

President Brolley called the meeting to order at 7:03 p.m.

Roll Call

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

Also present: Administrator Jeff Zoepfel, 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, Community Relations Manager Corinne Vargas, Clerk Penny Fitzpatrick. Members of the Press and others.

President Brolley noted the Virtual Board Meeting was streamed live on the Village of Montgomery's YouTube Channel and advised that Village Hall was open to the public for any residents interested in attending the live meeting.

Public Participation

A. Public Comments.

Administrator Zoepfel noted a Public Comment email was received from resident Aimee Jacobs of Ivy Court. She requested permit approval to allow for boat storage on residential driveways to handle seasonal maintenance and loading/unloading needs in May through October. Board discussion was had regarding whether the existing Recreational Vehicle Storage Ordinance should be amended or left in its current form in response to this request.

Board discussion was had and Director Young advised whether residents were allowed seventy-two-hours to load, unload and maintain recreational vehicles on their driveways under the existing ordinance. He further clarified these types of vehicles were not allowed to be parked on residential streets. After discussion, President Brolley noted this permit request could generate additional residential complaints regarding neighborhood boat storage and shared Board consensus was reached to leave the existing ordinance unchanged at this time. Administrator Zoepfel advised he would inform the resident of the Board's decision regarding this boat storage permit request.

Consent Agenda

- A. Minutes of the Village Board Meeting of May 11, 2020.**
- B. Executive Session Minutes of May 11, 2020.**
- C. Accounts Payable for FY20 through May 21, 2020 in the Amount of \$266,912.00.**
- D. Accounts Payable for FY21 through May 21, 2020 in the Amount of \$513,302.03.**

Trustee Jungermann **moved to approve Items A-D on the Consent Agenda.** 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.

Items for Separate Action

A. Resolution 2020-011 to Induce the Redevelopment of Certain Property within the Orchard Road Redevelopment Project Area (1601 Commerce Drive).

Director VanVooren introduced Rob Lyte from United Sugars Corporation and Consultants Jake Singletary and Clare Walter from Grant Thornton, LLP and noted they were present on the call to address any questions regarding this item.

Director Young summarized that this resolution requested the use of TIF Funds toward the improvement and redevelopment of existing property and construction of a second sugar dome on this site. He summarized the construction and timetable to begin operations for the second dome was estimated to be by 2022. Director VanVooren discussed the projected expenses, cash flow analysis and timetable that would pertain to this proposed use of TIF Funds.

Board questions were raised and Director VanVooren and Administrator Zoepfel explained details regarding the Inducement and Redevelopment Agreements for this project. Also discussed were what TIF Fund expenditures were eligible for reimbursement and what restrictions and guidelines regarding land development and existing structure rehabilitation would apply. Trustee Gier shared support for this request and asked whether bonds would be issued for this project. He further inquired and Director VanVooren addressed when the proposed tax increment would potentially be received and how many years it would take to recoup the TIF Fund investment for this project.

Trustees Jungermann and Sperling inquired and Director Young advised the previous land and roadway development for United Sugars was completed without TIF Fund assistance and noted both of their sugar dome projects were significant investments in the community. Trustees Lee and Jungermann asked and Director Young commented on whether Fire Chief Meyers would need to be consulted to determine if additional foam fire apparatus would be needed and covered by TIF Funds for this project. President Brolley thanked the United Sugars' representatives for attending the meeting and welcomed their proposed plans for development in the community.

Trustee Sperling **moved to approve Resolution 2020-011 to Induce the Redevelopment of Certain Property within the Orchard Road Redevelopment Project Area (1601 Commerce Drive)**. Trustee Betsinger seconded this motion.

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

B. Montgomery Development Fund Program – Small Business COVID-19 Grant Applications.

Director Young summarized the seventeen grant applications recently reviewed by the Montgomery Development Fund Committee and noted fourteen businesses were recommended for approval. He further explained why three applications were denied due to their excluded criteria and requested Board direction on whether the Montgomery Development Fund Program should be expanded to include assistance for not for profit businesses.

Board questions were raised and Director Young advised the number of additional businesses that could be considered for approval before the grant program cap was reached and noted no additional applications were pending review. He discussed whether checks to previously approved grant applicants had been processed and explained that all grant recipients were required to sign a certification letter and provide documentation showing how their grant funds had been spent as directed by the program. He further clarified this assistance could not be used to pay property taxes.

Trustee Gier **moved to approve the Montgomery Development Fund Program – Small Business COVID-19 Grant Applications**. Trustee Sperling seconded this motion.

