

## REGULAR MEETING OF THE VILLAGE BOARD MINUTES: AUGUST 1, 2016

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

### Announcements

The New Baden Park Board Family Fun Day is August 6 at the Village Park. The event will include the Rainbow Ranch Petting Zoo, WW2 Ranger Reenactment Group Vehicles, Touch-a-Truck, Balloon artist, Bounce house and kiddie train, with food sales on the grounds and a movie to be shown on an inflatable screen.

### Park & Rec Report

Park and Recreation Director Meinhardt's quarterly report was distributed.

### Plan Commission Report

The Plan Commission report from their July 12, 2016 was distributed. Topics from that meeting will be discussion at this board meeting.

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

### Consent Agenda

A motion was made by Trustee Gunn and seconded by Trustee Malina to approve the Consent Agenda, which includes the Minutes from the July 18, 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.

### Changes to Trailer Regulations, 40-4-19

Board members reviewed recommendations from the Plan Commission, who met on July 12, for changes to the Village Code pertaining to trailers. The current code, Ch. 40-4-19, allows only one trailer, travel trailer, or recreational vehicle on a lot, parked in a rear yard or side yard that is not adjacent to a street, and not projecting beyond the forward most point of the residence. The Plan Commission recommends that the Village Code should be changed to allow for two (2) such wheeled vehicles per lot, providing that only one (1) is defined as a camper, travel trailer, watercraft trailer, or recreational vehicle. Existing location and other restrictions will remain as they are currently stated. A few New Baden residents attended the Board meeting to discuss changes to the location of such trailers. These residents do not have the capabilities of parking a trailer to the side or the rear of their home. They would like to see changes that will allow parking trailers in front of the home, with possible restrictions on the distance from the roadway or even a variance process. Administrator Hemmer will continue working on this subject; it will go back to the Plan Commission at an upcoming meeting for discussion of trailer locations.

### Ordinance 2016-08-01-A: Adding "Automotive Repair Shops" as a Special Use in CB District

A motion was made by Trustee Linthicum and seconded by Trustee Pettibone to approve Ordinance 2016-08-01-A: Adding "Automotive Repair Shops" as a Special Use in a Community Business ("CB") District. This addition is a recommendation of the Plan Commission from their July 12 meeting. The text change came about due to a shop looking at the property at 429 West Hanover Street (next to Xtreme Detailing). While that particular shop is no longer going in at that location, the text change is still requested.

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

Ordinance 2016-08-01-A: Adding "Automotive Repair Shops", cont.

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

Resolution 2016-08-0-A: Wesclin Homecoming Parade

A motion was made by Trustee Mavrogeorge and seconded by Trustee Linthicum to approve Resolution 2016-08-01-A: Authorizing the Wesclin Homecoming Parade to be held on Wednesday, September 28, 2016.

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

Village Hall Accessibility Ramp

The accessibility ramp to the front steps of Village Hall is complete. Marvin Spaeth of Spaeth Welding is working on a new drop box slot. Administrator Hemmer will begin working on landscaping and options for the front steps that are no longer accessible. The Village also received Hurst-Rosche Engineer's payment of \$1,500.00 to cover the final cost of the ramp adjustments (lowering the ramp and concrete pad).

Trustee Mavrogeorge stepped out at 7:34 p.m.

Gleeson Asphalt, Inc. Settlement Agreement & Release

A motion was made by Trustee Gunn and seconded by Trustee Pettibone to authorize the Settlement Agreement and Release with Gleeson Asphalt, Inc. for \$5,000.00 from the South 3<sup>rd</sup> Street & Parking Lot Improvements Project. The project was completed in 2013; the Village assessed \$14,725.00 in liquidated damages for an alleged 31-day delay in the performance of the work upon the pay request approved on October 7, 2013. Gleeson Asphalt denied that liquidated damages should have been assessed and initiated a lawsuit against the Village.

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

Trustee Mavrogeorge returned to the meeting at 7:35 p.m.

Minimum Zone District Size

The Planning Commission discussed on July 12, 2016, that the Village's Zoning Code does not require minimum district sizes. This is not required, but by requiring minimum district sizes, the Plan Commission and Board of Trustees have a tool to help prevent spot zoning. The Commission recommends establishing the following minimum zoning district sizes:

- Agricultural (A), Flood Plain (F) – no minimum.
- Light Industrial (LI) – 10 acre minimum, a tract of land that is less than 10 acres may be zoned "LI" when it is contiguous to an existing "LI" District of greater acreage.
- All other commercial and residential districts (SR-1, SR-2, SR-3, MR, MH, NB, CB, HB) – 5 acre minimum, a tract of land that is less than 5 acres that is contiguous to a matching commercial or residential district of greater acreage, may be zoned to the classification of the contiguous district.

