

REGULAR MEETING OF THE VILLAGE BOARD MINUTES, OCTOBER 1, 2012

The Regular Meeting of the Village Board was held Monday, October 1, 2012, at the New Baden Village Hall, 1 East Hanover Street. President Brandmeyer called the meeting to order at 7:00 p.m.

**Present and answering to roll call:** Mayor Brandmeyer, Trustees Malina, Oster, Nielsen and Gunn. **Absent:** Trustees Linthicum and Picard. **Staff Members Present:** Village Clerk Crane; Administrator Morani; Attorneys Gruenke and Palen of Belsheim & Bruckert, LLC; Chief Building & Zoning Official Green; Police Chief Riley and Treasurer Pollmann.

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to approve the Consent Agenda, which includes the Minutes from the September 4, 2012, Regular Meeting, the September 17, 2012, Committee-at-Large Meeting and authorization of payment of current invoices.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Announcements

There will be a Public Hearing regarding the Caylin Ridge Special Service Area (SSA) on Monday, October 15, 6:30 p.m., at Village Hall.

Information was distributed to the Board in regards to the Public Safety Committee meeting held in regards to the Golf Cart ordinance; it is still a work in progress.

Citizen Comments

Resident Mary Lou Schomaker was present to voice her concerns against the possibility of the vacant single family residence building in her block being turned into a multi-family dwelling. This is a topic to be discussed later in the meeting. Also speaking in disfavor was Frieda Schomaker and Bonnie Brown, all of who have homes near 104 West Hanover Street, the building in question. Darrell Klenke, owner/developer of the property, provided additional information in regards to the renovations that will be done.

Resolution 2012-10-01-A: Establishing a Tax-Exempt Financing Compliance Procedure

A motion was made by Trustee Malina and seconded by Trustee Nielsen to approve Resolution 2012-10-01-A: Establishing a Tax-Exempt Financing Compliance Procedure. These guidelines were prepared by bond counsel, Gilmore & Bell, P.C., and need to be adopted prior to taking action on the debt certificate for the capital improvements (Wesclin Water/Sewer, South End Water System Improvements, and South First Street Extension).

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

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Resolution 2012-10-01-B: Public Hearing Date for Business District II

A motion was made by Trustee Oster and seconded by Trustee Gunn to approve Resolution 2012-10-01-B: Authorizing Public Hearing Dates for Village Board Consideration of the Business District II Redevelopment Plan within the Village of New Baden, Illinois. This must be authorized by the Village Board to comply with statutory guidelines. The public hearing is scheduled for Monday, November 19, at 6:40 p.m.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Ordinance 2012-10-01: Installment Purchase Agreement

This ordinance will be discussed later in the meeting.

Ordinance 2012-10-01-A: Public Hearing Date for Amended Interstate 64 TIF #2

A motion was made by Trustee Oster and seconded by Trustee Nielsen to approve Ordinance 2012-10-01-A: Setting the Date for a Public Hearing for the Village of New Baden Amended Interstate 64 Tax Increment Financing Redevelopment Plan and Project. This must be authorized by the Village Board to comply with statutory guidelines. The public hearing is scheduled for Monday, November 19, at 6:30 p.m.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Ordinance 2012-10-01-B: Number of Cremains Permitted and Cemetery Fees

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to approve Ordinance 2012-10-01-B: Regulating the Number of Cremains Permitted to be Placed within a Single Grave Plot and Amending the Cemetery Fees. This ordinance was recommended by the Public Works Committee who met on September 4 and discussed at the September 17 committee-at-large meeting. The new regulations will take effect on January 2, 2013.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Ordinance 2012-10-01-C: TIF Agreement, Gordon Hoerchler

A motion was made by Trustee Nielsen and seconded by Trustee Gunn to approve Ordinance 2012-10-01-C: Approving an Agreement for Tax Increment Finance Proceeds for Gordon Hoerchler for renovations to his S/S Insurance Agency building located at 304 East Hanover Street. He will receive 75%, up to \$6,000, for new siding, concrete steps and a handicap accessible ramp. The agreement was recommended by the Finance Committee who met on September 13 and discussed at the September 17 committee-at-large meeting.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

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Ordinance 2012-10-01: Special Use Permit for 104 West Hanover Street

Additional information needs to be obtained from Plan Commission Chairperson William Koentz. This will be considered at the reconvened meeting.

Mettler Development: Pay Request-Final: Booster Station Improvements

A motion was made by Trustee Malina and seconded by Trustee Gunn to authorize Pay Request-Final, \$17,927.05, from Mettler Development for the Booster Station Improvements.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Community & Economic Development: Business District III Proposal & Maintenance Shed Roadway Usage

Board Members reviewed a proposal from Moran Economic Development for Business District III. The formation of this Business District would help fund a road to the property purchased by Jerry Kunz in front of the Maintenance Shed. Mr. Kunz could be allowed to lease a portion of the Maintenance Shed road while funding is accumulated. Mr. Kunz will be erecting a building to house his used surplus furniture business; he currently has a storefront location at 108 East Hanover Street. No action taken.

