

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: OCTOBER 2, 2017

The Regular Meeting of the New Baden Village Board met Monday, October 2, 2017, at New Baden Village Hall, 1 East Hanover Street. Mayor Picard called the meeting to order at 7:00 p.m.

Mayor Picard requested a moment of silence for the victims of the Las Vegas shooting that took place on October 1.

**Present and answering to roll call:** Mayor Christy Picard; Trustees Bill Malina, Jerry Linthicum, Bob Oster, Jordan Pettibone, Taylor Zurliene, and Randy Joe Linthicum. **Absent:** None. **Staff Members Present:** Village Clerk Teri Crane; Village Administrator Mike Hemmer; Attorney Doug Gruenke of Bruckert, Gruenke & Long, P.C.; Police Chief Scott Meinhardt; Chief Building & Zoning Official Jerry Green; Public Works Commissioner Ronald V. Renth; and EMS Director Allen Gilbert.

Announcement:

On Thursday, October 5, Republic Services will be presenting a \$5,000.00 donation to the New Baden EMS for the future purchase of an Ambulance. All Board members are invited.

Police Department Report

Police Chief Meinhardt presented the New Baden Police Department report.

Zoning Hearing Officer Decision

A Zoning Hearing was on September 19, 2017, to review a variance request from Patricia Swank regarding the number of parking spaces required for a bed and breakfast at 101 North 3rd Street. This is a discussion topic on the agenda.

Public Library Building Report

The Library Board chose Tremco, Inc., to do the inspection in which the report refers. Administrator Hemmer met with Tremco representatives and Library Board members in August when the inspection took place. This report is for informational purposes only, with estimated costs for suggested work. The Village could potentially use this report for future budgeting and negotiating with the Library Board. This is a discussion topic on the agenda. Mr. Hemmer plans to attend the Library Board meeting on October 16.

Consent Agenda

A motion was made by Trustee Zurliene and seconded by Trustee J. Linthicum to approve the Consent Agenda, which includes the Minutes from the September 5 and 18, 2017, Regular Meetings and authorization of payment of current invoices.

**Ayes:** Malina, J. Linthicum, Oster, Pettibone, Zurliene, R. Linthicum.

**Nays:** None.

**Absent:** None.

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

Resolution 2017-10-02-A: Determining to Levy an Additional Tax of 0.02% (Library Buildings & Maintenance)

A motion was made by Trustee Pettibone and seconded by Trustee Malina to approve Resolution 2017-10-02-A: Determining to Levy an Additional Tax of 0.02% of the Value of Taxable Land in the Village for the Purchase of Sites and Buildings, for the Construction and Equipment of Buildings, for the Rental of Buildings Required for Library Purposes, and for Maintenance, Repairs and Alterations of Library Buildings and Equipment. This resolution is required pursuant to the Local Library Act in order for the Village Board to adopt the buildings and maintenance levy requested by the Library Board. The buildings and maintenance levy is included in the annual tax levy resolution submitted by the Library Board, which is adopted as part of the Village's Tax Levy Ordinance

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: OCTOBER 2, 2017

Resolution 2017-10-02-A: cont.

in December. The purpose of the tax is for the Library building; as there is no purchase occurring or construction or alteration, this levy is only for rental, maintenance, and repairs of the existing building and equipment. The amount the Library Board expects to levy is \$8,000. The Public Library rents the building from the Village for \$1 per year under a memorandum of understanding approved in September 2015, that automatically renews annually.

**Ayes:** Malina, J. Linthicum, Oster, Pettibone, Zurliene, R. Linthicum.

**Nays:** None.

**Absent:** None.

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

Finance Committee Meeting

Administrator Hemmer requested Trustee Malina, Chair of the Finance Committee, to call a meeting to discuss proposals for the 2017 Tax Levy. A date will be chosen that works for all Trustees on the committee.

Ambulance SSA Levy Amounts for Clinton County Tax Levy

Administrator Hemmer reported that the proposed Special Service Area (SSA) amounts, which were prepared in July when the effected Ambulance SSA's met, now need to be reported to Clinton County. Clinton County will prepare the SSA agreements, which must be approved by the Village before Clinton County can approve their tax levy. The proposed amounts proposed are: Damiansville (SSA #7): \$15,800; Albers (SSA #8): \$41,600; New Baden-Clinton Co. (SSA #9): \$90,000; and Unincorporated Lookingglass Township (SSA#10): \$53,600. The St. Clair County portion of the New Baden SSA levy extension is proposed at \$8,700 for the 2017 tax cycle; this amount is included with the Village's overall tax levy approved in December.

