

Administrator Zoepfel called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. He requested a nomination for President Pro Tem as President Brolley was not in attendance. Trustee Marecek inquired and Attorney Julien discussed whether this nomination would come back for action to be handled as a standing order for future meetings.

Trustee Marecek **moved to nominate Trustee Sperling as President Pro Tem.** 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.

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 Public Works Mark Wolf, Director of Community Development Sonya Abt, Director of Finance Justin VanVooren, Chief of Police Phillip Smith, Human Resources Manager Meghan Ostreko, Clerk Penny Fitzpatrick, Members of the Press and others.

Public Participation

A. Public Comments.

Resident Robert Van Het Hof showed support for the Mayfield Drive temporary road closure planned near his home but also had concerns regarding appropriate signage being provided to deter traffic from utilizing his driveway as a turnaround point. He further questioned whether an automatic or manually retractable bollard could be installed to deter traffic from violating the traffic calming measure. Trustee Sperling thanked Mr. Van Het Hof for his comments and noted staff would follow up with him regarding his concerns.

B. Nicole Baron, 2400 Mayfield Drive, Regarding Fence Heights.

Resident Nicole Baron noted the recently passed Unified Development Ordinance only permitted five-foot fences to be installed in her neighborhood which was not sufficient to contain her Doberman Pinscher therapy dogs. She asked that the ordinance policy be revisited and a special exception be grandfathered to allow her to install a six-foot fence in her backyard. Director Abt shared the Unified Development Ordinance provided a reasonable compromise for fence height requirements throughout the Village.

Trustee Betsinger requested that significant community input be gathered before any amendment to this ordinance be considered. Director Abt noted the previous Village Code permitted six-foot fences where other restrictions were not present and Trustee Sperling questioned what information, steps and approvals would be necessary to amend this ordinance by text amendment. After discussion, the majority of the Board shared a willingness to revisit this topic again for discussion and possible amendment at a future meeting.

C. Bid Opening for 310 N. River Street.

Administrator Zoepfel shared no bids were received for this location. Trustee Betsinger inquired and Administrator Zoepfel discussed what the potential plan for this parcel might be and noted this topic would be discussed again at a future meeting.

Consent Agenda

- A. Minutes of the Village Board Meeting of May 24, 2021.**
- B. Building Report for May 2021.**
- C. Accounts Receivable Report for May 2021.**
- D. Water Production Report for May 2021.**
- E. Refuse Report for April 2021.**
- F. Accounts Payable through June 10, 2021 in the Amount of \$441,948.95.**

Trustee Marecek **moved to approve Items A - F of the Consent Agenda.** Trustee Betsinger seconded this motion.

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

Items for Separate Action

A. Recommendation of the Planning and Zoning Commission on 2021-005 an Amendment to a Special Use for a Planned Unit Development – Montgomery Business Center – Unit 2.

Director Abt summarized that JB Commodities requested the reconfiguration of five buildable lots on Unit 2 of the Montgomery Business Center. She noted parking of vehicles, trailers, containers and equipment would be permitted without an additional public hearing and outdoor storage stacking heights would be limited to 40 feet maximum. Director Abt noted the Planning and Zoning Commission recommended conditional approval of this amendment and requested Board acceptance of this item. Trustee Jungermann inquired and Trustee Sperling clarified this topic only pertained to the acceptance of the recommendation.

Trustee Marecek **moved to accept the Recommendation of the Planning and Zoning Commission on 2021-005 an Amendment to a Special Use for a Planned Unit Development – Montgomery Business Center – Unit 2.** Trustee Gier seconded this motion.

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

B. Ordinance 1918 Amending a Special Use, Planned Unit Development for the Montgomery Business Center (First Reading).

Trustee Jungermann inquired why the outdoor storage stacking maximum would be limited to 40 feet in height when the surrounding area included VVF Illinois Services, LLC and the United Sugars Dome facilities which were much taller. He questioned and Administrator Zoepfel noted the costs and responsibility to develop the Knell Road extension would be discussed at a future meeting. Trustee Sperling inquired and noted Board consensus was given to add this item to the Consent Agenda at a future meeting.

