

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: AUGUST 17, 2015

The Regular Meeting of the Village Board met Monday, August 17, 2015, at New Baden Village Hall, 1 East Hanover Street.

In the absence of Mayor Picard, it was motioned and approved to allow senior Trustee Malina to chair the meeting. Trustee Malina called the meeting to order at 7:00 p.m.

**Present and answering to roll call:** Trustees Malina, Linthicum, Mavrogeorge, Gunn, and Pettibone. **Absent:** Mayor Picard, Trustee Oster. **Staff Members Present:** Village Clerk Crane; Village Administrator Joost; Attorney Gruenke of Bruckert, Gruenke & Long, P.C.; Chief Meinhardt; EMS Director Gilbert; Chief Building & Zoning Official Green; and Treasurer Pollmann.

Consent Agenda

A motion was made by Trustee Gunn and seconded by Trustee Pettibone to approve the Consent Agenda, which includes the Minutes from the August 3, 2015, Regular Meeting and authorization of payment of current invoices.

**Ayes:** Linthicum, Mavrogeorge, Gunn, Pettibone, Malina.

**Nays:** None.

**Absent:** Oster.

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

Ordinance 2015-08-07-A: Sale of Surplus Vehicle (2007 Chevy Impala)

A motion was made by Trustee Mavrogeorge and seconded by Trustee Pettibone to approve Ordinance 2015-08-07-A: Authorizing the Sale of Surplus Vehicle (2007 Chevy Impala). Sealed bids are due by 2:00 p.m. on Wednesday, September 16, 2015.

**Ayes:** Linthicum, Mavrogeorge, Gunn, Pettibone, Malina.

**Nays:** None.

**Absent:** Oster.

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

Resolution 2015-08-07-A: Sale of Property (9 N 2<sup>nd</sup> Street)

A motion was made by Trustee Pettibone and seconded by Trustee Gunn to approve Resolution 2015-08-07-A: Authorizing the Sale of Property Located at 9 North 2<sup>nd</sup> Street. This resolution allows the Village to secure an appraisal of the property and then utilize Village staff to proceed with the sale.

**Ayes:** Linthicum, Mavrogeorge, Gunn, Pettibone, Malina.

**Nays:** None.

**Absent:** Oster.

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

Roof Replacement: Village Hall

At the last August 3 meeting, the Board extended the contract of Kehrer Brother's Construction to August 17 for the replacement of the roof on Village Hall. That work still has not started. Administrator Joost reported that Hurst-Rosche, Inc., the Village's engineer for the project, stated that Kehrer Brother's would need more time. At the time of the Board meeting, no formal request had been received for an extension. The contract does not have a penalty clause. The Board agreed to see what happens in the near future with Kehrer Brothers before moving forward.

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: AUGUST 17, 2015

Leaf Vacuum  
Collection Research  
Update

Board members reviewed a memorandum from Administrator Joost that summarizes the research performed by Trustee Oster and Mr. Joost in response to the suggestion by resident Allen Spaur, who attended the August 3 board meeting, that the Village consider a leaf vacuum collection service. Based on research obtained from Carlyle, Salem, Freeburg and Centralia, the conclusion is that unless the Village is willing to subsidize the cost of this service with other funds, it is not a viable service for New Baden.

Engineering  
Agreement with  
TWM, Inc.: Task  
Order #1: Audrey  
Lane Drainage

The Village has terminated all contracts with Rhutasel and Associates following the pre-qualification of engineering firms and their failure to make that list. Last week, Administrator Joost received files and documents for the Audrey Lane Drainage Project. On Friday, Mr. Joost offered Thouvenot, Wade & Moerchen, Inc. (TWM) the opportunity to review Rhutasel's work to date on the Audrey Lane Drainage project and bring it to completion. Board members reviewed a draft of that Task Order. TWM requested additional time to review all the files; a final version will be provided at a later meeting once TWM has had a chance to review the files and state a price for that scope of work. Mr. Joost stated that because of his previous employment with TWM, all Task Orders with them, regardless of dollar amount, would come to the Board for approval.