Park Concession Stand

Trustee Oster stated that the small concession stand located south of the Circle was overlooked when renovations were completed on all of the pavilions a few years ago. The Public Works Department will reside the building with leftover siding from the original project. The building recently had the door replaced, after vandals kicked in the original door. The window that is in the building will just be sided over, leaving the opening on the inside for possible future use.

Class "E" Liquor License: Zion United Church of Christ Wine Tasting

A motion was made by Trustee Zurliene and seconded by Trustee Malina to approve a Class "E" Liquor License – Civic Organization for the New Baden Zion United Church of Christ Wine Tasting to be held in conjunction with the Festival of Trees to be held on November 17, 2017 at the St. George Community Life Center, 317 East Maple Street.

**Ayes:** Malina, J. Linthicum, Oster, Pettibone, Zurliene, R. Linthicum.

**Nays:** None.

**Absent:** None.

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

Zoning Hearing Officer Decision: Off-Street Parking Variance for Bed & Breakfast

The Zoning Hearing Officer conducted a Zoning Hearing on September 19, 2017, to review a variance request from Patricia Swank regarding the number of parking spaces required for a bed and breakfast at 101 North 3rd Street. Based on the evidence and testimony presented, the Zoning Hearing Officer denied the request of zero (0) off-street parking spaces, as it does not meet the requirements for an area-bulk variance as defined by 40-8-4 of the New Baden Zoning Code. He recommends that, at a minimum, two (2) off-street parking spaces be required. Attorney Gruenke explained that the Village Board can accept the Hearing Officer's denial of the variance or the Board may exercise its power of Administrative Review. If Administrative Review is chosen, the Village

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: OCTOBER 2, 2017

Zoning Hearing  
Officer Decision: Off-  
Street Parking  
Variance for Bed &  
Breakfast, cont.

Board may have an additional meeting or hearing or it can directly instruct Village staff to develop an alternative variance ordinance. If a meeting or hearing is held, all attendees of the original Zoning Hearing must be notified. Administrator Hemmer and Jerry Green, Chief Building and Zoning Official, recommend that two (2) off-street parking spaces would be acceptable. This number of spaces would bring the property up to residential standards in the Village. Discussion of Board members has decided to undergo Administrator Review and that zero (0) off-street parking spaces will be required during the duration of the Special Use Permit that was issued to allow the operation of a Bed and Breakfast. The Special Use Permit was issued by ordinance on September 5, 2017, and is valid for one year, with the condition that compliance with all parking requirements are met, except as may be provided by a separate zoning variance.

A motion was made by Trustee Pettibone and seconded by Trustee Zurliene to authorize Administrative Review of the Decision of the Zoning Hearing Officer's September 19 Zoning Hearing. The Board is directing Attorney Gruenke to prepare an Ordinance for consideration at the next meeting which will require zero (0) off-street parking for the Bed and Breakfast at 101 North 3rd Street for the duration of the Special Use Permit.

**Ayes:** Malina, J. Linthicum, Oster, Pettibone, Zurliene, R. Linthicum.

**Nays:** None.

**Absent:** None.

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

Executive Session

A motion was made by Trustee Oster and seconded by Trustee R. Linthicum to recess the meeting to Executive Session to discuss Pending Litigation, 5 ILCS 120/2(c)(11).

**Ayes:** Malina, J. Linthicum, Oster, Pettibone, Zurliene, R. Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried and the meeting adjourned to Closed Session at 7:26 p.m.

Meeting reconvened at 7:44 p.m.

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

New Member  
Workshop

Attorney Gruenke presented information on Prohibited Interests in Contracts (Conflicts of Interest) as part of his New Member Workshop.

Finance Committee  
Meeting

Finance Committee Chair Malina and committee members decided that the Committee will meet on Monday, October 30 at 6 p.m.

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: OCTOBER 2, 2017

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

**Ayes:** Malina, J. Linthicum, Oster, Pettibone, Zurliene, R. Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried and the meeting adjourned at 7:51 p.m.

Teri L Crane, Village Clerk  
Approved: November 6, 2017