

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: OCTOBER 6, 2014

The Regular Meeting of the Village Board was held Monday, October 6, 2014, at 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; Assistant to the Village Administrator Joost; Attorney Gruenke of Bruckert, Gruenke & Long, P.C.; Police Chief Riley; Treasurer Pollmann; Public Works Commissioner Renth; Doug Ratermann of HMG Engineers, Inc.; and Chief Building & Zoning Official Green.

Trustee Linthicum extended his thanks to the New Baden Ambulance service for his emergency trip the previous week.

Resident Jordan Pettibone inquired on establishing a walk/bike path to extend to the McDonald's (727 West Hanover Street). He stated that there are many grants available for a shared use path. Mayor Picard stated this topic would be addressed after the April election when the Comprehensive Plan will be revisited with the new Board of Trustees.

Trustee Mavrogeorge introduced Senator Kyle McCarter who was in attendance.

Consent Agenda

A motion was made by Trustee Linthicum and seconded by Trustee Him to approve the Consent Agenda, which includes the Minutes from the September 2, 2014, Regular Meeting, the September 15, 2014, Committee-at-Large Meeting, the Special Meeting held on September 22, 2014, 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 2014-10-06-A: Intergovernmental Agreement for Joint Administration of Hearings for Vehicle Impoundment & Release

A motion was made by Trustee Mavrogeorge and seconded by Trustee Him to approve Ordinance 2014-10-06-A: Approving an Intergovernmental Cooperation Agreement between the Village of New Baden, the City of Trenton, the City of Lebanon, and the City of Carlyle Providing for Joint Administration of Administrative Hearings for Vehicle Impoundment and Release. This ordinance approves an amended intergovernmental agreement for the sharing of a tow administrative hearing officer. The new participant is the City of Carlyle. With Carlyle's participation, the Village's cost for the hearing officer will decrease.

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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Resolution 2014-10-06-A: Determining to Levy an Additional Tax of 0.02% (Library Buildings & Maintenance)

A motion was made by Trustee Malina and seconded by Trustee Mavrogeorge to approve Resolution 2014-10-06-A: Determining to Levy an Additional Tax of 0.02% of the Value of Taxable Land in the Village for the Purchase of Sites and Buildings, for the Construction and Equipment of Buildings, for the Rental of Buildings Required for Library Purposes, and for Maintenance, Repairs and Alterations of Library Buildings and Equipment. This resolution is required pursuant to the Local Library Act in order for the Village Board to adopt the buildings and maintenance levy requested by the Library Board. The buildings and maintenance levy is included in the tax levy resolution submitted by the Library Board, which is adopted as part of the Village's Tax Levy Ordinance in December.

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

Nays: None.

Absent: None.

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

Award Hillside Drive Reconstruction & One Stop Drive Repairs Project

Bids for Hillside Drive Reconstruction & One Stop Drive Pavement Repairs were opened at Village Hall on September 30, 2014. Four (4) bids were submitted: K.R.B. Excavating, Inc., \$102,635.50; Korte & Luitjohan Contractors, Inc., \$98,955.50; Hank's Excavating & Landscaping, Inc., \$120,835.00; and Stutz Excavating, Inc., \$115,020.40. The engineer's estimate for this project was \$89,524.00. Rhutasel and Associates, Inc, who prepared the bid specs, feel that the difference in the cost estimate is likely due to time of year advertisement and recent increased availability of work.

A motion was made by Trustee Malina and seconded by Trustee Mavrogeorge to award the low bid for the Hillside Drive Reconstruction & One Stop Drive Pavement Repairs to Korte & Luitjohan Contractors, Inc., \$98,955.50; based on the recommendation by Rhutasel and Associates, Inc. This project is expected to start near the end of October and notices will be sent to residents to make aware of the project and closure of Hillside Drive during construction.

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

Nays: None.

Absent: None.

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

Award Roland & Plum Drainage Improvements Project

Bids for Roland and Plum Drainage Improvements were opened at Village Hall on October 6, 2014. Three (3) bids were submitted: Hayes Contracting, Inc., \$38,892.10; Korte & Luitjohan Contractors, Inc., \$39,752.00; and Haier Plumbing & Heating, Inc., \$39,696.00. The engineer's estimate for this project was \$38,713.00.

A motion was made by Trustee Mavrogeorge and seconded by Trustee Him to award the low bid for the Roland and Plum Drainage Improvements Project to : Hayes Contracting, Inc., \$38,892.10; based on the recommendation of HMG Engineers, Inc. This project will be coordinated with the Hillside Drive Reconstruction so as not to cause too many issues for the residents affected.

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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North 2nd Street Box
Culvert Replacement:
HMG Task Order

Tabled until a later date.

Sewer Lift Station
Maintenance
Agreement

A motion was made by Trustee Him and seconded by Trustee Nielsen to authorize the Sewer Lift Station Maintenance Agreement with Roger and Wanda Gildig, 8564 State Route 160. As discussed at the September 15 Committee-at-Large meeting, this agreement outlines the responsibilities of the Village and property owner pertaining to the maintenance of the grounds within the easement for the sewer lift station along State Route 160 which was installed in conjunction with the Wesclin Water/Sewer Project.

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

Nays: None.

Absent: None.

