

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

1. Call to Order: Village President Shawn Connors called the meeting to order at 7:00 p.m. on Tuesday, June 1, 2010 at the Village Hall.
2. Silent moment observed.
3. The Pledge to the American Flag was recited.
4. Roll call was taken. All Trustees present: Elizabeth Doty, John Moyer, Kristina Tarbert, Tom Heister, Stephen Eytalis and Derek Howard.

Others Present: Village Clerk Ginger Binger, Village Treasurer Nola Markel, Village Attorney Randy Wilt, Chief Ron Gwaltney, Public Works Director Dan Barber and Engineer Gene Stoll from MDES.
5. A quorum was established.
6. Approval of meeting minutes: A motion was made and seconded to approve the minutes of May 18, 2010 as presented: Doty/Tarbert. A roll call vote was taken. Trustees Doty, Moyer, Tarbert, Heister and Eytalis voted yes. Trustee Howard abstained. Motion carried: Yes 5, No 0, Abstain 1.
7. Call to the Public: Sherilyn Meyers and Rick Book wanted to speak about the one way alleys.
8. Additions/Corrections to Agenda: agenda amended.
9. Approval of Agenda: A motion was made and seconded to approve the agenda for June 1, 2010 as amended: Doty/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.

Agenda Items

- A. Village President's Items
 1. Jon Humphries: Letter of Merit
 - a. Chief Gwaltney read a Letter of Merit that was presented to Jon Humphries on a job well done in the apprehension of a female suspect on May 13, 2010 who was burglarizing the First Baptist Church in Pecatonica. There was also a male suspect who fled on foot.
 - b. These two suspects were thought to be those that were doing a rash of church burglaries in Pecatonica and the surrounding area.
 - c. Humphries quick response to getting information out on the air waves about the male suspect led to his arrest at a later time.

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

2. Employee Policies: Ordinance 2010-28: An Ordinance Amending Article Sixteen Policies and Procedures of the Village and Setting Compensation for Public Officials and Employees
 - a. This Ordinance changed the wages and hours for the Office Staff and the Police Chief. It also made a reduction to the Village President compensation.
 - b. **A motion was made and seconded to approve Ordinance 2010-28 as presented: Doty/Tarbert.** Discussion.
 - c. Question as to why this is in Ordinance form: Attorney Wilt explained that the compensation for elected officials cannot be changed mid-term but since the Village President is requesting this reduction for himself for the current fiscal year this has to be done per Ordinance in order for the President to receive a tax reduction.
 - d. It was suggested that compensation for the Trustees and the Village President be reduced for the next election.
 - e. Attorney Wilt explained that an Ordinance for this has to be in place six months before the next election and would only affect the newly elected Trustees then coming into office.
 - f. The still seated Trustees would be on the old rate until their seat is up for election.
 - g. In order to change the compensation for the newly elected Trustees an Ordinance needs to be in place by October 2010.
 - h. The Finance Committee will review the compensation for the elected officials.
 - i. **A roll call vote was taken. Trustees Doty, Moyer, Tarbert, Heister and Howard voted yes. Trustee Eytalis voted no. Motion carried: Yes 5, No 1.**
3. Appointments
 - a. The following appointments were recommended by the Village President.
 - b. A motion was made and seconded to approve the appointment of Ginger Binger as Village Clerk: Doty/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried.
 - c. A motion was made and seconded to approve the appointment of Nola Markel as Village Treasurer: Doty/Heister. A roll call vote was taken. All Trustees voted yes. Motion carried.
 - d. A motion was made and seconded to approve the appointment of Randy Wilt as Village Attorney: Doty/Heister. A roll call vote was taken. All Trustees voted yes. Motion carried.
 - e. A motion was made and seconded to approve the appointment of Ron Gwaltney as Police Chief: Doty/Moyer. A roll call vote was taken. All Trustees voted yes. Motion carried.