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

C. Outdoor Dining.

Director Young summarized this item designed to help local restaurants temporarily operate outdoor dining areas in response to recent changes and phases of the Governor's Executive Order. He discussed the guidelines Staff would use to review these permit applications for consideration and outlined the safety restrictions and code enforcement requirements that would apply to these outdoor dining areas on sidewalks and in parking spaces. Director Young requested Board feedback on this topic and support for this request.

Trustees Sperling and Betsinger questioned and Director Young addressed concerns with safely securing and protecting these temporary outdoor dining areas from vehicle traffic and discussed whether fees would apply to these applications.

After Board discussion was had and questions were shared, Attorney Julien and Director Young summarized the requirements, provisions and a temporary timetable for use of this amendment in line with the state of emergency. It was reiterated that each property location request would be reviewed independently and tenant applications would require building property owner approval on their requests. Attorney Julien summarized the policy language for this temporary order and advised what discretion the Village would have to cease or amend a permit timetable or parameters as needed. Administrator Zoephel clarified that a vote on this item was not required; however, Board members indicated they were in favor of pursuing this temporary outdoor dining provision.

D. Ordinance 1880 Amending the Village Code Regarding Temporary Outdoor Dining Liquor Regulations (Waiver of First and Passage on Second Reading).

Attorney Julien summarized the amended provisions to the Village Code Regarding Temporary Outdoor Dining Liquor Regulations and discussed the control parameters and conditions Staff would apply when considering these applications. Trustees Marecek and Sperling and President Brolley inquired and Attorney Julien clarified the specifics of this ordinance provision extension and how it applied to liquor license holders. She clarified that no liquor would be allowed to be taken off the premises from these outdoor dining areas and noted these requests and site plans would be considered individually for review and approval.

Trustee Marecek **moved to approve Ordinance 1880 Amending the Village Code Regarding Temporary Outdoor Dining Liquor Regulations (Waiver of First and Passage on Second Reading)**. 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.

Items for Discussion

A. Montgomery Fest.

Administrator Zoephel summarized what expenses would be incurred if Montgomery Fest was canceled due to the Governor's Executive Order regarding gathering restrictions on hosting large community events. He asked for Board direction on whether or not to cancel the event and renegotiate the existing vendor contracts to August 2021. Board questions were raised and Administrator Zoephel and Attorney Julien discussed what conditions, timing and circumstances would release the Village from its contractual liability to its vendors, whether or not the Executive Order was still applicable in August, and what maximum fee amounts would be owed in the various scenarios.

Further Board discussion addressed how a large gathering limited to fifty participants could be hosted when the standard number of Montgomery Fest workers and volunteers present would not allow for a typical number of residents to be able to attend the event. After much discussion, President Brolley noted Board consensus was reached to postpone Montgomery Fest from August 2020 to August 2021, considering the current pandemic and social distancing restrictions, and directed Staff to renegotiate the existing vendor contracts for next year. Trustee Sperling inquired and Trustee Lee discussed whether the Montgomery Fest Fishing Derby could still be held this year, with social distancing precautions in place. President Brolley asked Staff to report back on further updates regarding this item at a future meeting.

New or Unfinished Business

Trustee Gier and President Brolley inquired and Engineers Wallers provided updates on the TIF District Traffic Study. He noted the work was under way and updates and pre-COVID traffic data would be reported on in June. Trustee Jungermann asked and Director Wolf noted trees with low lying limbs would be reviewed for pruning once location addresses were provided. Trustee Jungermann also asked that an Open Public Meeting be held to allow residents to ask questions and have their concerns heard regarding the Gordon Road Study. Director Young shared that an Open Session discussion regarding this topic would be planned for a future meeting.

Trustee Lee inquired and Director VanVooren addressed what the projected revenue losses would potentially be to the General Fund, Infrastructure Fund and Road Program due to the COVID crisis and noted the budgetary projections and March sales tax revenue data would be available in June. President Brolley shared this topic could be discussed again once the revenue information was gathered for analysis.

Future Meetings

- A. Village Board Meeting—Monday, June 8, 2020 at 7:00 p.m.
- B. Beautification Committee—Wednesday, June 10, 2020 at 6:00 p.m.—Date changed to Wednesday, June 17, 2020 for Contest Judging.
- C. Historic Preservation Commission – Monday, June 15, 2020 at 6:30 p.m. – Canceled.
- D. Committee of the Whole Meeting – Tuesday, June 16, 2020 at 7:00 p.m.
- E. Intergovernmental Committee Meeting—Monday, June 22, 2020 at 6:00 p.m.
- F. Village Board Meeting—Monday, June 22, 2020 at 7:00 p.m.

President Brolley noted the Village Board Meetings in June would likely continue to be held virtually to avoid logistical and social distancing challenges with an in person gathering of greater than ten Staff and Board Members.

Executive Session: None

Adjournment: 8:22 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