

## REGULAR MEETING OF THE VILLAGE BOARD MINUTES: APRIL 7, 2014

The Regular Meeting of the Village Board was held Monday, April 7, 2014, at the New Baden Village Hall, 1 East Hanover Street. President Picard called the meeting to order at 7:00 p.m.

**Present and answering to roll call:** Mayor Picard, Trustees Malina, Linthicum, Oster, Nielsen, Mavrogeorge, and Him. **Absent:** None. **Staff Members Present:** Village Clerk Crane; Village Administrator Morani; Attorney Gruenke of Bruckert, Gruenke & Long, P.C.; Chief Riley; Chief Building & Zoning Official Green; and Sarah Tebbe of HMG Engineers. **Staff Members Absent:** Treasurer Pollmann.

### Announcements

Mayor Picard stated that she and Administrator Morani, Clerk Crane and Chief Riley met with the New Baden Jaycees on March 25 at Village Hall. The Jaycees are part of a program called Reintroduction of Chapters-One Sign at a Time. This program asks local Jaycee chapters to meet with their local government, school and police officials to have an open discussion regarding community concerns. In exchange the New Baden Jaycees will receive engineer-grade Welcome signs to be posted at community entrances. This was a very productive meeting. Administrator Morani is looking into placement of the signs.

Jerry Green, Chief Building & Zoning Official, stated that he will begin addressing the non-conforming signs that are located along the State Right-of-way. He wanted to make the Board aware of the policy before enforcement.

Trustee Mavrogeorge wanted to extend a thank you to the New Baden Police Dept. and the New Baden Jaycees on the recent fundraiser, Cosmic Bingo, for the Adcock family; their son, Xaivore, is undergoing treatment for a brain tumor.

### Consent Agenda

A motion was made by Trustee Malina and seconded by Trustee Him to approve the Consent Agenda, which includes the Minutes from the March 3, 2014, Regular Meeting, the March 17, 2014, Committee-at-Large Meeting, and authorization of payment of current invoices.

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

**Nays:** None.

**Absent:** None.

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

### Ordinance 2014-04-07-A: Increasing the Number of Class B Liquor Licenses

A motion was made by Trustee Mavrogeorge and seconded by Trustee Oster to approve Ordinance 2014-04-07-A: Increasing the number of Class B Liquor Licenses Available for Issue. This ordinance increases the number of Class B Liquor Licenses from 3 to 4. At the March 17 committee-at-large meeting, Harold and Jeannie Schellenger requested the Board make a liquor license available so they can open a full service restaurant and bar, The Woodshed Bar & Grill, in the former Margarita's Mexican Restaurant location at 7551 State Route 160.

**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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Ordinance 2014-04-07-B: Procedures & Guidelines for Vehicle Impoundment & Right to Hearing

Tim Hoerchler, former Mayor and owner of New Baden Auto Body, addressed his concerns to the Board regarding a high fee structure for tow impoundments. New Baden Police Officer Jeff Mavrogeorge also spoke out on behalf of a lower fee structure.

A motion was made by Trustee Mavrogeorge and seconded by Trustee Malina to amend proposed Ordinance 2014-04-07-B Adopting Procedures and Guidelines for Vehicle Impoundment to Include Administrative Fees and Right to Hearing for the Village of New Baden to include Level 1 fee of \$250 and Level 2 fee of \$100. The Village will have a fixed cost of \$100 per month for the Tow Hearing Officer.

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

**Nays:** Him.

**Absent:** None.

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

A motion was made by Trustee Mavrogeorge and seconded by Trustee Oster to approve Ordinance 2014-04-07-B: Adopting Procedures and Guidelines for Vehicle Impoundment to Include Administrative Fees and Right to Hearing for the Village of New Baden.

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

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried

Ordinance 2014-04-07-C: Intergovernmental Agreement with Trenton & Lebanon for Joint Administration for Vehicle Impoundment & Release

A motion was made by Trustee Mavrogeorge and seconded by Trustee Oster to approve Ordinance 2014-04-07-C: Approving an Intergovernmental Cooperation Agreement between the Village of New Baden, the City of Trenton and the City of Lebanon Providing for Joint Administration of Administrative Hearings for Vehicle Impoundment and Release. This intergovernmental agreement is similar to the one Board members reviewed at the March 17 committee-at-large meeting. The City of Trenton has already approved and The City of Lebanon is expected to approve at its April 14 meeting.

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

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried

Resolution 2014-04-07-A: June Jamboree Parade

A motion was made by Trustee Oster and seconded by Trustee Linthicum to approve Resolution 2014-04-07-A: Authorizing the June Jamboree Parade on Saturday, June 21, 2014 at 5:00 p.m.

**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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Appointment of Tow  
Impoundment  
Hearing Officer

A motion was made by Trustee Linthicum and seconded by Trustee Nielsen to approve the appointment of Van-Lear Eckert as the Tow Impoundment Hearing Officer. Mr. Eckert will serve as the Tow Hearing Officer for the Village of New Baden, City of Trenton, and City of Lebanon. The fee for his services will be \$100 per month per community, regardless if there is a hearing for that particular month (this will be a rare occasion since a hearing is required if there is only one tow during the month from any of the three municipalities).

