

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	Absent

Also present: Administrator Jeff Zoepfel, Attorney Laura Julien, Director of Community Development Sonya Abt, Director of Public Works Mark Wolf, Chief of Police Phillip Smith, Communications Manager Kristina Nemetz, Project Manager Chris Ott, Village Engineer Peter Wallers, Deputy Clerk Hameeda Hashim, Members of the Press and others.

Absent: Director of Finance Justin VanVooren and Village Clerk Debbie Buchanan.

Public Participation

A. Oswego Fire District Upcoming Referendum.

Chief John Cornish of the Oswego Fire Protection District (OFPD) was present to notify the community of the upcoming referendum. The Oswego Fire district is seeking a rescue tax increase of one tenth of one percent. The district is seeking this tax rate increase on the June 28, 2022, ballot in the general primary election because of community growth, cost of apparatus and equipment, operating costs increase and the rise in call volumes. Without this funding, ambulance availability will begin to decrease, and response times will increase. It has been 20 years since the voters approved additional funding for the district. If this referendum passes, the OFPD plans to replace aging apparatus, outdated and unreliable equipment, hire additional firefighter paramedic staff as well as improve retention and recruitment. Additional information can be found on oswegofire.com and friendsofoswegofire.com.

B. Public Comments.

There were no public comments.

Consent Agenda

- A. Minutes of the Village Board Meeting of April 25, 2022.
- B. Executive Session Minutes of April 25, 2022.
- C. Accounts Payable through May 9, 2022 in the Amount of \$630,133.26.
- D. Account Receivables for April 2022.
- E. Water Production Report April 2022.
- F. Building Report for April 2022.
- G. Proclamation for Public Works Week (May 15 through May 21).
- H. Proclamation for Police Week (May 11 through May 17).
- I. Request for Liquor License Class J (temporary) and Waiver of the temporary Liquor License Fee for the Montgomery Foundation Street Eats Festival.

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

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

Items for Separate Action

A. Ordinance 1966 Reducing Class S Liquor Licenses.

Administrator Zoepfel stated that this liquor license was previously created for the distillery H.H. Shufeldt Whiskey Co. which is currently on hold, therefore staff is requesting that we reduce the number of Class S licenses down to zero.

Trustee Jungermann asked if they are still looking for other options at other properties and Administrator Zoepfel replied that they are.

Trustee Gier **moved to approve Ordinance 1966 Reducing Class S Liquor License.** Trustee Bauman seconded this motion.

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

B. Resolution 2022-009 Accepting a Village Utility Easement at Montgomery Business Center for the Village of Montgomery.

The Montgomery Business Center has a 12” watermain that runs east/west through the property and in order for the new development to take place, the watermain will be temporarily relocated to run north/south connecting with Knell Road at Commerce Drive. This needs to be in a public utility easement so that the Village has rights and access to maintain it. Once development is complete, the watermain will be permanently relocated into the Knell Road Right-of-way.

Trustee Gier asked if the watermain will be running the entire length of Commerce Drive to Knell Road and Director Abt said no. Trustee Gier also asked why the easement will not be secured now since we know where Knell Road is going to be, and Engineer Wallers stated that in order to construct Knell Road there needs to be embankment material placed and grading done on the north and south lots. If the main was put in place now, it would be too deep. Trustee Gier also asked if the developer would be paying the cost for this, and Engineer Wallers responded yes.

Trustee Gier **moved to approve Resolution 2022-009 Accepting a Village Utility Easement at Montgomery Business Center for the Village of Montgomery.** Trustee Jungermann seconded this motion.

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

C. Recommendation of the Planning & Zoning Commission PZC 2022-004 Special Use for Outdoor Storage and Several Variations - Rochester & Gusto Drives (Trans Lines, Inc.)

Director Abt said Trans Lines the “Petitioner” is proposing to build a small warehouse and distribution facility on the 15-acre parcel that is located at the end of Rochester Drive. The proposed facility includes utilizing a portion of the facility to store semi-tractor trucks and trailers which requires a special use for outdoor storage in the M-1 district.

The new building will require several variations from the Montgomery UDO section 8.20.B.2 (Building Façade Materials) requirement as it will be primarily constructed of metal wall panels and we do have a restriction that states that metal wall panels along with certain other materials are limited to a maximum of 25% of a building façade and in this case two of the walls will be 100% of the façade (western and southern) and on the other two walls (northern and eastern) it will be 10ft masonry along the base.

Petitioner is also requesting a variance to allow for a semi-truck trailer parking to be reduced from 12 ft. by 60ft. to 10 ft and allow for certain parking spaces to be as small as 25ft deep and other spaces to be as small as 55ft deep.

The last variance that is being requested is a waiver of screening requirements for outdoor storage on the western and southern property lines. They will be providing the required landscaping along the eastern property that is adjacent to the residents. As part of the Public Hearing process, the Petitioner has increased the landscaping along the northern side of the outdoor storage area.

The Planning and Zoning commission did conduct Public Hearing on April 7, 2022 and May 5, 2022. Staff and Village Engineer Wallers went over the residents’ concerns regarding lightning, soil contamination, and drainage and after taking this all into consideration, the commission recommended approval of the special use and the variations with conditions for each.

Engineer Wallers explained that the stormwater run-off will be controlled by a valve directing the water to the detention basins and no water will be released onto adjacent properties.

