

## REGULAR MEETING OF THE VILLAGE BOARD MINUTES: SEPTEMBER 6, 2016

The Regular Meeting of the New Baden Village Board met Monday, September 6, 2016, at New Baden Village Hall, 1 East Hanover Street. Mayor Picard called the meeting to order at 7:00 p.m.

### Announcements

- Clerk Crane announced that Petition Packets for the April 4, 2017 Consolidated Election would be available on Tuesday, September 20 and the petitions can be filed from December 12-19, 2016. Elections will be held for three (3) 4-year terms, one (1) 2-year unexpired term, Village President/Mayor and Village Clerk.
- Mayor Picard issued a Proclamation that September 17-23, 2016 would be Constitution Week; this was a request from the Silver Creek Chapter of the Daughters of the American Revolution.
- Administrator Hemmer reported positive feedback from a few residents about the Public Works Dept. and the annual oil and chipping of the Village streets.
- Mr. Hemmer also received a positive comment from a patient who used the New Baden Ambulance service with Tom Weber as the paramedic.

### Commissioner of Public Works Report

Commissioner of Public Works Renth was not included with the Board packets; it will be distributed at the next meeting.

**Present and answering to roll call:** Mayor Picard, Trustees Malina, Linthicum, Oster, Mavrogeorge, 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; Chief Building & Zoning Official Green; Treasurer Pollmann; and Public Works Commissioner Renth.

### Consent Agenda

A motion was made by Trustee Malina and seconded by Trustee Linthicum to approve the Consent Agenda, which includes the Minutes from the August 15, 2016, Regular Meeting and authorization of payment of current invoices.

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

**Nays:** None.

**Absent:** None.

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

### Agenda Change

A motion was made by Trustee Pettibone and seconded by Trustee Mavrogeorge to approve a change to the agenda, placing the Appointment of for Board of Trustees Vacancy to top of the Agenda.

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

**Nays:** None.

**Absent:** None.

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

### Appointment: Board of Trustees Vacancy

A motion was made by Trustee Mavrogeorge and seconded by Trustee Pettibone to approve the Mayor's appointment of Taylor Zurliene to fill the vacancy left by the resignation of Jon Gunn. He was then given the Oath of Office by Clerk Crane.

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

**Nays:** None.

**Absent:** None.

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

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Ordinance 2016-09-06-A: Amending New Baden's Budget for Fiscal Year 2016-2017

A motion was made by Trustee Pettibone and seconded by Trustee Oster to approve Ordinance 2016-09-06-A: Amending the Village of New Baden's Budget for the Fiscal Year Beginning May 1, 2016 and Ending April 30, 2017. This ordinance fixes a few errors from the original budget and adjusts some estimates through the first quarter of the fiscal year. The changes made via this Budget Amendment, represent an overall increase to revenues of \$7,186, and an overall increase to expenses of \$6,522, for a net impact to the budget of \$664 in added revenue.

**Ayes:** Malina, Linthicum, Oster, Mavrogeorge, Pettibone, Zurliene.

**Nays:** None.

**Absent:** None.

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

Ordinance 2016-09-06-B: Amending Residency Requirements & Term of Office for Members of Plan Commission

A motion was made by Trustee Mavrogeorge and seconded by Trustee Pettibone to approve Ordinance 2016-09-06-B: Amending the Residency Requirements and the Term of Office of Members of the Plan Commission, Chapter 4, Article I – Plan Commission of the New Baden Code of Ordinances. The Membership section now mirrors the State legislation that allows a member to serve on the Plan Commission who is a non-resident of the Village, but lives within the mile and a half extraterritorial planning area. The resident cannot live in another municipality. The Term of Office section will provide for 4-year terms that will begin on May 1, 2017. This will coincide with the Village's mayoral election and will provide a common appointment time for regular full-term members. Any appointment to fill an unexpired term will be for the unexpired term only.

**Ayes:** Malina, Linthicum, Oster, Mavrogeorge, Pettibone, Zurliene.

**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

Administrator Hemmer received information from Ken Von Bokel that he was not paid the \$1,260.83 from Haier Plumbing & Heating, Inc. for the I-64 Water/Sewer Extension project (the contractor strayed outside the allowed easement). Mr. Hemmer contacted Jim Rossel at Haier, who provided different information, that Mr. Von Bokel asked one of Haier's subcontractors to provide work to an easement (of which one was not needed) and that he could go outside of it for construction. Mr. Hemmer suggested that Haier and HMG Engineers, Inc. (the Village's engineers for the project) split the cost. HMG disagrees with the payment, and that Haier Plumbing is at fault in this case, they encroached on Mr. Von Bokel's crops and should be responsible to pay to Mr. Von Bokel. At this time, Haier has only paid \$630. Mr. Hemmer has filed a claim with Haier's bonding company, which he suspects will be denied as Haier did complete the project to the Village's specifications. Mr. Hemmer recommends the Village pay Mr. Von Bokel the \$630.83 and look into the possibility of not using Haier Plumbing in the future. Mr. Hemmer will continue to try to collect the money from Haier. Mr. Hemmer feels that the relationship with Mr. Von Bokel is critical, as he owns property in and near the Village limits, which may one day be developed. Trustees questioned how often the Village uses Haier plumbing, other than for the Wastewater Treatment Facility and this I-64 project. Public Works Commissioner Renth spoke out in reference to not using Haier Plumbing in the future: the Public Works Dept. utilizes Haier for many projects, especially in

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

emergencies where the Village does not have the proper equipment; he does not want to sever that connection with Haier. Mayor Picard also voiced concerns over severing ties over such a small dollar amount. The Village settled their portion of the payment for crop damage to Mr. Von Bokel in February 2016.

