

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: DECEMBER 8, 2014

The Regular Meeting of the Village Board was held Monday, December 8, 2014, at New Baden Village Hall, 1 East Hanover Street. President Picard called the meeting to order at 7:00 p.m. This meeting was to be held on Monday, December 1, but was rescheduled with Board approval at the November 3, 2014 Regular Meeting.

Prior to the meeting, a Public Hearing was held to discuss the 2014-2015 Tax Levy that is to be considered at the Regular Meeting.

Present and answering to roll call: Mayor Picard, Trustees Malina, Linthicum, Oster, Nielsen, and Mavrogeorge. **Absent:** None. **Staff Members Present:** Village Clerk Crane; Village Administrator Joost; Attorney Terry Bruckert of Bruckert, Gruenke & Long, P.C.; Police Chief Riley; Doug Ratermann of HMG Engineers, Inc.; Public Works Commissioner Renth; and Chief Building & Zoning Official Green.

Reports & Communications

Mayor Picard stated in the Board member Agenda packets were the Plan Commission minutes and Advisory Report from the November 25, 2014 meeting. These items correlate to agenda items to be considered at this meeting.

Consent Agenda

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

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

Nays: None.

Absent: None.

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

Ordinance 2014-12-08-A: Dedication of ROW as South 1st Street

A motion was made by Trustee Mavrogeorge and seconded by Trustee Nielsen to pass Ordinance 2014-12-08-A: Authorizing the Dedication of Right-of-Way as South 1st Street. This ordinance officially dedicates right-of-way for public use where the Village previously constructed new roadways through platted parcels of property.

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

Nays: None.

Absent: None.

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

Ordinance 2014-12-08-B: Dedication of ROW as South 3rd Street

A motion was made by Trustee Nielsen and seconded by Trustee Malina to pass Ordinance 2014-12-08-B: Authorizing the Dedication of Right-of-Way as South 3rd Street. This ordinance officially dedicates right-of-way for public use where the Village previously constructed new roadways through platted parcels of property.

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

Nays: None.

Absent: None.

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

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: DECEMBER 8, 2014

Ordinance 2014-12-08-C: Dedication of ROW as East Cedar Street

A motion was made by Trustee Mavrogeorge and seconded by Trustee Nielsen to pass Ordinance 2014-12-08-C: Authorizing the Dedication of Right-of-Way as East Cedar Street. This ordinance officially dedicates right-of-way for public use where the Village previously constructed new roadways through platted parcels of property.

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

Nays: None.

Absent: None.

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

Ordinance 2014-12-08-D: Second Amendment to Wesclin Intergovernmental Cooperation Agreement

A motion was made by Trustee Malina and seconded by Trustee Nielsen to pass Ordinance 2014-12-08-D: Approving Second Amendment to the Intergovernmental Cooperation Agreement between the Village of New Baden and Wesclin CUSD #3 Providing for the Construction of Water Lines and Sewer Lines from the Corporate Limits of the Village of New Baden to the Wesclin School District's Property. This amendment to the Intergovernmental Cooperation Agreement with Wesclin School provides for a booster pump to supply water to the new high school. This permanent booster pump will be on Wesclin's service line, not on the main water line like the temporary pump currently along Clinton County Line Road, which disrupts the looped service. The pump will be owned and maintained by the Village; the service line will be maintained by Wesclin. The agreement also outlines future maintenance responsibilities.

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

Nays: None.

Absent: None.

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

Ordinance 2014-12-08-E: Establishing an Enterprise Zone within the Village of New Baden

A motion was made by Trustee Mavrogeorge and seconded by Trustee Nielsen to pass Ordinance 2014-12-08-E: Establishing an Enterprise Zone Within the Village of New Baden: Said Enterprise Zone Within Clinton County Encompassing Contiguous Portions of the Village of Albers, the Village of Aviston, the City of Breese, the City of Carlyle, the Village of Damiansville, the Village of Germantown, the Village of New Baden, the City of Trenton, and Unincorporated Clinton County. The ordinance includes New Baden as a participant in the Clinton County Enterprise Zone and authorizes the Village to execute an Intergovernmental Agreement with the County and other municipal partners.

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

Nays: None.

Absent: None.