Allowance of Private  
Streets; James  
Osborne

In 2013, Jim Osborne of New Baden submitted a preliminary plat for "Bailey Plaza" which proposed subdividing property he owns in an unincorporated area southeast of the Village's municipal boundary and along State Route 160. This is currently a 2-lot business/industrial development. The subdivision he has proposed would divide three additional lots off the largest existing parcel. The plat was not recommended for approval by the Plan Commission in 2013. Recently, Mr. Osborn has inquired about the process to get approval for his proposed subdivision, or any variance he would need in order to do so. There were a number of issues identified in relation to the originally submitted plat, one of which was the street being presented as a "private" street. This existing single street serves the property from State Route 160 and all proposed lots would use it for ingress and egress. However, Mr. Osborne notes that the street is currently only 24 feet wide (Village code requires 28 feet wide). Rather than widen it to the required width for a public street, his proposal asked for it to remain under private ownership and maintenance. He is again asking for that consideration. Administrator Joost discussed the issue with the Village Attorney, and they both believe that is not the case. Mr. Osborne was presented three choices: 1) request variance through proper channels; 2) make street meet current code standards; or 3) Village change code requirements for private streets. The Board does not want to change the code requirements as it pertains to streets and Mr. Osborne does not want to pay the additional funds to bring the street up to code. The recommendation was for Mr. Osborne to start the variance process, which will start with a Plan Commission Public Hearing; Mr. Osborne stated he would have the paperwork filed as soon as possible.

Zoning: Uniplex  
Structures  
Discussion; Jeff  
Renner

Jeff Renner, owner of several duplexes on Jillian Drive, spoke to the Board possibility of allowing Uniplex/villa residential units under the Village's zoning code. Mr. Renner would like the opportunity to divide and sell each side independently; as he has done in Shiloh. He brought specific information regarding the terms and conditions under which that occurred. Jerry Green, Chief Building and Zoning Official, has discussed this topic with Mr. Renner as well. Mr. Green is in favor of the idea of uniplexes, but as in a new development; he does not feel that spot zoning of existing duplexes would be beneficial to the Village. Mr. Green stated that not all of the duplexes were built to the standard of

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: AUGUST 17, 2015

uniplexes; they would either need modifications or not be included in the uniplex zoning.

The consensus of the Board was to not allow a zoning modification to the duplexes on Jillian Drive; but would be willing to consider any future development with uniplexes. The possibility of uniplex units was discussed at length in 2007 by the Plan Commission, Zoning Board of Appeals and Village Board when many of the duplex units on Jillian Drive were being built. At that time, the Village Board rejected the idea of uniplexes.

Ordinance 2015-08-07-B: Home Kitchen Operations

A motion was made by Trustee Mavrogeorge and seconded by Trustee Pettibone to approve Ordinance 2015-08-07-B: Authorizing and Regulating Home Kitchen Operations. This ordinance stems from the New Baden Chamber of Commerce inquiry with the Clinton County Health Department in regards to holding a Cupcake Wars at their annual chili and soup cook-off (cupcakes must be made at home, but making the icing and decorating taking place on site at the park). While state statutes allow individuals to use their home kitchens to produce specific products for sale without coming under the jurisdiction of health departments, that legislation is contingent on a local community passing an ordinance. This all arose from the situation in 2014 where a Troy IL young girl was selling cupcakes she made in her family kitchen.

**Ayes:** Linthicum, Mavrogeorge, Gunn, Pettibone, Malina.

**Nays:** None.

**Absent:** Oster.

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

Electric Supplier for Village of New Baden Accounts

The Village received notice that our contract with our current supplier of electricity (Ameren Energy Marketing) was expiring and if the Village did not select a new supplier by August 19, 2015, the Village would revert to Ameren's current rates. This is not related to municipal aggregation; it is only applies to the supplying of electricity to the Village's 14 accounts with Ameren. The Village did not receive notice from Good Energy who was the broker in selecting the last supplier of energy, but they did make contact last week and offer to act as the broker. Rather than do that, Administrator Joost feels it may be in the Village's best interest to contact suppliers individually and request quotes from them, and thus manage the process ourselves without a broker. That means that the Village will pay the Ameren rate for one or two months until a new supplier is selected. Mr. Joost stated that typically rates are announced on Monday's and good for one week, so he anticipates placing this issue on the September 8 agenda and being prepared to discuss and lock into a rate that week, if we are comfortable with it. If not, the same will be placed on the agenda for the September 21 meeting, or until a rate is agreed upon.

Chamber of Commerce Proposed Park Lighting Upgrades

Scott Meinhardt, on behalf of the New Baden Chamber of Commerce, addressed the Board regarding electrical and lighting changes the Chamber would like to make at the park prior to the Chili and Soup Cook-off in October. The plan, at no cost to the Village, is to upgrade with new lights five (5) poles in the Park that have old floodlights; this would be a Chamber expense to better the park for the event. The consensus of the Board was fine with this proposal.

New Member Workshop

Attorney Gruenke postponed information on his New Member Workshop until the next meeting.

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: AUGUST 17, 2015

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

**Ayes:** Linthicum, Mavrogeorge, Gunn, Pettibone, Malina.

**Nays:** None.

**Absent:** Oster.

A majority of the Board voting aye, the motion carried and the meeting adjourned at 7:57 p.m.

Teri L Crane, Village Clerk  
Approved: September 8, 2015