

OCTOBER 5, 2009
REGULAR MEETING
7:30 P.M.

Regular meeting of the Village Board held at the Village Hall and called to order by President Peterson with the following members present: Gregory, D. Peterson, B. Gibeau, T. Gibeau, Kness, Peterson, and Johnson. Absent: Dillbeck.

Motion by Kness, second by D. Peterson to approve the September 14, 2009 regular meeting minutes. Roll call votes: Gregory – aye, D. Peterson – aye, B. Gibeau – aye, T. Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Police Chief Brendal presented the September 2009 Police Report. He reported 75,511 miles on the squad car, looking at the Police Chief of Woodhull for part time police duty, and Chief Brendal will be in contact with him in the future.

Village Attorney Steele present and stated that the police chief contract had a change in paragraph 10 with the wording concerning a hearing.

The Board agreed to change the meeting date when the regular first Monday meeting falls on a holiday to the following Tuesday, because they did not want to wait a week for the meeting and the police chief contract would be affected by the 10 days notice of a hearing (paragraph 10).

Motion by D. Peterson, second by T. Gibeau to accept the Police Chief contract with the amendment to paragraph 10. Roll call votes: Kness – aye, B. Gibeau – aye, Gregory – aye, D. Peterson – aye, and T. Gibeau – aye. All votes were in favor, and the motion was carried.

Motion by B. Gibeau, second by D. Peterson to change the meeting date when the first Monday occurs on a holiday to the following Tuesday. Roll call votes: T. Gibeau – aye, B. Gibeau - aye, Kness – aye, Gregory – aye, and D. Peterson – aye. All votes were in favor, and the motion was carried.

The Board agreed to change the time of the regular Board meetings to 7 P.M. beginning in 2010, and instructed Village Attorney Steele to prepare the ordinance with this change. The November 2009 and December 2009 meetings will still be at 7:30 P.M.

President Peterson stated that the emergency program requires a letter be sent to residents for their information, and the Clerk has prepared these letters and will send them out. All Board members received a copy of the letter.

President Peterson stated that he had told Fire Chief Frenell that the Village would assist in any way with their effort to build a new fire station.

Greg Miller and Jared Greer present on behalf of the New Windsor Fair and Rodeo Association. Mr. Miller stated that the Association was concerned with the Village putting in a sewer system on the land on the west edge of the Village where the Association rents the ground and uses it as a parking area for the Rodeo. President Peterson stopped Mr. Millers statements, and reviewed for him the background of the sewer situation. President Peterson told them that it was three years ago that the sewer program began due to the EPA and informed them of the situation that Mercer County had turned the Village in to the EPA. The Village then began working with the EPA and hired John Roegiers, Missman, Stanley and Associates, as engineer of the program. Mr.

Roegiers present and reported that the EPA stated that a sewer be put in which includes lots of paperwork and strict guidelines. Mr. Roegiers stated that only two acres would be needed for the sand filter system that the Board had agreed on, and since the Village had the land, the plans were made for there instead of searching to buy ground which would be another expense to the Village. Mr. Roegiers stated that the Village's sewer program is done with the planning stage and is in the design phase, that it could take 2.5 to 3 years for financing, working on grants, and have a loan, and that the Village is moving at a snails pace, but the EPA is approving the Village's progress. President Peterson stated that this plan will effect the Rodeo parking, but the Village's 700 residents come first. Mr. Miller stated that the Association would offer to buy the ground. The Board stated that they were committed to this plan, and John Roegiers explained where the Village's process is at. He stated that the northwest corner farthest away from activities at approximately two acres would be needed, and that the remaining part of the property would stay the same and the area would be fenced off. Mr. Roegiers stated that this is a nice flat parcel and thought the design would be more of a rectangular shape. President Peterson stated that the Village has to do what the EPA guidelines state for the area, and told Mr. Miller to keep in contact with the Board. Mr. Miller stated that his concern was with the parking.

Mr. Miller further stated that the parade will make a change and have its staging area in the front parking lot, then proceed on Walnut Street and return to the parking lot. He apologized for some road problems this year, and thinks this will solve the problem.