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

Minimum Zone  
District Size, cont.

Administrator Hemmer wanted input from the Board before authorizing the Attorney to draft the ordinance changing the zoning text. The consensus of the Board was in favor and an ordinance will be drafted for consideration at the next meeting.

6<sup>th</sup> & 8<sup>th</sup> Street Speed  
Limit & No Parking  
Signs

Administrator Hemmer stated that a resident discussed brought to Chief Meinhardt's attention that there are no 25 mph speed limit signs on North 8th and North 6th Streets (these are used to travel to and from the New Baden Elementary School at 700 Marilyn Drive). Chief Meinhardt noted that there used to be such signs. Additionally, Chief Meinhardt noted that there is also a "No Parking" zone on 8th Street heading northbound and on 6th Street heading southbound to facilitate school traffic. There is only one sign for each of these zones. The consensus of the Board was split in regards to placement of the 25 mph, so Mayor Picard called for a motion. Mayor Picard also stated she would like "Children at Play" signs posted on Hillside Drive.

A motion was made by Trustee Mavrogeorge and seconded by Trustee Malina to approve the placement of 25 mph speed limit signs on on North 8th and North 6th Streets in a better effort to control speeding as approaching the New Baden Elementary School.

**Ayes:** Malina, Oster, Mavrogeorge, Mayor Picard.

**Nays:** Linticum, Gunn, Pettibone.

**Absent:** None.

Due to a tie vote, Mayor Picard voted "aye" in favor of the placement of the 25 mph signs. A majority of the Board voting aye, the motion carried.

Trustee Mavrogeorge left the meeting at 7:46 p.m. due to a family emergency.

Ambulance Special  
Service Areas

Stemming from issues last year with the Ambulance Special Service Area (SSA) agreements, Administrator Hemmer invited Steve Schomaker, the Mayor of Albers, to a meeting to discuss the Albers SSA on July 27. Mr. Hemmer intended to speak with each SSA separately, starting with Albers; but Mayor Schomaker and Albers Trustee McDermid invited representatives from Damiansville and the Clinton County Board to this initial meeting.

Albers presented a proposal and a recommendation to return to the previous system where each of the SSA's (Albers, Damiansville, and unincorporated Lookingglass Township) were billed a certain amount based upon a subsidy per family or per person basis that was determined at an annual ambulance meeting.

Mr. Hemmer's proposal adjusted Albers previous year's extensions and included a \$2,560 increase; about 1.36%. This proposal was not discussed as Albers made it clear they would like an alternative way to calculate their ambulance "bill" for services. The Clinton County representatives at the meeting indicated they wanted no involvement other than making sure the SSA Agreements were submitted as required.

Mr. Hemmer does not recommend the Village hold an annual meeting whereby the New Baden Ambulance budget is essentially set by the attendees of that meeting. He is open to an alternative calculation, but does not recommend the Village base this calculation on per family or per person Census data. He also does not recommend that the Board allow any other type of payment than the property tax levy system set up by the State legislature to pay for ambulance

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

Ambulance Special  
Service Areas, cont.

services. A property tax levy is a stable source of funding that is required for this service; which the County wisely saw this need in 1985. If a community needs to adjust their own property tax rate to hold their communities rates down, then that is what they should do. Albers is suggesting this very thing; they want to pay their "bill" from some combination of their own general funds and a levy that they initiate. This artificially deflates the cost of the service for Albers residents and begins to de-stabilize the funding source, potentially leading to another situation where one of the SSA's determines that they will not pay for the service with less than a year's notice.

Mr. Hemmer intends to have another meeting in mid-August with all of the SSA's to discuss the calculation. Mr. Hemmer was informed that the State's Attorney mailed a letter to the Village requesting levy amounts by August 31, but it has not yet been received.

Executive Session

A motion was made by Trustee Gunn and seconded by Trustee Malina to recess the meeting to Executive Session to discuss Personnel (Hiring of an additional full-time police officer) 5 ILCS 120/2(c)(1).

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

**Nays:** None.

**Absent:** Mavrogeorge.

A majority of the Board voting aye, the motion carried and the meeting adjourned to Closed Session at 8:08 p.m.

Meeting reconvened at 7:46 p.m.

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

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

**Nays:** None.

**Absent:** Mavrogeorge.

A majority of the Board voting aye, the motion carried and the meeting adjourned at 8:28 p.m.

Teri L Crane, Village Clerk  
Approved: August 15, 2016