

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: MAY 6, 2013

The Regular Meeting of the Village Board was held Monday, May 6, 2013, 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, Linthicum, Oster, Picard, Nielsen and Gunn. **Absent:** None. **Staff Members Present:** Village Clerk Crane; Village Administrator Morani; Attorney Gruenke of Bruckert, Gruenke & Long, P.C.; Police Chief Riley; and Treasurer Pollmann.

Trustee Picard presented a plaque to Mayor Brandmeyer as a thank you for all his years of service to the Village of New Baden.

Citizen Comments

Former Mayor Tim Hoerschler and Cheryl Smith, Administrator at Clinton Manor Nursing Home, were present to discuss options to the Qualified Non-highway Vehicle Ordinance. It was explained that the State of Illinois will not allowing the crossing of a State highway by these types of vehicles.

Donna Graul and Keith Athmer spoke in regards to the water easements the Village of New Baden is attempting to receive from them and an additional property owner to allow the new water line to the Wesclin School District Campus. Administrator Morani will arrange for the Village engineers to stake the property to indicate where the easement would lie, which was done for another property owner who had already signed an easement. Both asked for additional items to be included in the easements, which Attorney Gruenke provided feedback to what is included in a typical easement document.

Consent Agenda

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Consent Agenda, which includes the Minutes from the April 1, 2013, Regular Meeting, the April 15, 2013, Committee-at-Large Meeting and authorization of payment of current invoices.

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

Nays: None.

Absent: None.

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

Resolution 2013-05-06-A: MFT FY 2013/14

A motion was made by Trustee Malina and seconded by Trustee Picard to approve the Motor Fuel Tax for FY 2013/14 in the amount of \$87,000.00. This includes resealing, patching, and street repair.

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

Nays: None.

Absent: None.

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

Ordinance 2013-05-06-A: Repealing Ord. 2013-04-01-D

A motion was made by Trustee Picard and seconded by Trustee Malina to approve Ordinance 2013-05-06-A: Repealing Ord. 2013-04-01-D Authorizing the Operation of Qualified Non-highway Vehicles on Public Streets. Attorney Gruenke recommended the repeal of the Ordinance at this meeting and have a new ordinance prepared for the new Board to consider; if it is not repealed, it would be a valid ordinance and in full effect.

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Ordinance 2013-05-06-A: Repealing Ord. 2013-04-01-D, cont.

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

Nays: Linthicum.

Absent: None.

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

Ordinance 2013-05-06-B: Regulating Drug Paraphernalia & Possession of Cannabis

A motion was made by Trustee Malina and seconded by Trustee Oster to approve Ordinance 2013-05-06-B: Regulating the Possession, Delivery, Sale, or Offering for Sale, of Drug Paraphernalia and Possession of Cannabis. As discussed at the April 15 committee-at-large meeting, this ordinance would allow the police department to issue citations to individuals possessing drug paraphernalia and no more than 2.5 grams of cannabis. Currently, these citations can only be issued in accordance with state law.

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

Nays: None.

Absent: None.

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

Ordinance 2013-05-06-C: Vacating Portion of Richter School Road

A motion was made by Trustee Nielsen and seconded by Trustee Picard to approve the Ordinance 2013-05-06-C: Vacating that Portion of Richter School Road that is No Longer in Use. As discussed at the April 15 committee-at-large meeting, Love's has requested a portion of the former Richter School Road that is no longer in use, be vacated for site development purposes.

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

Nays: None.

Absent: None.

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

Ordinance 2013-05-06-D: Reeb Annexation Agreement

A motion was made by Trustee Picard and seconded by Trustee Linthicum to approve Ordinance 2013-05-06-D: Authorizing the Execution of an Annexation Agreement with Roy and Jane Reeb. The annexation agreement provides for a sanitary sewer service connection at their property at 920 Reeb Road. The terms of the agreement include the waiver of the sewer tap fee and the same billing rate as customers inside the corporate limits.

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

Nays: None.

Absent: None.

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

Ordinance 2013-05-06-E: Santel Annexation Agreement

A motion was made by Trustee Nielsen and seconded by Trustee Picard to approve Ordinance 2013-05-06-E: Authorizing the Execution of an Annexation Agreement with Shelley Santel. The annexation agreement provides for a water service connection at their property at 416 Wesclin Road. The terms of the agreement include the waiver of the water tap fee and the same billing rate as customers inside the corporate limits.

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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Ordinance 2013-05-06-F: Mugele Annexation Agreement

A motion was made by Trustee Picard and seconded by Trustee Nielsen to approve Ordinance 2013-05-06-F: Authorizing the Execution of an Annexation Agreement with Michael & Donnell Mugele. The annexation agreement provides for a water service connection at their property at 9310 Clinton County Line Road. The terms of the agreement include the waiver of the water tap fee and the same billing rate as customers inside the corporate limits.

