

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: October 1, 2018

The Regular Meeting of the New Baden Village Board met Monday, October 1, 2018, at New Baden Village Hall, 1 East Hanover Street.

In the absence of Mayor Picard, it was motioned to have Trustee Bob Oster chair the meeting. The meeting was called to order at 7:00 pm.

Present and answering to roll call: Trustees Jerry Linthicum, Bob Oster, Jordan Pettibone, Taylor Zurliene, and Randy Joe Linthicum. **Absent:** Mayor Christy Picard, Trustee Bill Malina. **Staff Members Present:** Village Clerk Teri Crane; Attorney Doug Gruenke of Bruckert, Gruenke & Long, P.C.; Chief of Police Scott Meinhardt; EMS Director Allen Gilbert; Treasurer Casey Pierce; Jerry Green, Chief Building & Zoning Official; and Kent Schwierjohn of HMG Engineers. **Staff Members Absent:** Village Administrator Mike Hemmer and Commissioner of Public Works Ronald V. Renth.

Consolidated
Election: April 2, 2019

Village Clerk Crane announced that Petition Packets for the April 2, 2019 Consolidated Election are available beginning Tuesday, September 18, 2018. Petitions can be filed December 10-17, 2018.

Chief Meinhardt informed the Board that with the recent death of the Mascoutah Assistant Chief Kevin McGinnis, that, if the Board is fine with, it is procedure for area agencies to provide road shift coverage during funeral services. Consensus of the Board agreed to this.

Guests:

Sherry Knaub from New Baden Lions Club was present to discuss a new event they will be hosting: Halloween "Cemetery Walk" to be held in the St. George / City Cemetery. It will be on Saturday, October 20, 2018. The Lions Club provided a "Talking Paper" regarding the event. As this is a new event, Administrator Hemmer felt that the Board should be aware of it. The cemeteries are open to the public. The Lions Club will provide proof of liability insurance to the Village Clerk's office before the event.

A motion was made by Trustee J. Linthicum and seconded by Trustee Zurliene to approve the New Baden's Lions Club the use of the City Cemetery for a Halloween Cemetery Walk on Saturday, October 20 from 5 to 7 pm.

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

Nays: None.

Absent: Malina.

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

Pay Request #3-
Final: Korte &
Luitjohan for Jillian Dr
& Mandy Ln Drainage
Improvements

A motion was made by Trustee Pettibone and seconded by Trustee J. Linthicum to authorize Pay Request #3 – Final to Korte & Luitjohan Contractors for \$3,960 for the Jillian Drive and Mandy Lane Drainage Improvements Project. This project was completed in November 2017 and the retainage was held to make certain the grass seeding had been successful. The overall project cost was \$57,802.90.

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

Nays: None.

Absent: Malina.

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

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Treasurer's Report

Treasurer Pierce provided the September Treasurer's Report for Board review. Future reports will be reviewed at the 3rd Monday meeting to allow Board members time to review the report.

Zoning Hearing
Officer Decision

A Zoning Hearing was on September 19, 2018, to review a variance request from Patti 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 Van-Lear Eckert 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. At the minimum, Ms. Swank would five (5) off-street parking spaces for a Bed and Breakfast. 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. Jerry Green, Chief Building and Zoning Official, stated 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 two (2) 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 August 20, 2018, and is valid for the duration of Ms. Swank owning the home.

A motion was made by Trustee Zurliene and seconded by Trustee R. Linthicum to authorize Administrative Review of the Decision of the Zoning Hearing Officer's September 19, 2018, Zoning Hearing in regards to off-street parking for the Bed and Breakfast at 101 North 3rd Street.

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

Nays: None.

Absent: Malina.

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

Ordinance 2018-10-01-A: Area Bulk Variance for 101 N 3rd Street Regarding Off-Street Parking

A motion was made by Trustee R. Linthicum and seconded by Trustee J. Linthicum to approve Ordinance 2018-10-01-A: Granting an Area-Bulk Variance for 101 North 3rd Street, which allows for two (2) off-street parking spaces on the property while operating as a Bed and Breakfast Establishment. Ms. Swank will have until the end of November to install the parking spaces.

Ayes: J. Linthicum, Oster, Zurliene, R. Linthicum.

Nays: Pettibone.

Absent: Malina.

