

In the absence of President Brolley, President Pro Tem Sperling 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 Bauman	Yea	Trustee Marecek	Yea

Also present: Administrator Jeff Zoepfel, Attorney Laura Julien, Director of Finance Justin VanVooren, Director of Community Development Sonya Abt, Director of Public Works Mark Wolf, Chief of Police Phillip Smith, Communications Manager Kristina Nemetz, Village Clerk Debbie Buchanan, Members of the Press and others.

Public Participation

A. Public Comments.

There were no comments from the public.

Consent Agenda

- A. Minutes of the Village Board Meeting of March 28, 2022
- B. Accounts Payable through April 11, 2022 in the Amount of \$879,125.88
- C. Account Receivables for March 2022
- D. Refuse Report for February 2022
- E. Water Production Report for March 2022
- F. Proclamation for Child Abuse Prevention Month

Trustee Marecek moved to approve Items A-F of the Consent Agenda. Trustee Bauman 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. Resolution No. 2022-006 Accepting Access & Trail Easement and Right-of-Way along Knell Road (United Facilities) for the Village of Montgomery.

Director Wolf said this is a housekeeping item as it was discovered during planning for the 2022 IRP that the road and ROW dedication had not taken place years ago.

Trustee Marecek moved to approve Resolution No. 2022-006 Accepting Access & Trail Easement and Right-of-Way along Knell Road (United Facilities) for the Village of Montgomery. 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.

B. Ordinance 1960 Amending Section 18 1/44 of the Village Code (Tobacco Products - License Fee.

Attorney Julien explained that the Illinois municipal code allows municipalities to charge a fee for tobacco licenses; however, Montgomery currently waives that fee if a business also holds a liquor license. This ordinance would change the Village Code so that all tobacco license holders would be charged a \$50 fee.

Trustee Jungermann moved to approve Ordinance 1960 Amending Section 18 1/44 of the Village Code (Tobacco Products - License Fee. Trustee Marecek seconded this motion.

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

C. Professional Services Agreement for Montgomery Park Floodplain and Floodway Improvements.

Director Wolf stated that the Village has identified improvements for Montgomery Park, including floodplain and floodway mitigation. This agreement includes design engineering and permitting in the floodplain and floodway to allow the project to continue to move forward. Construction timing will depend on the final design. Administrator Zoepfel said the memorials will be installed after Montgomery Fest, but we hope to have the stage platform in place before the fest. Director Wolf said this survey work will provide elevations that are needed for part of the final design.

Trustee Marecek moved to approve Professional Services Agreement for Montgomery Park Floodplain and Floodway Improvements. Trustee Bauman 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 for North River Street Water Main Improvements.

Director Wolf stated that as Montgomery transitions to Lake Michigan water, we need to reduce non-revenue water loss to under 10%. The segment of watermain along River Street from Mill St. to Ashland Ave. has been identified as critical for replacement, and this agreement is to design the project which would take place in the fall after Montgomery Fest. Director Wolf explained this area was chosen to be replaced due to several factors: number of breaks per mile of pipe, 20-year water main break history, and because soil conditions don't allow leaks to percolate so leaks in this area aren't easily identified. Trustee Gier asked and Director Wolf stated there were eight main breaks in 48 hours in that area two years ago that caused water quality issues. Then next year the IRP will resurface the road in the area.

Trustee Gier moved to approve Professional Services Agreement for North River Street Water Main Improvements. Trustee Jungermann seconded this motion.

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

E. Recommendation of the Planning & Zoning Commission of the PZC 2021-024 Railroad St. Duplex (Solomon Strickland) for a Special Use – Duplex St & Clinton St (Continued from March 3, 2022) PZC 2022-006 Railroad St, Duplex – Variations – Parking & Driveway.

Director Abt stated the petitioner is proposing to build a duplex at the corner of Clinton and Railroad Street. This would be a Special Use in that location. They would also need a variation regarding the required parking. They are proposing a 2-car garage and would provide a pad next to the garage, which needs a variance. Planning and Zoning Commission has recommended approval with conditions.

Trustee Jungermann moved to approve the Recommendation of the Planning & Zoning Commission of the PZC 2021-024 Railroad St. Duplex (Solomon Strickland) for a Special Use – Duplex St & Clinton St (Continued from March 3, 2022) PZC 2022-006 Railroad St, Duplex – Variations – Parking & Driveway. Trustee Marecek seconded this motion.

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

F. Ordinance 1963 Granting a Special Use Permit for a Duplex and Variations from Sections 10.02.C (Parking Standards), 10.06.C (Driveway Width), and 10.06 (Residential Driveways) of the UDO.

This was First Reading and will not be put on the Consent Agenda for the next Board Meeting.

G. Recommendation of the Planning & Zoning Commission of the PZC 2022-005 Special Use for Cannabis Dispensary 1970 Caterpillar Dr. (World of Weed).

Director Abt stated the petitioner is proposing to open a cannabis dispensary in the former Harris Bank building. Cannabis requires a Special Use in any district. This use meets all the standards in the code, has no onsite consumption and no exterior changes. Planning and Zoning Commission recommended approval. A Public Hearing was held with no public comment. The attorney for the petitioner said the petitioner has six licenses from the state but they have not opened any locations yet.

Trustee Marecek **moved to approve the Recommendation of the Planning & Zoning Commission of the PZC 2022-005 Special Use for Cannabis Dispensary 1970 Caterpillar Dr. (World of Weed).** Trustee Jungermann seconded this motion.

5 Yea. 1 No. Motion carried. Trustee Marecek, Trustee Betsinger, Trustee Gier, Trustee Sperling and Trustee Jungermann, voting yea. Trustee Bauman voting no.

H. Ordinance 1962 Granting a Special Use Permit for a Cannabis Dispensary (World of Weed - 1970 Caterpillar Drive).
This was First Reading and will not be put on the Consent Agenda for the next Board Meeting.

Items for Discussion

New or Unfinished Business

Trustee Marecek said April is Distracted Driving Month, so please drive carefully.

Executive Session

Future Meetings

- A. Plan Commission – Thursday, April 7, 2022 at 7:00 p.m.
- B. Village Board Meeting – Monday, April 11, 2022 at 7:00 p.m.
- C. Police Pension Meeting – Wednesday, April 13, 2022 at 11:00 a.m.
- D. Beautification Committee – Wednesday, April 13, 2022 at 6:00 p.m.
- E. Historic Preservation Commission – Monday, April 18, 2022 at 6:30 p.m. - CANCELLED
- F. Committee of the Whole – Tuesday, April 19, 2022 at 7:00 p.m. - CANCELLED
- G. Intergovernmental and Community Committee – Monday, April 25, 2022 at 6:00 p.m.
- H. Village Board Meeting – Monday, April 25, 2022 at 7:00 p.m.

Trustee Marecek **moved to approve the above meeting schedule.** Trustee Gier seconded this motion.

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

Adjournment: 7:25 p.m.

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

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

Respectfully submitted,

Debbie Buchanan
Village Clerk