

President Brolley called the meeting to order at 7:04 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: Administrator Jeff Zoephel, Attorney Laura Julien, Director of Public Works Mark Wolf, Director of Finance Justin VanVooren, Director of Community Development Sonya Abt, Engineer Peter Wallers, Chief of Police Phillip Smith, Communications Manager Kristina Nemetz, Clerk Penny Fitzpatrick, Members of the Press and others.

President Brolley advised the meeting was being conducted both in person and remotely for virtual public access and noted the Governor's Executive Order allowing remote attendance of Open Meetings had expired at the end of August 2021. Trustee Sperling was present for the meeting remotely but left the call by 7:14 p.m.

**Public Participation**

**A. Public Comments.**

Resident Joyce Koehler and her husband voiced their concern with the recently adopted Unified Development Ordinance restricting the ability to replace their six-foot fence in the Seasons Ridge Subdivision. They requested a variance to the code since six-foot fences had previously been allowed in their neighborhood. Director Abt and Administrator Zoephel noted a Public Hearing for the Planning and Zoning Commission was planned for October 7<sup>th</sup> to consider a text amendment to the code regarding this issue. He further advised the Village Board would meet on October 11<sup>th</sup> to assess the recommendation. He directed the Koehlers to await the outcome of the two October meetings before requesting a permit to replace their fence.

President Brolley inquired and Administrator Zoephel noted no other Public Comments were received for the meeting.

**Consent Agenda**

- A. Minutes of the Village Board Meeting of August 23, 2021.**
- B. Building Report for August 2021.**
- C. Accounts Receivable Report for August 2021.**
- D. Water Production Report for August 2021.**
- E. Refuse Report for July 2021.**
- F. Accounts Payable through September 9, 2021 in the Amount of \$939,760.12.**
- G. Proclamation for Constitution Week.**
- H. Proclamation for Preparedness Month.**

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

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

**Items for Separate Action**

**A. Recommendation of the Planning and Zoning Commission on 2021-011 Variance from Section 10.02.C Off-Street Parking Standards – ALDI, Inc.**

President Brolley shared the Planning and Zoning Commission Recommendation 2021-011 and Ordinance 1927 would be discussed together and acted on separately. Director Abt noted Aldi, Inc. on Mayfair Drive requested a variance to improve traffic flow and pedestrian safety in their parking lot and increase the number and configuration of their parking spaces. She further shared Aldi, Inc. was simultaneously updating the interior of their building and advised the Planning and Zoning Commission had recommended approval of this off-street parking standard variance request.

Trustee Marecek **moved to accept the Recommendation of the Planning and Zoning Commission on 2021-011 Variance from Section 10.02.C Off-Street Parking Standards – ALDI, Inc.** Trustee Gier seconded this motion.

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

**B. Ordinance 1927 Granting a Parking Variance in the Village of Montgomery, Kane and Kendall Counties, Illinois (ALDI- 2050 Mayfield Drive) (First Reading).**

Hearing no further discussion, President Brolley noted he would discuss Ordinance 1927 with Trustee Sperling and determine if this item could be added to the Consent Agenda at a future meeting.

**C. Approval of Intergovernmental Master Agreement with Illinois Department of Transportation for Traffic Signal Maintenance for July 1, 2021 through June 30, 2031.**

Director Wolf summarized this Intergovernmental Master Agreement with IDOT. He shared this was a housekeeping item regarding the ownership and electricity usage for Montgomery's Traffic Signal Maintenance through June 30, 2031.

Trustee Gier **moved to approve the Intergovernmental Master Agreement with Illinois Department of Transportation for Traffic Signal Maintenance for July 1, 2021 through June 30, 2031.** Trustee Marecek seconded this motion.

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

**D. Resolution 2021-014 Authorizing an Agreement between the Village of Montgomery, H&K Property Development LLC, and Balmorea of Montgomery Townhome Association Regarding Certain Road Improvements and Maintenance (Helene Rieder Drive).**

Director Abt discussed Resolution 2021-014 and noted the streetlights and private roadway on Helene Rieder Drive in Balmorea had come into disrepair while the townhome development was stalled. This multi-party agreement would address lighting improvements, a one-time roadway resurfacing and would help to encourage further development in the area. Director Abt noted which entity would provide funding for the project at the time of construction, shared the IRP Road Program would be used and the Village would not incur any additional costs for this project.

Trustee Betsinger and President Brolley questioned and Director Abt and Engineer Wallers advised how the Village would recoup their investment if townhome development stalled again after the roadway was improved. Trustee Bauman and Administrator Zoephel discussed whether the road improvement plan for this area would be evaluated in 2024 to determine if sufficient fees had been collected to improve this private roadway in the 2025 road resurfacing plan. Attorney Julien discussed whether the agreement could be drafted, subject to confirmation that the terms were acceptable, prior to the beginning of construction. President Brolley asked and Director Wolf advised that no backup Special Service Agreement existed to address road improvements in this area if the Balmorea of Montgomery Townhome Association was unable to fund for them.