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

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: DECEMBER 8, 2014

Ordinance 2014-12-08-F: Tax Levy FY 2014-2015

A motion was made by Trustee Malina and seconded by Trustee Mavrogeorge to pass Ordinance 2014-12-08-F: Establishing a Tax Levy for All Corporate Purposes to be Levied Against All Property Subject to Taxation Within the Village of New Baden, Illinois For the Fiscal Year Commencing May 1, 2014 and Ending April 30, 2015. The total property taxes extended or abated for 2013 were \$324,563.50. The estimated total property taxes to be levied for 2014 are \$374,500.00. This represents a 15.39% increase over the previous year.

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

Nays: None.

Absent: None.

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

Ordinance 2014-12-08-G: Special Use Permit for 504 West Hanover Street, Johnson Veterinary Care, Inc.

A motion was made by Trustee Nielsen and seconded by Trustee Mavrogeorge to pass Ordinance 2014-12-08-G: Granting a Special Use Permit for 504 West Hanover Street for Johnson Veterinary Care, Inc. This is based on the recommendation of the Plan Commission who met on Thursday, November 25, 2014. This address is located in the Community Business Zoning District and an Animal Hospital is listed as a special use. This permit does not allow for an outdoor containment area. Johnson Veterinary Care previously operated at 115 East Hanover Street.

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

Nays: None.

Absent: None.

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

Ordinance 2014-12-08-H: Amending Definition of Family in Zoning Code

A motion was made by Trustee Nielsen and seconded by Trustee Mavrogeorge to pass Ordinance 2014-12-08-H: Amending the Definition of Family in the New Baden Zoning Code. This is based on the recommendation of the Plan Commission who met on Thursday, November 25, 2014. This definition will now include residents of a state licensed and certified Community Independent Living Arrangement within that definition.

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

Nays: None.

Absent: None.

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

Ordinance 2014-12-08-I: Subdivision Plat for Gerald Schulte's First Subdivision

A motion was made by Trustee Mavrogeorge and seconded by Trustee Nielsen to pass Ordinance 2014-12-08-I: Approving the Subdivision Plat for Gerald Schulte's First Subdivision. This is based on the recommendation of the Plan Commission who met on Thursday, November 25, 2014. This ordinance authorizes signatures on the final plat of Gerald Schulte's First Subdivision, a split of a 3-acre lot south of the Village limits at State Route 160 and Haselhorst Road, but within the 1½-mile jurisdiction of our community plan.

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

Nays: None.

Absent: None.

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

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: DECEMBER 8, 2014

Resolution 2014-12-08-A: Reciprocal Agreement on Exchange of Information with Dept. of Revenue

A motion was made by Trustee Malina and seconded by Trustee Nielsen to pass Resolution 2014-12-08-A: Reciprocal Agreement on Exchange of Information between the Village of New Baden and the Illinois Department of Revenue. This agreement allows for the confidential sharing of information in reference to the Illinois Retailers' Occupation Tax Act, the Service Occupation Tax Act, the Use Tax Act, and the Service Use Tax Act.

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

Nays: None.

Absent: None.

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

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

A motion was made by Trustee Nielsen and seconded by Trustee Malina to authorize Change Order #2 from Haier Plumbing & Heating, Inc. for the I-64 Water/Sewer Extension Project, \$43,664.00. This change order is for the additional work on the sewer bore and jack under the interstate. During construction, Haier hit large rocks during the bore that required additional time and effort beyond what was included in the original bid. The Village and HMG Engineers negotiated with Haier reasonable compensation, which is reflected in the change order. This change order will raise the total construction cost to \$843,050.50; these costs are paid through the Love's redevelopment agreement.

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

Nays: None.

Absent: None.

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

Placement of Question of Home Rule on January Agenda

Discussion amongst the Board to consider a resolution to place the question of home rule on the April ballot; the resolution needs to be passed before January 18 and since the Board will not have a Committee-at-large meeting in December, this is the final opportunity for additional discussion. Mayor Picard reviewed the basics of Crime Free Housing, the main reason for the Village to become Home Rule at this time. The resolution to place the question of home rule on the April Ballot will be considered at the January 5, 2015, regular meeting.

Police Dept. Canine Unit: Retirement and New

A motion was made by Trustee Mavrogeorge and seconded by Trustee Oster to authorize the purchase of Kimbo, a 2-year old Dutch Shepherd, for \$2,000, as the new Police Department Canine Unit, using funds from the Drug Seizure Fund. Due to the age of Fedor, the current Canine Unit, and a shoulder injury he has sustained, he will need to begin retirement. Officer Bruce Rapien expects the transition from Fedor to Kimbo to take about 6 months. The money in the Drug Seizure Fund used for the purchase of Kimbo was obtained from cash seized during a vehicular drug stop where Fedor identified the presence of drugs. Fedor will retire to the Rapien household.