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

- f. A motion was made and seconded to approve the appointment of Lyle Christen as the Building Enforcement Officer: Doty/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried.
- g. All took the Oath of Office with the exception of Lyle Christen; he will take it at a later date.

B. New Business

- 1. "Cars on Main" Event-July 24, 2010: Glen Moist, Bob Eiss, Earl Herman
 - a. Mr. Eiss gave an update on the progress of the "Cars on Main" Event: he spoke about the flyers which will be given out and explained all the events that will be going on that day.
 - b. They have 60 car entries to date.
 - c. There will also be radio advertising this year.
 - d. Mr. Eiss asked the Board for some financing and this was directed to the Finance Committee.
 - e. Earl Herman from Skinners was present and he requested
 - 1. to close off streets at 6:00 a.m.
 - 2. to use the Main & 4th Municipal Parking Lot
 - 3. to use W. 3rd from Main to Reed St. (making sure the alley entrance is clear for emergency vehicles)
 - 4. to use W. 4th St. from Main to the alley
 - 5. to use Main St. from 1st to 5th
 - 6. to put "No Parking" signs up on Friday night
 - f. Discussed using the Reed and W. 3rd Street Parking Lot: decided to use that for spectators.
 - g. A motion was made and seconded to approve the street closings: Doty/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried.

C. Legal

- 1. Ordinance 2010-22: An Ordinance Amending Article Seven: Motor Vehicles and Traffic, Chapter Two: Traffic Violations, with the Addition of Section 16: One-Way Streets and Alleys
 - a. Attorney Wilt explained this is the second reading of this Ordinance and requires action tonight.
 - b. **A motion was made and seconded to approve Ordinance 2010-22: Doty/Eytalis.** Discussion.
 - c. Trustee Doty explained that this Ordinance came from the Public Safety Committee and that she approved it at the time but now she has had time to think about it and with the cost of the signs, etc. she opposes the Ordinance.
 - d. Trustee Tarbert also opposes it.
 - e. Trustee Moyer explained this was reviewed in the Public Works Committee and the Committee opposes it.

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

- f. Citizens Rick Book and Sherilyn Meyers both spoke against the Ordinance.
 - g. **A roll call vote was taken. Trustees Doty, Moyer, Tarbert, Heister and Howard voted no. Trustee Eytalis voted yes. Motion did not pass: No 5, Yes 1.**
2. Ordinance 2010-23: An Ordinance Establishing a 5 mph Speed Zone in All Alleys
- a. Attorney Wilt explained that this is the second reading of this Ordinance and needs action tonight.
 - b. This item died for lack of a motion.
 - c. Discussed State Statute and Alley Speed Signs of 15 mph and that they need to be posted.
 - d. **A motion was made and seconded to post 15 mph signs in the two alleys that were considered for one way: Eytalis/Howard.**
 - e. Discussed speeding, safety and do all the alleys need to be posted.
 - f. Attorney Wilt stated that all the alleys need to be posted.
 - g. **A roll call vote was taken. Trustees Doty, Moyer and Tarbert voted no. Trustees Heister, Eytalis and Howard voted yes. Village President Connors voted yes to break the tie. Motion carried: Yes 4, No 3.**
3. Ordinance 2010-24: Prevailing Wage Act Ordinance
- a. Attorney Wilt explained that this is the second reading for Ordinance 2010-24 and needs action tonight.
 - b. A motion was made and seconded to approve Ordinance 2010-24 as presented: Doty/Moyer. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
4. Ordinance 2010-25: An Ordinance Establishing a Vehicle License (Sticker)
- a. **A motion was made and seconded to approve Ordinance 2010-25: Tarbert/Eytalis.** Discussion.
 - b. President Connors would like to educate the public on what the Vehicle License Sticker will be used for, etc. through means of a letter in the paper or a letter to each residence.
 - c. Trustee Tarbert presented a Schedule of Fees for the Vehicle Stickers that she would like to discuss plus this would be a means of educating the public.
 - d. Attorney Wilt explained because this is imposing a fine on the public it must be published in its entirety in a newspaper that is circulated within the community within 30 days of passage.
 - e. A motion was made and seconded to table Ordinance 2010-25 until the next meeting: Eytalis/Heister. A roll call vote was

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

taken. Trustee Moyer, Heister and Eytalis voted yes. Trustee Tarbert and Howard voted no. Trustee Doty abstained. Motion carried: Yes 3, No 2, Abstain 1.

