

MAY 7, 2012

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: Loving, Trout, James, Gibeau, Kness, Peterson, and Johnson. Absent: Schmitt.

Motion by Kness, second by Gibeau to accept the April 2, 2012 regular meeting minutes. Roll call votes: Loving – aye, Trout – aye, James – aye, Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Clayton Brendal present concerning the matter of a law suit filed against him as police chief for the Village on the Eric Jones rental property. Mr. Brendal reported that the action was dismissed by the court, but that he had paid \$500 for his lawyer and was requesting reimbursement from the Village. Village Attorney Steele stated that since the matter was turned over to the Village's insurance, and the Village was being sued as a defendant, Mr. Brendal should be reimbursed. President Peterson recommended that Mr. Brendal be paid the \$500, and that Village Attorney Steele send a letter to the Village's insurance company asking for reimbursement of the \$500 to the Village.

Motion by Kness, second by James to pay \$500 to Clayton Brendal for his attorney fee on the lawsuit case. Roll call votes: Kness – aye, Gibeau – aye, Loving – aye, Trout – aye, and James – aye. All votes were in favor, and the motion was carried.

Police Chief Stotts presented the police report for April 2011. He reported 117,933 miles on the squad, stated the police duties for the month, the camera and recording device are being repaired, the two burglars were fined \$1,000 each and restitution, the squad had a new catalytic convertor put in, one attempt of theft of a car, and asked for a \$1.00 per hour raise for the part time police officers. Chief Stotts noted that starting June 1st, 2012, he would receive a 2% raise as stated in his contract.

President Peterson stated that the Board should look at all employees during the annual budget meeting, and then give an answer about the part time police raise.

Village Attorney Steele stated that nuisance yards should be posted of their violation, and if no one at the property, mail to the last tax address.

Scott Kammerman present as engineer for the Village on the sewer project and easements. He stated that he had an e-mail from the Rodeo Board asking to reroute the easement, adding 700 lineal feet, that the Rodeo Board wants first right to purchase property if any left after the sewer is in at the north side of the Ball Park, and still wants to use ground as parking. They also requested that sewer work would not start until after the rodeo dates. A.J. Street present for the Rodeo Board. Mr. Kammerman stated that this request is feasible, but would cost more money. Mr. Streeter stated that the Rodeo Board is concerned about the contractor getting in the property and then delaying the progress, but understood that this property would be a great area for the contractor to use for their equipment. President Peterson stated that the Village's concern would be moving the easement and the cost. He said that the Village wants to work these easements out, if it can be done. Mr. Kammerman stated that a cost estimate would be \$35 a foot for a total of \$21,500, but the design is in, so there would also be a cost of redoing the paperwork. President Peterson stated that this is three years down the road for the project to start, but the Village would start after the rodeo. Mr. Kammerman said the Village may be looking at over \$30,000 to go south on the rodeo's property. President Peterson said if this is beneficial, the Village is willing to work with the Rodeo Board, but this

would be it. Mr. Kammerman stated that this is possible. The Village Board would need a signature from the Rodeo Board that this is agreeable.

Motion by James, second by Gibeau to allow \$30,000 estimated line rerouted on Washington Street lift station, force main to down 7th Avenue to Walnut to Rodeo property then back to the lagoon, with a contingency for any other impacts. Roll call votes: James – aye, Gibeau – aye, Kness – aye, Loving – aye, Kness – aye, and Trout – aye. All votes were in favor, and the motion was carried.

Mr. Kammerman stated that he met with the State and Lorali of the USDA on his report with \$4.9 million on the north side of the Village as Phase 1 and \$1.2 million on the south side as Phase 2. He said that Phase 1 bid would be up to \$5 million, but the project would not start until both phases were committed. He said that they were trying to chop up the phases to meet requirements, since that state has to justify what the Village is doing by putting in quadrants.

Mr. Kammerman stated that he is working on the engineering report, and the Village needs the attorney report also.

President Peterson reported that Rachel Creek needs to sign an easement, but that her daughter Jodi McWhorter is the Power of Attorney, so the Village needs to get the original document to put with the easement to record.

President Peterson and Scott Kammerman agreed to Tuesday, May 15 and Saturday May 19 for easement signings, scheduling the meetings 15 minutes apart.

Scott Kammerman stated that the Village needs a sewer ordinance with the amount of users, and the Village has 327 users at the last water billing. Also, he said the user rate would go up to \$77 a month, but really needs to come down, depending on Phase 1 at \$5million with maybe a \$1 million grant.

Mr. Kammerman and Attorney Steele planned a meeting for May 15, 2012 at 4 p.m. with Trustee Trout attending from the Water Committee at Mr. Steele's office.

President Peterson noted that the USDA Legal Services Agreement is due at the June meeting along with the engineering report.

President Peterson reported that the tree trimming was being done, potholes were being filled, well number 2 was pulled for repair, hydrants would be flushed next week, and a shut off valve was dug by McMeekan excavating. President Peterson reported that there is a problem with older valves breaking when the water is shut off and then turned back on, and who should fix the valve. The Board agreed to look into the cost of fixing a valve, and Attorney Steel suggested an assessment for turning on that would be refundable.

President Peterson reported that Commie Fink made a request to plant a memorial tree for her husband in the Rodeo Park. The Board agreed, and President Peterson will set up a time to meet with her at the park.

Motion by Kness, second by Gibeau to accept the annual treasurer's report for Fiscal Year May 1, 2011 through April 30, 2012. Roll call votes: Trout – aye, James – aye, Gibeau – aye, Kness – aye, and Loving – aye. All votes were in favor, and the motion was carried.

Motion by Kness, second by Gibeau to hire Blucker, Kneer, and Assoc. as auditors for the amount of \$4,300. Roll call votes: James – aye, Gibeau – aye, Kness – aye, Loving – aye, and Trout – aye. All votes were in favor, and the motion was carried.

President Peterson reported that a tile in the waterway broke north of the Village with a cost of repair at \$1,000 by Bill McMeekan, and a south tile broke in two sections by Carlson's, directly south with over 30 feet at a cost of \$1,000, and another tile is being looked at by Tom Bischoff at the south .

Motion by Kness, second by Gibeau to fix the tiles north and south. Roll call votes: Gibeau – aye, Kness – aye, Loving – aye, Trout – aye, and James – aye. All votes were in favor, and the motion was carried.

Attorney Steele stated that he will be gone the last week of May and will not be here for the June 4, 2012 meeting.

Motion by Kness, second by Gibeau to authorize the April 2012 bills, Roll Call Votes: Trout – aye, Gibeau – aye, Kness – aye, Loving – aye, and James – aye. all votes were in favor, and the motion was carried.

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

Claudine D. Johnson, Village Clerk