

August 19, 2013

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

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

Absent: None

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

R. Coon made motion and seconded by Karker to approve the minutes from the July 16 & 25, 2015 board meeting as issued in print. Vote by voice: 6-0 Motion carried

Motion made by R. Coon and seconded by Tibbs to approve the minutes from the August 1, 2013 committee meeting as issued in print. Vote by voice: 6-0 Motion carried

Motion made by R. Coon and seconded by Nolan to approve the minutes from the August 8, 2013 committee meeting as issued in print. Vote by voice: 6-0 Motion carried

Motion made by Nolan and seconded by R. Coon, to approve the minutes from the August 13, 2013 committee meeting as issued in print. Vote by voice: 6-0 Motion carried

Motion by Smith and seconded by Nolan to approve the Treasurer's Report, subject to audit. Voice by vote: 6-0 Motion carried.

CITIZEN CONCERNS:

-Kid's Fun Day: Joyce Canada, Manager of Casey's in San Jose, asked the board permission to block Logan Street from Casey's driveway to Arch Street for a fun day to raise money for MDA on 8-31-13 from 9:00am-2:00pm. Nolan made motion to allow J. Canada to block the road as described above for purpose stated on the day during the times stated and Blackstock seconded. Vote by voice: 6-0 Motion carried

-Ordinance Violation (4-7-5 (B)): Citizen K. Owens voiced her concerns to the board regarding a fence that is erected backwards at 616 2<sup>nd</sup> Street which adjoins her property to the West. Owens explained that Officer Spickard was the contact for the complaints and had expected a report back which she had not received to date. Officer Spickard explained to Owens that he would follow-up with her as needed in the future.

-Invasion of Privacy: Citizen John Richards asked the board for an extension for cleaning up around his building (old high school). Mr. Richards explained his intentions for removal of the items for which he had received the ordinance violations. Mr. Richards also expressed his concerns over Officer Spickard being on his property. There was discussion between Officer Spickard and Mr. Richards. Mr. John Richards, Jr. questioned the location of the public sewer piping for possible problems/connection to the village system. Mr. Richards, Jr. explained that he was in possession of a camera that could possibly be used to find any blockage problems that may exist. He is to contact Woody in regards to the camera. Mr. Richards, Jr. expressed concerns over comments that had recently been posted on Facebook. Mayor Skelton warned all in attendance about posting negative comments on Facebook.

-Sidewalk disrepair: Citizen Joe McCormick asked the board about getting the sidewalk in front of his house, which also runs through his driveway, removed. Mr. McCormick explained that the sidewalk was a tripping hazard for him especially since he is handicapped. There was discussion about the removal of the sidewalk in question as well as removing or replacing several other sidewalks around the village. Citizen Bill Blackstock expressed his concerns over the removal of sidewalks and the negative effect this action would have on property values. There was discussion that the removal/replacement project should be looked at again and a long term plan set in place. This issue was sent to committee for further discussion and review.

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-Explosion: Citizen Randy Thomas explained that he had nothing further to say about this subject at this time.

MAINTENANCE PERSONNEL REPORT:

-Nothing further to report at this time.

MAYOR:

-September board meeting: Skelton asked the board to consider moving the September board meeting to the 23<sup>rd</sup> instead of the scheduled date of September 16. Blackstock made motion to change the date of the September board meeting to September 23, 2013 with second from Tibbs. Vote by voice: 6-0 Motion Carried

-Open zoning board seat: Skelton announced that his choice for appointment to the open seat on the zoning board of appeals was Citizen Joy Zimmerman. There were questions about her current health state to which Skelton expressed that Mrs. Zimmerman was doing better and felt she could handle the position. Tibbs made motion to accept the appointment of Joy Zimmerman to the open seat on the zoning board of appeals with second from Karker. Vote by voice: 6-0 Motion carried

CLERK:

