

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: FEBRUARY 1, 2016

The Regular Meeting of the Village Board met Monday, February 1, 2016, at New Baden Village Hall, 1 East Hanover Street. Mayor Picard called the meeting to order at 7:00 p.m.

Present and answering to roll call: Trustees Malina, Linthicum, Oster, Mavrogeorge, Gunn, and Pettibone. **Absent:** None. **Staff Members Present:** Village Clerk Crane; Village Administrator Joost; Attorney Gruenke of Bruckert, Gruenke & Long, P.C.; Police Chief Meinhardt; Chief Building & Zoning Official Green; Treasurer Pollmann; EMS Director Gilbert; and Public Works Commissioner Renth.

Announcements:

Chief Meinhardt stated that the Police Dept. and Fire Protection District had fielded numerous calls regarding a strong odor in and around the Village in the last several weeks. He stated, after some research, they believe the odor is coming from a rotting turnip field north of the Village limits near Thouvenot Lane.

American Legion: Emergency Shelter

Wayne Madsen, American Legion Commander, addressed the Board with concerns that developed from the countywide power outage on Tuesday, January 26; the outage lasted from about 8:30 p.m. until 3:00 a.m. He asked if there was a plan in place for such situations, what qualifies as an emergency, and if there was a contact list to relay information. Mayor Picard extended her thanks to Steve Bann, Legion Manager, and the American Legion for being open that evening for anyone who needed to seek shelter, luckily the temperatures were not extremely low. Mayor Picard stated that she would work with Trustee Mavrogeorge, chair of the Public Safety Committee, to develop a plan of action for future emergency situations.

Republic Services: Senior Rate for services

Clerk Crane informed the Board that Village Hall was receiving calls regarding a Senior Rate for services with Republic Services for garbage, recycling and yard waste. A senior rate rate has been in all of the previous contracts. Residents must be 62 years of age to receive the discount and can contact Village Hall for sign-up.

Upcoming Meetings

The New Baden Plan Commission will be meeting on Tuesday, February 9 at 6 p.m. to discuss the Final Plat for the Zion Subdivision. There is a Public Hearing at 6:45 p.m. on Tuesday, February 16 for the annexation agreements for the Schulte families and Gunn family along Haselhorst Road as part of the requirement for these property owners to connect to Village water main.

Plan Commission Recommendation: Amending Zoning Map

The New Baden Plan Commission met on January 12, 2016 to discuss a zoning map amendment from Donald Karban and Kathleen Taylor. The Plan Commission recommends that the three (3) parcels (62.74 acres) located in St. Clair County at the Interstate 64 interchange be rezoned from Agricultural (A) to Highway Business (HB). The Plan Commission members also agreed to set a regular meeting date on the second Tuesday of each month at 6 p.m.

Consent Agenda

A motion was made by Trustee Malina and seconded by Trustee Gunn to approve the Consent Agenda, which includes the Minutes from the January 19, 2016, Regular Meeting and authorization of payment of current invoices.

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

Nays: None.

Absent: None.

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

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: FEBRUARY 1, 2016

Amendment to Ordinance 2016-02-01-A: Changing the Zoning Classification of Property Located at the Northeast Quadrant of the Intersection of Interstate 64 and Illinois Route 161 from "A" to "HB"

Trustee Malina to pass Ordinance 2016-02-01-A: Changing the Zoning Classification of Property Located at the Northeast Quadrant of the Intersection of Interstate 64 and Illinois Route 161 from "A" (Agricultural) to "HB" (Highway Business). The property is owned by Donald Karban and Kathleen Taylor and consists of three (3) parcels of ground totaling 62.74 acres in St. Clair County near Interstate 64 and Illinois State Route 161. This change was recommended by the Plan Commission at a public hearing held on January 12, 2016.

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

Nays: None.

Absent: None.

