

JULY 2, 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, Schmitt, Gibeau, Kness, Peterson, and Johnson. Absent: none

Motion by Schmitt, second by Kness to accept the June 4, 2012 regular meeting minutes. Roll call votes: Kness – aye, Gibeau – aye, Schmitt – aye, Trout – aye, James – aye, and Loving – aye. All votes were in favor, and the motion was carried.

President Peterson thanked everyone who helped in any way with the B. J. Luxmore funeral and memorials.

Steve and Donna Oldfather present to ask the Board to rename the Village's Ball Park to the B.J. Luxmore Park in his honor. President Peterson gave a history of the Ball Park from its origin and memorials given to it. President Peterson also stated that the trees at the park were all given in memorial to someone, and the plaque on the stand represents donations to the park in the amount of \$100 or more. President Peterson also stated that he had spoken with Brenda and Leonard Luxmore, parents of B.J. Luxmore, about the idea of naming the Ball Park after their son. President Peterson stated that the main concern is that from the 1980's on there should be a way to honor everyone equally, like calling it a memorial park and have a memorial placed for B.J. Luxmore. Mr. Oldfather suggested naming one of the ball fields after him, but President Peterson said that the back diamond may change with the sewer project. Clerk Johnson suggested a shelter as shade and use at the ball diamond. President person stated that no one is saying no to the idea, and the Luxmore's would support and donate to a cause. President Peterson stated that the important thing is to stay positive on the matter, and have the Board discuss ideas, and have the Luxmore's input, also. Chief Stotts suggested a memorial garden with bricks with names of memorials. Mr. Oldfather stated that he felt there are many people that would donate. President Peterson stated he would work with the Oldfathers and the Luxmores on the idea as long as it is agreeable to the family.

The Board stated that a shelter or building would be possible. But any money donated would go into an account set up at the bank so that not just one person or group does this. Trustee Trout, the Oldfathers, and President Peterson agreed to get together on the idea.

Police Chief Stotts presented the June police report. He reported 76 calls for service, 1 warrant, 23 tickets, 14 warnings, no mileage on the squad was given, and President Peterson talked to Chief Stotts about more night duty. Chief Stotts stated that he is mixing up his hours and weekend officers' hours so that the taverns will have night coverage.

Trustee Kness stated that money had been budgeted for a raise on the part time officer's wages which are now at \$12 per hour and could be raised to \$13 per hour effective July 1, 2012. Motion by Kness, second by Gibeau to raise the part time police officers' wages from \$12 per hour to \$13 per hour effective July 1, 2012. Roll call votes: Loving – aye, Kness – aye, Trout – aye, Gibeau – aye, Schmitt – aye, and James – aye. All votes were in favor, and the motion was carried.

Village Attorney Steele reported that LLC Contract Funding has been foreclosed (property on Main Street), and their attorney Doug Lindquist told him that his client would give the Village the

property. Attorney Steel questioned the liability to the neighbor who had problems with the property, but the water is off. Also, Attorney Steele was concerned over any EPA violation, health and safety issues, and the old gas tanks. President Peterson stated he thought the tanks had been removed. The Board requested a document from the LLC Contract Funding lawyer that would state what was clear. Attorney Steele stated that the property could be declared abandoned and then demolish it. President Peterson stated that an estimate he had received from Tom Whiting for demolition was \$13,000. The Board felt that the house was not in good shape. Attorney Steele stated that he could get the chain of title paperwork from their lawyer. The Board took the matter into consideration.

The Board addressed the matter of the semi-trailers behind the Depot. Chief Stotts stated he had talked to Hill and Hill, the owner, and the Board would like to know what is in the trailers. Attorney Steele asked that pictures be taken of the area, and to have plates checked to see if they are expired, or any other violation. The Board also asked Chief Stotts to check with the Township on their property about weeds.

Ameren is not in the Village yet to trim trees per President Peterson. The Board addressed the Ameren contract on the gas franchise. Attorney Steel stated that someone from Ameren should come to a Board meeting, and check on term to see if they are like other villages. The Board tabled the matter for further investigation.