C. Award of a Contract for Bid Package #3.41 for Precast Plank for the New Public Works Facility to Stress Core, Inc. in the Amount of \$218,000.00.

Director Wolf summarized this award of a contract and noted Stress Core, Inc. was the only bidder for Precast Plank for the New Public Works Facility. He shared Camosy Construction supported this bid which came in under budget and requested Board approval of this item. Administrator Zoepfel clarified that Items for Separate Action C, D and E all pertained to the construction of this new facility, should be discussed together and then voted on separately. Trustees Marecek and Betsinger inquired and Administrator Zoepfel **advised that the bond sale was previously authorized by the Board and had taken place earlier today.** Administrator Zoepfel and Director Wolf noted the bids for precast wall panels and structural steel came in substantially over budget and staff worked with Camosy and the construction team to determine whether they should move forward with the project, push back the start date or make concessions within the plan to accommodate the significant material cost overages and remain within the budget.

Administrator Zoepfel shared the construction team had re-assessed the project plan, found savings for the bid packages yet to go to market and explained what items in the plan could be pulled out and bid as alternates to stay within the agreed upon budget. He further noted the remaining contingency budget that could be utilized to provide pricing flexibility going forward. Administrator Zoepfel explained the Board could choose to delay and rebid the project next year or go forward with the bids received and the existing construction timetable. Todd Peyron of Camosy Construction discussed the unfortunate bid overages and advised that the Village should move forward with the project despite the price fluctuations in materials.

Board questions included how much the precast wall panel and structural steel bids came in over budget, whether the needed savings could be found in the next round of bid packages and whether the omission of the Aucutt Road railroad crossing created a cost savings for the project. Further Board questions touched on how change orders would be addressed and controlled, what the timeframe to cancel the contracts without penalty would be, what the anticipated precast concrete and steel production timeframes would be to remain on schedule, when other construction materials were anticipated to be bid and if those could also be affected by market increases. Final questions included what improvements could be added at a later date with no impact on the building infrastructure, whether it made sense to construct the new building if the improvements originally proposed could not be achieved, whether all material and escalation costs would be set and what would have to be paid if the contracts were canceled.

Trustee Sperling asked what the cost comparisons would be for the project overages versus the additional cost to store and cover vehicle and equipment wear and tear expenses if the new building was not constructed. She further asked for Board feedback on revising the construction plan and approving or denying the precast wall panel and structural steel bid package overages. Administrator Zoepfel and Director Wolf addressed Board questions regarding the long-term need for a new Public Works facility that stored valuable vehicles and equipment indoors and supported seasonal Village operations. Significant Board concern was shared with settling on the project specifications and not constructing what was proposed, with having to fund alternate improvements in future budget years, with funding potential future labor and material price increases and with going forward with bid overages to the project at this time.

Administrator Zoepfel asked if the Board wanted to accept the bids to keep the project moving or preferred to reject the bids, delay the project and rebid the project again next year.

Todd Peyron of Camosy Construction clarified the amount of engineering costs that would be paid if the project was pulled and explained that the engineering specifications would not expire and could be used at a later date once the material costs came down or funding became available. Trustees Marecek and Betsinger noted support to prudently move forward with the bids despite the overages as the new building was very much needed and the engineering specifications would be ready once funding became available. Trustee Bauman questioned and Administrator Zoepfel confirmed the amount of debt that was issued and the amount of cash that was provided due to the favorable bond market. Trustees Marecek and Betsinger asked and Administrator Zoepfel clarified that the refunded bond premium was handled separately from the general obligation alternate bond issuance for the project.

Trustee Marecek **moved to approve the Award of a Contract for Bid Package #3.41 for Precast Plank for the New Public Works Facility to Stress Core, Inc. in the Amount of \$218,000.00.** Trustee Gier seconded this motion.

