

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: MAY 5, 2014

The Regular Meeting of the Village Board was held Monday, May 5, 2014, at the New Baden Village Hall, 1 East Hanover Street. President Picard called the meeting to order at 7:00 p.m.

Prior to the meeting, a Public Hearing was held regarding an Annexation Agreement for property located at 9053 Clinton County Line Road owned by the Nancy F. Klein Trust.

Present and answering to roll call: Mayor Picard, Trustees Malina, Linthicum, Oster, Mavrogeorge, and Him. **Absent:** Trustee Nielsen. **Staff Members Present:** Village Clerk Crane; Village Administrator Morani; Attorney Gruenke of Bruckert, Gruenke & Long, P.C.; Police Officer Wagner; Park Board President Hintz; Treasurer Pollmann and Doug Ratermann of HMG Engineers.

Guests

Guests at the meeting included Ethan Meldrom and his sons, Eric and Jared. Eric and Jared are local Boy Scouts working on their Community Merit Badge.

Announcements

Mayor Picard stated that the Committees of the New Baden Village Board would remain the same.

Consent Agenda

A motion was made by Trustee Linthicum and seconded by Trustee Him to approve the Consent Agenda, with the corrected dates for the April meetings, which includes the Minutes from the April 7, 2014, Regular Meeting, the April 21, 2014, Committee-at-Large Meeting, and authorization of payment of current invoices.

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

Nays: None.

Absent: Nielsen.

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

Ordinance 2014-05-05-A: Imposing a Retailers' Occupation Tax & a Service Occupation Tax

A motion was made by Trustee Oster and seconded by Trustee Mavrogeorge to approve Ordinance 2014-05-05-A: Imposing a Retailers' Occupation Tax and Service Occupation Tax. This ordinance adopts the 0.25% non-home rule sales tax that was approved by voters on March 18. This will increase the non-home rule sales tax rate to 0.50%. The new rate will go into effect on January 1, 2015.

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

Nays: None.

Absent: Nielsen.

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

Ordinance 2014-05-05-B: Regulating the Proximity of Establishments Holding a Liquor License

A motion was made by Trustee Him and seconded by Trustee Mavrogeorge to approve Ordinance 2014-05-05-B: Regulating the Proximity of Establishments Holding a Liquor License. As discussed at the April 21 committee-at-large meeting this amendment to the liquor code relates to the shared common wall requirement. Additionally, as a result of the discussions about this ordinance, a new provision has been included with respect to the number of liquor licenses held by an individual establishment; the code was always interpreted as only one license per establishment, this allows for clarification.

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

Nays: None.

Absent: Nielsen.

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

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Ordinance 2014-05-05-C: Execution of Annexation Agreement, Nancy F. Klein Trust

A motion was made by Trustee Mavrogeorge and seconded by Trustee Him to approve Ordinance 2014-05-05-C: Authorizing the Execution of an Annexation Agreement (Nancy F. Klein Trust). Nancy Klein, who owns property at 9053 Clinton County Line Road, has executed an annexation agreement in order to obtain a water service connection for said property.

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

Nays: None.

Absent: Nielsen.

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

Resolution 2014-05-05-A: Ameren Illinois Notify Village of New Baden of a Change in User of Electric Service

A motion was made by Trustee Him and seconded by Trustee Malina to approve Resolution 2014-05-05-A: Requesting that Ameren Illinois Notify the Village of New Baden of a Change in User of Electric Service within the Village of New Baden. As discussed at the April 21 committee-at-large meeting, this resolution authorizing Ameren Illinois to notify the Village about new electric service accounts. This will be a useful tool to ensure compliance with occupancy permit requirements.

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

Nays: None.

Absent: Nielsen.

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

Resolution 2014-05-05-B: Execution of a Law Enforcement Mutual Aid Agreement & Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation

A motion was made by Trustee Mavrogeorge and seconded by Trustee Him to approve Resolution 2014-05-05-B: Authorizing the Execution of a Law Enforcement Mutual Aid Agreement and the Existence and Formation of the Illinois Law Enforcement Alarm System by Intergovernmental Cooperation. This intergovernmental agreement is for mutual aid services for law enforcement services. The police department has a long and successful history working with ILEAS (Illinois Law Enforcement Alarm System).

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

Nays: None.

Absent: Nielsen.

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

Resolution 2014-05-05-C: MFT FY 2014/15

The enclosed resolution is for street and alley maintenance to be paid for with Motor Fuel Tax funds. This year's budget includes \$1,875 for salt supplies. The total amount is similar to last year's allocation of \$87,000. In FY 2013-2014, the MFT Fund operated in a surplus of \$26,609.85. Administrator Morani expects this practice to continue, which will help the Village pay for future capital improvements, specifically the resurfacing of North Clinton Street.

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Motor Fuel Tax for FY 2014/15 in the amount of \$86,900.00. This includes resealing, patching, and street repair.

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

Nays: None.

Absent: Nielsen.

