation, and President Brolley noted the overall results of this assistance program would be shared at a future meeting.

Trustee Jungermann thanked Director Wolf for completing a street light repair. He requested and Director Wolf noted he would have a spruce tree, covering the sidewalk near the corner of Kate and Griffin Drives, evaluated for pruning or removal. Trustee Jungermann shared resident questions and concerns regarding a possible extension to Gordon Road, north of the Fairfield and Foxmoor Subdivisions. Board discussion was had and questions were raised regarding what proposed development plans, funding parameters and construction timeframes were suggested for this road extension. Engineer Wallers clarified that a joint concept study between Kendall and Kane Counties, Sugar Grove and Montgomery was being explored to possibly extend sections of Gordon Road south to Galena Road and north to Jericho Road, which would provide a second neighborhood access for the Fairfield and Foxmoor Subdivisions.

Trustee Gier further questioned how to ensure pedestrian safety at the Gordon Road and Huntington Chase Park crosswalk, if additional traffic was created from these proposed road extensions. Director Wolf noted traffic volume data could be gathered and assessed to determine if a four-way stop sign would be warranted at this intersection. Trustee Betsinger inquired and Engineer Wallers and Director Young discussed whether a Virtual Public Open House or Public Hearing would be held to better inform residents about these possible Gordon Road extensions. Director Young and President Brolley shared that the transportation plan for these improvements had been part of the original, long term development and connectivity plan for the area, before the economic downturn occurred in 2008. Engineer Wallers noted he would report back to the Board as design and funding alternatives for this long range, corridor extension project were explored at a future meeting. President Brolley thanked the Press for attending the Board Meeting.

Future Meetings

- A. Village Board Meeting—Monday, May 11, 2020 at 7:00 p.m.
- B. Beautification Committee Meeting – Wednesday, May 13, 2020 at 6:00 p.m.
- C. Historic Preservation Commission – Monday, May 18, 2020 at 6:30 p.m.
- D. Committee of the Whole Meeting – Tuesday, May 19, 2020 at 7:00 p.m.
- E. Intergovernmental Committee Meeting—Tuesday, May 26, 2020 at 6:00 p.m.
- F. Village Board Meeting—Tuesday, May 26, 2020 at 7:00 p.m.

Executive Session: None

Adjournment: 9:11 p.m.

Seeking no further business to come before the Board, it was moved by Trustee Jungermann and seconded by Trustee Gier to **adjourn the meeting.**

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

Respectfully submitted,

Penny Fitzpatrick
Village Clerk