President Peterson stated that the Village is holding off on sidewalks, because he could not get in touch with Ryan Beeman, a contractor who would do the sidewalks.

President Peterson stated McMeekan Excavating work is done, but there is a sink hole at the Judy Nelson property that McMeekan Excavating will look at.

President Peterson stated that the water hydrants had been checked.

Motion by Schmitt, second by Kness to pass Ordinance Number 2, Series 2012, The Wage Ordinance. Roll Call votes: Gibeau – aye, Loving – aye, Trout – aye, Schmitt – aye, James – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Motion by Kness, second by Gibeau to pass Ordinance Number 3, Series 2012, The Appropriation Ordinance for the Fiscal Year May 1, 2012 through April 30, 2013. Roll call votes: Kness – aye, Schmitt – aye, James – aye, Trout – aye, Loving – aye, and Gibeau – aye. All votes were in favor, and the motion was carried.

President Peterson reported that the maintenance department removed some trees in the waterway, but have requested a chain saw for future work. They found various prices of chain saws. They were 14" Harsco. @ \$199, 16" @ \$269, Boland 14" @ \$109, 16" @ \$139.

Motion by Kness, second by Schmitt to purchase the Harsco. 16" chain saw @ \$269 for the maintenance department. Roll call votes: Gibeau – aye, Loving – aye, Trout – aye, James – aye, Schmitt – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Village Attorney Steele stated that he had the information from the meeting he had with Scott Kammerman, sewer engineer, and Trustee Trout, but would rather wait for Mr. Kammerman. Attorney Steele stated that the Rodeo Association easement was asking for five years (ending date June 30, 2017) for two years after the project was completed. The Board agreed with the two years after the project is completed, but not sure of date. Attorney Steele stated he would go back to the Rodeo Board's attorney.

President Peterson stated that he had drafted a letter to plead with the final ones for easements. President Peterson said that he would take silence as a no, if the letter does not get a response, then the Village would use eminent domain through the EPA and State.

President Peterson suspended the meeting until Scott Kammerman could attend. The Board would wait for ten minutes.

Mr. Kammerman did not show, so Attorney Steele attempted to make a report on the meeting. He reported a sewer ordinance that would charge a minimum of \$50 for the first 1,000 gallons and .006 for every gallon over the 1,000 gallons. He said the fee would be based on customers, and a breakdown of usage with cost. Attorney Steele stated that the Village would need over \$20,000 a month to run the sewer system. He said that would include the payoff of the debt, maintenance, and depreciation.

At 8:47 P.M. Scott Kammerman arrived at the meeting. The Board was concerned over the \$50 fee and the grant and loan. Mr. Kammerman stated that it had to do with a rate structure and hoping for the DCEO grant of \$350,000 and the USDA loan. He said charges would be based on the loan except for the \$350,000 grant with a maximum of \$50 for the sewer charge. He also said that the ordinance would be written on cost estimates and a table of the present work analysis.

Attorney Steele stated that rates would be in the ordinance, and questioned the billing. The Board said that a monthly billing would be best, but then the bill would be payable in twenty days after the billing with 10 days for the penalty up to fifteen days maximum with the penalty on the 16<sup>th</sup> day and penalty of 10%. The Board stated that a notice should be sent after ten days overdue on bill and not wait until the next billing date, but that would mean locating every shut off valve. The Board agreed that the sewer bill would be based on water usage and a \$50 minimum bill and .006 per gallon in excess of 1,000 gallons assuming that no federal grant money or grant based on \$350,000 is gotten. The Board questioned how to pay for the sewer without a federal grant. Mr. Kammerman stated that the estimate to pay for the project was for the USDA, with the water bill being what is used, and the sewer bill being a fee based on the water usage. He also stated that the USDA had more comments on his engineer report.

The Board agreed to not be a part of the Mercer County Animal control.

Motion by Kness, second by Schmitt to authorize the June 2012 bill. Roll call votes: Loving – aye, Trout – aye, James – aye, Schmitt – aye, Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

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

Claudine D. Johnson, Village Clerk