

Regular Meeting of the Village of Pecatonica
Board of Trustees
April 1, 2008 Village Hall

1. Call to Order: Village President Dan Mathews called the meeting to order at 7:00 p.m. on Tuesday, April 1, 2008.
2. Silent moment followed by the Pledge to the American Flag.
3. Roll Call: Trustees present: Dave Westervelt, Derek Howard, John Moyer, Elizabeth Doty and Ross Parlapiano. Trustee absent: Chris Harrison. Quorum Established.
4. Others Present: Village Clerk Ginger Binger, Village Treasurer Nola Markel, Village Attorney Doug Henry, Police Chief Pat McNamer, Public Works Director Dan Barber and Engineer Tim Bronn.
5. Approval of meeting minutes: A motion was made and seconded to approve the minutes of March 4, 2008 as presented: Doty/Westervelt. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.
6. Agenda Approval: A motion was made and seconded to approve the agenda for April 1, 2008 as amended: Doty/Howard. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.

Agenda Items

- A. Village President's Items
 2. Statement on Village President's Appointments
 - a. President Mathews explained that he received a letter from Trustee Westervelt concerning Trustee Harrison's absence from Board meetings and Committee meetings.
 - b. Mathews explained that he does not have the power or the authority to remove a Trustee from their office, the Trustees must take the initiative to address these concerns between themselves.
 - c. Mathews explained that he did talk to Mr. Harrison about this issue and Harrison is trying to get a promotion that would change his schedule so that he could attend the meetings.
 - d. Attorney Henry explained that the law has changed regarding this issue: previous to January 1, 2008 the Board would file a lawsuit to have a Trustee removed for malfeasance but now the Board has the authority itself to have a Trustee removed after giving just cause and proper notification to the Trustee.

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- e. The Trustee can then file a lawsuit to get reinstated on the Board.
 - f. Westervelt stated that residents have noticed that Mr. Harrison has not been showing up for the meetings, he has been 45% absent from Board meetings and 25% absent from the Committee meetings.
 - g. Westervelt stated that it is difficult to hold a Committee meeting with just two Trustees present and if one can not make it then the meeting would be cancelled for lack of a quorum.
 - h. Doty recommended that Harrison give a call to the Chairman if he was not going to make it to the Committee meeting.
 - i. Parlapiano explained that this issue has come up before in past Boards.
 - j. Mathews explained that he just wanted to make the Board aware that he does not have the power or the authority to remove a Trustee from office.
 - k. Mathews explained that Harrison has indicated to him that if he gets this promotion his new schedule should begin next month and if it does not work out he will resign from office.
 - l. Attorney Henry explained that if the Trustees wanted to pursue the removal of Mr. Harrison than an Ordinance would have to be drafted laying out the factual matters to the absenteeism and a notice would have to be sent to him.
1. Appointments
- a. The Village President made the following appointments:
Village Clerk: Ginger Binger-motion: Doty/Westervelt, carried. Oath was given.
Village Treasurer: Nola Markel-motion: Doty/Howard, carried. Oath was given.
Village Police Chief: Patrick McNamer-motion: Howard/Doty, carried. Oath was given.
Village Attorney: Doug Henry-motion: Howard/Westervelt, carried. Oath was given.
Village Engineer: McMahan Associates-motion: Parlapiano/Doty, carried.
Planning Commission Chairman: Jim Holloway-motion: Doty/Howard, carried.
Building Enforcement Officer: Lyle Christen-motion: Doty/Howard, carried. Oath will be given at a later time.

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- B. New Business: No Items
- C. Legal
 - 1. Ordinance 2008-4: An Ordinance Amending Ordinance 2007-7-1: An Ordinance Provided for the Appropriation of Funds for the Operation of the Village of Pecatonica in the County of Winnebago and State of Illinois for 2007 Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008
 - a. A motion was made and seconded to approve Ordinance 2008-4 as presented: Parlapiano/Doty. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.
- D. Finance and Administration Committee
 - 1. Next Meeting: April 22, 2008 at 7pm in the Village Hall.
 - 2. Ordinance 2008-2: An Ordinance Amending Article Nine: Water, Chapter Twenty: Billing, Section 1: Billing Procedure and Section 2: Delinquency Procedure
 - a. Westervelt explained that this Ordinance has been back to Committee many times and it is finally completed.
 - b. Westervelt explained that the Committee reviewed 6 months of history for water shut offs and many were repeat offenders. At this time the Committee felt that it was not a big problem and the current procedure would not be changed.
 - c. Clerk Binger explained a few minor changes were made to Article Nine, Chapter Twenty to clarify a few issues.
 - d. A motion was made and seconded to approve Ordinance 2008-2 as presented: Parlapiano/Doty. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.
- E. Planning Commission
 - 1. Next Meeting: April 9, 2008 at 7pm in the Village Hall.
- F. Public Works Committee
 - 1. Next Meeting: April 24, 2008 at 7pm in the Village Hall.