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

Consent Agenda

A motion was made by Trustee J. Linthicum and seconded by Trustee R. Linthicum to approve the Consent Agenda, which includes the of payment of current invoices and the Minutes from the August 20, 2018, regular meeting. The September 4 Meeting was cancelled. Minutes from the September 17, 2018, regular meeting will be presented at the October 15 meeting.

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

Nays: None.

Absent: Malina.

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

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Ordinance 2018-10-01-B: Granting a Special Use Permit for 514 Call Court to be used as a Home Day Care

A motion was made by Trustee Zurliene and seconded by Trustee J. Linthicum to approve Ordinance 2018-10-01-B: Granting a Special Use Permit for 514 Call Court for a Home Day Care as applied for by Alicia Rodgers. The Plan Commission recommended the approval of the Special Use Permit based on the public hearing held on September 11, 2018, with certain contingencies: 1) submitting the proper licensing application and information to the State of Illinois within thirty (30) days; 2) receiving proper licensing from the State of Illinois for the day care within 120 days after passage of this ordinance; and 3) constructing and maintaining a fence around the rear yard of the Property. The use granted by the Special Use Permit shall not be permitted until such time that the Applicant has obtained proper licensing from the State of Illinois. It was disclosed at this regular meeting that the State of Illinois recently inspected the three (3) homes that were discussed at the Plan Commission meeting on September 11 and shut-down all three (3) for various violations.

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

Nays: None.

Absent: Malina.

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

Ordinance 2018-10-01-C: Granting a Special Use Permit for 1106 Matthew Drive to be used as a Home Day Care

A motion was made by Trustee Pettibone and seconded by Trustee J. Linthicum to approve Ordinance 2018-10-01-C: Granting a Special Use Permit for 1106 Matthew Drive for a Home Day Care as applied for by Staci Strawbridge. The Plan Commission recommended the approval of the Special Use Permit based on the public hearing held on September 11, 2018, with certain contingencies: 1) submitting the proper licensing application and information to the State of Illinois within thirty (30) days; 2) receiving proper licensing from the State of Illinois for the day care within 120 days after passage of this ordinance; and 3) constructing and maintaining a fence around the rear yard of the Property. The use granted by the Special Use Permit shall not be permitted until such time that the Applicant has obtained proper licensing from the State of Illinois. It was disclosed at this regular meeting that the State of Illinois recently inspected the three (3) homes that were discussed at the Plan Commission meeting on September 11 and shut-down all three (3) for various violations.

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

Nays: None.

Absent: Malina.

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

Resolution 2018-10-01-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 2018-10-01-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 in December. The amount the Library Board expects to levy is \$8,000. The Library expects the levy amount to be \$8,000 which is what it was last year. The 0.02% cap on the Village's \$46,392,802 valuation would mean that the library could levy up to \$9,278 if they wished. It is important to note that this levy is for the purchase of sites and buildings, construction and equipment of buildings,

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Resolution 2018-10-01-A, cont.

rental of buildings, and maintenance, repairs, and alterations of library buildings and equipment. 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.

Public Works Dept:
Purchase of Used
Hurco Valve
Exerciser/ Vacuum
Jetter

Public Works Commissioner Renth received information about this used Hurco Valve Exerciser/ Vacuum Jetter which had been used by the City of O'Fallon. This machine was purchased by O'Fallon in April 2009 for \$50,985. O'Fallon traded the equipment back to Key Equipment recently because of their need for a larger vacuum. Key Equipment has refurbished the machine, including a water pump replacement, and intended to sell it for \$20,000. Commissioner Renth asked them if they could meet the Village's budgeted cost of \$15,000 and Key agreed to that price. Information about the exerciser was presented to Board members. The Village has budgeted for this purchase in the Water Department for the past few years, but was never able to make the purchase. The budgeted amount is \$15,000 for just a new valve exerciser, which is still the estimated cost today for that equipment purchased new. However, the estimate to purchase the added vacuum / jetter new is \$50,000. Mr. Renth has received a demonstration of the unit and believes the additional capabilities of this used equipment make it an outstanding opportunity for the Village.

A motion was made by Trustee J. Zurliene and seconded by Trustee Pettibone to authorize the purchase of a used Hurco Valve Exerciser/ Vacuum Jetter from Key Equipment for \$15,000.

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

Nays: None.

Absent: Malina.

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 Zurliene 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 7:59 p.m.

Teri L Crane, Village Clerk
Approved: October 15, 2018