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

D. Award of a Contract for Bid Package #3.47 for Precast Wall Panels for the New Public Works Facility to Stonecast Products, Inc. in the Amount of \$1,173,429.00.

With no further discussion, Trustee Sperling entertained a motion for the award of a contract for Precast Wall Panels to Stonecast Products, Inc. for the New Public Works Facility.

Trustee Marecek **moved to approve the Award of a Contract for Bid Package #3.47 for Precast Wall Panels for the New Public Works Facility to Stonecast Products Inc. in the Amount of \$1,173,429.00.** Trustee Gier seconded this motion.

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

E. Award of a Contract for Bid Package #5.00 for Structural Steel for the New Public Works Facility to Garbe Iron Works, Inc. in the Amount of \$1,322,000.00.

With no further discussion, Trustee Sperling entertained a motion for the award of a contract for Structural Steel to Garbe Iron Works, Inc. for the New Public Works Facility.

Trustee Marecek **moved to approve the Award of a Contract for Bid Package #5.00 for Structural Steel for the New Public Works Facility to Garbe Iron Works, Inc. in the Amount of \$1,322,000.00.** Trustee Gier seconded this motion.

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

F. Ordinance 1917 Supplemental Ordinance Providing for the Issuance of General Obligation Alternate Bonds of the Village of Montgomery, Illinois for the Purposes of Financing a New Public Works Facility and Refunding Outstanding Alternate Bonds of the Village (Waiver of First and Passage on Second Reading).

Director VanVooren summarized Supplemental Ordinance 1917 regarding the issuance of general obligation bonds and refunding of outstanding alternate bonds for the new Public Works Facility. He discussed the bond limits, premiums, issuance costs and resulting funding amounts made available for this project. Senior Vice President Anthony Miceli of Speer Financial, Inc. further discussed the bidders, rates, payments, savings, refunding terms, anticipated closing date and fund deposit availability for the bond sale. Trustee Betsinger inquired and Senior VP Miceli discussed what the 2011 outstanding principal balance amount was after the refunding. Administrator Zoepfel further explained how these funds could be utilized for the project budget or debt service refunding.

Trustee Gier **moved to approve Ordinance 1917 Supplemental Ordinance Providing for the Issuance of General Alternate Bonds of the Village of Montgomery, Illinois for the Purposes of Financing a New Public Works Facility and Refunding Outstanding Alternate Bonds of the Village (Waiver of First and Passage on Second Reading).** Trustee Betsinger seconded this motion.

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

G. Acceptance of Easement for Pearl Street Storm Sewer Project.

Director Wolf noted the acceptance of easement for this drainage ditch improvement pertained to a construction easement and noted it would become permanent once the project was completed.

Trustee Marecek moved to approve the Acceptance of Easement for Pearl Street Storm Sewer Project. Trustee Gier seconded this motion.

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

H. Ordinance 1919 Temporarily Closing a Village Street (Mayfield Drive) (Waiver of First and Passage on Second Reading).

Attorney Julien summarized Ordinance 1919 and noted this temporary road closure would be utilized until the traffic control measure came back for permanent Board approval. She requested that this item be approved subject to attorney review. Board questions included how package delivery companies would amend their routes to safely make deliveries despite the road closure and whether school buses and garbage, snowplow and mail trucks would be granted specific authorized access to complete their routes. Additional questions included how signage would be used to educate residents about the change in traffic flow and whether zero tolerance traffic citations would be enforced if the road closure was violated.

Trustees Sperling, Marecek and Gier asked whether mailers would be distributed to the surrounding neighborhoods to notify residents of this traffic flow change and to clarify that only authorized and emergency vehicles would be granted access through this road closure. It was further questioned when announcements would be posted on the Village website and when "No Outlet" signs and digital message boards would be utilized to alert drivers of the upcoming road closure. Director Wolf discussed whether traffic flow data would be collected from the inception of the road closure to capture turnaround traffic data and determine whether the new signage and traffic control measure were successful.