A motion was made by Trustee Mavrogeorge and seconded by Trustee Malina to authorize the payment of \$630.83 to Ken Von Bokel for crop damages related to the I-64 Water/Sewer Extension Project.

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

**Nays:** None.

**Absent:** None.

**Abstain:** Zurliene

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

Full-Time Police Officer: Nathan Hagemann

A motion was made by Trustee Oster and seconded by Trustee Malina to approve the hiring of Nathan Hagemann as a full-time Police Officer effective September 7, 2016. He was then given the Oath of Office by Clerk Crane.

**Ayes:** Malina, Linthicum, Oster, Mavrogeorge, Pettibone, Zurliene.

**Nays:** None.

**Absent:** None.

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

Parking Schedule of the Motor Vehicle Code, Ch. 24

Administrator Hemmer reported that in reviewing Schedule "C" of the Motor Vehicle Schedule (Ch. 24 of the Code of Ordinances) for the 6<sup>th</sup> and 8<sup>th</sup> Street "no parking" zones, it appears that the last time this schedule was changed was in 1998. There are conflicts between the parking allowed in the Village presently and this schedule. Mr. Hemmer will be working on a new schedule based on what we are currently allowing. In a related issue, Clinton Manor Living Center (111 East Illinois Street) desires to adjust the parking in front of its facility to parallel parking. Mr. Hemmer met with Director Michael Brave to discuss this plan and he agreed with the change. On many occasions, a long vehicle has perpendicularly parking there, jutting out onto Illinois Street. Mr. Hemmer suggested the removal of the parking blocks in that location and installation of "Parallel Parking Only" signs. Mr. Brave agreed to these changes and will purchase the signs through the Village and we will assist with the install. Mr. Brave also requested the "no parking" zone be removed on the north side of Illinois Street, but the reason that zone is there is so an ambulance can back-up to the front entrance.

Part-time EMT Basic: Tyler Daniels

A motion was made by Trustee Mavrogeorge and seconded by Trustee Linthicum to approve the hiring of Tyler J. Daniels as a part-time EMT Basic with the New Baden Ambulance Service.

**Ayes:** Malina, Linthicum, Oster, Mavrogeorge, Pettibone, Zurliene.

**Nays:** None.

**Absent:** None.

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

Police Vehicle Accident

Administrator Hemmer reported on August 25, 2016, Officer Berry was involved in an accident on West Hanover Street at Grant Drive. Officer Berry was making a U-turn to follow a westbound vehicle when he was hit on the driver's side by a vehicle behind him. Officer Berry and the other driver are both ok. Officer Berry

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Police Vehicle  
Accident, cont.

had gone to the hospital to be evaluated and had followed-up with his doctor. Currently he has missed some shifts, with the hope he will be able to return to duty soon. The other driver involved in the wreck was arrested for DUI by the State Police. Officer Berry's car was the maroon 2006 Chevy Impala in which the motor was replaced in July. The insurance company has it valued at \$5,450 and considers the damage a total loss; after the Village's deductible, the claim would amount to \$4,450. Mr. Hemmer is requesting review of the valuation due to the new motor. The claim will also include any amount to outfit a new vehicle to the capabilities of the Impala, that cost is not known at this time. There has also been workers' comp insurance claim filed due to Officer Berry's missed shifts. Mr. Hemmer and Chief Meinhardt have discussed various options; they feel the best approach is to seek a used vehicle with the insurance settlement that can provide a year or two of police service.

Executive Session

A motion was made by Trustee Malina and seconded by Trustee Oster to recess the meeting to Executive Session to discuss Setting of a Price for Sale/Lease of Property Owned by the Village (9 North 2<sup>nd</sup> Street) 5 ILCS 120/2(c)(6).

**Ayes:** Malina, Linthicum, Oster, Mavrogeorge, Pettibone, Zurliene.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried and the meeting adjourned to Closed Session at 7:29 p.m.

Meeting reconvened at 7:35 p.m.

**Present and answering to roll call:** Mayor Picard, Trustees Malina, Linthicum, Oster, Mavrogeorge, Pettibone, and Zurliene. **Absent:** None. **Staff Members Present:** Village Clerk Crane; Village Administrator Hemmer; and Attorney Doug Gruenke of Bruckert, Gruenke & Long, P.C.

Sale of Village  
Property: 9 North 2<sup>nd</sup>  
Street

A motion was made by Trustee Pettibone and seconded by Trustee Linthicum to authorize the sale of Village property, 9 North 2<sup>nd</sup> Street, to Greg Maki for \$9,600, who intends to build a home on the property. The \$9,600 is 80% of the \$12,000 appraised value of the property. The Village invested approximately \$14,000 in the acquisition and demolition of the previous home on the property.

**Ayes:** Malina, Linthicum, Oster, Mavrogeorge, Pettibone, Zurliene.

**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 Malina and seconded by Trustee Linthicum to adjourn the meeting.

**Ayes:** Malina, Linthicum, Oster, Mavrogeorge, Pettibone, Zurliene.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried and the meeting adjourned at 7:37 p.m.

Teri L Crane, Village Clerk

Approved: September 19, 2016