

Village President Michelini called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

Roll Call

Trustee Felten	Yea	Trustee Keck	Yea
Trustee Mattingly	Yea	Trustee Watermann	Yea
Trustee Lee	Yea	Trustee Heinz	Yea

Also present: Village Manager Anne Marie Gaura, Director of Finance Jeff Zoepfel, Chief of Police Dennis Schmidt, Director of Public Works Mike Pubentz, Director of Building Tim Brophy, Director of Community Development Amy Furfori, Deputy Village Clerk Helen Prester, Administrative Analyst Mera Johnson, Village Attorney Steve Andersson, Village Engineer Peter Wallers, Members of the Press and others.

Public Participation

A. Alice Sutcliff, President of the Greater Montgomery Area Chamber of Commerce (GMACC) Regarding the GMACC Scholarship Program.

The Greater Montgomery Area Chamber of Commerce awards scholarships each year to graduating High School Seniors that have exhibited outstanding academic and leadership achievement. Students who attend West Aurora High School, East Aurora High School, Marmion Academy, Aurora Central Catholic High School and Oswego High School are eligible for this award. Nancy Tranbe joined Alice Sutcliff in presenting \$1,000 scholarships to the following five recipients:

- Lauren Marshall - Lauren is the daughter of Steve and Pam Marshall. She graduated from Oswego High school with a 4.39 GPA. She will be attending the University of Iowa where she will study Psychology.
- James Alan Buel - James is the son of Robert and Nancy Buel. He graduated from Oswego High School with a 4.38 GPA. He will be attending the University of Illinois where he will study Music Education.
- Matthew Zelensek - Matthew is the son of Janelle Zelensek. He graduated from Oswego High School with a 4.07 GPA. He will be attending the University of Illinois where he will study Architecture.
- Richard L. Mayer, Jr. - Richard is the son of Richard and Jo Anne Mayer. He graduated from Marmion Military Academy with a 3.69 GPA. He will be attending St. Joseph's College in Rensselaer, Indiana, and will study Accounting.
- Anthony J. Abbattista is the son of Tony and Nancy Abbattista. He graduated from Oswego High School with a 3.8 GPA. He will be attending Western Illinois University and will study Law Enforcement Justice Administration.

Village President Michelini congratulated Lauren, James, Matthew, Richard and Anthony on their exceptional academic achievement and wished them well in all future endeavors.

B. Public Hearing on the Establishment of a Tax Increment Finance (TIF) District.

Attorney Kathleen Field Orr explained that this Public Hearing is required by law as a part of the Village's proposal to designate the US Route 30 / Fifth Street area as a Tax Increment Finance District. She explained that there are numerous steps that must be undertaken in order for the Village to create a TIF District. All affected taxing districts were notified of the Village's intent and provided a copy of the Plan. The Village met with these entities on May 31st and received a positive vote to continue with these efforts. In addition, Public Notices were published on both June 5 and June 12, 2006, and all residents within 750 feet of the area were notified by mail. On June 10th, property owners within the designated area were advised via certified mail.

Lisa Lyon, of Ehlers & Associates, is a financial consultant who assisted the Village in assessing the viability of the proposed TIF District. She explained that her firm was hired by the Village to evaluate the eligibility of the proposed TIF area. This included an evaluation of the current physical condition of the area, a site evaluation of existing structures and an assessment of potential revenue if redeveloped. Her firm determined that the flood conditions prevalent in this area impeded commercial development.

Now that eligibility for the TIF has been confirmed, Ehlers & Associates will work with the Village on a redevelopment project and plan, which will provide the framework for redevelopment in the TIF area. This step is required by the State of Illinois and includes a land use plan, goals and objectives for development of the area, an evaluation of the impact on other taxing districts and an itemization of proposed redevelopment project costs.

Concurrent with the TIF process, the Village put together a detailed Sub-Area Plan for this district, which has now been included in the Village's Comprehensive Plan. The goals and objectives set forth in the Comprehensive Plan mirror those of the proposed TIF District. Land use calls for commercial development along Route 30, multi-family apartments, a library, recreational areas and major storm water detention basins.

