

**Village of Montgomery
1300 South Broadway
Montgomery, Illinois 60538**

**Village Board Meeting
July 23, 2007**

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: Director of Finance Jeff Zoephel, Director of Building Tim Brophy, Chief of Police Dennis Schmidt, Assistant to the Village Manager Mera Johnson, Planner Michael Brown, Deputy Village Clerk Helen Prester, Village Attorney Peter Wilson, Village Engineer Peter Wallers, Members of the Press and others.

Public Participation

A. Public Hearing on the Library Site.

Village President Michelini opened the Public Hearing on the Library Site at 7:02 p.m. A representative from the Oswego Library District thanked the Village and the developer for their efforts in making this site available to the Library. Hearing no further comments or questions from the Board or the audience, President Michelini closed the Public Hearing at 7:05 p.m.

B. Proclamation Recognizing National Night Out on August 7, 2007.

President Michelini read a Proclamation calling upon all citizens of the Village to join the Montgomery Police Department and the National Association of Town Watch in supporting the Annual National Night Out and proclaimed Tuesday, August 7, 2007 as National Night Out in the Village of Montgomery.

Trustee Heinz moved to approve a Proclamation declaring Tuesday, August 7, 2007 as National Night Out in the Village of Montgomery. Trustee Felten seconded this motion.

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

C. Presentation of a Proclamation of Appreciation by Dr. Bill Marzano, Assistant Vice President of Community Development at Waubensee Community College.

Dr. Marzano stated that 2007 marks the 40th Anniversary of the founding of Waubensee Community College and thanked the Village for their support all those year. He reminded those present that President Michelini was recently recognized as one of Waubensee's "Fabulous 40 Students" and presented the Board with a Proclamation of Appreciation.

D. Recognition of Management Analyst Brian Gross for Being Named a Protégé by the Professional Mentoring and Networking Program and the National Forum for Black Public Administrators and Receiving a \$500 Scholarship.

Mr. Gross thanked Director Zoepfel for recommending the mentoring program to him and expressed appreciation to the Board for the opportunities given to him during his tenure with the Village.

E. Ann Wasman of the Dickson-Murst Farm Partners Regarding Activities at the Farm.

Ann Wasman updated the Trustees on past and future activities planned at the Dickson-Murst Farm since her last report to the Board. Events included a Spring at the Farm event in May, Girl Scout Day Camp and Barn Dance in June and an Art Camp in July. The Second Annual Day at the Farm will be held on August 26th from 10:00 a.m. to 3:00 p.m. Activities will include demonstrations and antique tractors and farm equipment. Ms. Wasman indicated that businesses and individuals are stepping forward to help pay for routine repairs and maintenance by "fostering" specific buildings on the property. A windmill has been donated and will be erected on the property in late October or early November.

F. Todd Carlson, 2958 Shetland Lane, Regarding Ordinance 983 Limiting the Number of Animals per Household.

Mr. Carlson and his family have lived in the Village since 2002. Last month the Village's Code Enforcement Officer spoke to him about the number of dogs on his property. Mr. Carlson believes that the Village Ordinance is vague and somewhat misleading the way it is currently worded. It was his understanding that the limit on the number of cats and/or dogs per household was a total of four, when actually the Ordinance limits residents to two dog or two cats of any one species or a total not to exceed four. He suggested the Board clarify the limit on dogs and cats and also recommended a provision be made for puppies and kittens.

Board, Commission, and Committee Reports

A. Beautification Committee – Trustee Jeanne Felten

The next meeting will be held Wednesday, August 15, 2007 at 6:00 p.m. at the Village Hall.

B. Development Committee – Trustee Lloyd Mattingly

The July Meeting has been canceled. The next meeting will be Thursday, August 23, 2007 at 7:30 a.m. at the Village Hall.

C. Finance Committee – Trustee Jeannie Felten

The next meeting will be Wednesday, August 8, 2007 at 6:30 p.m. at the Village Hall, immediately following a Special Village Board Meeting.