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

Nays: None.

Absent: None.

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

Ordinance 2013-05-06-G: Kuhn Annexation Agreement

A motion was made by Trustee Nielsen and seconded by Trustee Malina to approve Ordinance 2013-05-06-G: Authorizing the Execution of an Annexation Agreement with Michael and Judy Kuhn. The annexation agreement provides for a water service connection at their property at 428 Wesclin Road. The terms of the agreement include the waiver of the water tap fee and the same billing rate as customers inside the corporate limits.

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

Nays: None.

Absent: None.

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

Award South 1st Street Project

Bids for the South 1st Street Project were opened at Village Hall on May 1, 2013. Ten (10) bids were submitted: Rooter's American Maintenance, Inc., \$179,246.75; K.R.B. Excavating, Inc., \$190,676.70; Kassen Excavating, Inc., \$198,551.41; Gleeson Asphalt, Inc., \$201,084.94; Hank's Excavating & Landscaping, Inc., \$214,358.90; RCS Construction, Inc., \$226,273.39; The Kilian Corporation, \$241,448.20; Mettler Development LLC, \$250,830.50; Stutz Excavating, Inc., \$253,738.92; and Korte & Luitjohan Contractors, Inc., \$259,338.50. The engineer's estimate for this project was \$259,577.00.

A motion was made by Trustee Nielsen and seconded by Trustee Gunn to award the low bid for the South 1st Street Project to Rooter's American Maintenance, Inc., \$179,246.75; based on the recommendation by HMG Engineer's, Inc.

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

Nays: None.

Absent: None.

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

Award South 3rd Street & Parking Lot Improvements

Bids for the South 3rd Street and Parking Lot Improvements were opened at Village Hall on May 1, 2013. Five (5) bids were submitted: The Kilian Corporation, \$79,116.70; Mettler Development LLC, \$85,632.60; Rooter's American Maintenance, Inc., \$58,519.33; Gleeson Asphalt, Inc., \$53,706.80; K.R.B. Excavating, Inc., \$190,676.70; Kassen Excavating, Inc., \$198,551.41; and Christ Bros. Asphalt, Inc., \$72,476.54. The engineer's estimate for this project was \$68,765.40.

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Award South 3rd
Street & Parking Lot
Improvements, cont.

A motion was made by Trustee Malina and seconded by Trustee Oster to award the low bid for the South 3rd Street and Parking Lot Improvements to Gleeson Asphalt, Inc., \$53,706.80; based on the recommendation by Rhutasel and Assoc., Inc. This bid was approximately \$45,000 less than when bids were accepted in August, 2012.

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

Nays: None.

Absent: None.

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

Engineering
Agreement with
HMG: Task Order #7
Amendment: Project
Observation

A motion was made by Trustee Nielsen and seconded by Trustee Picard to approve Task Order #7 Amendment for construction observation services for the 1st Street Extension and for the 3rd Street project designed by Rhutasel and Associates, Inc. The Village will be billed at standard hourly rates with not-to-exceed amounts of \$30,000 (South First Street) and \$15,000 (South Third Street / Parking Lot). The Village will save money by having one engineering firm perform these services for both projects. This decision was mutually agreed upon by all three parties.

Ayes: Oster, Picard, Nielsen, Gunn.

Nays: Malina, Linthicum.

Absent: None.

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

South End Water
System
Improvements:
Change Order #1

A motion was made by Trustee Malina and seconded by Trustee Linthicum to authorize Change Order #1 from Haier Plumbing and Heating, Inc., deduction of \$7,500, for the South End Water System Improvements (SEWSI). As discussed at the April 15 committee-at-large meeting, this change order eliminates work associated with resurfacing a portion of South Third Street where the water line was installed. As a cost-saving measure, this was removed from the water project scope of work and added to the South Third Street / Parking Lot project. It also includes additional work to lower the existing water main on East Illinois Street.

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

Nays: None.

Absent: None.

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

Employee Wage
Adjustments

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to authorize a base salary increase of 3.5% effective May 1, 2013 to the following non-union employees: Chief of Police, Commissioner of Public Works, Village Clerk/Collector, Deputy Clerk, Treasurer, Director of EMS, Paramedic, EMT, Park & Recreation Coordinator, Custodian, Crossing guard, and Public Works Seasonal Laborer.

