

October 21, 2013

Meeting called to order by Mayor Skelton at 7:00 pm.

Roll Call: Present: Blackstock, Karker, Tibbs, Smith, Coon, Nolan

Absent: None

Mayor Skelton recognized a moment of silence for those no longer with us and those less fortunate.

Blackstock made motion, seconded by Nolan, to approve the minutes from the September 23, 2013 board meeting, as issued in print.

Viva Voce: 6-0 Motion carried

Nolan made motion, seconded by Karker, to approve the minutes from the September 24, 2013 special board meeting, as issued in print.

Viva Voce: 6-0 Motion carried

R. Coon made motion, seconded by Nolan, to approve the minutes from the October 10, 2013 committee meetings, as issued in print.

Viva voce: 6-0 Motion carried

Blackstock made motion, seconded by Nolan, to approve the minutes from the October 15, 2013 committee meeting, as issued in print.

Viva voce: 6-0 Motion carried

Nolan made motion, seconded by Tibbs, to approve the treasurer's report, subject to audit. Viva Voce: 6-0 Motion carried

Citizen Concerns:

1. Mark Mattingly, present, reported that all paperwork has been mailed to Betty, owner of stated property, which he is waiting to be returned. Smith reported that Mattingly had kept in weekly contact, as asked, with updates and that Mattingly had informed him that once all the paperwork was returned the property would be able to be switched to Rick Davis who has a vested interest in said property. This issue was postponed to the November board meeting.

2. Subject matter had been asked to be placed on the agenda by Michelle Skelton, however; M. Skelton was not present to voice her concerns. Her husband, who was present, stated that he was unaware of her concerns. Blackstock opened a discussion about Locust Street and reminded the board of a previous decision that had been made to no longer maintain said "road" due to width. Blackstock proposed that there be dead end signs placed at the end of said "road" to alert motorist of the status of the "road". Officer Spickard suggested also placing a "no outlet" sign near the entrance off of North First Street to deter traffic from entering "road". Blackstock made motion to purchase and have placed "dead end" signs and a "no outlet" sign on Locust Street, East of North First Street. There was discussion pertaining to the previous board's decision regarding maintain this "road". Nolan seconded the motion.

Roll Call vote: Blackstock: Aye, Karker: Aye, Tibbs: Aye, Smith: Aye, Coon: Aye, Nolan: Aye Motion carried

3. Citizen Joe McCormick asked for this matter to be moved to the end of the Police Committee report due to the need for reviewing minutes that he had just received.

Maintenance:

4. The trustees reviewed the time management sheets and there were no questions for maintenance.

5. Conrad reported that both drains were in place and jetted. Finish work is all that remains to be completed. Conrad informed the trustees of a water leak that had to be repaired on the Saturday before the meeting on Furlane Drive.

Mayor: No comments or concerns voiced.

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Clerk:

6. Ordinance 4-1-1-1: Clerk Coon asked Smith to explain why this issue was on the agenda. Smith explained the current fashion in which the Building Inspector, Bob Albers, examines properties for easements and placement only. Smith went on to express his opinion over changing the cost of the building permit and possibly offer a lower rate for projects that involve changing a load bearing wall. There was discussion about finding a person who is licensed or certified to be able to inspect buildings before, during and at the completion of a building project. Smith asked that all trustees bring a list of ideas/solutions in writing to the meeting in November.

7. Clerk Coon explained that the hours for Halloween trick-or-treat in 2012 were from 5:00-8:00 pm on the 31st. Blackstock made a motion, seconded by Coon, to have trick-or-treating on the 31st from 5:00-8:00 pm. There was discussion about the need to close a portion of Linden Street for the purposes of pedestrian traffic without vehicle traffic concerns. It was decided that barricades are not needed at this time. Chief Cupi reported that there will be two police officers on duty on Halloween evening, one on foot patrol and one in the squad.

Engineer:

8. Burris questioned Nolan about where the court proceedings are at on this project. Nolan was unable to answer this question and asked Burris to follow up with the Village Attorney Lindner. Burris to report back on findings at November board meeting.

-Burris handed out strategic plans, which were drawn up by previous board members, of improvements needed to the lift stations for the sewer system. There was a discussion regarding the current status of all lift stations.

-Burris explained that the Gorman pump may need to be replaced. Conrad reported that new suction hoses had been purchased for said pump which possible corrected the problems.

-The water main replacement on 3rd Street & Linden was discussed. Further updates were postponed to the November board meeting.