Ms. Lyon stressed that the major objective of the TIF is to eliminate barriers to development via a comprehensive storm water management infrastructure, which will allow this vacant land to be put to a productive use. These uses will generate a revenue stream over the life of the TIF, which will pay for the planned improvements. The property is currently valued at \$400,000. If redeveloped according to the Plan, this property could be worth in excess of \$30 million in 2030, with a projected revenue stream of \$25 to \$30 million. Proposed improvements are expected to cost approximately \$28 million.

Director Furfuri reminded the audience that the area east of the creek, the Ogden Hill portion of the property, is not included in the TIF District. She also clarified that the property under consideration was annexed into the Village in the 1980's, and is regulated by the terms and conditions of that annexation agreement. She reminded the Board that an Intergovernmental Agreement is already in place with the Oswegoland Park District to maintain the proposed recreational area.

Engineer Wallers explained that the Parkview Estates berm was constructed as a result of flooding in that area in 1972. Flooding occurred again in 1983. The storm of record occurred in 1996 when 16.9" of rain fell in a 24 hour period. Engineer Wallers stressed that the Village has elected to regulate storm water detention to a higher standard than mandated in an effort to protect residents in the area from any future flooding. The detention basins proposed in the TIF area will provide regional storm water benefit as well as creating a recreational area. In response to an inquiry from Trustee Heinz, Engineer Wallers clarified

that the detention areas will be created as material on site is moved for fill. Village Manager Gaura said that the apartment complex may be constructed and occupied prior to all the detention areas being completed.

Public Comments

Attorney Stuart Whitt, representing the Oswego School District, addressed the Board. The Oswego Board of Education is opposed to the proposed TIF District. He explained that the population growth in the area has created a need for additional schools and renovations to existing schools at an estimated cost of \$405 million. He objected to subsidizing an apartment complex within the Oswego School District and asked why this growth and development is not being asked to pay for itself. He pointed out that Farm & Fleet had built on the site without looking for subsidies.

Attorney Orr responded that the TIF law stipulates that but for the TIF, the property would not develop. She explained that the TIF law has a formula that allows TIF proceeds to be utilized according to a formula contained therein for every additional student, but is not generated from the housing or apartment complex. That is a formula and payment the Village is committed to making to the School District, should children resident in the TIF area. Attorney Orr reminded those present that the assistance provided to the developer is so they will front monies for the planned public improvements.

Sarah Skilton, Director of the Oswego Public Library District, stated they serve more than 40,000 residents and that she is excited about the opportunity to have a library on this site.

Attorney Witt asked for a point of clarification. He commented that the Oswego School District Director of Finance has advised the Village that once the proposed apartment complex exceeds 59 students, the School District will be in a deficit situation. The Village has estimated 90 students in the apartment complex, based on State of Illinois data. Director Furfori will work with Director Zoepfel on identifying a more accurate projection of what that impact may be.

Charles Hadle, 1356 Raymond Drive, addressed the Board. He asked if the Army Corps of Engineers would have to sign off on any changes to the flood area. Village Engineer Wallers explained that the Army Corps of Engineers has jurisdiction over wetlands, but not flood plains. He confirmed that the Village has agreed to exceed the 665.1 regulatory elevation and uses 667.85 as their standard.

Renee Leach, 1378 South Talma, addressed the Board. She is concerned that if Fifth Street is opened up to Montgomery Road, there will be more, and faster, vehicular traffic in their neighborhood. There are a number of young children in the area. Director Furfori explained that the funding is not currently in place for this connection.

Manager Gaura reminded those present that the cost of the detention area is \$10 million. Without a TIF, the area in question will not be developed. She reminded the audience that on December 21, 2005, the Oswego School Board turned down an offer of a seven acre land donation on this site.