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

**Nays:** None.

**Absent:** None.

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

Access Agreement  
with Herlacher  
Angleton Associates,  
LLC

A motion was made by Trustee Linthicum and seconded by Trustee Mavrogeorge to approve an Access Agreement with Herlacher Angleton Associates, LLC. As discussed at the March 17 committee-at-large meeting, an environmental consulting firm (Herlacher Angleton) who is working on behalf of Kokomo Joe's, located at 409 East Hanover Street, is requesting to install monitoring wells in the Village right-of-way in order to close an incident related to an underground storage tank. The firm's remediation plan is being implemented under the supervision of IEPA.

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

**Nays:** None.

**Absent:** None.

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

Ball Field Reservation  
Fees

A motion was made by Trustee Oster and seconded by Trustee Linthicum to authorize a flat fee of \$35 for all ball field reservations. This was discussed at the March 17 committee-at-large meeting. The Village pays a seasonal employee \$25 per field for preparation so the Village actually loses money by charging the current rate since we have additional costs, such as payroll taxes, chalk, and electric utilities for the lighted field.

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

**Nays:** None.

**Absent:** None.

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

Award Water/Sewer  
Extension Project  
Across Interstate 64  
for the Love's Project

Bids for the Water & Sewer Main Extension across Interstate 64 for the Love's Travel Stops Project were opened at Village Hall on April 7, 2014 at 10:00 a.m. Three (3) bids were submitted: Haier Plumbing & Heating, Inc.: Base Bid: \$727,235.40, Alternate Bid: \$792,264.50; Kassen Excavating, Inc.: Base Bid: \$796,334.05, Alternate Bid: \$850,624.40; and Korte Luitjohan Contractors, Inc.: Base Bid: \$869,309.50, Alternate Bid: \$951,545.50. The alternate bid is for the boring of gravity sewer under I-64 so the northwest quadrant of the interchange can be adequately serviced.

Tom Hull, who resides near this project, inquired about the size of the water line for the Love's project and stated the installation of a force main sewer along his property can be detrimental to future development. Sarah Tebbe of HMG Engineers stated that Love's only requires a 6" water main and the Village is installing an 8" line for future development at the interchange. Regarding the sewer, Administrator Morani stated the Village can negotiate with any future developers to extend gravity sewer to the south.

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Award Water/Sewer Extension Project across Interstate 64 for the Love's Project, cont.

A motion was made by Trustee Nielsen and seconded by Trustee Him to award the low bid for the Water & Sewer Main Extension across Interstate 64 for the Love's Travel Stops Project to Haier Plumbing & Heating with their alternate bid of \$792,264.50; based on the recommendation by HMG Engineers.

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

**Nays:** None.

**Absent:** None.

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

Permanent Funds Transfer: General to Park

A motion was made by Trustee Malina and seconded by Trustee Linthicum to authorize a permanent transfer of funds from the General Fund to the Park Fund in the amount of \$9,021. This is for the American Legion Ball Field fence repairs being paid for from the insurance money the Village received from the April 2012 storm.

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

**Nays:** None.

**Absent:** None.

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

Class "E" Liquor License: June Jamboree

A motion was made by Trustee Oster and seconded by Trustee Him to approve a Class "E" Liquor License – License by the Day for the New Baden Chamber of Commerce for the June Jamboree to be held on Friday, June 20 and Saturday, June 21, 2014.

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

**Nays:** None.

**Absent:** None.

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

Sign Request: June Jamboree

A motion was made by Trustee Nielsen and seconded by Trustee Him to allow the New Baden Chamber of Commerce to place signs for the June Jamboree. The Sign Code states that signs cannot be placed no earlier than twenty-one (21) days prior to the event.

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

**Nays:** None.

**Absent:** None.

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

Egyptian Outdoor Spraying

A motion was made by Trustee Nielsen and seconded by Trustee Mavrogeorge to authorize Egyptian Outdoor Spraying to provide mosquito spraying services from April 1 to October 1, 2014; \$5,000.

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

**Nays:** Linthicum.

**Absent:** None.

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

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Annual Spring Clean-up: Use of Village Property

The Annual Spring Clean-up is a joint effort between the Village of New Baden and the New Baden Chamber of Commerce. The Village property located south of the Railroad tracks is where the event will be held. This year, the Chamber of Commerce is asking permission to collect the yard waste (grass clippings, branches, leaves, etc.) on site and do a controlled burn. In the past years, the Chamber of Commerce contracts to have the yard waste hauled off site.

A motion was made by Trustee Oster and seconded by Trustee Nielsen to allow the collection of yard waste on Village property located south of the railroad tracks in conjunction with the annual spring clean-up and to allow for a controlled burn on the site at a future date.

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

**Nays:** None.

**Absent:** None.

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

Part-time Police Officer: Loren Dial

A motion was made by Trustee Mavrogeorge and seconded by Trustee Nielsen to authorize the hiring of part-time police officer Loren Dial.

**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 Nielsen and seconded by Trustee Oster 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 8:02 p.m.

Teri L Crane, Village Clerk

Approved: May 5, 2014