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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Health Insurance
Plan Modifications

A motion was made by Trustee Nielsen and seconded by Trustee Picard to authorize modifications to the Health Insurance Plan for employees. As discussed at the April 15 committee-at-large meeting, it was the consensus of the Board to solicit feedback from employees about proposed modifications to the health insurance plan. A majority of the employees preferred Alternate #1; physician (\$20), specialist (\$40), and generic prescription drug co-pay (\$10) with a 1.09% increase;

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:
Sheila Cope

A motion was made by Trustee Nielsen and seconded by Trustee Malina to approve a Utility Easement with Sheila M. Cope. She will be compensated monetarily in lieu of a sewer tap waiver via an annexation agreement. The \$240.00 amount represents 160 feet at \$1.50 per lineal foot, which is the same rate other property owners were compensated up to this point.

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:
Keith & Jane Athmer

No signed easements have been received.

Utility Easement for
Wesclin Water/Sewer
Extension Project:
Bumpus Trust

No signed easements have been received.

Utility Easement for
Wesclin Water/Sewer
Extension Project:
Donna Graul Trust

No signed easements have been received.

Utility Easement for
Wesclin Water/Sewer
Extension Project:
Graul Testamentary
Trust

No signed easements have been received.

Utility Easement for
Wesclin Water/Sewer
Extension Project:
Kenneth Graul Trust

No signed easements have been received.

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KRB Excavating: Pay Request-Final; South 9th Street Drainage Improvements

A motion was made by Trustee Gunn and seconded by Trustee Picard to authorize Pay Request-Final, \$1,690.10, from KRB Excavating for South 9th Street Drainage Improvements. The original contract for the project was \$31,370.00 and final payment is \$33,802.00. As explained in a letter from Doug Ratermann of HMG Engineers, Inc., during the construction of the project HMG met with Public Works Commissioner Renth and decided to replace an additional 52 feet of curbing. There was also a deducted quantity on the erosion control blanket for the section where the existing concrete swale was discovered buried to the west. Both items and quantities are reflected in the Payment Estimate.

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

Nays: None.

Absent: None.

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

Resignation: Rafael Him, Plan Commission

A motion was made by Trustee Nielsen and seconded by Trustee Linthicum to approve the resignation of Rafael Him from the Plan Commission to allow him to take his seat with the New Baden Village Board.

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

Nays: None.

Absent: None.

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

Oath of Office

Attorney Gruenke swore in Teri Crane as Village Clerk.

Clerk Crane swore in Christy Picard as Village President.

Clerk Crane swore in newly elected officials: Jerry Linthicum (term expires 2017), Robert "Bob" Oster (term expires 2017), Michael Mavrogeorge (term expires 2017), and Rafael Him (term expires 2015).

Library Trustee Sandy Billhartz was not in attendance.

Appointment: James Smith, Plan Commission

A motion was made by Trustee Mavrogeorge and seconded by Trustee Him to approve the appointment of James Smith, 1206 Marsha Court, to the Plan Commission.

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

Nays: None.

Absent: None.

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

Audit Services

A motion was made by Trustee Oster and seconded by Trustee Malina to approve the agreement with Allison, Knapp & Siekmann, Ltd. for auditing services through 2015.

Ayes: Malina, Linthicum, Oster, Nielsen, Mavrogeorge, Him.

Nays: None.

Absent: None.

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

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Police Dept. K-9 Unit

The New Baden Police Dept. has been given the opportunity to obtain a fully trained K-9; Fedor, a 7-year old Malinois. Fedor would serve as a drug, search, and rescue dog for the department. Officer Bruce Rapien explained how the dog became available and offered to the Police department by Brian Dowdy, a Belleville K-9 officer. Mascoutah Animal Clinic and Happy Tails Pet Grooming in New Baden have donated services for the care of the dog. Sergeant Scott Meinhardt presented a plan to find the ongoing maintenance of the animal at little to no cost to the Village. Administrator Morani expects cost to be approximately \$8,000 to \$10,000 a year. Sgt. Meinhardt said the police officers believe the additional funds can be raised to help offset any additional salaries and expenses associated with the animal through the not-for-profit status of its Drug Abuse Resistance Education (DARE) Fund. The acquisition of the dog is a collective bargaining issue and it will be necessary for a memorandum of understanding (MOU) be negotiated that lays out the responsibilities and rights of each. Trustee Mavrogeorge, Public Safety Committee Chair, will be holding an upcoming committee meeting to review the MOU.

Sign Request:
Chamber of
Commerce June
Jamboree

A motion was made by Trustee Malina and seconded by Trustee Nielsen to allow the New Baden Chamber of Commerce to post signs for the annual June Jamboree earlier than what ordinance allows.

Ayes: Malina, Linthicum, Oster, Nielsen, Mavrogeorge, Him.

Nays: None.

Absent: None.

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

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

Ayes: Malina, Linthicum, Oster, Nielsen, Mavrogeorge, Him.

Nays: None.

Absent: None.

A majority of the Board voting aye, the motion carried and the meeting was adjourned at 8:26 p.m.

Teri L Crane, Village Clerk

Approved: June 3, 2013