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2. Best Choice Investments, 522 & 524 Main Street: Water Bill
 - a. Parlapiano explained that the owner of 522 & 524 Main Street, Richard Wilke, attended a Committee meeting to ask forgiveness on his current water bill due to special circumstances.
 - b. Wilke explained to the Committee that the hot water heater had blown the release and water was gushing out of it non-stop which made his water bill usage 100,400 gallons which resulted in a \$1,399.07 bill.
 - c. The Committee, having found a special circumstance to exist, recommended the bill be reduced to \$400.00. The Committee reported that the owner agreed to pay the reduced bill.
 - d. A motion was made and seconded to decrease the bill for 522 & 524 Main Street down to \$400.00 due to special circumstances: Parlapiano/Howard. A roll call vote was taken. Trustees Howard, Moyer, Doty and Parlapiano voted yes. Trustee Westervelt voted no. Trustee Harrison was absent. Motion carried. Yes 4, No 1, Absent 1.

3. Discussion of E. 12th Street
 - a. Public Works Director Dan Barber explained that E. 12th street was in desperate need of repair due to deterioration from excessive traffic use and no water drainage.
 - b. Committee discussed the different options:
 1. Rebuild to an 80,000 lb. street.
 2. Post "No Traffic" over a certain period of time.
 3. Talk to the School Board to pay for some of the repairs to the street since there is a lot of bus traffic on it.
 - c. Parlapiano explained
 1. that during the negotiations with the School Board on the New High School Construction Project it was made clear to the Public Works Committee that the new school would not impact 12th street therefore the School Board refused to give any funds toward street improvements
 2. that the Committee did not want to hold up the construction project therefore the discussion of E. 12th street would resume at a different time
 3. that if we posted the street then the traffic would only use another street in that area and tear it up
 4. that there is not enough funds to rebuild the street at this time

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5. that we should approach the School Board about the situation and seek funds from them
 - d. Board discussed doing a special service assessment in that area.
 - e. Board discussed doing a traffic study on E. 12th street.
 - f. Chief McNamer said that 13 buses 4 times a day use the street.
 - g. The Police Dept. and the Public Works were directed to do the traffic study before the end of May.
 4. Purchase of a Gable
 - a. Barber explained that the material shed at the plant gets excessive wind damage and he is recommending the purchase of a Gable to go across the front.
 - b. A motion was made and seconded to purchase a Gable “not to exceed \$3500”: Parlapiano/Moyer. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.
 5. Purchase of a Trailer Mounted Spray Unit
 - a. A motion was made and seconded to purchase a spray unit for the trailer “not to exceed \$500” from Farm N Fleet: Parlapiano/Westervelt. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.
 6. Discuss Skid Steer Purchase
 - a. Barber explained that he has been researching the purchase of a Skid Steer which will be needed at the new plant for moving the dewatered sludge in to the sludge storage area.
 - b. A hand out on the possible attachments and their use was also reviewed.
 - c. Barber explained that vendors are currently offering a 20 to 25% discount for municipalities which would give us approximately \$14,000 to \$17,000 cost savings.
 - d. The Capital Equipment fund has the money for such a purchase.
 - e. Barber wanted to know if the Board had strong feelings about purchasing a skid steer at these current prices then he would get firm bids from vendors.

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f. Barber was directed to seek the bids.

7. "Memorial" Street Sign for Devin Buss

- a. The Committee discussed putting up a street sign in memory of Devin Buss (a middle school student that has recently passed away).
- b. The sign would be put up on High School Drive which goes to the Middle School.
- c. Parlapiano gave a brief description of Devin Buss.
- d. This action would take a resolution in which the Clerk was directed to work with Tim Bronn or Doug Henry for the correct wording.
- e. A good time to do this would be at the end of the school year when students from the Middle School could attend.

8. House Fire at 225 E. 7th Street

- a. Parlapiano explained that the house at 225 E. 7th street burned down and nothing has been done to clean it up.
- b. The house fire was January 7, 2008.
- c. Clerk explained that she sent notice to the owner instructing him that the house needs to be demolished and the site cleaned up in 15 days of the date of the notice or legal action would be taken.
- d. Attorney Doug Henry explained the legal procedure concerning this.

G. Treasurer

1. Warrant Lists:

| | |
|----------------------|-------------|
| Treasurer's General: | \$51,231.18 |
| Treasurer's W/S/R: | \$25,248.84 |
| Clerk's General: | \$21,800.73 |
| Clerk's W/S/R: | \$35,033.45 |

- a. A motion was made and seconded to approve the Warrant Lists omnibus: Parlapiano/Doty. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.

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H. Clerk's Items

1. Ordinance 2008-3: An Ordinance Amending Article Thirteen: Zoning, Chapter Two: Districts, Generally, Section 2: Official Map
 - a. Clerk explained that the Zoning Map has been updated therefore an Ordinance needed to be passed to approve it.
 - b. A motion was made and seconded to approve Ordinance 2008-3 as presented: Parlapiano/Howard. A roll call vote was taken. Trustees Westervelt, Howard, Moyer, Doty and Parlapiano voted yes. Trustee Harrison was absent. Motion carried. Yes 5, No 0, Absent 1.

I. Executive Session: No Items

A motion was made and seconded to adjourn the meeting at 8:20 pm.

Next Village Board Meeting: April 15, 2008

Respectfully Submitted,

Ginger Binger, Village Clerk