-Resolution #481: Clerk Coon explained that the resolution was brought to the village by Ameren. Blackstock explained the nature and history of the Resolution. Blackstock made motion to accept Resolution #481: "A Resolution Authorizing Execution of a Service Agreement with the Lowest Responsible Bidder for the Supply of Electricity for Residential and small Commercial Retail Customers who do not opt out of such a program" with second from Nolan. Vote by voice: 6-0 Motion carried

-Ordinance #482: Clerk Coon explained the purpose of the tax levy ordinance. Blackstock made motion to accept Ordinance #482: "For the Ley and Assessment of Taxes for the Village of San Jose, Mason and Logan Counties, Illinois, for the Fiscal Year Beginning May 1, 2013 and ending April 30, 2014" with second from Nolan. Vote by voice: 6-0 Motion carried

-Phone number list to Mayor: Clerk Coon explained the issue that has occurred with Mayor Skelton requesting private phone numbers from the water billing program. There was discussion as to the Mayor's purpose for wanting the phone numbers and possible solutions offered. Mayor Skelton agreed to allow all confidential numbers to remain confidential and to ask Clerk Coon to contact whoever is needed to return calls to the Mayor.

-Ordinance #483: Nolan made motion to accept Ordinance #483: "An Ordinance amending various provisions of Title 1 of the code of ordinances of the Village of San Jose, Mason and Logan Counties, Illinois" with second from Smith. Roll call vote: Blackstock, Aye; Karker, Aye; Tibbs, Nay; Smith, Aye; Coon, Aye; Nolan, Aye Motion Carried

-Standing Committee Assignments: The two options were reviewed by the board members that were brought forward as recommended from the August 1, 2013 committee meeting. Private ballot was handed out for recording the vote by each Trustee on which option to use. There was discussion about the Police Chairman position prior to voting. All ballots were handed in to Clerk Coon who tallied ballots. Trustee Smith asked to have his ballot back. All ballots were again handed in to Clerk Coon who tallied the ballots. Results of ballots: 4 votes for Option 1 and 2 votes for Option 2. Option 1 carries and changes will be made accordingly by Clerk Coon.

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ENGINEER:

-100 E. Race Street: Engineer Burris handed out the updates on the storm sewer replacement at said address. Burris recommended to proceed with easement and pointed out that the adjusted costs were minimal and usual costs incurred. Blackstock made motion to accept Burris proposal with second from Nolan. Vote by voice: 6-0 Motion carried

-105 W. Walnut: Burris reported that he is working with the Attorney and contractor and will bring a proposal to the September board meeting.

-D. Skelton drainage ditch: Burris reported that there is too much vegetation to make an accurate decision so subject will be postponed until foliage has died off for the winter.

-Locust Street Extension: Burris reported that previous Village Board documents show that there would be no upkeep of said street and that the Village retained the right-of-way only. Burris also explained that if Mr. Dan Skelton wanted to modify or improve on the area in question then a formal plan should be submitted to the Village Board for review and action.

-Water system project: Burris explained that new pipe needs to be laid on Linden between 3<sup>rd</sup> & 4<sup>th</sup> Street and that a contractor, possible Alvin Calvin, will be contacted about the work. New pipe also needs laid beginning at the intersection of Linden Street & 3<sup>rd</sup> going east approximately 180' and that this work can be completed by the maintenance personnel. Citizen Wilma West asked for the storm sewer drain beside her garage at 216 W. Arch Street be looked at because of possible blockage.

-COMMITTEE REPORTS-

WATER & SEWER:

-Water Superintendent Report: Board reviewed K. Albers report. Skelton questioned if the problems with aerators had been solved. Albers reported that the replacement of the aerators would be looked at in the coming year. No further questions heard.

-Water Billing Report: Clerk Coon reported that two new leaks had been found and would be tended to by maintenance. No questions were heard.