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

Resolution 2016-02-01-A: Authorizing Douglas Gruenke to Execute a Service Agreement with the Lowest Responsible Bidder for Electric Aggregation; Rescinding Lyndon Joost

A motion was made by Trustee Pettibone and seconded by Trustee Mavrogeorge to approve Resolution 2016-02-01-A: Rescinding the Authority of Lyndon Joost and Authorizing Douglas Gruenke to Execute a Service Agreement with the Lowest Responsible Bidder for the Supply of Electricity for Residential and Small Commercial Retail Customers Who Do Not Opt Out of the Village's Electricity Aggregation Program. While GoodEnergy believed the bid date for municipal aggregation would be set by the end of January, that did not occur. GoodEnergy continues to monitor the energy markets and to try to predict when it will be most favorable for all the municipalities to open bids. The original resolution designated Administrator Joost as the person to represent New Baden in the process. This new resolution transfers that duty and authority to Doug Gruenke as the Village Attorney. This bid price and agreement will replace the current aggregation agreement, which will expire in June 2016.

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

Nays: None.

Absent: None.

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

Audrey Lane Drainage Improvement Project: Request for Bids

A motion was made by Trustee Mavrogeorge and seconded by Trustee Pettibone to authorize the Request for Bids for the Audrey Lane Drainage Improvement Project. Sealed bids will be due on March 3, 2016, by 10:00 a.m. Award consideration will be made at the March 7 meeting and Notice to Proceed given at the March 21 meeting.

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

Nays: None.

Absent: None.

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

Lawn Maintenance Contracts (2016 Season): Request for Bids

A motion was made by Trustee Malina and seconded by Trustee Pettibone to authorize the Request for Bids for the 2016 Lawn Maintenance Contracts for Village properties. Sealed bids will be due on March 3, 2016, by 10:30 a.m. The proposed specifications were reviewed by Board members. Contracts would be considered at the March 7 meeting, allowing some time for an advance cutting before Easter at specific locations if the Village so desires.

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

Nays: None.

Absent: None.

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

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: FEBRUARY 1, 2016

Antennae Tower at Village Hall

Administrator Joost reported on his research on which entities utilize the antennae tower at Village Hall. EMS, Police and the Fire District do not use it. As was already known, Public Works does as well as the tornado/warning siren system. This was confirmed by Warner Communications and American Signal. The sirens are activated from the police department, with the radio signal traveling from there to the antennae at Village Hall and then rebroadcast to each of the radios at the siren locations. The Warner representative pointed out that by running the sirens through the same repeater, public works or anyone else talking over radios on the same frequency while the siren is being activated could interrupt the siren signal and keep one or more of them from going off.

As such, the tower cannot be eliminated and the Board should decide the Village's preferred action: 1) Leave it in place and determine how it can be structurally anchored; 2) Determine if the height can be lowered and the tower left in place without guywires; 3) Consider moving the tower to another location; or 4) Consider moving the equipment to the tower at the fire department building and then remove the tower at the Village Hall.

The consensus of the Board was to look into the options of moving the repeater and possibly the tower to the EMS Building; there is an existing tower at that building that could be utilized.

Village Hall: Masonry Issues: FGM Architects Inc.

Administrator Joost contacted FGM Architects Inc. of O'Fallon to request a proposal from them for the First Phase of this process regarding the masonry walls at Village Hall. Their scope is to have a qualified architect analyze the building exterior, develop a draft scope of work for addressing the issues identified, and then prepare an opinion of the probable costs to repair each of those issues. This should help the Village evaluate the long-term plan for Village Hall. The fee to do so is \$1,500.00. Depending upon the findings of FGM, the Village might want to move to a second phase, which could include a review of the building interior to identify other potential issues and costs if the Village wants to weigh all of those costs against the cost of relocation or construction of a new Village Hall. A potential third phase for the Village would then be to consider the options and possible costs to relocate and remodel another existing building, or concepts for a new building and those related costs.

A motion was made by Trustee Pettibone and seconded by Trustee Mavrogeorge to authorize the Proposal for Architectural Consulting Services with FGM Architects Inc. for the not-to-exceed amount of \$1,500.00 to conduct a building analysis study of the masonry at the Village Hall.

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

Nays: None.

Absent: None.

