

MAY 2, 2011  
REGULAR MEETING  
7 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: James, Trout, Gibeau, Kness, Peterson, and Johnson. Absent: Schmitt and Gregory.

Motion by Kness, second by Gibeau to accept the April 4, 2011 regular meeting minutes. Roll call votes: James – aye, Trout – aye, Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Village Clerk Johnson announced that Trustees Gibeau, James, and Schmitt were elected at the April Election. Clerk Johnson swore in Gibeau and James as trustees for 4 year terms each. Trustee Schmitt was absent.

Police Chief Stotts presented the April 2011 police report. He reported 85 calls of service, various duties carried out, squad mileage of 99,704, 12 letters for grass violations with pictures are pending, and requested a contract with the Village. Chief Stotts stated he would like a 3 year contract with a 2% raise each year, but he would go up to a 5 year contract. The Board asked Village Attorney Steele to prepare the contract at two years with a 2% raise each year, and a copy of the duties attached to the contract, as long as there are no violations of the Chief's duties. The Board would act on the contract when it is prepared, and asked that Chief Stotts and Attorney Steele meet to get the contract ready.

Chief Stotts reported that Officer Engle would be back May 9, 2011, due to his accident's injuries and the doctor's report.

President Peterson asked Chief Stotts to prepare a new list of grass violations, because many on the first list were mowed.

Village Attorney Steele stated that since Max Allen is deceased, and the Allen property is not claimed, the Village will put a lien on the property and tax deed. Also, Attorney Steele reported that Contract funding LLC is being foreclosed, and they have a motion to vacate. He will send a letter to Contract Funding and the individuals, and will proceed.

Cheryl Powell and Ruth Overturf present concerning the sticker placed on the purple Stratus March 31, 2011 in her driveway. Ms. Powell complained that no one came to her door to notify her that she did not have a current registration, but got the sticker and license that day. She further complained that Chief Stotts had her car towed because it had sat for six months in violation, and that even though he stated he had contacted her, and put the paper on the car, he still had the vehicle towed last Thursday. She stated that she showed the new title and insurance, but Chief Stotts stated he had chalked the tires. Ms. Powell admitted that the purple Stratus had sat for some time, wasn't driven or up and going, and did not have the current paperwork, and did need some brakes, but could not understand why the car was towed. Village Attorney Steele read the Nuisance Ordinance on Abandoned vehicles concerning the paragraph about a vehicle on private property, unused, unlicensed, inoperable. President Peterson stated that the Village goes after violations on grass, debris, and vehicles. Ms. Powell questioned what was wrong with the car. Attorney Steele stated that the car was unlicensed on the 31<sup>st</sup> of March, given 48 hours, but still not current, had confirmation of the notification by the sticker on the car. Ms. Powell stated that no one told her, but went on the 31<sup>st</sup> to get updated license

and sticker. Chief Stotts reported that on March 5, 2011 there was the complaint of the abandon vehicle, on March 18, 2011 he chalked the tires, on March 30, 2011 vehicle was there, on March 31, 2011 the vehicle was tagged, on April 1, 2011 he put a note on the vehicle, because no one answered the door when he tried to service the note, on April 5, 2011 he had talked to Ms. Powell and learned the battery was bad. Attorney Steele

Stated that the sticker is the notification, the vehicle was inoperable if the battery had to be jumped. Ms. Power just wants her \$137.50 back that she paid to get the car back. President Peterson asked if there was a better way of notification, and Attorney Steele stated that in his legal point of view, the ordinance was followed. Ms. Powell stated that now a jeep is there, and had there been a complaint on it. President Peterson and Chief Stotts apologized to Ms. Powell since the jeep was licensed on private property, and Chief Stotts had chalked the tire. President Peterson stated that Chief Stotts needs to know if the vehicle is operable, before the tire is chalked. President Peterson explained that on March 31, 2011, with everyone agreeing, the car was unlicensed and inoperable. Ms. Powell, who runs a repossession business stated she would park the cars in the back, and all will be licensed and operable.

