

# Village of Smithton

101 South Main Street 618/233-4180 618/233-0880 (fax)  
SMITHTON, ILLINOIS 62285

MAYOR,  
MICHAEL SMALLWOOD

VILLAGE CLERK,  
ANNETTE PARKER

TRUSTEES,  
JASON BECHERER  
CHARLES ROGERS  
JAMES ELBE  
JAMES MOUREY  
TIM HOPKINS  
TODD REYLING

## VILLAGE BOARD MEETING MINUTES May 16, 2023

Trustee Jason Becherer called the meeting to order at 7:30 pm. Everyone recited the Pledge of Allegiance. A motion was made by Trustee Mourey which was seconded by Trustee Rogers to appoint Trustee Jason Becherer to serve as Mayor Pro Tem in Mayor Smallwood's absence. Roll call was taken: Trustee Mourey, yes; Trustee Rogers, yes; Trustee Elbe, yes; Trustee Hopkins, yes and Trustee Reyling, yes. The motion was carried.

Trustees Jason Becherer, Charlie Rogers, Jim Elbe, Jim Mourey, Tim Hopkins and Todd Reyling answered roll call. Mayor Mike Smallwood was absent. Also present were Clerk Annette Parker, Engineer Scott Saeger, Attorney Durso, Chief Jason Neff, and Supervisor Dean Klein. John Fulford, Ruth Touchette, Kevin Christophe, Frank Dressel, Linda Schramm, Michelle Quirin, Nancy Rogers, Todd and Patricia Dusch, and Mary Gibbons were guests in the audience.

**CLERK'S REPORT** – A motion was made by Trustee Rogers which was seconded by Trustee Elbe to approve the minutes from the Board Meeting held on May 2, 2023. Roll call was taken: Trustee Rogers, yes; Trustee Elbe, yes; Trustee Mourey, yes; Trustee Hopkins, yes and Trustee Reyling, yes. The motion was carried.

**TREASURER'S REPORT** – The Board received a copy.

### **GOOD OF THE VILLAGE** –

Frank Dressel with the Smithton Complete Streets Committee addressed the Board about the Smithton Trail.

**POLICE CHIEF'S REPORT** – Our newest officer Ryne Fithian has passed the state certification exam and is now a full-time police officer for the Village of Smithton.

### **ENGINEER'S REPORT – ENGINEER SCOTT SAEGER**

**ISSUED BUILDING PERMITS** – There have been 6 building permits issued since the last meeting.

**159 TURN LANE STU APPLICATION** – No update.

ENGINEERING ASSISTANT – Engineer Saeger interviewed one person and she is not interested in the position. He will continue the search for an engineering assistant.

NORCOM 2000 – Engineer Saeger reported that he will have some options for the Board to think about at the next Committee as a Whole meeting. Norcom said they would shut down business if they had to remove the antennas for the water tower painting. Engineer Saeger stated that there are some options available, and he is waiting for some pricing.

1 N. MAIN – No update.

3774 STATE RTE 159 (Kunevich entrance and sewer) – The Board directed Engineer Saeger to reach out to engineering companies to get a cost estimate on what it would take to get a sewer line run to the Douglas area.

508 CORTNER - A motion was made by Trustee Elbe which was seconded by Trustee Rogers to approve the fence extension installation under the same conditions as they had when they installed the initial fence in 2016 (see notes below). Roll call was taken: Trustee Elbe, yes; Trustee Rogers, yes; Trustee Mourey, yes; Trustee Hopkins, yes and Trustee Reyling, yes. The motion was carried. Property owner Mary Gibbons was in attendance and stated that they understand their responsibilities to adhere to the same conditions as they had agreed to in 2016.

*Meeting minutes from the Board meeting on July 5, 2016: Tom Gibbons and Katy Kibort of 508 Cortner Drive were in attendance. They would like to put in a fence on their property. They had previously talked with Engineer Saeger about their plans which would extend the fence far out into the retention basin. They modified the plan which still has one of the fence posts going into the retention basin but not as far. They would like to ask the Boards approval for this plan. They noted with this past weekend's rain, the water did not come up to this point. They also talked with the previous owners who said the water has never gotten up to this point. Engineer Saeger stated there is a drainage and utility easement that covers this retention basin. His feelings are that detention basins are designed to control the flow of water from the entire subdivision. His opinion is that a fence in a detention basin would change the design characteristics of the detention basin. There is a slight chance that debris could get caught up in the fence and block the flow of water. Mayor Klein understands and respects Saeger's opinion, but he feels this fence should not be a problem. Trustee Yoch, after seeing the area involved and knowing the fence will not be going across the swale, doesn't think it will be an issue. Attorney Durso recommends that should the Board approve this request, that it be on the condition that if in the future the fence causes some problem or impedes the flow of water, that the homeowner be required to correct the problem or move the fence. The homeowner agrees to this condition and also stated they would bear the cost of removing the fence if the Village needs to access the area. The Board members were all in agreement and also understand that if other cases were to arise, they would be handled on a case-by-case basis. A motion was made by Trustee Vehlewald and seconded by Trustee Rogers to allow the request to erect a wrought iron type fence at the edge of the retention basin, and with the condition that in any event that it should cause any kind of drainage issue, the homeowner would be responsible for either correcting the problem or removing the fence. Roll call was taken. Trustee Vehlewald, aye; Trustee Rogers, aye; Trustee Becherer, aye; Trustee Smallwood, aye; Trustee Yoch, aye; and Trustee Becker, aye. Motion approved.*

**SAFETY COMMITTEE** – There will be a Safety Committee Meeting June 1, 2023, at 10:00am if needed.

**ZONING BOARD REPORT –**

MAY 4 ZONING HEARINGS – 235 N. Julia Variance Request was approved for the carport to be enclosed.