-Committee Reports-

Water & Sewer:

9. There were no questions asked of K. Albers.

10. There were no questions asked of S. Coon.

11. Smith made motion to accept the recommendations from the Water & Sewer Committee Meeting with 2nd from Tibbs. The recommendations are as follows:

A.) Mr. Richards will fix bathrooms and pipes hooked to city sewer or disable all bathroom fixtures that use water. Mr. Richards will hook the "ag" room bathroom to city sewer within the ninety (90) days from which the letter was received at land owner's expense and address any and all other possible sewer issues. Mr. Richards will separate all storm water run-off from sewage waste. (10-15-13)

B.) To pay the bill, totaling \$165.00, for reimbursement for added expense to homeowner due to an improperly located sewer line. (10-10-13)

Viva Voce: 6-0 Motion carried

12. Tibbs explained the situation with water account # 203A. The homeowner has had the water forgiveness policy explained to her and a copy of said policy sent to her through the mail. Nolan made a motion to grant water account 203A water forgiveness in the amount of \$150.97 with a second from Karker. Viva voce: 6-0 Motion carried

Finance:

13. A short break was taken for trustees to review outstanding bills.

14. Upon reconvening, Coon made motion to pay all outstanding bills with second from Nolan. Viva Voce: 6-0 Motion Carried

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Economic Development:

15. Mayor Skelton asked for a volunteer to fill the position of Economic Development Chairman. Seeing no volunteers, Mayor Skelton then asked for the subject to be postponed to the November board meeting where names of potential volunteer could be reviewed.

Police:

16. Chief Cupi went over the monthly report which she had submitted.

17. Chief Cupi reported that the on-board camera system would be ordered within the week.

18. Smith made motion to accept the recommendation from the police committee meeting as follows with second from Tibbs.

A) Terminate John Lewis' employment with the village as a police officer

B) Offer Justin Kitts employment as a police officer with a beginning wage of \$12.00/hour during a 90-day probationary period then to be increased to \$13.00/hour.

C) Pay John Lewis for his normal eight hour shift that would have commenced on October 11, 2013 which would also be his date for termination by Chief Cupi and Mayor Skelton to be done at the beginning of his shift at approximately 5:00pm.

Viva Voce vote: 60- Motion carried

Clerk Coon swore in Officer Justin Kitts as a San Jose Police Department Part-time Patrolman

19. Chief Cupi explained the need for evidence lockers and reported that she currently had the lockers that were needed to serve the purpose of for such, however; said lockers need to be sandblasted and painted. There was discussion about the cost for said refurbishing. All trustees expressed their consent to Police Chairman Coon authorizing such a service if the cost of service was below \$500.00.

-Officer Spickard explained the ordinance violation tickets that had been written. Spickard reported that the truck with trash in the bed has been abated but that he still had several citations that had not been abated and the citation was not paid which Spickard will follow up with Attorney Lindner on. Officer Spickard was commended by the board for a job well done.

20. Chief Cupi reported that the front cable on the radar system has been replaced and seems to be working fine, however; the rear cable has been damaged. Maintenance is to look at said damaged cable for repair or replacement if needed.

-Item #3 from the agenda was discussed. Citizen J. McCormick explained a citation he had received due to parking over the sidewalk at his residence. J. McCormick asked that said citation be revoked due to the fact that said sidewalk was slated for removal at the September 25, 2013 board meeting, therefore; according to the police chief, in her opinion, said sidewalk "no longer existed" so there was no violation. J. McCormick went on to point out several facts found in past minutes of the board meeting and committee meetings. There was discussion about when the citation was written, if said citation should be dropped or taken to the court date due to J. McCormick's admission to refusing to pay citation, the cost that would be incurred as a result of the potential litigation and the possibility of dropping all citation that were written on specific day. Chief Cupi explained her opinion of the matter and her disagreement with said citation being issued to McCormick. Chief Cupi was asked question from the gallery which were answered by her explaining the events of said day when all the above mentioned citations were issued and the reasons behind said issuance. There was discussion regarding if J. McCormick had received an official warning prior to receiving said citation. Chief Cupi again explained her position on the subject matter. There was discussion regarding J. McCormick's disability rights with J. McCormick offering a website for referral of the laws. Blackstock made a motion to dismiss the citation written to Joe McCormick regarding parking over the sidewalk with second from Nolan. There was discussion about the removal of the sidewalk and the length of time in which J. McCormick has been parking over said sidewalk. Karker expressed concerns over dropping J. McCormick's citation then all citations written on that particular day should also be dropped. Blackstock withdrew her motion. Nolan made a motion to drop all citations written on October 10, 2013 and allow all police to do their job. Roll Call Vote: Blackstock: Aye, Karker: Aye, Tibbs: Nay, Coon: Nay, Nolan: Aye, Smith: Nay. Tie vote. Mayor Skelton deciding vote: Nay Motion Failed

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J. McCormick called for a new vote based on the fact that Tibbs had voted during the previous vote and said vote would directly affect Tibbs personally.

Mayor Skelton called for a new vote:

Blackstock: Aye, Karker: Aye, Tibbs: Nay, Smith: Nay, Coon: Nay, Nolan: Aye Tie Vote. Mayor Skelton deciding vote: Nay Motion Failed.