Attorney Orr reminded the Board that by law, the Village Board cannot consider the TIF ordinances less than 14 or more than 90 days from this date. The TIF will be presented to the Board in stages. The first will be for the Redevelopment Plan, which designates the general area. The second will actually designate the area, consistent with the Redevelopment Plan approved. The third adopts the TIF Act that will apply to the specific area approved. Drafts of all three documents will be available from the Village Manager for review.

Meeting Recessed

Hearing no further comments from the audience, Village President Michelini closed the Public Hearing at 8:10 p.m. and called for a five minute recess.

Meeting Called To Order

Village President Michelini called the meeting back to order at 8:15 p.m. She asked Village Attorney Andersson to explain the process associated with Special Service Areas (SSAs).

Attorney Andersson advised that while all the Special Service areas are similar, they are not identical. He explained that there are active SSAs and Back Up SSAs, as well as Commercial and Residential SSAs. SSAs are implemented to secure public improvements on the property, such as storm water detention and other elements of common areas.

All the commercial SSAs on tonight's agenda are Back Up SSAs. As implied, the Village will not be acting on these Back Up SSAs unless the owner of the property fails to maintain those areas. If the property owner fails to keep the SSA up, the Village can levy to maintain it.

An active SSA relates to residential properties and pertains to storm water detention basins. Those coming before the Board tonight mirror SSAs previously approved by the Board for other developments. The Village does levy on these SSAs, as the Village contracts for upkeep and maintenance on those sites. This provides uniformity and economies of scale.

C. Public Hearing on the Establishment of Active Special Service Area No. 20 for Orchard Prairie North.

President Michelini opened the Public Hearing on the Establishment of Active Special Service Area No. 20 at 8:22 p.m. Hearing no questions or comments, President Michelini closed the Public Hearing at 8:23 p.m.

D. Public Hearing on the Establishment of Active Special Service Area No. 21 for Saratoga Springs.

President Michelini opened the Public Hearing on the Establishment of an Active Special Service Area No. 21 for Saratoga Springs at 8:23 p.m. Hearing no questions or comments, President Michelini closed the Public Hearing at 8:24 p.m.

E. Public Hearing on the Establishment of Backup Special Service Area No. 23 for Orchard Stop.

President Michelini opened the Public Hearing on the Establishment of a Backup Special Service Area No. 23 for Orchard Stop at 8:25 p.m. Hearing no questions or comments, President Michelini closed the Public Hearing at 8:26 p.m.

F. Public Hearing on Backup Special Service Area No. 25 for Laundry Concepts.

President Michelini opened the Public Hearing on the Backup Special Service Area #25, Laundry Concepts, at 8:27 p.m. Hearing no questions or comments, President Michelini closed the meeting at 8:28 p.m.

G. Public Hearing on the Establishment of Backup Special Service Area 26 Aurora Faith Center.

President Michelini opened the Public Hearing on the Backup Special Service Area No. 26 for the Aurora Faith Center at 8:29 p.m. Hearing no questions or comments, President Michelini closed the Public Hearing at 8:30 p.m.

H. Public Hearing on the Establishment of Active Special Service Area No. 27 for Blackberry Crossing West.

President Michelini opened the Public Hearing on the Active Special Service Area No. 27 at 8:31 p.m. Hearing no questions or comments, President Michelini closed the Public Hearing at 8:32 p.m.

I. Public Hearing on the Establishment of Backup Special Service Area No. 28 for Blackberry Crossing West.

President Opened the Public Hearing on the Backup Special Service Area No. 28 for Blackberry Crossings West at 8:33 p.m. Hearing no questions or comments, President Michelini closed the Public Hearing at 8:34 p.m.

Board, Commission, and Committee Reports

A. Beautification Committee – Trustee Jeanne Felten

The next meeting will be held Wednesday, July 19th 6:00 p.m. at the Village Hall.

B. Development Committee – Trustee Rob Watermann

The next meeting will be held Thursday, June 29, 2006 at 7:30 a.m. at the Village Hall.