Trustee Sperling opened the floor to Public comment but no one came down.

Trustee Jungermann asked that if the petitioner were to do Evergreen trees to not have it be some sort of pine tree. Instead to consider a Norway spruce or Blue spruce as you can't see through them and will serve as some sort of sound barrier. He continued to ask that the trees be somewhere between 8 and 10 ft and staggered.

John Swierk from DDCA Architects stated that he had no issues with Trustee Jungerman's suggestions. He continued to mention that there is no back up alarm to the trucks so this will not cause noise.

Trustee Bauman asked what the operating hours and days would be. Drew, the President and Owner of Trans Lines answered that the operating hours for the facility will be regular hours with a start time of 7:00A or 8:00A and doors will close at 5:00P. After hour trucks 11:00P - 3:00A will be kept to a minimum and no staff will be present. If a truck does have to come in during the night, there will be no idling of trucks.

Trustee Bauman moved to approve the Recommendation of the Planning & Zoning Commission PZC 2022-004 Special Use for Outdoor Storage and Several Variations - Rochester & Gusto Drives (Trans Lines, Inc.) Trustee Gier seconded this motion.

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

D. Ordinance 1961 Granting a Special Use Permit for Outdoor Storage and Variations from Sections 8.20.B.2 (Building Facade Materials), 10.04.A.3 (Parking Design Requirements), and 11.07 (Screening Requirements)

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

Items for Discussion

A. Liquor License Request for new Scali Plaza Bar/Tavern.

Administrator Zoephel stated that this is regarding the current vacant lot on Douglas Road just south of the cemetery. Director Abt mentioned that the Petitioner has submitted their PUD application.

Mark Daniel from Daniel Law Office, Oakbrook Terrace, Illinois who represents the developer on what is a 2 -3 Lot south of St. John Lutheran Cemetery. The unit in question is the south unit in the retail component of the development. This was brought before the board at this stage because of financing and staging construction as this reflects on their financing and whether they can move forward with the Car Wash and Bar/Tavern with gaming simultaneously.

In reviewing the Village Code, this Bar/Tavern did not fit in Class G and under the circumstances they are proposing a bar that has 14 stools and tables for seating 12 people in addition to gaming machines with no kitchen. The other two units will likely be restaurant units, one with a drive-through and one without a drive-through. Petitioner is recommending two routes, one of which is to amend the existing Class G to include bars/tavern as an alternative to restaurant options and/or a Class T for tavern options. There is no tavern currently located in Montgomery.

Trustee Sperling stated that she does not support a tavern in the Village of Montgomery and it is by design that we do not have one. This would be a big investment into Douglas Road, but Trustee Sperling said she was hesitant to add another liquor license there.

Trustee Betsinger said that Douglas Road needs a lot of things but a tavern with gaming and no food or a restaurant option is not one of them. Trustee Gier agreed with Trustee Betsinger.

Trustee Bauman is okay with tavern but does not think that Montgomery needs another gaming option. Trustee Jungermann agrees with his fellow trustees, if there is a food component then they would be more inclined to move forward.

B. Affirmation of Montgomery Police 10 Shared Principles.

Chief Phillip Smith thanked the board for the proclamation and recognizing Police week. He proceeded to invite the room to three events that were taking place for Police week - Kane County Memorial Celebration at Moose Heart on May 10 at

6:30P, Kendall County Memorial Celebration at Kendall County Courthouse on May 11 at 11:00A and Coffee with a Cop at Atrevete on May 15 at 10:00A.

Chief Smith proceeded to ask that the Board publicly affirm the 10 Shared Principles. The NAACP and Illinois Association Chiefs of Police adopted these principals on March 22, 2018 and the Montgomery Police department adopted these in August 2018. Only 298 out of 877 Police agencies in the State of Illinois have adopted these policies. These principles have become a movement across our state to bring people together and build trust within all Police departments and their communities.

Trustee Jungermann and Trustee Betsinger asked that this be put on the Consent Agenda at the next Board meeting.

New or Unfinished Business

Trustee Gier mentioned that the Arbor Day celebration took place on April 30 with 40 people in attendance including members of the Beautification committee and Trustee Marecek. Everyone participated in the tree planting and at the end free Fringe trees were given out.

Trustee Sperling asked Communications Manager Nemetz for the details of the upcoming Shredding event. Communications Manager Nemetz stated that this will be at the Police Department on Saturday, May 21 from 9:00A until 12:00P.

Trustee Sperling also mentioned that the Rotary Club of Montgomery is sponsoring a neighborhood cleanup at Seasons Ridge on Sunday, June 5 from 10:00A until 12:00P and everyone is welcome to help.

Executive Session

Future Meetings

- A. Beautification Committee - Wednesday, May 11, 2022 at 6:00 p.m.
- B. Historic Preservation Commission - Monday, May 16, 2022 at 6:30 p.m.
- C. Committee of the Whole - Tuesday, May 17, 2022 at 7:00 p.m. - CANCELLED.
- D. Intergovernmental and Community Committee - Monday, May 23, 2022 at 6:00 p.m.
- E. Village Board Meeting - Monday, May 23, 2022 at 7:00 p.m.

Adjournment: 8:08 p.m.

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

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

Respectfully submitted,

Hameeda Hashim
Deputy Clerk