MINUTES: REGULAR MEETING DECEMBER 1, 2008

The regular meeting of the Village Board was held Monday, December 1, 2008 in the Village Hall. President Hoerchler called the meeting to order at 7:00 p.m.

Roll Call

Present: President Hoerchler, Trustees Brandmeyer, Malina, Swank, Linthicum and Gloeckner. **Absent**: Trustee Fiedler. **Staff Members Present**: Administrator Nielsen; Clerk Crane; Village Attorney Doug Gruenke; Jerry Green, Chief Building & Zoning Officer; and David Griesbaum, Chair of Zoning Board of Appeals.

A motion was made by Trustee Malina and seconded by Trustee Gloeckner to approve the Consent Agenda which includes minutes from the Regular Meeting on October 6, 2008 and the Committee-at-Large on October 20, 2008.

Ayes: Brandmeyer, Malina, Swank, Linthicum, Gloeckner.
Nays: None.
A majority of the Council voting aye, the motion carried.

New Baden Fire Protection District

Mark Schilli, a trustee for the New Baden Fire Protection District, presented the Village payment of ideas due from the agreement between the two parties. Checks included payment of the 2008 and the 2009 rent of $1.00 per year; $7,973.67 for repayment of the fire truck; and $3,611.11 for equipment, uniforms, etc that needs to be paid off in 2018. Schilli did request bills be sent monthly to the Fire Protection District for their share of the bills for the Emergency Services building at 100 East Hanover Street.

Wastewater Treatment Facility

Brian Buchheit of Henry, Meisenheimer, & Gende, Inc., the Village's engineer, was present to go over the proposed modifications to the Wastewater Treatment Facility Improvements. Mr. Buchheit and Administrator Nielsen will be going to Springfield on December 2, 2008 to present the plan to IEPA to receive a new permit and financing. A major change is going to a one lagoon system based on the Parkson Biolac system.

Bid Opening: Sale of Property

No bids were received for the sale of real property per Resolution 2008-8 for the Drainage and Utility Easement between Eastview Estates and Caylin Ridge. During review after the meeting, bids were not to be received until the Committee-at-Large Meeting on 12/15/08.

Civic Center: Door Replacement

Aviston Lumber submitted a bid of $499.98 for replacement doors in the Civic Center, between the Gym Hallway and the Cafeteria. These doors will be installed by the Public Works Dept.

A motion was made by Trustee Gloeckner and seconded by Trustee Malina to approve the bid from Aviston Lumber for replacement doors ($499.98).

Ayes: Malina, Swank, Linthicum, Gloeckner, and Brandmeyer.
Nays: None.
A majority of the Council voting aye, the motion carried.

Ordinance #770: Sales Tax Imposition

A motion was made by Trustee Brandmeyer and seconded by Trustee Malina to pass Ordinance #770: An Ordinance Submitting the Question of the Imposition of a Retailers' Occupation Tax and a Service Occupation Tax.

This question will appear on the April 7, 2009 Consolidate Election Ballot. If passed, it will go into effect January 1, 2010. It will eliminate the Wheel Tax and Dog License and will provide the Village with an increase in revenue.

Ayes: Swank, Gloeckner, Brandmeyer, Malina
Nays: Linthicum
A majority of the Council voting aye, the motion carried.

Ordinance #771: Mobile Housing Zoning District

Discussion between Attorney Gruenke and Building Inspector Green found issues with the set back requirements for the Mobile Housing Zoning District. Matter tabled.

Winter Clothing Drive

Beverly Lunn and Jodie Matheis, residents of New Baden, requested from the Board the use of the Civic Center and the support of the Board in holding a Winter Coat Clothing Driving on Sunday, December 14, 2008. They want New Baden to be shown as a "warm and caring community." Coat donations will be accepted. Anyone needing a coat can show up at the Civic Center that day.

A motion was made by Trustee Swank and seconded by Trustee Gloeckner to allow usage of the Civic Center for a Coat Drive on December 14, 2008 with fees waived.

Ayes: Linthicum, Gloeckner, Brandmeyer, Malina, Swank
Nays: None
A majority of the Council voting aye, the motion carried

Engineering Agreement with HMG

An Engineering Agreement with Henry, Meisenheimer & Gende, Inc. for the Wastewater Treatment Plant was presented for approval. This agreement is for the redesign of the plant to fit with the Village's budget.

A motion was made by Trustee Brandmeyer and seconded by Trustee Swank to approve this agreement with HMG.

Ayes: Gloeckner, Brandmeyer, Malina, Swank, Linthicum
Nays: None
A majority of the Council voting aye, the motion carried

Civic Center: Vending Machines

A motion was made by Trustee Swank and seconded by Trustee Gloeckner to approve the installation of vending machines at the Civic Center with Renee Meinhardt, Park & Rec Coordinator checking the available options.