- f. Tabled in order to discuss the rate schedule and notify the public.
 - g. **A motion was made and seconded to publish the information to inform the public as to what the Board is considering in regards to this Ordinance: Moyer/Doty. Discussion.**
 - h. Trustee Tarbert explained her document that she presented with the fee schedule, etc.
 - i. Discussed what the money will be used for.
 - j. **A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.**
 - k. The motion made to approve Ordinance 2010-25 becomes null and void because the superseding motion was passed to table the item.
5. Ordinance 2010-26: An Ordinance Approving an Intergovernmental Agreement-Fine Collection Court
- a. Attorney Wilt explained the purpose for this Intergovernmental Agreement with the County: the County used to have a Financial Compliance Unit to try to collect unpaid fines owed to the communities.
 - b. This agreement gives the States Attorneys Office permission to go after unpaid fines and their fee is 10% of any monies they collect.
 - c. A motion was made and seconded to approve Ordinance 2010-26: Doty/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
6. Ordinance 2010-27: An Ordinance Approving Intergovernmental Agreement – Winnebago County Integrity Task Force
- a. Attorney Wilt explained that this is the second reading for Ordinance 2010-27 and needs action tonight.
 - b. Attorney Wilt explained the purpose for this agreement: it relates to when there is an officer involved shooting the surrounding communities would participate and cooperate in investigating the event.
 - c. Chief Gwaltney volunteered to participate on this Task Force.
 - d. A motion was made and seconded to approve Ordinance 2010-27: Doty/Eytalis. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

- D. Finance and Administration Committee
 - 1. Next Meeting: June 17, 2010 at 7:00pm at the Village Hall.
 - 2. Compensation for Elected Officials
 - a. Topic is going to Committee for review.
- E. Planning Commission
 - 1. Next Meeting: June 16, 2010 at 7:00pm in the Village Hall.
- F. Public Safety Committee
 - 1. Next Meeting: June 23, 2010 at 7pm in the Village Hall
 - 2. Booties Beer Garden
 - a. A diagram was presented of where the easement is and where they want to build the Beer Garden.
 - b. Trustee Doty stated she has contacted our Inspector Phil Long to get his opinion on the safety, etc. given there is a back stairway from the apartment above the business that would lead into the Beer Garden.
 - c. She has also asked President Connors to check with the County Fire Marshall for his opinion.
 - d. Owner of Booties, Kelly Knutti, was present to answer any questions, she also wanted to know what the concerns were with the stairway, there will be gates, only a partial roof, it will be a 6' high privacy fence.
 - e. Booties own the purposed property but the Village has a legal easement on it.
 - f. Ms. Knutti assured the Board that the tenant agreed to use the front stairway unless there was an emergency and the back stairs needed to be used. She also stated that if the stairs became a problem she would move them elsewhere.
 - g. President Connors stated that the only concern Mr. Long had was the height of the fence and that he hasn't heard anything back from the Fire Marshall.
 - h. The Village would have to abandon half the easement.
 - i. A motion was made and second to suspend the rules: Tarbert/Doty. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
 - j. A motion was made and seconded to abandon a portion of the easement subject to obtaining the legal description of that portion which will be paid for by Booties and authorize President Connors to execute a Quit Claim Deed which would deed back the easement to Booties: Tarbert/Doty. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
 - k. Chief Gwaltney has no problems with the Beer Garden.

