

MINUTES
VILLAGE BOARD MEETING
May 1, 2018

The Village Board meeting was called to order at 7:30pm with everyone reciting the Pledge of Allegiance. Trustees Becker, Yoch, Smallwood, Becherer, Rogers, and Elbe answered roll call.

CLERK'S REPORT: The Board received a copy. A motion was made by Trustee Becker which was seconded by Trustee Yoch to accept the minutes from the last board meeting that was held on April 17, 2018. Roll call was taken: Trustee Becker, aye; Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Elbe, aye; Trustee Becherer, aye; Trustee Rogers, aye. Motion was granted.

TREASURER'S REPORT: The board received a copy.

GOOD OF THE VILLAGE: Jenna Dauer from the Smithton Public Library asked the board to consider letting the library install approximately 20 signs along the trail in the Park for a Walking Story Program this summer. Trustee Becherer made a motion which was seconded by Trustee Yoch to allow the Library to install signs along the walking trail in the Park for a reading program. Roll call was taken: Trustee Becherer, aye; Trustee Yoch, aye; Trustee Becker, aye; Trustee Smallwood, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted.

NEW EMPLOYEE INTRODUCTIONS - Mayor Klein introduced the new village street employees Todd Grohmann and Mitch Hummert.

COMMITTEE APPOINTMENTS – The board received a copy of the Mayor's appointed committees, boards and titles for the next year:

Zoning Board: Administrator, Scott Saeger; Deputy Administrator, Beth Buehlhorn; Chairperson, Lori Rodriguez; Members are Jim Mourey, Tom Incrocci, Mark Parker, Dale Becherer, Tom Schanherr, Leo Simburger.

Safety Committee: Chairman, Ray Klein; Administration, Scott Saeger; Street & Utility, Mark Rausch; Police, Jason Neff.

Health Officer, Nancy Rogers; **Deputy Clerk,** Michelle Schlarman; **Village Treasurer,** Marge Jarvis; **Village Attorney,** Carmen Durso; **Police Chief,** Brian Vielweber; **Identity Theft Administrator,** Brian Vielweber; **Freedom of Information Act Officers:** Police Department, Brian Veilweber; Village Hall, Michelle Schlarman; **Open Meetings Act Officer,** Annette Parker.

Trustee Smallwood made a motion which was seconded by Trustee Rogers to accept the Mayor's appointments. Roll call was taken: Trustee Smallwood, aye; Trustee Rogers, aye; Trustee Becker, aye; Trustee Yoch, aye; Trustee Becherer, aye; Trustee Elbe, aye. Motion was granted.

Village Board committee appointments:

Finance & Insurance: Chairman, Mike Smallwood; Members Virgil Becker, Jim Elbe.

Street & Utility: Chairman, Jason Becherer; Members Mike Smallwood, Joe Yoch.

Police: Chairman, Jim Elbe; Members Joe Yoch, Jason Becherer.

Ordinance: Chairman, Joe Yoch; Members Mike Smallwood, Charlie Rogers.

Park & Cemetery: Chairman, Virgil Becker; Members Jim Elbe, Charlie Rogers.

Annexation & Building: Chairman, Charlie Rogers, Members Virgil Becker, Jason Becherer.

MILITARY SPOUSE PROCLAMATION – Mayor Klein informed the board that he signed a proclamation to honor military spouses on May 11, 2018.

ANNEXATION HEARING ORDINANCE 910 – Trustee Yoch made a motion which was seconded by Trustee Smallwood for Deputy Clerk Parker to read by title only Ordinance 910. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted. After the Ordinance was read by title only, Trustee Yoch made a motion which was seconded by Trustee Smallwood to adopt Ordinance 910. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted.

POLICE CHIEF'S REPORT: SIREN REPORT – Chief Vielweber reported that he spoke to the manufacturer of the sirens that the village has. Century Siren has new control boxes that they state will work with our sirens. The boxes contain the communicator, receiver and activator relay. They will be preprogrammed at the factory for the sirens and can be installed by the street crew. The cost would be \$2250.00 per siren. The siren on Klein Drive is over 50 years old and might not be compatible but the contact person at Century thinks that they may have parts that will work. Trustee Elbe made a motion which was seconded by Trustee Becherer to purchase 3 control boxes from Century Siren, not to exceed \$7000.00. Roll call was taken: Trustee Elbe, aye; Trustee Becherer, aye; Trustee Becker, aye; Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Rogers, aye. Motion was granted.

Mayor Klein stated that he was at the park and noticed that someone has dumped a large pile of concrete debris. Klein asked Chief Vielweber to have his officers start stopping any vehicles that are headed to the park to dump debris and make sure that it is acceptable material. Vielweber will check the cameras to see if the vehicle that dumped the concrete was caught on camera.

ENGINEER'S REPORT: MFT – Engineer Saeger reported that he received the bond contract from H & M. He still needs a few more documents before everything is ready.