Theresa Pinkerton present concerning the Sam Thompson property she purchased at North Seventh Avenue. She complained that Trustee Kness had a pipe draining to her yard smelling of sewer. Trustee Kness stated that it was water draining through the pipe from rain. Village Attorney Steele stated that properties have to accept water in a natural state, a sump pump is not a natural state, and he felt this problem was between the two adjoining landowners, and not a Village matter. President Peterson stated that the alley is going downward, and the water drains that way, and that he is trying to get rid of this problem by having Tom Whiting look at the alley. He will wait to hear from Tom Whiting for a solution. President Peterson said this issue is a civil matter, but the Village will try to help impede the water by looking into the ditch and waterway.

Cheryl Powell reported two street lights out by her property, and that she will not mow the strip between her property and the Allen property, since it is the Rodeo Associations. President Peterson clarified with Ms. Powell her drive is a circle drive, and a problem with snow plowing and moving the mail box, President Peterson explained the snow plowing to Ms. Powell, and she said the Village does not come down to plow drive.

Ms. Powell further questioned where her water meter was, and if it could be put on the house. President Peterson stated that the Water Department will look into that matter.

President Peterson stated that if the police department cannot get service by the person answering the door, posting notice on the property, then mail should be used, and inform him so that he will get involved with the process and cite the specific paragraph of the ordinance violation. Ms. Powell stated possible court proceeding on the recovery of the cost of the towed vehicle.

Motion by Kness, second by James to pass the MFT Resolution for Maintenance of Street and Highways by Municipality under the Illinois Highway Code for the Village's south side oiling and chipping project for 2011 at an estimate of \$33,000. Roll call votes: Gibeau – aye, Trout – aye, Kness – aye, and James – aye. All votes were in favor, and the motion was carried.

President Peterson reported that K & R Tree Service (Robert Rigg) prepared a list of tree work to be done. Motion by Gibeau, second by Kness to accept the Robert Rigg

K&R Tree Service list at a cost of \$940 for the tree work and \$1,415 if the tree in question needs to come down. Roll call votes: James – aye, Kness – aye, Trout – aye, and Gibeau – aye. All votes were in favor, and the motion was carried.

President Peterson reported that he had Tom Whiting look at the waterway at Second Avenue, with his cost being \$325 to fix, and South Sixth Avenue into Sycamore where the culvert is not big enough and needs to be extended along with extending the ditch at a cost of \$375.

Motion by James, second by Gibeau to do both Second Avenue at a cost of \$325 and S. Sixth Avenue at a cost of \$375 by Tom Whiting. Roll call votes: Kness – aye, Gibeau – aye, Trout – aye, and James – aye. All votes were in favor, and the motion was carried.

President Peterson reported on the sewer project, and setting another meeting with Duane Smith of the USDA Rural Development.

President Peterson announced that the Rodeo Association paid their April rent on their land lease with the Village.

President Peterson noted that the Village Hall has a schedule of the ball games at the Ball Park.

President Peterson reported that he met with Teresa Tomlinson on the tree for the Partlow family in remembrance of Ron Partlow at the Depot Park. President Peterson said Robert Rigg showed places where a tree could go, but now waiting on the type of tree the Partlow family decides on.

President Peterson also reported that the Depot Park Committee had a clock donated by Dr. Brian Anseeuw and family, and they would need to have power trenched in to wire it. The Board agreed to table this matter until more information on the cost to operate the clock and if the Depot Park Committee would be paying for the installation.

President Peterson stated that the budget would be prepared in June.

The Board agreed to have a port-a-potty placed at the back diamond at the Ball Park.

Motion by Kness, second by Gibeau to hire Jack Cooper retroactive to April 1, 2011 as assistance maintenance and mowing personnel at \$8.25 per hour. Roll call votes: Gibeau – aye, Trout – aye, Kness – aye, and James – aye. All votes were in favor, and the motion was carried.

President Peterson presented a report on a 2005 generator that is available for sale at a cost of \$375 (55/50). The Board stated they would like to look at it and fire it up.

Motion by Kness, second by Gibeau to accept the resignation of Kathy Gregory effective immediately as trustee due to the fact she has moved from the Village for her job. Roll call votes: Kness – aye, Gibeau – aye, Trout – aye, and James – aye. All votes were in favor, and the motion was carried.

Motion by Kness, second by Gibeau to authorize the April 2011 bills. Roll call votes: James – aye, Trout – aye, Kness – aye, and Gibeau – aye. All votes were in favor, and the motion was carried.

Motion by Kness, second by all to adjourn. Voice Votes: All votes were in favor, and the motion was carried. The meeting was adjourned.

Claudine D. Johnson, Village Clerk