Mr. Miller also stated that a group would like to plant a tree in memory of Ron Partlow near the Dick Partlow tree west of the ticket office, and that Lorraine Kinsey is head of that committee. President Peterson said that he and the Board will look at that area for the tree, but the Association should look at the power lines that are there. President Peterson suggested a place farther north, but the Village would need to know where. Mr. Miller stated that he would have Lorraine Kinsey get with President Peterson to look at the area. Mr. Miller suggested the tree could go by the announcer's stand.

John Roegiers presented an engineering agreement for the design phase with the CDAP form, and went over what would be needed and amounts per the CDAP requirements. He estimated \$298,000, but thinks the is high. He gave three copies to the Village, and Village Attorney Steele took one to review. Mr. Roegiers stated that the agreement could be passed subject to Attorney Steele's review.

Motion by B. Gibeau, Second by T. Gibeau to pass professional service/consultant agreement with Missman, Stanley and Associates and authorizing the President of the Board to sign the agreement upon Village Attorney Steele's review. Roll call votes: Kness – aye, Gregory – aye, D. Peterson – aye, B. Gibeau – aye, and T. Gibeau aye. All votes were in favor, and the motion was carried.

Motion by Kness, second by B. Gibeau to authorize President Peterson to sign the letter to continue for the sewer program. Roll call votes: B. Gibeau – aye, D. Peterson – aye, T. Gibeau – aye, Gregory – aye, and Kness – aye. All votes were in favor, and the motion was carried.

President Peterson reported that North Second Avenue had been done by Mercer County.

President Peterson reported that K & R Tree Service is working on the trees. The Board agreed to have the maintenance department look at some trees hanging low by the Lutheran Cemetery sidewalk.

President Peterson reported that Tom Whiting is still working on the waterway, and that the tile on Meridian Street and Walnut Street corner is the Village's, and that the estimate from Tom Whiting to repair and replace the ditch would be \$3,200.

President Peterson stated that the estimate to fix the Dorothy Shull driveway was \$850 by Tom Whiting, but that Mrs. Shull has filled in the area. The Board agreed to table this matter.

Motion by B. Gibeau, second by D. Peterson to accept the \$3,200 proposal from Tom Whiting to repair and replace the tile/ditch at the corner of the Lutheran Cemetery on Meridian Street and Walnut Street. Roll call votes: Gregory – aye, Kness – aye, T. Gibeau – aye, D. Peterson – aye, and B. Gibeau – aye. All votes were in favor, and the motion was carried.

Motion by Kness, second by T. Gibeau to have Wick Buildings redo the door repairs at the maintenance building at a cost of \$726. Roll call votes: Kness – aye, T. Gibeau – aye, B. Gibeau – aye, D. Peterson – aye, and Gregory – aye. All votes were in favor, and the motion was carried.

President Peterson stated that maintenance person Bland is getting estimates for a drop box for the Village Hall door.

The Board agreed to have Halloween Trick or Treat on Saturday, October 31, 2009 from 6 P.M. to 8 P.M.

The Board was concerned about a road to get around to the lagoon on the northwest two acres of land, but Village Attorney stated that an easement for a road could be done, but that it is on Village Ground.

Village Attorney Steele stated that LaVonne Newberry had contacted him and stated that her attorney says that the water problem at her property is the Village's problem. President Peterson stated that Mrs. Newberry was told to find out what the problem is. Attorney Steele stated that her attorney must contact him. Clerk Johnson stated that she has paid her bill and the water is off, and that she has not requested that water be turned on. The Board agreed that if a problem persists, she has to pay the water bill.

John Roegiers stated that they will start on the survey, and will write a note to all homeowners to get information.

Motion by Kness, second by D. Peterson to authorize the September 2009 bills. Roll call votes: Gregory – aye, D. Peterson – aye, B. Gibeau – aye, T. Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Motion by D. Peterson to adjourn, second by all. Voice Votes: all votes were in favor, and the meeting was adjourned.

Claudine D. Johnson, Village Clerk