-Service Agreement for Water Software: Clerk Coon explained that the annual service agreement with El Dorado was ready for renewal but that their services had not been needed for the past year and it was anticipated that the service would not be needed in the future therefore to not renew the agreement. Clerk Coon did advise that if it became necessary to get technical support in the future we would be billed \$75.00/hour for that service since the agreement was dropped. Nolan made motion to opt out of Creative Technology Service Agreement with second from Blackstock. Vote by voice: 6-0 Motion Carried

FINANCE:

-A break was taken for board members to review all outstanding bills.

-Payment of bills: Motion was made by Smith to pay all outstanding bills with second from Karker. Vote by voice: 6-0 Motion Carried

ECONOMIC DEVELOPMENT:

-Committee Members: Clerk Coon advised the board that Trustees Blackstock, Smith and Nolan had volunteered for the committee as well as citizens Michelle Skelton, Denise Allen and Stacey Reiger. Clerk Coon will try to organize a meeting in the coming month and post it for any citizen that is interested to attend.

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-Skelton Lawsuit/Casey's: Trustee Karker addressed the board in regards to the pending litigation that is ongoing referring to the Skelton ditch (approximately 106 E. Main Street) issue and the money already spent and the potential money to be spent for this case. Karker informed the board that Casey's General Store was interested in purchasing said property for expansion to include diesel sales. Karker discussed expansions that were taking place in surrounding towns. Karker relayed information she had obtained through personal phone calls with Attorneys Lindner & Dunn. There was discussion held about the amount of water run-off that was reaching the drainage ditch/natural waterway in question and the potential water run-off that would affect the area once all connecting waste water sewer drains were cleaned out, repaired and functioning properly. Citizen McCormick shared some information regarding the history and circumstances leading to said litigation, i.e. overview of discussions and agreements that were made and not followed through with. Blackstock explained the negotiating that had taken place prior to subject matter being sent to the attorney for further review. Citizen Joyce Canada, Manager of Casey's in San Jose, pointed out that there was no guarantee that Casey's Corporation would purchase said property but she had been asked by Corporate Authorities to look into the issues surrounding the property. Canada also explained that if Casey's Corporation was to buy said property that they would take care of all drainage issues on the property and would possibly consider allowing the store to remain open 24 hours per day. This subject was sent to committee for further review and discussion.

POLICE:

-Monthly report: The monthly report as submitted by Interim Chief Melton was reviewed by the board. Officer Spickard reported that 42 ordinance warning letters had been sent out which resulted in ten (10) citations being sent to seven (7) different violators and that 35 ordinance violations had been abated. Smith questioned if the radar system was operational and if that is why there were no traffic tickets written. Citizen Lisa Mortlock questioned why nothing had been done when a vehicle passed her on N. 1<sup>st</sup> street. The possibility of needing new equipment, i.e. radar gun, was discussed. The subject was sent to committee meeting for further discussion.

-Extension for Richards: The board questioned Mr. Richards as to how long would be needed for the extension. Tibbs suggested that volunteers help Mr. Richards with his clean-up efforts. Nolan made a motion to grant Mr. Richards a fifteen (15) day extension with the understanding that a committee meeting would be held to work out a specific timeline for completion with second from Karker. Vote by voice: 6-0 Motion carried. Mr. Richards expressed his concerns over the sewer and drainage issues on his property. This subject will be addressed at committee meeting which is to be called.

-Recommendations from Committee Meeting dated 8-8-2013: Nolan made motion to accept the recommendations from the Committee meeting dated 8-8-2013 as follows:

1. Offer Maria Cupi the Chief of Police position with a starting wage of \$16.00 per hour and a ninety (90) day probationary period after a background check can be completed. At the end of the probationary period the wage will be \$17.00 per hour.
2. Offer Dale Marlo the part-time police position with a starting wage of \$12.00 per hour and a ninety (90) day probationary period after a background check can be completed. At the end of the probationary period the wage will be \$13.00 per hour. If Mr. Marlo declines the position then the same offer should be made to John L. Lewis.
3. Allow maintenance personnel to mow said area (N. 6<sup>th</sup> St., N. of Walnut St.) one time to get the grass/weeds under control and locate the property owner.