Trustee Jungermann advised he was in favor of the agreement subject to the terms discussed and attorney review. Trustee Gier noted he was concerned that proper maintenance and upkeep of this private roadway be provided to the residents. President Brolley commented his support to offer this agreement with the H&K Property Development LLC and the Balmorea Townhome Homeowners Association. He shared no action would be taken at this time and this item would be discussed again at a future meeting.

<b>Items for Discussion</b>
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**A. Pavement Management Study Report Update 2021.**

Engineer Wallers noted this was the year one update to the five-year pavement management system plan. He introduced Engineer Chris Ott, who coordinated the program and handled the bid process each year. Engineer Ott explained how road pavement conditions were evaluated, rated and ranked so that maintenance strategies, budgeting and road improvements could be conducted in the most cost-effective manner each year. He also summarized the total number and location of improved roadwork miles and shared what types of preventative maintenance processes were utilized to extend pavement life throughout the Village.

Engineer Ott shared and compared the 2015 versus 2020 Pavement Management Study results and noted how Motor Fuel Tax Funds were utilized to manage road, curb, gutter, sidewalk, driveway apron and ADA compliance improvements. He explained when, how and why preventative maintenance asphalt rejuvenator was utilized after road resurfacing was completed. President Brolley inquired and Engineer Ott explained when and how often asphalt rejuvenator versus crack sealing products were applied in the life cycle of typical pavement before resurfacing and reconstruction were necessary. Engineer Ott summarized what neighborhoods and specific road improvements were planned in years two through five of the pavement management plan and discussed the total cost of the improvements. He further noted the revised pavement management plan included operating without Illinois Bond Funds, which would allow projects to be completed quickly and more efficiently without the need to meet IDOT standards and requirements.

President Brolley inquired and Engineer Ott discussed whether Village owned roads in the Stuart Sports Complex would be improved and coordinated with the Fox Valley Park District to get those completed. Engineer Ott requested Board approval to move forward with designing a Professional Service Agreement so the final pavement management design and bidding could move forward in February 2022 and construction could begin in April or May of 2022. Trustee Marecek asked and Engineer Ott clarified that improvements to Knell Road would only be handled on the Orchard Road end of the street, since the new Public Works facility was being constructed on the other end of Knell Road. Trustee Bauman inquired and Engineer Ott explained when and where the asphalt rejuvenation process would be utilized. Trustee Gier commented that the road improvements and crosswalks in downtown Montgomery had been completed quickly and done very well. President Brolley and Trustee Marecek thanked Engineer Ott for his pavement management report and presentation summary.

**New or Unfinished Business**

Trustee Jungermann noted he would not be present for the next Board Meeting on September 27<sup>th</sup>. He inquired and Engineer Wallers addressed whether a three way stop sign had been evaluated and was planned for installation at the intersection of Lakewood Creek and Concord Drive. Trustee Jungermann also asked if asphalt rejuvenator impaired the effectiveness of crosswalk striping on previously paved roads. Director Wolf noted the reflectivity of the striping was not affected and was still in compliance with necessary standards after the asphalt rejuvenator was utilized.

Trustee Marecek thanked Director Wolf and Engineer Wallers for resolving the stop light timing issue experienced at the intersection of Concord and Galena Road. He shared the upcoming Halloween Safety Event would take place at the Montgomery Police Department on Sunday, October 10<sup>th</sup> from 10:00 a.m. to 2:00 p.m. with volunteers and donations needed for the event. He also noted sign up for the Citizens Police Academy would remain open until Friday, September 17<sup>th</sup> and shared the program was interesting and informative to participate in.

Trustee Marecek thanked Montgomery Economic Development Corporation Executive Director Charlene Coulombe for her hard work organizing the annual Golf Outing. They had perfect weather, great raffle prizes and 94 golfers in attendance. He thanked Trustees Gier and Jungermann for volunteering and helping to make the event successful. President Brolley shared the Joint Water Source Open House with Oswego and Yorkville will take place Wednesday, September 15<sup>th</sup> at Grand Reserve Elementary School from 5:00-7:00 p.m. and stressed this issue would be the most important policy decision the Board would ever make. He further noted the Montgomery River Run 5K/10K Event would take place on Saturday, October 2<sup>nd</sup> and encouraged everyone to sign up and participate in the event.

**Future Meetings**

- A. Historic Preservation Commission – Monday, September 20, 2021 at 6:30 p.m.
- B. Committee of the Whole Meeting – Tuesday, September 21, 2021 at 7:00 p.m. (Canceled).
- C. Intergovernmental Committee Meeting—Monday, September 27, 2021 at 6:00 p.m.
- D. Village Board Meeting—Monday, September 27, 2021 at 7:00 p.m.

**Executive Session: None**

**Adjournment: 7:57 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.**

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

Respectfully submitted,

Penny Fitzpatrick  
Village Clerk