C. Finance Committee – Trustee Bill Keck

The next meeting will be held Wednesday, July 12, 2006 at 6:30 p.m. at the Village Hall

D. Historic Preservation Commission – Village President Marilyn Michelini

The next meeting will be held Monday, July 17, 2006 at 6:30 p.m. at the Village Hall.

E. Intergovernmental and Community Committee – Trustee Denny Lee

The next meeting will be held Tuesday, July 11 2006 at 8:00 a.m. at the Village Hall to finalize Montgomery Fest.

Consent Agenda

A. Minutes of the Committee of the Whole Meeting of May 16, 2006.

B. Minutes of the Village Board Meeting of May 22, 2006.

C. Accounts Payable through June 20, 2006 in the Amount of \$1,019,648.00.

D. Accounts Receivable Report for the Month of May 2006.

E. Building Report for the Month of May 2006.

F. Professional Services Agreement for Development Consultant Services with Schmutte and Associates.

G. New World Systems Sublicense Agreement between the Village of Montgomery and the Village of Sugar Grove from April 19, 2006 through April 30, 2009.

H. Purchase of Portable Truck Scales from Abacus Scales & Systems in the Amount of \$13,294.00.

I. Waiver of Bids and Authorization to Purchase One (1) 2006 International Model 7400 Single Axle Cab and Chassis Equipped with a Bonnell Industries Snow Plow and Stainless Steel V-Box Salt Spreader from Prairie International Truck and Engine Corp. of Springfield, IL through the Illinois Joint Purchasing Program, State Contract #PSD4013470, in the amount of \$97,127.00.

- J. Professional Services Agreement for the Boulder Hill Water Main Replacement Program with Engineering Enterprises, Inc. to Include Construction Services for the FY07 Program at an Estimated Cost of \$22,300.00 and Design Services for the FY08 Program at a Cost of \$20,700.00.*
- K. Ordinance 1206 Proposing the Establishment of an Active Special Service Area No. 20 for Orchard Prairie North (Waiver of First and Passage on Second Reading).*
- L. Ordinance 1208 Proposing the Establishment of an Active Special Service Area No. 21 for Saratoga Springs (Waiver of First Reading and Passage on Second Reading).*
- M. Ordinance 1223 Proposing the Establishment of a Backup Special Service Area No. 23 for Orchard Stop (Waiver of First and Passage on Second Reading).*
- N. Ordinance 1227 Proposing the Establishment of a Backup Special Service Area No. 25 for Laundry Concepts (Waiver of First and Passage on Second Reading).*
- O. Ordinance 1229 Proposing the Establishment of a Backup Special Service Area No. 26 for the Aurora Faith Center.*
- P. Ordinance 1245 Proposing the Establishment of an Active Special service Area No. 27 for Blackberry Crossing West (Waiver of First and Passage on Second Reading).*
- Q. Ordinance 1247 Proposing the Establishment of a Backup Special Service Area No. 28 for Blackberry Crossing West (Waiver of First and Passage on Second Reading).*
- R. Ordinance 1253 Establishing Special Service Area Number 5A for the Fairfield Way Subdivision and the Nagel Annexation (Waiver of First and Passage on Second Reading).*
- S. Ordinance 1274 Regarding Prevailing Wages (Waiver of First and Passage on Second Reading).*
- T. Ordinance 1275 Amending Chapter 12 of the Village Code Relating to Firework Displays (Waiver of First and Passage on Second Reading).*

Trustee Heinz moved **to approve the Consent Agenda.** Trustee Felten seconded this motion.

6 Yea. 0 No. Motion Carried. Trustee Heinz, Felten, Keck, Mattingly, Watermann, Lee voting yea.

Items for Separate Action

A. Recommendation of the Plan Commission on PC 06-012 SU for the Site Plan and Special Use for the Elevated Tank at Ogden Hill, a Booster Pumping/Pressure Reducing Valve Station at the Future Beztak Apartments and a Pressure Reducing Valve Station at Parkview Estates .