Nolan to speak with Mr. Perce to verify his satisfaction of the decision reached. Nolan also explained to the board that the Turner family has been mowing the vacant house lot at the corner of Locust & 3<sup>rd</sup> street.

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4. To allow account number 0423 to pay the remaining balance on water bill of \$133.04 on 9-3-13 and not require the remaining past due amount until stated time.

Motion seconded by Smith. Vote by voice: 6-0 Motion carried

-Officers sworn in:

Clerk Coon swore in Maria Cupi as Chief of Police for the Village and John Lewis as part-time police officer for the Village. Both individuals were welcomed by Mayor and Trustees.

BUILDINGS & GROUNDS:

-Ordinance 479: Nolan made motion to accept Ordinance #479: "An Ordinance Amending Title 10 Chapter 5" as written seconded by Blackstock.

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

-Ordinance 480: Nolan made motion to accept Ordinance #480: "Ordinance establishing minimum structure standards" as corrected from the 8-13-13 committee meeting, with second by Blackstock. Discussion was had about the changes that had been made. Roll call vote: Blackstock, Aye;

Karker, Aye; Tibbs, Aye; Smith, Aye; Coon, Aye; Nolan, Aye Motion carried

-Variance at 101 S. 4<sup>th</sup> Street: Trustee Coon explained the variance that was written and pointed out that Mr. Davis had been granted all his requested timelines in said variance. R. Coon made motion to accept variance for 101 S. 4<sup>th</sup> Street as written and agreed upon by Mr. Rickey Davis with second from Smith. Roll call: Blackstock, Aye; Karker, Aye; Tibbs, Aye; Smith, Aye; Coon, Aye; Nolan, Aye Motion carried

-Flooding at 206 E. Arch Street: Karker explained the issue at the Carol Otto residence (206 E. Arch Street) and requested that Engineer Burris look at the situation and offer a solution to prevent future flooding. It was reported by maintenance that yard waste had been disposed of into existing drain and that they have already cleaned out both end of said drain pipe. Burris to look into matter further.

-Tall grass: There was discussion about various locations throughout the Village that have tall grass/weeds which needs tended to. Officer Spickard to look into these locations and issue warnings/citations as needed. Citizen Jan Turner was recognized for maintaining the property on Locust Street adjacent to her property voluntarily.

STREETS & ALLEYS:

-One-way alley status: It was decided by the board at the committee meeting dated 8-13-13 to leave the alley between 2<sup>nd</sup> & 3<sup>rd</sup> street, North of Vine and South of Race Street, as is.

-MFT work: Burris reported that the oil and chip work is completed for the year and that Vine Street is tore up but more stone would be brought in before winter arrives then the finish work will be completed in the spring of 2014.

HEALTH:

-Siren Repair: Clerk Coon explained that lightning possibly struck the civil defense siren and that Global Tech is looking into the problem for repair and replacement of necessary parts.

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OLD BUSINESS:

-Bulletin Boards: Trustee Nolan questioned where the bulletin boards had gone that were hanging on the wall outside of the entrance to Village Hall. Clerk Coon explained that Mayor Skelton had loaned said bulletin boards to the village and had since reclaimed and removed them. There was discussion about the replacement of said boards. Maintenance Supervisor Conrad to look into buying the supplies needed and making new boards to be placed back on wall outside the entrance to Village Hall.

-Citizen Surveys: Karker explained that her concerns had been met pertaining to this matter. Karker expressed her concerns over the pettiness of ordinance violations and the fairness of the process. Nolan explained the difference between a violation/warning and a citation.

NEW BUSINESS:

-Ordinance clarification and process: Tibbs expressed his concern of the many ordinances that were being enforced. There was discussion about the differences in all the ordinances. The length for an abatement process was discussed and the codification process was explained.

Mayor Skelton adjourned meeting at 9:51pm.

Recorded by:  
Stacy Coon, Village Clerk