

President Brolley called the meeting to order at 7:03 p.m. followed by the Pledge of Allegiance.

Roll Call

Trustee Gier	Yea	Trustee Betsinger	Yea
Trustee Sperling	Yea	Trustee Jungermann	Yea
Trustee Bauman	Yea	Trustee Marecek	Yea

Also present: Attorney Laura Julien, Director of Finance Justin VanVooren, Director of Public Works Mark Wolf, Engineer Peter Wallers, Chief of Police Phillip Smith, Village Clerk Debbie Buchanan, and others. Director of Community Development Sonya Abt was present via Zoom.

President Brolley thanked Board members and staff for their warm support of Jeff Nemetz and his family while they have been struggling these past few weeks.

Public Participation

A. Public Comments.

There were no public comments.

Consent Agenda

- A. Minutes of the Village Board Meeting of July 11, 2022.
- B. Accounts Payable through July 25, 2022 in the Amount of \$1,399,999.01.
- C. Refuse Report for June 2022.

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

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

Items for Separate Action

A. Ordinance 1972 Amending Village Code Section 3-9 to Grant a Class G Liquor License (Hacienda El Dorado Mexican Restaurant - 817 Montgomery Road) (First Reading).

Attorney Julien stated the Board had directed this ordinance to be prepared. This is first reading and this item will be put on the consent agenda at the next meeting.

B. Ordinance 1973 Amending Village Code Section 3-9 to Grant a Class M Liquor License (Gas N Wash - 1055 Orchard Road) (Waiver of First and Passage on Second Reading).

Attorney Julien explained this ordinance is waiver of first reading since Gas N Wash is trying to open August 1st. Trustee Sperling asked and Attorney Julien verified that no small bottles or individual cans may be sold. The business owner asked many questions about what can be sold and Attorney Julien advised that details are contained in the code for this class of liquor license.

Trustee Jungermann **moved to approve Ordinance 1973 Amending Village Code Section 3-9 to Grant a Class M Liquor License (Gas N Wash - 1055 Orchard Road) (Waiver of First and Passage on Second Reading)**. Trustee Bauman seconded this motion.

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

Jeff Nemetz joined the meeting at 7:10 pm via Zoom and thanked the Board and staff for their support of him and his family during this difficult time.

C. Ordinance 1974 Approving a Redevelopment Agreement to Induce the Redevelopment of the Orchard Road Redevelopment Project Area (Trans Lines Inc.) (Waiver of First and Passage on Second Reading) .

Director Abt stated this project was approved earlier this spring. They are planning on a \$6 million investment and are requesting assistance in the form of reimbursement for some of the expenses to develop the property in the amount of \$350,000 that would be paid over the next 5-6 years. The agreement states they would begin construction by September 1, 2022 and be completed by December 31, 2023. Representatives of the petitioner were present in person and via Zoom and Director Abt said the owner would like to request some additional funding. Trustee Jungermann asked how increases to that amount should be handled, and Director Abt stated that should be noted in the motion. They would not receive anything until the project is completed, then would get paid every year until they have received the full amount.

Trustee Bauman questioned if the petitioner is asking for additional funds that are not included in the redevelopment agreement that is attached. The petitioner Andrius Petkunas stated there are extraordinary costs to build on this site and they are asking for help for this project to move along, so they are now asking for \$433,948.50. He stated he had documents showing why there is an increase in cost but that he did not bring enough copies to pass out to everyone. He said he can provide information at a later date, but the sooner the Board approves the redevelopment agreement the better. Rosemary Swierk of Direct Steel, representing the petitioner, stated there are extra costs due to building on a cul-de-sac and they need additional funds to allow them to move forward.

President Brolley asked about the increment this business will generate and if they would get to \$350,000 over the life of the TIF, and Director VanVooren said yes, in 5 to 5.5 years. Trustee Marecek stated he does not want to increase the amount on the fly; he would prefer to discuss and review the information. Trustee Jungermann stated if it is tabled the costs will go up. The area is difficult to develop and the Village would gain Rochester Drive improvements, so he is fine with \$433,948. Trustee Sperling said she doesn't want to increase the amount tonight without reviewing information. President Brolley stated the TIF has more projects than the Village can fund, so the Board has to be careful with funds.

Director Abt stated she has been getting updates from the petitioner as they got bids and cost updates. Excess soil removal is one component as well as the fire loop going to the property, and staff thought those costs were reasonable to add to the TIF request and are TIF eligible expenses. Trustee Jungermann asked if the excess soils could be used elsewhere but Engineer Wallers said it is not suitable and the Village doesn't have a ready location or a way to handle and truck it.

Trustee Sperling asked if the Board approves the agreement at \$350,000, if the petitioner can come back and ask for more, and President Brolley said they can do that. Trustee Bauman said it sounds like the petitioner already presented information to staff and he is concerned about delaying the sale. President Brolley suggested Rosemary Swierk talk to Director Abt tomorrow and come back to a future meeting if necessary.

Trustee Marecek **moved to approve Ordinance 1974 Approving a Redevelopment Agreement to Induce the Redevelopment of the Orchard Road Redevelopment Project Area (Trans Lines Inc.) (Waiver of First and Passage on Second Reading)** . Trustee Sperling seconded this motion.

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

D. Professional Services Agreement with EEI in the amount of \$164,718.00 for the 2023 MFT and Infrastructure Road Program Design Engineering g.

Director Wolf clarified this agreement is for the FY2024 MFT design engineering. Staff requests approval now so engineering work can start in the fall and be ready for an early February letting for next summer's construction.

Trustee Gier **moved to approve Professional Services Agreement with EEI in the amount of \$164,718.00 for the 2023 MFT and Infrastructure Road Program Design Engineering g.** Trustee Marecek seconded this motion.

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

E. Professional Services Agreement with EEI in the amount of \$153,958.00 for Lake Michigan Connection, Preliminary Engineering .

Director Wolf said work continues to move towards Lake Michigan as a water source in 2030. Specific necessary items such as identifying locations for receiving and pumping stations, procuring materials and funding sources are identified in this agreement to work toward this goal.

Trustee Gier **moved to approve Professional Services Agreement with EEI in the amount of \$153,958.00 for Lake Michigan Connection, Preliminary Engineering**. Trustee Marecek seconded this motion.

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

Items for Discussion

New or Unfinished Business

Trustee Gier said there have been recent news items about monarch butterfly concerns so he discussed this with Arborist Ed Pfaff. Ed stated our naturalized basins already have milkweed, and milkweed could also be introduced into the arboretum garden in front of the Police Department. So the Village is doing its part to help the monarch butterflies. Trustee Sperling stated that Rotary Club would be happy to partner in that.

Trustee Marecek said Montgomery Fest is coming in August. Things are moving along and staff is doing a great job pulling together to handle the necessary items.

Executive Session

Future Meetings

- A. Planning and Zoning Commission - Thursday, August 4, 2022 at 7:00P.
- B. Intergovernmental Committee - Monday, August 8, 2022 at 5:45P.
- C. Village Board Meeting - Monday, August 8, 2022 at 7:00P.
- D. Beautification Committee - Wednesday, August 10, 2022 at 6:30P - CANCELLED.
- E. Committee of the Whole - Tuesday, August 16, 2022 at 7:00P - CANCELLED.
- F. Intergovernmental Committee - Monday, August 22, 2022 at 6:30P - CANCELLED.
- G. Village Board Meeting - Monday, August 22, 2022 at 7:00P.

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.**

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

Respectfully submitted,

Debbie Buchanan
Village Clerk