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

Crop Damage due to I-64 Water/Sewer Extension Project: Ruth School Road, Kenny Von Bokel

Ken Von Bokel recently reached out to Administrator Joost to discuss the crop damage on property he farms near I-64 and IL Route 161 (the Karban / Taylor property currently being rezoned). As previously discussed at the November 16, 2015 meeting, Mr. Von Bokel had some crop damage as a part of the water and sewer extension to Loves Travel Stops along Ruth School Road. HMG Engineers, Inc. previously calculated that damage as \$1,017.32 due from the Village and \$1,260.83 from the contractor (Haier Plumbing & Heating, Inc.) – the latter because the contractor strayed outside the allowed easement. The Board

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: FEBRUARY 1, 2016

Crop Damage due to I-64 Water/Sewer Extension Project: Ruth School Road, Kenny Von Bokel; cont.

agreed with these numbers and instructed Administrator Joost to make that offer to Mr. Von Bokel.

After multiple meetings and discussions, Mr. Von Bokel proposed a counter offer: an additional \$1,500, on top of the amounts noted above and he would like an agreement with the Village that if in the next 7 years he damages an anhydrous shank or his combine from rocks/boulders below the surface that he claims were left behind as a result of the excavation pit, the Village will reimburse him for any damage to his equipment and for his lost time in securing repairs.

Mr. Von Bokel continues to disagree with not being reimbursed for crops that were planted on right-of-way and destroyed as part of the construction. Mr. Joost had previously asked HMG to calculate those losses so that the Village had that information. Those calculations would indicate that: 1) Mr. Von Bokel's loss on the Karban / Taylor property was \$329.80 for 2014 crops in fact planted and destroyed; 2) Plus a loss on the Paul and Bernice Von Bokel property of \$190.14 for 2014 crops that were also planted and destroyed by construction; 3) Total crop loss for existing crops on ROW was therefore \$519.94; and 4) No credit was given in either case for the inability to plant crops on ROW in subsequent years.

The consensus of the Board was to make the final offer to Mr. Von Bokel of \$1,017.32 as previously calculated by HMG Engineers and the \$519.94 for crops that were planted at the time construction started in 2014. They did not agree to the counter offer made by Mr. Von Bokel.

Peach Lane Drainage Issues

Administrator Jooste stated that Trustee Malina has questioned drainage issues at the eastern end of Peach Lane between Roland and Thouvenot Avenues. Peach terminates at this point at a large vacant parcel but then picks up again on the far eastern end of that parcel.

Rehkemper Development Inc. owns the large parcel and Michael Rehkemper, who lives at 418 Plum, is adjacent up to the property in question. Mr. Rehkemper had a culvert installed on this parcel just east of the end of the Peach Lane pavement, which allows him to drive from Peach Lane across part of his parcel to Thouvenot, and then to his house on Plum. This culvert was installed with Board approval on November 16, 2009.

In photos reviewed by the Board, water tends to collect during heavy rains on the road near the driveways of 300 and 302 Peach Lane, which in turn affects access to these homes. Mr. Malina believes that the culvert installed by Mr. Rehkemper is not the proper size and is therefore causing water to back up from the point of that culvert onto the Village's street. Mr. Malina suggested that the Village require Mr. Rehkemper to replace the culvert with a drainage structure adequately sized to handle the storm water without backing that storm water onto the street. While the Village cannot go onto private property to fix a storm water issue, it can take action to require the property owner address the issue when it is affecting the Village's property up stream. Mr. Joost stated that Doug Ratermann of HMG Engineers previously reviewed drainage in the area to the north. Mr. Ratermann believes that storm water from the Clinton Hill and Steepleview subdivisions to the northwest travels eastward onto the farm property north of Peach Lane and ponds just north of the culvert location and then eventually travels southward through this culvert, perhaps contributing to the problem. He notes, however, that the direction of the natural drainage should

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: FEBRUARY 1, 2016

Peach Lane Drainage
Issues; cont.

be northeast through the farm field, which was evident by the photos Board members reviewed. Administrator Joost stated he would reach out to Mr. Rehkemper to discuss this issue.

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

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

Nays: None.

Absent: None.

A majority of the Board voting aye, the motion carried and the meeting adjourned at 7:50 p.m.

Teri L Crane, Village Clerk
Approved: February 16, 2016