402 S. Julia Variance Request – Fence and Special Use Permit. After much discussion it was determined to continue this hearing on June 19.

MAY 15 ZONING HEARING – 3 acres at the South East corner of Douglas Road and State Rte. 159

Ruth Touchette addressed the Board regarding her concerns with drainage on her property.

Discussion was had about different stipulations for the 3 acres. 4 potential lots with all of them being business and no residential building was discussed but not agreed upon by Mr. Fulford.

A motion was made by Trustee Rogers which was seconded by Trustee Mourey to approve the zoning change from Residential and Commercial to all B-1 General Business for 3 acres at the South East corner of Douglas Road and State Rte. 159 from the recommendation of the Zoning Board. Roll call was taken: Trustee Rogers, yes; Trustee Mourey, yes; Trustee Elbe, no; Trustee Hopkins, yes; Trustee Reyling, no; Trustee Becherer, yes. The motion was carried.

**SUPERVISORS REPORT** – Supervisor Klein reported that work is continuing on the park trail upgrades. They should be finishing the west retaining wall soon.

304 EUGENIA PIPE REPLACEMENT – This is on hold until the park trail widening is complete.

**ATTORNEY'S REPORT** – We received a contract from Jason Sprengel for the new Village Hall sign. Attorney Durso reviewed the contract and he said he told Mayor Smallwood that there were 3 or 4 points that needed to be included in this contract. Attorney Durso tried to reach Mr. Sprengel to discuss these items but was unsuccessful. Trustee Hopkins stated that concerns were warranty of the work and insurance. Attorney Durso stated that he will redraft the contract as fast as he can for Mr. Sprengel and get it to Village Hall.

Trustee Rogers made a motion which was seconded by Trustee Elbe to accept the Officer's reports. All were in favor. The motion was carried.

**COMMITTEE AS A WHOLE** – Mayor Pro Tem Becherer reported on the Committee As a Whole meeting from May 9. The items will be discussed further under Committee Reports. Trustee Rogers made a motion which was seconded by Trustee Elbe to approve the minutes from the Committee As a Whole meeting on May 9. Roll call was taken: Trustee Rogers, yes; Trustee Elbe, yes; Trustee Mourey, yes; Trustee Hopkins, yes and Trustee Reyling, yes. The motion was carried.

**FINANCE & INSURANCE COMMITTEE – TRUSTEE BECHERER**

No report.

**STREET & UTILITY COMMITTEE – TRUSTEE ROGERS**

SOUTH MAIN PROPERTIES – No update.

**POLICE COMMITTEE – TRUSTEE ELBE**

POLICE VEHICLE – No report.

HY-DAC PROPERTY –Further discussion is needed at the next Committee as a Whole meeting.

TORNADO ALARM SYSTEM – No update.

**PARK & CEMETERY COMMITTEE – TRUSTEE MOUREY**

SMITHTON LIBRARY STORY WALK – Trustee Mourey is working with Jenna, the Librarian, on plans and costs.

PARK RETAINING WALL –The west side wall is nearing completion.

TRAIL PHASE 1 – PARK TRAIL UPGRADES – Work is continuing on the upgrades.

TRAIL PHASE 2 – More discussion will be had on this at the next Committee as a Whole meeting.

**ORDINANCE COMMITTEE – TRUSTEE HOPKINS –**

ORDINANCE NO. 1018 – Annexation – South East corner of Douglas Road and State Rte. 159

A motion was made by Trustee Hopkins and seconded by Trustee Rogers to have Clerk Parker read by title only Ordinance No. 1018. Roll call was taken: Trustee Hopkins, yes; Trustee Rogers, yes; Trustee Elbe, yes; Trustee Mourey, yes; and Trustee Reyling, no. The motion was carried.

A motion was made by Trustee Hopkins and seconded by Trustee Rogers to adopt Ordinance No. 1018. Roll call was taken: Trustee Hopkins, yes; Trustee Rogers, yes; Trustee Elbe, no; Trustee Mourey, yes; Trustee Reyling, no; and Trustee Becherer, yes. The motion was carried.

**ANNEXATION & BUILDING COMMITTEE – TRUSTEE REYLING**

VILLAGE HALL SIGN – Attorney Durso will be redrafting the new contract for Mr. Sprengel.

BRIA BUILDING & PROPERTY – This will be discussed further at the next Committee as a Whole meeting.

SMITHTON SENIOR CENTER – Trustee Hopkins is waiting on another quote from another contractor for the ceiling tile replacement.

**BILLS AND PAYROLL** - Trustee Elbe made a motion which was seconded by Trustee Rogers to authorize Clerk Parker to pay the payroll from April 15, 2023 through April 28, 2023. Roll call was taken: Trustee Elbe, yes; Trustee Rogers, yes; Trustee Mourey, yes; Trustee Hopkins, yes; and Trustee Reyling, yes. The motion was carried.

**COMMUNICATIONS** – We received a thank you from Virgil Becker’s family for the plant we sent for his funeral. Southwestern Illinois Council of Mayor’s meeting to be held in Freeburg, May 25.

**UNFINISHED BUSINESS** – None.

**NEW BUSINESS** – None.

**EXECUTIVE SESSION** – None.

Trustee Rogers made a motion which was seconded by Trustee Elbe to adjourn. All Trustees were in favor. The motion was granted to adjourn at 8:37 pm.