CDBG – Engineer Saeger reported that he submitted the plans and the public notice of advertisements for bids to the grants department for approval.

ST. CLAIR COUNTY PARKS GRANT APPLICATION – No update.

ROUTE 159 BIKE TRAIL – No update.

HEALTH OFFICER’S REPORT: No report.

SAFETY COMMITTEE: Mayor Klein reported that there will be a Safety Meeting scheduled for May 3, 2018 if needed.

ZONING BOARD REPORT: Zoning Administrator Annette Parker stated that there is a Zoning Hearing scheduled for May 10, 2018 regarding the proposed subdivision on Press Road. Letters have been sent out and the notice will be in the Freeburg Tribune next week. One hearing will be rescheduled and more variance requests will be scheduled soon.

SUPERVISORS REPORT: Supervisor Fults reported that there is a water leak in front of the police department which will be repaired tomorrow.

Supervisor Fults reported that there was damage done to Ameren’s wiring during a sidewalk repair at the park. Ameren has sent a bill for \$859.92. Engineer Saeger stated that we could either pay it or submit it to the Village insurance. Mayor Klein stated that the insurance rates have been good so he would rather not submit it and take a chance on rates going up. The board agree to pay the bill.

ATTORNEY’S REPORT: No report.

Trustee Yoch made a motion which was seconded by Trustee Smallwood to accept the officer’s reports as given. The board was in favor. Motion was granted.

COMMITTEE AS A WHOLE: Mayor Klein reported that there was a Committee As a Whole Meeting on April 24, 2018.

HISTORICAL SOCIETY PRESENTATION – Bill Weber from the Historical Society presented a plan to commemorate the old Rock School House in the cemetery. Ron Klein and Mark Rodriguez also attended. The board is in favor of the project. It is in the beginning stages.

WINDOW SAFETY FILM QUOTE – Engineer Saeger received a quote from a window company. The board has this quote. Saeger is meeting with Midwest Window Tinting on May 7, 2018 to get a quote from them.

PARKING ON SOUTH MAIN STREET – The board discussed limiting the parking on Main Street to solve the problem of limited visibility when entering Main Street from Breckenridge Street and Stoerger Street. Mayor Klein spoke to Engineer Saeger and they found the state statutes which require no parking within 20 feet of the crosswalk instead of 20 feet from the corner as it is now. A work order has been made out to repaint the curbs on both sides of Highway 159. This should help to alleviate the problem. Klein will call Rick Mueth and the Lumber Company to inform them.

FINANCE & INSURANCE COMMITTEE: BUDGET – Trustee Smallwood has the information he needs for the budget and would like it on the agenda for the next Committee As A Whole meeting.

STREET & UTILITY COMMITTEE: LIFT STATION REPAIRS/RADIATOR/HEAD GASKETS FOR GENERATORS - Engineer Saeger met with CK Power last week to get a quote for installing a generator at Village Hall. CK Power sells Kohler brand generators. They will need to check with a subcontractor for running gas lines and cutting the concrete in the parking lot. They will check into prices for moving the meter to the pole by the building. They will turn in a quote. Cummings will turn in a quote also for the material only price for the generator both here and at the Klein Drive lift station. An installation quote will be needed also. Saeger was told that the parts for the old generator will get harder to find in a few more years. Saeger also received a quote from Oakley.

POLICE COMMITTEE: FOP – Trustee Elbe reported that a response has been sent to the FOP.

PARK & CEMETERY COMMITTEE: PARK TREES – Trustee Becker will find locations for the new trees and decide which gumball trees need to be cut down. The new trees have not been purchased yet.

ORDINANCE COMMITTEE: ZONING ORDINANCE No. 911 – Trustee Yoch made a motion which was seconded by Trustee Becherer for Deputy Clerk Parker to read by title only Ordinance 911. Roll call was taken: Trustee Yoch, aye; Trustee Becherer, aye; Trustee Becker, aye; Trustee Smallwood, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted. Ordinance 911 was read by title only. Trustee Yoch made a motion which was seconded by Trustee Becherer to adopt Ordinance 911. Roll call was taken: Trustee Yoch, aye; Trustee Becherer, aye; Trustee Becker, aye; Trustee Smallwood, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted.

ZONING ORDINANCE No. 912 – Trustee Yoch made a motion which was seconded by Trustee Smallwood for Deputy Clerk Parker to read by title only Ordinance 912. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted. Ordinance 912 was read by title only. Trustee Yoch made a motion which was seconded by Trustee Smallwood to adopt Ordinance 912. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted.

SIGNS IN B-2 DISTRICT – Trustee Yoch made a motion which was seconded by Trustee Smallwood for Deputy Clerk Parker to read by title only Ordinance 913. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted. Ordinance 913 was read by title only. Trustee Yoch made a motion which was seconded by Trustee Smallwood to adopt Ordinance 913. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted.

