

VILLAGE OF SMITHTON  
COMMITTEE AS A WHOLE  
JULY 10, 2018  
7:00PM

Mayor Klein was absent. Trustee Becker was Mayor Pro Tem, Trustees Yoch, Smallwood, Becherer, Rogers, and Elbe were present. The meeting was called to order at 7:00pm.

Mike Pilla asked the board if they had looked at the Disturbance of the Peace Ordinance to see if it can be revised. The board responded that they are in the process of completely updating the ordinance book. They have not had a chance to look at that ordinance yet. Trustee Yoch asked Pilla what changes he would like to see in the ordinance. Pilla stated that Attorney Durso said in the past that the ordinance was originally designed because of the previous owner. Pilla stated that he has tried to be compliant and keep the noise level down but still feels that his business is being punished because of the ordinance in place. Trustee Yoch stated that the seven outdoor band date limit was put in place because of the problems with the previous owner. Trustee Becherer stated that the ordinance was put in place so that there could be some control of any problems in the future with any businesses. Pilla asked the board why they decided on seven as the number of outside band dates and asked them if they realized that the ordinance as it is could even pertain to things including lawn mowing. He asked if they would consider looking at the ordinance sooner rather than later so that everyone can avoid having to discuss it every week. He stated that it is important to his business and Mueth's Tavern. Trustee Smallwood replied that the board spent a lot of time on the ordinance and it wasn't just done willy-nilly. Trustee Rogers stated that they spent about a year and a half on it. He stated that they will look at the ordinance but are not promising to rewrite it without being able to discuss it first. Smallwood stated that the ordinance will have to apply to any and all village circumstances. Pilla asked if a decibel level is legal. Becherer stated that the rules and specifications regarding a decibel level would be too precise to enforce. Smallwood said that the board tried to make the ordinance not too stringent on the business owners. He thinks that the ordinance is actually doing what they intended. There is a seven date limit but then additional dates can be requested. Becherer stated that the board has to have any ordinance checked by Durso to see if it can be enforced. He stated that the board came close to eliminating any outdoor bands but decided that an ordinance was needed. He understands that it is an inconvenience for Pilla to come and request more dates, but it shows that the ordinance is working. Yoch reminded the board that there will not be a board meeting the last

week of July due to it being the 5<sup>th</sup> Tuesday of the month. The board told Pilla that he could request three dates at the previous meeting. Trustee Becker stated that he agrees that the board has worked very diligently and asked Pilla to continue to work with them on this.

Rick Mueth informed the board that over the weekend Mueth's was one of the stops on a Jeep ride. There were 108 Jeeps participating. The following day David Brennan had a saw horse set up with beer bottles and cans and plastic cups sitting on it. Mueth went over to clean it up. He had hoped that Brennan would come out and talk to him but instead Brennan waited until Mueth walked away with the trash and then came out and took pictures. Trustee Yoch asked if Mueth had spoken to Brennan at all. Mueth replied no. Yoch advised him to try to speak to Brennan and to come to the Village Board meeting next week.

Doug Gerold stated that there is usually some kind of bar trash in his driveway. He told Pilla that he does appreciate that they are trying to keep the noise down but he doesn't agree that they are being punished by the ordinance because it was already in place when they opened the business. He is not happy about the additional band dates but is in favor of the business.

Trustee Becker thanked everyone involved for coming to the meeting and told them that they can always call the Mayor or address the board.

IMRF-ERI – Trustee Yoch stated that the amount that the village will have to pay for the ERI won't be known until they know for sure how many employees take advantage of the program. The board discussed where the money will come from. Trustee Smallwood stated that basically it will raise the village's contribution to IMRF over ten years. He stated that the board should have done their homework before passing this. The board all agreed. Yoch stated that a resolution will need to be passed for \$407,944.39. Smallwood stated that amount would be if all eligible employees would take advantage of the plan. Yoch will ask Clerk Boeving for the correct figures and have a resolution drawn up for the next Village Board meeting.

Trustee Becherer informed the board that Supervisor Fult's truck has been taken to Weir Automotive in Red Bud for a new transmission. The cost will be \$3600.00.

SMALL WIRELESS FACILITIES ORDINANCE – Trustee Yoch reported that Attorney Durso should have a Small Wireless Facilities ordinance ready for a vote at the next board meeting.

PARK – Trustee Becker reported that the new trees will be planted this fall. He informed the board that the riprap that had been ordered and paid for has never been picked up or delivered. It will need to be delivered or they can give the village credit or refund the amount that has been paid. The board discussed whether or not to put paths going down to the existing riprap or filling in the existing riprap for now and consider changing the paths next year.

Trustee Becherer recommended putting in the fishing docks that were previously discussed before deciding what to do with the riprap. Becker stated that if there are areas where the riprap needs to be filled in then a portion of the riprap could be picked up and used. Trustee Yoch stated that the carpet on the existing fishing dock will need to be replaced. Becker would like to schedule a Park and Cemetery Committee meeting soon.

CODE BOOK UPDATE – The board reviewed more of the code book.

Meeting was adjourned at 9:00pm.