Holiday for Non-Union Employees

The most recent collective bargaining agreement for the Public Works Union replaced Columbus Day holiday with the day after Thanksgiving. Administrator Morani recommended that the Board adopt this change for all non-union employees (administrative staff and ambulance employees).

A motion was made by Trustee Oster and seconded by Trustee Malina to replace the Columbus Day Holiday with the day after Thanksgiving for all non-union employees.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Sale of Abandoned Well Property

One bid was received for the Abandoned Well Property: \$1,201.00 from James W. McDonald (who owns the surrounding property). Statute requires a 3/4 vote of corporate authorities to sell municipal property; since only four (4) Trustees were present, action will take place at the reconvened meeting.

Maintenance Shed Fence Bids

Bids were received from four (4) companies for the Maintenance Shed Fence: Collins & Hermann, Inc., \$56,950.00; Liberty Improvements, LLC, \$47,180.00; John Thompson Fence Company, \$55,000.00; and Belleville Fence Co., \$40,930.00.

A motion was made by Trustee Nielsen and seconded by Trustee Oster to award the low bid for the Maintenance Shed Fence to Belleville Fence Co., \$40,930.00. The Board authorized Public Works Commissioner Renth to make changes to the scope of work as long as it reduces the project costs.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

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Engineering Agreement with HMG: Task Order #8, South End Water System Improvements

A motion was made by Trustee Gunn and seconded by Trustee Malina to approve REVISED Task Order #8 for South Third Street Water Main Loop and Indiana and South First Streets 2" Main Replacement. As discussed at the September 17 committee-at-large meeting, HMG prepared a revised task order reflecting the change in scope of work to include the loop at South Third Street (instead of South First Street) and the main replacement at South First Street.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Radio Equipment Proposal

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to accepting the bid for radio equipment from Warner Communications Corp., \$10,504.00. This was discussed at the September 17 committee-at-large meeting; this will allow for the upgrade of radio equipment for the Police, EMS, and Public Works Departments.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Health Insurance Modification

As discussed at the September 17 committee-at-large meeting, Administrator Morani recommends that the Board consider the proposed modifications to the health insurance plan, which include an increase in the annual individual deductible from \$250 to \$500 (family from \$750 to \$1,500) and annual out-of-pocket maximum to \$3,000 per individual and \$6,000 per family. Additionally, the plan design for this option includes an increase in physician co-pay from \$20 to \$25 and specialist co-pay from \$45 to \$50. This proposal is a 4.76% increase over the current monthly premium paid for health insurance. The Board can revisit changing this aspect of the plan when it enters the Intergovernmental Personnel Benefit Cooperative (IPBC) on July 1, 2013.

A motion was made by Trustee Nielsen and seconded by Trustee Malina to modify the Health Insurance Plan with United Healthcare for all covered Village Employees, effective October 15, 2012.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Closed Session

A motion was made by Trustee Malina and seconded by Trustee Oster to adjourn the meeting to Closed Session to discuss Probable Litigation.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried and the meeting was adjourned to Closed Session at 7:40 p.m.

Meeting reconvened at 8:05 p.m.

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**Present and answering to roll call:** Mayor Brandmeyer, Trustees Malina, Oster, Nielsen and Gunn. **Absent:** Trustees Linthicum and Picard. **Staff Members Present:** Village Clerk Crane; Administrator Morani; Attorneys Gruenke and Palen of Belsheim & Bruckert, LLC; Chief Building & Zoning Official Green; Police Chief Riley and Treasurer Pollmann.

Ordinance 2012-10-01-D: Installment Purchase Agreement

A motion was made by Trustee Nielsen and seconded by Trustee Gunn to approve Ordinance 2012-10-01-D: Providing for an Installment Purchase Agreement for the Purpose of Paying the Costs of Certain Capital Projects and Authorizing and Providing for the Issue of Debt Certificates, Series 2012, Evidencing the Rights to Payment under such Agreement, Prescribing the Details of the Agreement and Certificates, and providing for the Security for and Means of Payment under the Agreement of the Certificates. With this ordinance, the Village can fund the following capital projects: Wesclin Water/Sewer Extension, South End Water System Improvements (Third Street Loop, South First Street and West Indiana Street Main Replacements), and South First Street Extension. The \$300,000 debt for South First Street Extension will be serviced for three years at 3% interest (paid with TIF funds). The remaining \$695,383.90 will be serviced for 10 years at 3% interest (paid with water and sewer funds).