REPEAL HEARING OFFICER ORDINANCE No. 914 – The board discussed eliminating the hearing officer position from the ordinance book. Mayor Klein stated that he sometimes steps in to speak to delinquent residents and that the office staff use all available measures to get payments, but

hearings have not been needed. Trustee Yoch made a motion which was seconded by Trustee Smallwood for Deputy Clerk Parker to read by title only Ordinance 914. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted. Ordinance 914 was read by title only. Trustee Yoch made a motion which was seconded by Trustee Smallwood to adopt Ordinance 914. Roll call was taken: Trustee Yoch, aye; Trustee Smallwood, aye; Trustee Becker, aye; Trustee Becherer, aye; Trustee Rogers, aye; Trustee Elbe, aye. Motion was granted.

CODIFICATION CONTRACT – Mayor Klein reported that Frank Heiligenstein sent him some of the revised code books that will need to be reviewed. He has reduced the books by 255 pages. Klein will put the books on the agenda for the next Committee As A Whole meeting.

ORDINANCE VIOLATIONS/BRUCE ANDERSON – Trustee Yoch asked when the property review is for Bruce Anderson. Attorney Durso stated that it is on July 31, 2018.

ORDINANCE VIOLATIONS/BECKER & BERTELSMAN – Trustee Yoch stated that he has spoken to both parties and they assured him that they will continue to clean up their properties.

SMITHTON LUMBER COMPANY SIGN – Trustee Yoch stated that he has spoken to them and they stated that they are still planning on asking for a variance.

ANNEXATION AND BUILDING COMMITTEE: COMMUNITY GARDEN – Trustee Rogers reported that the community garden has been tilled again by the street crew.

BILLS AND PAYROLL: Trustee Smallwood made a motion which was seconded by Trustee Rogers to pay the April bills and payroll from April 7th, 2018 to April 20th, 2018. Roll call was taken: Trustee Smallwood, aye; Trustee Rogers, aye; Trustee Becker, aye; Trustee Yoch, aye; Trustee Becherer, aye; Trustee Elbe, aye. Motion was granted.

COMMUNICATIONS: Deputy Clerk Parker shared with the board a notice from University of Illinois webinar series this Thursday from 12:00pm to 1:00pm about the open meetings act.

Deputy Clerk shared a request for donations for the new automatic doors at the senior center. Mayor Klein stated that he is attending a lunch fundraiser on May 2nd, 2018 at the center. The board felt that the village has made a contribution by providing the electric hookup for the doors.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

GOOD OF THE VILLAGE: Mayor Klein reported to the board that employee Danny Valentine, who was in attendance, requested Executive Session to discuss IMRF. Attorney Durso responded that the exceptions for Executive Session have been narrowed and he doesn't think that this would qualify. Trustee Yoch and Mayor Klein thought that Executive Session should be for personnel issues like this. Valentine stated that he was okay with discussing it in open meeting. Valentine

thanked the board for their time. He informed the board that he was employed by the village as a Trustee from May 1999 to December of 2010. He then resigned from the board to work on the street crew, with no break in service, until the present time. In February of 2012 the board opted out of IMRF. Valentine stated that he was not informed. Last fall when he checked on retirement with IMRF and he was told that he was short 13 months because when the board adopted the resolution in 2012 they retroactively took away 2010 and December of 2009. The payments have all been paid with no return of any funds. Mayor Klein questioned why they took away December 2009. Klein was told that it would start in January of 2010 or December 31, 2009. Valentine has copies of emails from Christine Fine from IMRF stating that his issue is with the village. Durso stated that he has spoken to Fine also but his understanding is that the issue is with IMRF because the board drew up the resolution to IMRF requirements. The date was picked to avoid the trustees having to record all of their trustee hours for that time period. Klein stated that the board understood that Valentine would not lose any hours. Durso stated that during his last conversation with Fine she told him that any future discussion would have to be with the IMRF attorneys. Durso told Valentine that his next step would be to hire an attorney but Durso could not take the case because he would be in conflict since he is a member of IMRF. The case would be between Valentine and IMRF, not against the village. Klein stated that the resolution cannot be rescinded. Trustee Yoch asked if anyone was accumulating time after January 1, 2010. Durso replied that only the Mayor was accumulating time. Valentine stated that IMRF still has his contributions. Yoch stated that he will not get his back until he retires so that is possibly when Valentine will get his back. Valentine would like a copy of a document that states what was agreed to. Durso said that he doesn't have a document. Klein stated that he has spent numerous hours looking over everything and doesn't have a solution for Valentine. The board did not have any recommendations.

EXECUTIVE SESSION: None.

A motion was made by Trustee Yoch and seconded by Trustee Smallwood to adjourn. All Board members were in favor. Motion was granted. Meeting adjourned at 9:00pm.