Director Furfuri explained that in the summer of 2005, the Board approved site plans for the Elevated Tank at Ogden Hill, Booster Pumping/Pressure Reducing Valve Station at the future Beztak Apartments and Pressure Reducing Valve Station at Parkview Estates. Since these uses are considered Special Uses within the respective residential zoning districts, a Special Use Ordinance is required.

Trustee Mattingly moved **to approve PC 06-012-012SU for the Special Use for the Elevated Tank at Ogden Hill, a Booster Pumping/Pressure Reducing Valve Station at the Future Beziak Apartments and a Pressure Reducing Valve Station at Parkview Estates.** Trustee Watermann seconded this motion.

6 Yea. 0 No. Motion Carried. Trustee Mattingly, Watermann, Lee, Heinz, Felten, Keck voting yea.

B. Recommendation of the Plan Commission on PC 06-013 ZA on a Zoning Text Amendment of the Montgomery Zoning Ordinance Section 12 Signs.

Director Furfori advised that the Plan Commission has recommended the Village Board review and amend the existing Sign Ordinance in order to improve the quality and appearance of signs throughout the Village. A draft of the proposed changes has been included for the Board's review. Director Furfori stated that the intent is to bring signage in line with specifications included in the Village's Comprehensive Plans and Sub Area Plans. The new ordinance will prohibit pole or pylon signs (sometimes referred to as "lollipop" signs). Staff recommends lowering the profile of signs and move toward ground mounted, monument signage. Included in the revised Ordinance will be guidelines for awnings, window and wall signage. The goal is to improve the quality, not quantity, of signs. There will be an amortization period for existing signage to come into compliance with any new regulations.

Attorney Andersson stated the ordinance has been structured based on the fair market value of the sign, with the more expensive signs having a longer lifespan once the Ordinance has been enacted. Once that period has expired, the sign will be illegal. He reminded the Board that billboards are not covered under this ordinance. Director Furfori also advised that the Chamber of Commerce has been notified of the Village's intent to make a change so businesses can plan accordingly.

Trustee Mattingly moved **to approve Plan Commission Recommendation on 06-13Z on a Zoning Text Amendment of the Montgomery Zoning Ordinance Section 12 Signs.** Trustee Felten seconded this motion.

6 Yea. 0 No. Motion Carried. Trustee Mattingly, Watermann, Lee, Heinz, Felten, Keck voting yea.

C. Recommendation of the Plan Commission on PC 06-017FP on the Final Plat and Plans for Blackberry Creek Shopping Center.

The Plan Commission has recommended conditional approval of the Final Plat and Plans for Blackberry Creek Shopping Center, located on the southwest corner of Route 30 and Orchard Road.

Trustee Lee moved **to approve Plan Commission Recommendation on PC 06-017FP on the Final Plat and Plans for Blackberry Creek Shopping Center.** Trustee Watermann seconded this motion.

6 Yea. 0 No. Motion Carried. Trustee Lee, Heinz, Felten, Keck, Mattingly, Watermann voting yea.

D. Recommendation of the Plan Commission on PC 06-018FP on the Final Plat and Plans for the Resubdivision of Lot 5 Ogden Hill.

The Plan Commission has recommended conditional approval of Final Plat and Plans for Ogden Hill/Ogden Hills Center to include the comments and letters by Community Development dated June 8, 2006, Engineering Enterprises, Inc. dated June 8, 2006 and June 9, 2006 and Planning Resources, dated June 6, 2006. Director Furfori reminded the Board that this development is located at Route 30 and Route 34 and consists of eight lots on approximately 37.6 acres.

Trustee Mattingly moved **to approve PC 06-018FP on the Final Plat and Plans for the Resubdivision of Lot 5 Ogden Hill.** Trustee Felten seconded this motion.