J. McCormick asked for said vote to be sent to the county for a decision to be rendered. There was discussion on how to proceed. Clerk Coon was instructed to contact Attorney Lindner for direction and to place subject on November board meeting agenda.

Buildings & Grounds:

21. Nolan made a motion to accept the recommendations as follows from the Buildings & Grounds committee meetings with second from Coon.

A.) Mayor Skelton is to contact Attorney Bates, of Woods & Bates Lincoln, IL, to continue with proceedings as outlined in the agreement. (10-10-13)

B.) To allow Lee Reiners from Emden to remove the tree at 213 W. Race Street including the grinding of the stump. Also, it was decided to allow for all the stumps currently on village property to be ground. (10-15-13)

Viva Voce 6-0 Motion carried

22. Tibbs reported that one wall of said building located at 300 W. Main street has been removed. Officer Spickard reported that he had spoken with the homeowner, Mr. Schuch, who stated that he was intending on having all walls down and all possessions removed from the yard at said address within 60-90 days due to moving. Spickard reported that some of the possessions were had also already been removed.

23. This subject matter, 207 S. 5th Street update, had already been addressed with the acceptance of the recommendations of the water & sewer committee meetings.

24. Smith explained his concerns regarding 101 S. 4th Street but explained that at the current time the homeowner, Mr. R. Davis, was following the timeline established in the variance agreement pertaining to repairs. Smith explained that there were boarded up windows on the porch of said residence that should be promptly removed. There was discussion about a building on the SW corner of said property that is in need of immediate repair. Mr. R. Davis was in attendance and explained his intentions about said building. There was discussion that said building was to receive a citation about said windows due to Mr. R. Davis being warned at the September 25, 2013 board meeting. Spickard explained that said citation had not been written yet. There was discussion regarding if verbal warnings at a board meeting stand as an official warning. Blackstock, Coon and Smith explained that they did not a verbal warning during a meeting should stand as an official warning of a violation.

25. Smith explained his concerns and opinions regarding surveillance cameras in village hall. There was a general discussion pertaining to the number of cameras needed and the locations of said cameras. Possibly placing cameras in the police office was also considered. Smith is to gather quotes and report back at the November board meeting.

Streets & Alleys:

26. Karker explained that the homeowner at 501 W. Walnut had asked if a wider entrance, to include a culvert, could be made at her residence due to handicapped accessibility needs for her daughter. Tibbs made motion to widen said area and replace the culvert at 501 W. Walnut Street with second from Coon. Viva Voce: 6-0 Motion Carried

-Blackstock asked when sidewalk work would begin/resume. Karker explained the list she had received from the IL Municipal League and that she would be reviewing it and returning to the board with a summary of her findings. Blackstock asked the current board to form an agreement that activity would move forward with getting sidewalks repaired/replaced in the village within a timely manner.

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Health:

27. Nolan suggested that the bug spraying be stopped for the year. Blackstock agreed with this suggestion.

Old Business:

Citizen J. McCormick voiced concerns over his parking citation being “lumped in” with all of the rest of the citations written on stated day and asked that the board consider dropping his citation due to the court date written on said citation. There was discussion about the legality of any further motions. Subject was tabled until Nov. pending attorney opinion being sought.

New Business:

Executive Session per 5 ILCS 120/2 (c) (21): Review and approve closed session minutes: Entered into executive session by motion from Nolan and second from Smith with Viva Voce 6-0 at 9:22 pm.

Exited executive session by motion from Blackstock and second from Smith with Viva Voce 6-0 at 9:57 pm

Tibbs made motion to approve closed session minutes dated: 5-20-13, 6-17-13, 6-24-13, 9-24-13, and 10-10-13, with noted changes and correction, with second from Nolan. Viva Voce 6-0 Motion carried

Nolan made motion to open closed session minutes dated: 9-17-12, 10-15-12, 12-10-12, 1-21-13, 4-1-13 and 4-15-13 due to no longer needing confidential treatment with second from Smith. Viva Voce: 6-0 Motion carried

Nolan made motion to leave closed session minutes dated: 2-21-12, 4-12-12, 5-21-12 and 9-25-12 closed due to still having a need for confidential treatment with second from Coon. Viva Voce: 6-0 Motion carried

-There was one question regarding the building permit applications that were reviewed by the board.

-Nolan questioned a letter that had been received from Citizen J. Skelton. There was discussion regarding said letter and the normal procedure for ordinance violation being reviewed. The board declined to have any further discussion on the subject due to the matter not being posted on the agenda within the Open Meeting Act requirements.

Smith made motion to adjourn at 10:03 pm with second from Nolan. Meeting adjourned

Recorded by:
Stacy Coon, Village Clerk