D. Historic Preservation Commission – Village President Marilyn Micheline

The next meeting will be held Monday, August 20, 2007 at 6:30 p.m. at the Village Hall.

E. Intergovernmental and Community Committee- Trustee Peter Heinz

The next Intergovernmental and Community Committee meeting will be held Tuesday, September 18, 2007 at 8:00 a.m. at the Village Hall.

Consent Agenda

A. Minutes of the Committee of the Whole Meeting June 19, 2007.

- B. Minutes of the Village Board Meeting of June 25, 2007.**
- C. Accounts Payable through July 17, 2007 in the Amount of \$465,961.76.**
- D. Building Report for the Month of June 2007.**
- E. Accounts Receivable Report for the Month of June 2007.**
- F. Cancellation of the Village Board Meeting of August 13, 2007.**
- G. Resolution 07-010 Creating the Montgomery Anniversary Committee.**
- H. Appointment by the Village President of Village Trustee Lloyd Mattingly, 1930 Spring Haven Court, to the Montgomery Anniversary Committee to Serve as Chair for a Term from July 23, 2007 through December 31, 2008.**
- I. Appointment by the Village President of Mary Beretta, 135 Riverside Drive, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- J. Appointment by the Village President of Diana Cesena, 1890 Fox Meade Circle, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- K. Appointment by the Village President of Joseph DiGiovanni, 3015 Silver Charm Lane, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- L. Appointment by the Village President of Roseanne Hoban, 1821 Winmont Court, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- M. Appointment by the Village President of Martha Larson, 123 James Street, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- N. Appointment by the Village President of Anissa Leifheit, 163 Sherman Avenue, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- O. Appointment by the Village President of Mary McGuire, 311 Jefferson Street, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- P. Appointment by the Village President of Mildred McNeal-James, 1880 Windette Drive, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- Q. Appointment by the Village President of Barbara Murray, 158 Marsch Avenue, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- R. Appointment by the Village President of Charlotte Weber, 1716 Ivy Lane to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- S. Appointment by the Mayor of Tom Yakaitis, 173 Edgewater Court, to the Montgomery Anniversary Committee for a Term from July 23, 2007 through December 31, 2008.**
- T. Resolution 07-011 Regarding the Infrastructure Maintenance Fee Litigation Cy Pres Committee.**
- U. Recommendation of the Historic Preservation Commission Regarding a Revision to the Local Landmark Ordinance.**
- V. Ordinance 1325 Revising Section 9-1/2 of the Village Code Regarding Designation of Local Landmarks (Waiver of First and Passage on Second Reading).**
- W. Grant Application to the Community Foundation of the Fox River Valley for Settler's Cottage in the Amount of \$5,000.00**
- X. Bond Reduction for Kimball Hill Homes from \$1,078,753.50 to \$98,068.50 and from \$6,472,106.30 to \$998,068.50.**
- Y. Request for a Waiver of Tap-On Fees from the Oswego Community School District 308 for the Addition to the Boulder Hill Elementary School in the Amount of \$22,250.00.**
- Z. Waiver of a Bid and Award of Contract for Pavement Marking Services to Perform Traffic Control Systems, Ltd. in an Amount Not to Exceed \$15,000.00.**

Trustee Watermann moved **to approve the Consent Agenda.** Trustee Mattingly seconded this motion.

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

Items for Separate Action

A. Approval of a Letter Amendment for the Library Site (Inland Properties).

Attorney Wilson explained that approval, by motion, of this letter will facilitate the library site change from the west to the east side of Waubensee Creek. Inland has already agreed to this change.

Trustee Mattingly moved **to approve a Letter Amendment for the Library Site (Inland Property)**. Trustee Watermann seconded this motion.