Ayes: Gloeckner, Brandmeyer, Malina, Swank, Linthicum
Nays: None
A majority of the Council voting aye, the motion carried

New Year's Eve Liquor Sales

A motion was made by Trustee Malina and seconded by Trustee Brandmeyer to extend the hours of liquor sales to 2:00 a.m. on New Year's Eve for the American Legion (105 East Illinois St) and Outside Inn (423 West Hanover St).

Ayes: Malina, Swank, Linthicum, Gloeckner, Brandmeyer
Nays: None
A majority of the Council voting aye, the motion carried

Holiday Party

A motion was made by Trustee Linthicum and seconded by Trustee Brandmeyer to approve an expenditure of no more than $1,000.00 for a Holiday Party for the Village of New Baden to be held January 3, 2009 at the Civic Center.

Ayes: Malina, Swank, Linthicum, Brandmeyer
Nays: Gloeckner
A majority of the Council voting aye, the motion carried

Tax Levy

There was discussion regarding the Tax Levy for Fiscal Year 2008-2009. It was decided to have an increase of 11.05% which would put the amount at approximately $250,000.00. This requires publication and a public hearing due to the fact of going over the 5% allowed per state statutes.

A motion was made by Trustee Brandmeyer and seconded by Trustee Malina to approve the increase of 11.05% for the Tax Levy.

Ayes: Swank, Linthicum, Gloeckner, Brandmeyer, Malina
Nays: None
A majority of the Council voting aye, the motion carried

TIF Requests

TIF requests from Rick Engelmann and Sal DiMaggio were discussed. Both have presented lists with eligible TIF expenses. It was stated to be in both their favors to attend a meeting to discuss their requests. Tabled until 12/15/08 meeting.

Liquor License: Good Ol' Days

A motion was made by Trustee Linthicum and seconded by Trustee Malina to approve the Liquor License request for Teresa Harpstrite of Good Ol' Days, 5 East Hanover Street. She will be selling beer and wine only.

Ayes: Linthicum, Gloeckner, Brandmeyer, Malina, Swank
Nays: None
A majority of the Council voting aye, the motion carried

Marketing Plan

A motion was made by Trustee Swank and seconded by Trustee Malina to approve $12,500.00 from the TIF Fund to be used toward billboards for advertising New Baden. Advertising is a TIF eligible expense. Two signs will be used, one on Interstate 64 near New Baden and one on State Route 15. An 800 number needs to be established and the website info will need to be provided for the billboard. An estimated start date will be March 2009.

Ayes: Linthicum, Gloeckner, Brandmeyer, Malina, Swank
Nays: None
A majority of the Council voting aye, the motion carried

Park: Walking Trail

There was discussion regarding the upkeep of the walking trail at the Park. Administrator Nielsen will get figures together as to what it costs the Village to maintain the trail. He will also get quotes on asphalt vs. limestone on the trail.

Ambulance Service Contract

Revised contract was sent to Sugar Creek Ambulance Service. No new information to report.

Sign Regulations.

Dave Griesbaum, Chairman of the Zoning Board of Appeals, would like to preset the proposed changes to the Zoning Board for their review. It was decided that the Village Board will have all recommendations to Attorney Gruenke no later than Monday, December 8, 2008 for him to have time to enter into proper ordinance form. The Board will be able to see this review at the Regular Meeting on 12/15/08. Mr. Griesbaum would like to hold a Zoning Board of Appeals Public Hearing on 12/18/08. He hopes all businesses will attend for their input.

Ordinance Violation Fees

There was discussion regarding increasing the fees for ordinance violations that the Police Dept. issues. Chief Riley stated that New Baden is lower than the surrounding communities.

A motion was made by Trustee Gloeckner and seconded by Trustee Malina to have Attorney Gruenke draw up an ordinance which would increase the fee from $25.00 to $50.00 for Ordinance Violations.

Ayes: Linthicum, Gloeckner, Brandmeyer, Malina, Swank
Nays: None
A majority of the Council voting aye, the motion carried

Executive Session

A motion was made by Trustee Gloeckner and seconded by Trustee Brandmeyer to adjourn the meeting to Closed Session to discuss the Police Collective Bargaining.

Ayes: Brandmeyer, Malina, Swank, Linthicum, Gloeckner
Nays: None
A majority of the Council voting aye, the motion carried and the meeting was adjourned at 7:35 p.m.

Regular Meeting reconvened at 8:30 p.m.

Development & Municipal Initiatives, LLC

Administrator Nielsen, Trustees Brandmeyer and Gloeckner and Attorney Gruenke met with Keith Moran of Development and Municipal Initiatives, LLC on November 26, 2008. They provide assistance in developing TIF areas. They will be asked to attend the Committee-at-Large meeting on 12/15/08.

There being no further business to be brought before the Village Board, a motion was made by Trustee Swank and seconded by Gloeckner to adjourn the meeting.

Ayes: Brandmeyer, Malina, Swank, Linthicum, Gloeckner
Nays: None
A majority of the Council voting aye, the motion carried and the meeting was adjourned at 8:34 p.m.

Respectfully submitted,

Teri L Crane, Village Clerk

Approved: January 5, 2009

Timothy J. Hoerchler, Village President