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Utility Easement for Wesclin Water/Sewer Extension Project: Roy & Jane Reeb

A motion was made by Trustee Malina and seconded by Trustee Oster to approve the Utility Easement with Roy W. Reeb, Jr. and Jane C. Reeb. They are requesting a sewer tap as compensation for the easement which will be stated in the forthcoming annexation agreement.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Utility Easement for Wesclin Water/Sewer Extension Project: Terry & Tracy Calvert

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to approve the Utility Easement with Terry R. Calvert, Jr. and Tracy Calvert. They have requested a water tap as compensation which was stated in the easement, since their property is already in the corporate limits.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Utility Easement for Wesclin Water/Sewer Extension Project: Michael & Donnell Mugele

Michael F. Mugele and Donnell R. Mugele are asking for specifics to be included in their easement in regards to any damage that might be done to the geo thermal system located on their property. The Village will make sure that the contractors are aware that this is on the property. No action until easement finalized.

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Utility Easement for  
Wesclin Water/Sewer  
Extension Project:  
Mary Hanna

The Living Revocable Trust of Mary L. Hanna is asking for specifics to be included in this easement in regards to any damage that might be done to the septic system located on the property. The Village will make sure that the contractors are aware that this is on the property. No action until easement finalized.

Recess Meeting

A motion was made by Trustee Malina and seconded by Trustee Gunn to continue this meeting on Monday, October 15, 2012 at 6:00 p.m. at Village Hall.

**Ayes:** Malina, Oster, Nielsen, Gunn.

**Nays:** None.

**Absent:** Linthicum, Picard.

A majority of the Board voting aye, the motion carried.

Meeting recessed at 8:15 p.m. on Monday, October 1, 2012.

Meeting reconvened at 6:00 p.m. on Monday, October 15, 2012 at Village Hall.

**Present and answering to roll call:** Mayor Brandmeyer, Trustees Malina, Linthicum, Oster, Picard, Nielsen, and Gunn. **Absent:** None. **Staff Members Present:** Village Clerk Crane; Administrator Morani; Attorneys Gruenke and Palen of Belsheim & Bruckert, LLC; Chief Building & Zoning Official Green; and Treasurer Pollmann.

Ordinance 2012-10-  
01-E: Special Use  
Permit for 104 West  
Hanover Street

Mary Lou Schomaker spoke out against the proposed Special Use Permit being issued to 104 West Hanover Street. Attorney Gruenke stated that the building does not have to be torn down if the Special Use is not granted; that it could sit vacant for another 30 years. The use of the rear garage was questioned; Chief Building and Zoning Official Green stated that the entire building can be rented to a single user and cannot be divided into individual units for multiple users. The parking situation has been addressed, spaces will be provided along the alley and North Adams behind the home located at 100 West Hanover Street, who the applicants (Mike Rehkemper and L&K Properties) also own.

A motion was made by Trustee Nielsen and seconded by Trustee Gunn to approve Ordinance 2012-10-01-E: Granting a Special Use Permit for 104 West Hanover Street, allowing a multi-family dwelling (3-unit apartment) in a SR-1 (Single Family Residential) Zoned District. The Plan Commission met on September 25, 2012 and recommends the approval of this Special Use Permit.

**Ayes:** Oster, Picard, Nielsen, Gunn.

**Nays:** Malina, Linthicum.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Sale of Abandoned  
Well Property

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to accept the bid of \$1,201.00 received from James W. McDonald (who owns the neighboring property) for the abandoned well property. This was the only bid received.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

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Utility Easement for  
Wesclin Water/Sewer  
Extension Project:  
Sheila Cope

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Utility Easement with Sheila M. Cope. She is requesting a sewer tap as compensation for the easement which will be stated in the forthcoming annexation agreement.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Utility Easement for  
Wesclin Water/Sewer  
Extension Project:  
Fuhler Grain &  
Livestock

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Utility Easement with Fuhler Grain and Livestock (State Route 160 frontage and Wesclin Road frontage). They are requesting compensation at \$1.50 per lineal foot for the easement.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Utility Easement for  
Wesclin Water/Sewer  
Extension Project:  
Michael & Donnell  
Mugele

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Utility Easement with Michael F. Mugele and Donnell R. Mugele. They are requesting a water tap as compensation for the easement which will be stated in the forthcoming annexation agreement, with consideration being taken for the geo thermal unit located on the property.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Utility Easement for  
Wesclin Water/Sewer  
Extension Project:  
Shelley Santel

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Utility Easement with Shelley K. Santel. She is requesting a water tap as compensation for the easement which will be stated in the forthcoming annexation agreement.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Utility Easement for  
Wesclin Water/Sewer  
Extension Project:  
Vernon Hamm, Jr.

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Utility Easement with Revocable Living Trust of Vernon L. Hamm, Jr. They are requesting compensation at \$1.50 per lineal foot for the easement.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

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

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried and the meeting was adjourned at 6:31 p.m. on Monday, October 15, 2012.

Teri L Crane, Village Clerk  
Approved: November 5, 2012