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

Purchase of Public
Works Truck

A motion was made by Trustee Oster and seconded by Trustee Nielsen to authorize the purchase of a 2015 Ford Super Cab F-150 4x4 Truck from Breese Motor Sales, \$27,510.000 for the Public Works Department. This truck will be used by the Public Works Commissioner Renth, replacing his 2001 Dodge Ram (which will be sold as surplus at a later date). Purchasing from Breese Motor Sales is slightly less than the current state contract. This is a budgeted item.

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

Nays: None.

Absent: None.

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

Administrative Tow
Impoundment
Hearing Officer

A motion was made by Trustee Mavrogeorge and seconded by Trustee Nielsen to approve Van-Lear Eckert as the Tow Impoundment Hearing Officer. Mr. Eckert will serve as the Administrative Tow Hearing Officer for the Village of New Baden, City of Trenton, City of Carlyle, and City of Lebanon. The fee for this services will be \$85 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). This agreement replaces the existing agreement with Van-Lear Eckert to serve as the Village's tow hearing officer which was approved April 7, 2014. This new agreement adds the City of Carlyle to the group of participating municipalities and will decrease the Village's monthly fee from \$100 to \$85.

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

Nays: None.

Absent: None.

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

Legion Ball Diamond
Concession Stand
Agreement

A motion was made by Trustee Malina and seconded by Trustee Mavrogeorge to approve an agreement for the Concession stand with the American Legion Baseball Team. This allows for the American Legion Baseball Team to manage the concession stand at the park for five (5) years from the date of this agreement. As requested by the Village Board at the July 21 committee-at-large meeting, a provision was included about the Village's use of the restroom facilities.

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Legion Ball Diamond
Concession Stand
Agreement, cont.

Ayes: Malina, Linthicum, Nielsen, Mavrogeorge, Him.
Nays: None.
Abstain: Oster.
A majority of the Board voting aye, the motion carried.

Police Fleet Services
Fund

A motion was made by Trustee Mavrogeorge and seconded by Trustee Oster to authorize the creation of the Police Fleet Services Fund. Previously discussed at two committee-at-large meetings, this is a separate fund for expenses related to maintaining the police fleet. Proceeds from the sale of police vehicles and equipment would be deposited into this fund. All deposits into the fund will be approved by the Village Administrator, unless already earmarked by the Board.

Ayes: Malina, Linthicum, Oster, Nielsen, Mavrogeorge, Him.
Nays: None.
Absent: None.
A majority of the Board voting aye, the motion carried.

Terminate TIF
Redevelopment
Agreement with
Hanover Automotive,
LLC

A motion was made by Trustee Linthicum and seconded by Trustee Mavrogeorge to terminate the TIF Redevelopment Agreement with Hanover Automotive, LLC for 501 West Hanover Street, for failure to comply with construction schedule. The termination of this agreement will also remove the existing financial obligation from the Village's TIF audit report. Note: the Village expended no taxpayer funds for this project. All Village expenses related to this project were reimbursed to the Village by the developer, pursuant to the terms of the redevelopment agreement(s).

Ayes: Malina, Linthicum, Oster, Nielsen, Mavrogeorge, Him.
Nays: None.
Absent: None.
A majority of the Board voting aye, the motion carried.

Terminate Business
District
Redevelopment
Agreement with
Hanover Automotive,
LLC

A motion was made by Trustee Nielsen and seconded by Trustee Him to terminate the Business District Redevelopment Agreement with Hanover Automotive, LLC for 501 West Hanover Street, for failure to comply with construction schedule.

Ayes: Malina, Linthicum, Oster, Nielsen, Mavrogeorge, Him.
Nays: None.
Absent: None.
A majority of the Board voting aye, the motion carried.

Haier Plumbing &
Heating, Inc.: Change
Order #1: I-64
Water/Sewer
Extension

A motion was made by Trustee Malina and seconded by Trustee Linthicum to authorize Change Order #1, \$7,122.00, from Haier Plumbing & Heating, Inc. for I-64 Water/Sewer Extension Project. This change order is for the material change in pipes (SDR 35 to SDR 26). Since there was only a \$1/foot cost difference, the Village requested this change. Also included in this change order is the removal and replacement of an existing hydrant along the main transmission main on Ruth School Road, as approved by Public Works Commissioner Renth.

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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Haier Plumbing & Heating, Inc.: Pay Request #2: I-64 Water/Sewer Extension

A motion was made by Trustee Oster and seconded by Trustee Nielsen to authorize Pay Request #2, \$418,312.17, from Haier Plumbing & Heating, Inc. for I-64 Water/Sewer Extension Project.

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

Nays: None.

Absent: Mavrogeorge.

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

Class "E" Liquor License: St. George Church Cosmic Bingo

A motion was made by Trustee Mavrogeorge and seconded by Trustee Him to approve a Class "E" Liquor License – License by the Day for St. George Catholic Church to serve alcoholic beverages at Cosmic Bingo to be held at the Parish Gym on Saturday, November 29, 2014.

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

Nays: None.

Absent: None.

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

Chamber of Commerce Chili & Soup Cook-off Signs

A motion was made by Trustee Oster and seconded by Trustee Malina to allow the New Baden Chamber of Commerce to post signs in the park for the Chili & Soup Cook-off to be held on October 25, 2014.

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 Him 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 adjourned at 7:23 p.m.

Teri L Crane, Village Clerk
Approved: November 3, 2014