Director Wolf further addressed how long traffic and speed counts would be gathered to determine the impact of this road closure and when this item would come back for discussion and permanent action. Trustees Marecek and Betsinger expressed a desire to gather traffic flow data through the end of the year so that school travel data could be captured and an informed final decision could be made regarding this issue. Trustee Gier inquired and Director Wolf clarified that fire hydrant access would not be impeded at the location of the road closure.

Trustee Jungermann moved to approve Ordinance 1919 Temporarily Closing a Village Street Subject to Attorney Review (Mayfield Drive) (Waiver of First and Passage on Second Reading). Trustee Marecek seconded this motion.

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

Items for Discussion

A. Liquor License Request from El Costeno at 702 Montgomery Road.

Administrator Zoepfel noted this item was tabled from the last meeting and shared the petitioner was present to answer questions. He explained the license request would be in addition to the petitioner's existing restaurant liquor license. Alma Carrasco of El Costeno requested a packaged liquor license to supplement her business sales and recover from the pandemic. Trustee Sperling questioned and Ms. Carrasco clarified she wanted to be able to sell packaged liquor including beer, wine and hard liquor. Board discussion was had and support was not given to allow for liquor store operations at this location, but there was support to offer a packaged liquor sales license only with carry-out meal service purchases. Trustees Sperling and Jungermann inquired and Attorney Julien discussed the next appropriate steps to address this limited liquor license request. Trustee Sperling thanked the petitioner for her business and inquiry.

B. Employee Manual Revision.

Human Resources Manager Ostreko summarized revisions and additions to the Employee Manual that needed to be formalized. She noted topics in the revision included the travel expense reimbursement policy, sexual harassment prohibition policy and drug free workplace policy. She further discussed compensatory leave maximums and sick leave payout limitations that would be presented to employees if the revisions were approved. Board questions included whether additional paid holidays would be observed by the Village, under what circumstances employees would be allowed to vote during work hours, whether work from home hours and requirements would be addressed and how conflict resolution scenarios would be escalated for review and resolution by Senior Staff.

Additional Board questions included whether the social media policy and enforcement of cases differed for employees versus elected officials and whether the Village Administrator had the ability to make changes to the Employee Manual without Board approval. Further questions addressed the differences between policy and employee handbook guidelines and how they would be handled differently by staff depending on the circumstances of the scenario. Trustee Jungermann thanked HR Manager Ostreko for her work revising the Employee Manual. Trustee Sperling inquired and Administrator Zoephel noted staff would address some of the work from home policy language and bring this item back to the Board for discussion and approval at a future meeting.

New or Unfinished Business

Administrator Zoephel and Trustee Marecek noted the inaugural Street Eats Festival took place on Saturday, June 12th, was remarkably successful and offered excellent food selections. They commended Director Wolf on the setup and seating for the event and shared it was a good trial run experience for the upcoming Montgomery Fest event scheduled to take place in August. Trustee Gier announced the Beautification Committee's Floral Contest Judging would take place on Wednesday, June 23rd at 5:00 p.m.

Future Meetings

- A. Historic Preservation Commission – Monday, June 21, 2021 at 6:30 p.m. (Canceled).
- B. Committee of the Whole Meeting – Tuesday, June 22, 2021 at 7:00 p.m. (Canceled).
- C. Beautification Committee – Wednesday, June 23, 2021 at 5:00 p.m. (Contest Judging).
- D. Intergovernmental Committee Meeting—Monday, June 28, 2021 at 6:00 p.m.
- E. Village Board Meeting—Monday, June 28, 2021 at 7:00 p.m.

Trustee Sperling summarized the Future Meetings Schedule and requested a motion for approval.

Trustee Marecek **moved to approve the Future Meetings Schedule.** Trustee Gier seconded this motion.

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

Executive Session: None

Adjournment: 9:02 p.m.

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

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

Respectfully submitted,

Penny Fitzpatrick
Village Clerk