Ayes: Malina, Oster, Nielsen, Mavrogeorge.

Nays: Linthicum.

Absent: None.

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

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: DECEMBER 8, 2014

Roland & Plum
Drainage
Improvement Project

Administrator Joost provided an update on the Roland and Plum Street Drainage Improvement Project. The project was substantially complete on November 21, 2014, by Hayes Contracting, Inc. The project required that the contractor grout inlet frames to the structures to seal them and to fill low spots in the asphalt pavement to allow for positive drainage to the inlets. The way that the asphalt is inlaid in three lines over the storm sewer excavations, surrounding a patch of oil and chip street in between, looks as though it still might allow standing water. The initial intent was to use asphalt as a "patch" and to later overlay the entire area, including the asphalt, with oil and chip. To fix the problem, the contractor has agreed to have Christ Bros. Asphalt, Inc. rototill that quadrant of the intersection and then pave with 2 inches of asphalt. This should help assure positive drainage as intended. Mr. Joost suggests only oiling and chipping to the edge of the asphalt, with the understanding that the oil and chip surface will begin to build up; the Public Works Commissioners will decide on how best to handle the situation when it arises. The Village will hold back 10% retainage until the grass germinates or needs reseeding in the spring. Weather has hampered efforts of the contractor to finalize these punch list items.

Clinton County
Contracts for
Ambulance Service:
SSA 7

A motion was made by Trustee Mavrogeorge and seconded by Trustee Nielsen to approve the Contract for Ambulance Service with Clinton County in Special Service Area (SSA) 7, the Village of Damiansville, for \$10,850.00.

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

Nays: None.

Absent: None.

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

Clinton County
Contracts for
Ambulance Service:
SSA 8

A motion was made by Trustee Mavrogeorge and seconded by Trustee Malina to approve the Contract for Ambulance Service with Clinton County in Special Service Area (SSA) 8, the Village of Albers, for \$28,500.00.

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

Nays: None.

Absent: None.

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

Clinton County
Contracts for
Ambulance Service:
SSA 9

A motion was made by Trustee Mavrogeorge and seconded by Trustee Malina to approve the Contract for Ambulance Service with Clinton County in Special Service Area (SSA) 9, the Village of New Baden, for \$70,418.00.

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

Nays: None.

Absent: None.

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

Clinton County
Contracts for
Ambulance Service:
SSA 10

A motion was made by Trustee Mavrogeorge and seconded by Trustee Malina to approve the Contract for Ambulance Service with Clinton County in Special Service Area (SSA) 10, the Un-incorporated Areas of Lookingglass Township, for \$50,000.00.

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

Nays: None.

Absent: None.

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

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: DECEMBER 8, 2014

Hayes Contracting, Inc.: Pay Request #1: Roland & Plum Drainage Improvements

A motion was made by Trustee Nielsen and seconded by Trustee Malina to authorize Pay Request #1, \$30,653.60, from Hayes Contracting, Inc. for the Roland and Plum Street Drainage Improvements Project. While the project is nearly complete, the only issues are outlined above. This pay request holds back \$8,238.50, or approximately 21% of the contract value; which is the incentive for resolving the pavement issue, as well as retainage related to seeding of areas disturbed by the construction.

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

Nays: None.

Absent: None.

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

Part-time Police Officer: Joe Berry

A motion was made by Trustee Mavrogeorge and seconded by Trustee Oster to authorize the hiring of part-time police officer Joe Berry. Mr. Berry is a former part-time police officer; his current job has recently allowed the working of part-time shifts with other departments.

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

Nays: None.

Absent: None.

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

Extension of Liquor Sales Hours: American Legion

A motion was made by Trustee Linthicum and seconded by Trustee Mavrogeorge to authorize the extension of liquor sales hours until 2:00 a.m. on New Year's Eve for American Legion Post 321, 105 East Illinois Street.

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

Nays: None.

Absent: None.

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

New Baden News (Newsletter)

Trustee Nielsen commended the New Baden News, the Village's first monthly newsletter, distributed last week. He has heard very positive comments and looking forward to the future editions.

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

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

Nays: None.

Absent: None.

A majority of the Board voting aye, the motion carried and the meeting adjourned at 7:33 p.m.

Teri L Crane, Village Clerk
Approved: January 5, 2015