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

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Roof Replacement/
Repairs Engineering
Proposal from Hurst-
Rosche Engineers

A motion was made by Trustee Malina and seconded by Trustee Him to approve an agreement with Hurst-Rosche Engineers, Inc. for roof replacement and repairs from storm damage sustained in 2012. As discussed at the April 21 committee-at-large meeting, this proposal is for engineering work associated with the Village roofs at the EMS Building, Civic Center, Library, and Village Hall. The base bid will be for the scope of work approved by the insurance company. The alternate will be for additional restoration work, the Library roof, low-slope roof at the Civic Center and the 1st Street Pump Station Roof.

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

Nays: None.

Absent: Nielsen.

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

Clinton County
Enterprise Zone
Application
Agreement: Moran
Economic
Development

A motion was made by Trustee Oster and seconded by Trustee Mavrogeorge to approve an agreement with Moran Economic Development for Technical Services and Assistance for the Clinton County Enterprise Zone Application, \$7,000. The following entities have already approved this agreement: Clinton County, Breese, Carlyle, and Trenton. Albers, Aviston, and Damiansville are expected to approve at their next regular meeting. The costs associated with this agreement are due to the fact this is a large and labor intensive application.

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

Nays: None.

Absent: Nielsen.

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

Bidding & Contract
Procedures for Goods
& Services

A motion was made by Trustee Malina and seconded by Trustee Him to approve the policy for Bidding and Contract Procedures for Goods and Services Less than \$20,000. As discussed at the April 21 committee-at-large meeting, this policy will ensure certain procedures are followed with respect to purchases between \$5,000 and \$20,000.

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

Nays: None.

Absent: Nielsen.

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

East Illinois Street/
Veterans Memorial
Drive Sidewalk
Improvements:
Agreement with
Rhutasel and
Associates, Inc.

As discussed at the April 21 committee-at-large meeting, Rhutasel & Associates, Inc. has provided an engineering proposal (design and construction) for sidewalk improvements for the west side of Veterans Memorial Drive (between East Hanover Street and East Illinois Street) and for the north side of East Illinois Street (between Veterans Memorial Drive and South Fifth Street). Included in the price of \$28,800 is design work to South Fourth Street. If the Village receives favorable bids, the project may include the additional block (to South Fourth Street) in the scope of work. Otherwise, the Village can perform this work at a later date. Originally, Administrator Morani recommended design work to South Fifth Street be included in the engineering proposal, but after further discussion with Mark Rujawitz, of Rhutasel and Associates, it was determined this cost was too high due to the size and topography of the block. As you may recall, this project is being paid for with TIF funds (up to \$200,000), which were obligated for this purpose via resolution on January 7. Mr. Morani stated he was aware of the drainage concerns as previously stated by Trustee Malina, and he will take that they are addressed.

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Sidewalk
Improvements:
Agreement with
Rhutasel and
Associates, Inc., cont.

A motion was made by Trustee Malina and seconded by Trustee Him to approve the Agreement for Professional Engineering Services with Rhutasel and Associates, Inc. for the East Illinois Street and Veteran's Memorial Drive Sidewalk Improvements, not to exceed \$28,800.00.

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

Nays: None.

Absent: Nielsen.

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

SIUE Field Practice
Agreement

A motion was made by Trustee Oster and seconded by Trustee Mavrogeorge to approve the Field Practice Agreement with Southern Illinois University Edwardsville to allow C.J. Fochtman, New Baden resident, to have an unpaid internship with the Public Works Department.

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

Nays: None.

Absent: Nielsen.

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

Emergency Services
Fund

A motion was made by Trustee Malina and seconded by Trustee Mavrogeorge to authorize the use of the General Fund to cover any deficiencies in the Emergency Services Fund. At the end of Fiscal Year 13/14, the Emergency Services Fund had a negative cash balance of \$8,434.35. This motion will allow the Emergency Services Fund to pull from the General Fund to cover any expenses. This motion was recommended by the Village auditor's, Allison, Knapp, Siekmann LTD.

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

Nays: None.

Absent: Nielsen.

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

Richter School Road
Utility Easement:
Thomas & Jessie Hull

Trustee Oster reviewed with the Board his conversation with Tom Hull and what he would like in exchange for the utility easement for the Love's water and sewer project. Tom Hull provided to the board his views on the easement. Mayor Picard stated she would like to meet with Mr. and Mrs. Hull before anything is decided.

A motion was made by Trustee Mavrogeorge and seconded by Trustee Oster to approve a Utility Easement along Richter School Road with Thomas and Jessie Hull contingent upon the Utility Easement being executed by Friday, May 9. This easement is for the Love's Water/Sewer project.

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

Nays: None.

Absent: Nielsen.

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

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

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

Nays: None.

Absent: Nielsen.

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 8:34 p.m.

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

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

Nays: None.

Absent: Nielsen.

A majority of the Board voting aye, the motion carried and the meeting was adjourned at 8:35 p.m.

Teri L Crane, Village Clerk
Approved: June 2, 2014