6 Yea. 0 No. Motion Carried. Trustee Mattingly, Watermann, Lee, Heinz, Felten, Keck voting yea.

E. Purchase of Digital In-Squad Video Camera Systems from Communications Direct in the Amount of \$87,758.00.

Chief Schmidt asked that the Board approve the waiver of bids and purchase of thirteen Digital In-Squad Video Camera Systems from Communications Direct in Batavia IL at a cost of \$87,758.00. This purchase will replace the existing VHS system with a digital format in a one year period. Communications Connect will install this system in existing units using funds in the Wireless 911 Fund. New vehicles will be purchased with the equipment included.

Advantages of the digital form include no VHS tapes; at the end of the shift, the officer will download the media into a dedicated computer server. Digital Patroller also provides the ability to save the 60 seconds before the system is activated on video.

Trustee Watermann asked if Communications Connect had put anything in writing to the Chief. He indicated that South Park had discovered that State buying programs offered better pricing and they had some delivery issues with this vender also. Chief Schmidt indicated that the four departments that he had talked with give them excellent references, and the units themselves are being purchased under the State of Illinois bid price.

Trustee Keck moved **to waive public bidding and authorize the purchase of thirteen (13) Digital In-Squad Video Camera Systems (Digital Patroller) from Communications Direct, Batavia IL, at a cost of \$87,758.00.** Trustee Mattingly seconded this motion.

5 Yea. 1 No. Motion Carried. Trustee Keck, Mattingly, Heinz, Felten voting yea. Trustee Watermann voting no.

F. Waiver of Bids and Award of a Contract to U.S. Landscaping Supply, Inc. of Montgomery, IL for Lawn Mowing and Maintenance Services for Calendar Year 2006 in the Amount of \$17,820.

Director Pubentz reminded the Board that in April the Village Board acted on his recommendation and awarded the 2006 Lawn Mowing and Maintenance Service contract to the low bidder, Marywood Landscaping, Inc. They have been unable to perform this work to the contract specifications. On June 9th, after numerous conversations with their field supervisor in an effort to resolve these issues, Director Pubentz terminated their contract for substantial breach of specifications. In the interim, U.S. Landscape Supply, Inc. has been doing the mowing. He recommends that the Village waive bidding and award the 2006 mowing services to U.S. Landscaping Supply in the amount of \$17,820.00.

Trustee Heinz commented that this was a lot of money for four months of mowing. Village Manager Gaura agreed, but the quality of the work being performed is substantially higher. She and Director Pubentz have already starting putting together criteria for the 2007 bid, which will include type and quantity of equipment required, number of employees, and other specifics to insure the successful bidder is capable of meeting Village expectation.

Trustee Felten moved **to approve waiver of bids and award a contract to U.S. Landscaping Supply, Inc. of Montgomery, IL for Lawn Mowing and Maintenance Services for Calendar Year 2006 in the Amount of \$17,820.00.** Trustee Keck seconded this motion.

5 Yea. 2 No. Motion Carried. Trustee Felten, Keck, Mattingly, Lee and Village President Micheline voting yea. Trustee Watermann and Heinz voting No.

Executive Session – 9:02PM

Trustee Keck moved to adjourn to Executive Session to Discuss Employment of an Employee Pursuant to 5ILCS 120/2(c)(1). Trustee Mattingly seconded this motion.

6 Yea. 0 No. Motion Carried. Trustee Keck, Mattingly, Watermann, Lee, Heinz, Felten voting yea.

Meeting Reconvened – 9:30 PM

Village President Michelini called the meeting back to order at 9:30 PM

Items for Discussion

There were no items for discussion this even.

New and Unfinished Business

There was no New or Unfinished Business to come before the Board this evening.

Future Meetings

Village Board Meeting – Monday, July 10, 2006 at 7:00 PM
Plan Commission Meeting - Thursday, July 13, 2006 at 7:00 PM
Committee of the Whole Meeting - Tuesday, July 18, 2006 at 7:00 PM
Village Board Meeting - Monday July 24, 2006 at 7:00 PM (May be canceled)

Adjournment – 9:30 PM

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

6 Yea. 0 No. Motion Carried. Trustee Heinz, Felten, Keck, Mattingly, Watermann, Lee voting yea.

Barbara G. Argo
Village Clerk