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

B. Recommendation of the Zoning Board of Appeals on ZBA 07-020V on a Variation for 3169 Kennedy Drive.

Kennedy Homes is seeking a rear yard setback variation for an existing home at 3169 Kennedy Drive. Planner Michael Brown explained that this home was built several years ago and it was recently determined that the structure encroaches into the required rear yard setback. This measurement error was missed by the Village during Plan Review. The Zoning Board of Appeals has recommended approval of this variation for a rear yard setback encroachment of 3.45 feet.

Trustee Heinz moved **to Approve a Recommendation of the Zoning Board of Appeals on ZBA 07-020V on a Variation for 3169 Kennedy Drive**. Trustee Felten seconded this motion.

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

C. Ordinance 1326 Granting a Rear Yard Setback Variance for 3169 Kennedy Drive (Waiver of First and Passage on Second Reading).

Ordinance 1326 grants the Rear Yard Setback Variance of 3.45 feet for the property at 3169 Kennedy Drive.

Trustee Heinz **moved to Waive First and Pass on Second Reading Ordinance 1326 Granting a Rear Yard Setback Variance for 3169 Kennedy Drive**. Trustee Felten Seconded this motion.

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

D. Memorandum of Understanding with the US Census Bureau to Conduct a Special Census in 2008 at a cost of \$201,880.00.

Staff is seeking approval to move forward with a Special Census for the Village in 2008. This will be the last Special Census before the ten year nationwide census in 2010 and the third the Village has done since 2000. It is important that the Village move forward on this request, as State shared revenues and MFT funds will be based on these results until the results of the 2010 census become available in 2012. Staff has estimated that the 2008 Special Census will yield an additional \$901,200 in State shared revenues and \$261,348 in MFT funds between 2008 and 2012 for a total of \$1,162,548.

Trustee Mattingly **moved to approve a Memorandum of Understanding with the US Census Bureau to Conduct a Special Census in 2008 at a Cost of \$201,880.00.** Trustee Watermann seconded this motion.

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

E. Customer Work Agreement and Service Entrance Location Agreement with Commonwealth Edison on the Relocation of Overhead Electric Service for the New Village Hall.

As a part of the new Village Hall site improvements, utilities will be relocated underground. This work has been budgeted at a cost of \$133,283.74. Utility poles along River Street and Gray's Way will be removed once this work has been completed. Assistant to the Village Manager Johnson explained that in addition to making the area more aesthetically pleasing, underground utilities are generally more safe and reliable. In response to an inquiry from the Board, she clarified that AT&T and Comcast will be relocating their lines underground at a later date.

Trustee Heinz **moved to approve a Customer Work Agreement and Service Entrance Location Agreement with Commonwealth Edison on the Relocation of Overhead Electric Service for the New Village Hall.** Trustee Mattingly seconded this motion.

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

F. Waiver of Bids and Award of a Contract to Frank Marshall Electric, Inc. in the Amount of \$264,339.25 for Utility Relocation.

Staff is recommending the Board to award a contract for the relocation of utilities for the new Village Hall to Frank Marshall Electric, Inc., 1043 Oliver Avenue, Aurora, Illinois in the amount of \$265,339.25. While higher than the Engineering estimate, Frank Marshall was the low bidder.

Trustee Heinz moved **to approve Award of a Contract to Frank Marshall Electric in the Amount of \$265,339.25 for relocation of utilities for the new Village Hall.** Trustee Felten seconded this motion.

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

Items for Discussion

There were no Items for Discussion this evening.

New or Unfinished Business

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

Executive Session

There was no executive session this evening.

Future Meetings

Special Village Board Meeting - Wednesday, August 8, 2007 at 6:30 p.m. at the Village Hall.
Plan Commission Meeting - Thursday, August, 16, 2007 at 7:00 p.m.
Committee of the Whole Meeting - Tuesday, August 21, 2007 at 7:00 p.m.
Village Board Meeting - Monday, August 27, 2007 at 7:00 p.m.

Adjournment – 8:00 p.m.

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

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

Barbara G. Argo
Village Clerk