

AUGUST 1, 2022

REGULAR MEETING 6 P.M.

Regular meeting of the Village Board held at the Village Hall and called to order by President Starceвич with the following members present: Loving, Olson, Willems, Baker, Burton, Starceвич, and Johnson. Absent: Beattie.

Motion by Burton, second by Olson to accept the Budget Public Hearing and the regular meeting minutes of July 5, 2022. The Board corrected the minute's statement on the son of Blake Kallenbach, because it was not his son. Voice votes: all votes were in favor, and the motion was carried.

Motion by Baker, second by Burton to authorize the July 2022 bills. Voice votes: all votes were in favor.

Mr. and Mrs. David Martin, 313 Tenth Avenue, New Windsor, present concerning their chickens and rooster. The Board told them they could not have a rooster and they needed a permit for having chickens at a cost of \$5.00 per year. Village Clerk Johnson gave them a copy of the ordinance.

President Starceвич reported on his meeting with Chuck Langman, Josh Blondell, Brian Gaul, and Jack Kusek(engineer for sewer), about the entire north side streets President Starceвич stated that the MFT payment was not correct, due to incorrect paperwork.

Charles David present to state that he is working on moving vehicles, but is looking for keys.

President Starceвич continued with the report on the meeting and stated that he wanted what was in the contract. They offered a fog coat on the North side streets. President Starceвич had engineer Judd Giffin do Advance TV on the sewer.

Kim Chappell (Woods) came into this meeting about her rezoning of her property on Main Street from I-1 to R-1, and complained about the length of time needed to get this done. Village Clerk Johnson had explained the procedure to Ms. Chappell (Woods), and President Starceвич stated he would look into the matter.

President Starceвич continued with his report on the sewer meeting. He reported the problems with Brandt Construction to the east on the South side of the Village. Also, He had told Chuck Langman, Brian Gaul, Josh Blondell, and Jack Kusek about the manhole lids not stamped sanitary sewer and ladders in the manholes per the contract. Mr. Kusek had called this nitpicking before and charged \$16,000 for IDOT Motor Fuel Tax on the money the Village had not bid. President Starceвич stated that he would call Chuck Langman tomorrow, and does not want a big legal court case, but if the Village did go the legal route it would go to mediation, and IMEG would argue the contract, and no back testing was done. Also, President Starceвич reported that Langman did not come back to do the sidewalks, and IMEG did not do their job.

Judd Giffin stated that the quantities and prices were jacked up, and no authorization to IDOT was given for approval. The IDOT/MFT was submitted in a package by IMEG with a resolution of \$249,000 plus \$26,000 to equal \$275,000 for the resolution, but IMEG estimated \$474,000 with engineer to get 4%. Mr. Giffin talked to IDOT, and they were wondering what The Village was doing, since the numbers didn't match. Mr. Giffin went to IDOT to issue an acceptance, then change of plan with no complaints from Brandt. President Starcevich stated that the job ran over and a mountain of chips were left.

President Starcevich reported that Jack Kusek said that the Village ran out of money for the south side streets, sidewalks, and culverts. He told the Board that it was purely by square yards for rock and oil, and the main example would be on Franklin Street at Justin Fowler's.

Judd Giffin stated that the sewer pipe is functioning, but they need to come back with 8" pipe, and all these places need to be fixed, but there is no punch list. President Starcevich said that he went around the Village and marked every street.

Mike Halpin, Village Attorney, present stated that if the Village can't get them to agree, the Village would head to mediation, but he would see if anything can be done. President Starcevich stated that Jack Kusek reported to Langman Construction that the project was all done. Mr. Halpin said that Langman Construction should have checked if all was done, but most of the problem is with Jack Kusek, because Langman just relied on what Mr. Kusek said.

President Starcevich stated that manholes are out of the ground and buried under the ground, and there is a Langman lawsuit against the Village. He said the Village needs data and a list of what needs to be fixed exactly, and have the full backing of an experienced engineer such as Judd Giffin. The Board asked what would happen if the Village still holds back the last payment, and would it be worth the risk.

Village Attorney Halpin advised to get a list together of what needs to be done and demand what was breached in the contract. Judd Giffin said put all manhole elevations, and put items in a separate columns for mediation. He said he just got drawings, and the whole North side does not need to be done. Mr. Halpin asked to have a comparison as to what was done, and what specifications were not met.

President Starcevich stated that he would call Brian Gaul tomorrow morning to get more time, his opinion of IMEG and Jack Kusek, and the fact that the USDA is holding funds. Mr. Halpin said a status hearing is set for September 22, 2022, and Mr. Giffin stated that it will take some time to get a list together.

President Starcevich stated that a tree was cut down at the Mike Peterson property and the Steve Brooks property.

President Starcevich stated that he will order the Ball Park scoreboard in maroon and white and wireless.

Bryce Frenell, Police Chief present to report cases that sent offenders to jail and prison, and asked if a decision on the police car had been made. The Board said that he needed to get the Charles David tickets to help pay for a new squad. Chief Frenell said the cost would be \$49,000 complete, but no radio. He reported that the Taurus squad had 160,000 miles on it.

President Starcevich stated that he would look into rates for borrowing funds, or decide to go new or used, and sell the other two squads. Chief Frenell said he would bring the final information on the 2022 black Explorer squad to the next meeting, and President Starcevich stated he would check on financing and banks.

The Board stated that certain properties still needed to be mowed before the Rodeo.

President Starcevich reported that he sprayed paint on the alley by Lee Ferguson, it needs to be wider with the south side 20 feet more on Sandy Daves' side, and Matt Dolan moved the barrel back on the edge, and more rock on Lee Ferguson's. President Starcevich stated that it may be better to hire Justin Fowler to do the work.

President Starcevich stated that Stephen Thorp will dig the Village Hall sewer and Charles O'Dean will do the plumbing for \$600.

Motion by Loving, second by Burton to have the sewer put in at the Ball Park, and clean up the stand and look for a new refrigerator. Voice votes: all votes were in favor, and the motion was carried, President Starcevich said that all games were done.

President Starcevich stated that he would put a post on the Village's Facebook page about the electric sign for the Depot Park that Stephen Thorp is raising funds for (\$17,000) with hopes that it will be up by Rodeo time 2023. The Board asked about brick pavers and different levels of cost for people to put their names on.

Motion by Burton, second by Loving to pass Ordinance Number 2, Series 2022, Tax Levy. All votes were in favor, and the motion was carried.

President Starcevich reported that he had met with Kyle McEwan and Curt of the Podcast Group about updating the Village's Main Street area.

Chief Frenell requested ordinances be drafted by Attorney Halpin so that fines could be paid here.

Trustee Willems stated that work on the sidewalks needs to be started now.

The Board agreed to hold the September meeting on the 12<sup>th</sup>, second Monday due to Labor Day.

Motion by Burton, Second by Willems to adjourn. Voice votes: all votes were in favor, and the meeting was adjourned.

Claudine D. Johnson, Village Clerk