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

3. Potential for a Full Time Officer Opening
 - a. Chief Gwaltney explained that there is a probability of Officer Matt Williams leaving the Pecatonica Dept. and going back to the Rockford Dept. which would open up a full time position.
 - b. Chief Gwaltney is requesting permission to fill that position with another full time officer and not a part time officer to which he gave several reasons for this request.
 - c. Trustee Doty reported that the Public Safety Committee recommends hiring a full time officer; the vote was 2 to 1.
 - d. Discussed the COPS Grant.
 - e. A part time officer can only work 1300 hours a year otherwise the Village would have to pay them full time benefits.
 - f. Chief Gwaltney would like to hire within the Dept.
 - g. Trustee Eytalis suggested using part time officers until we receive the results from the Grant.
 - h. Chief Gwaltney explained the COPS Grant.
 - i. Discussed the scheduling difficulties with part time officers.
 - j. Trustee Eytalis will receive a copy of the COPS Grant paperwork.
 - k. This topic will be discussed further in Committee.

4. Livestock in the Village Limits
 - a. Trustee Eytalis asked if chickens could be raised within the Village Limits.
 - b. The Public Safety Committee will research as well as Attorney Wilt.

5. Interpretation of Speed Limit
 - a. Trustee Eytalis explained that a person who has an interest in the Village has questioned the placement of a sign on one of the roads that come into and leaves the Village. The question is when is the sign directive required to be followed, is it where the sign is placed or is it where the sign can be seen by the person knowing that there is a change at the Village limits?
 - b. For example: going south on Pecatonica Road there is a 30 mph sign inside the Village Limits and a 55 mph sign approximately 100 yards outside of the Village Limits.
 - c. Chief Gwaltney explained that if it is an increase in the speed limit from 30 to 55 you can be going 55 as you pass the sign but if it is a decrease in the speed limit from 55 to 30 there is suppose to be at least 500 feet in which you must slow down in which you should be going 30 as you pass the sign.

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

- d. Trustee Eytalis questioned the speed limit signs placed on Grove Road, there is a 30 mph sign inside the Village Limits within 50 yards of the limits and right on the Village Limits mark is a 55 mph sign. There is a party adjacent of the sign that is concerned that there would be an undo increase in speed within the Village Limits.
 - e. President Connors stated that there has already been discussion with this individual and he was satisfied with what was going to happen in changing the signs but that the signs just haven't been changed as of yet.
 - f. The County and Township have also discussed the matter.
- G. Public Works Committee
- 1. Next Meeting: June 29, 2010 at 7pm in the Village Hall.
 - 2. Pumps Purchase
 - a. Trustee Moyer explained that the Committee recommends the purchase of two pumps from PDC quote #74092.
 - b. A motion was made and seconded to purchase the pumps from PDC for a total of \$944.36: Tarbert/Doty. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
 - 3. 604 Tracy Court Cleanup
 - a. Trustee Moyer explained that there is debris, etc. at this location that needs to be cleaned up by the owner.
 - b. The Committee discussed sending a notice to Dickerson to remedy the situation.
 - c. Attorney Wilt explained that Dickerson stated that the Village has screwed him over on something else and so he is basically not taking any responsibility for this, we can do a letter to him giving him a certain amount of time to remedy it or we can remedy it and put a lien against the property.
 - d. Trustee Doty will check to see who actually owns the property.
 - 4. Bay Valley Foods Revision for Solids (Scratched from agenda)
 - 5. MDES Contract
 - a. Committee recommends entering into a contract with MDES.
 - b. A motion was made and seconded to enter into and approve the contract with MDES as the Village Engineer: Doty/Tarbert. A roll call vote was taken. Trustees Doty, Moyer, Tarbert, Heister and Howard voted yes. Trustee Eytalis voted no. Motion carried: Yes 5, No 1.

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

6. Deduct Meters
 - a. Trustee Moyer reported that the Committee is working on the issue of Deduct Meters.
7. Parkview Subdivision Condo Driveway Repairs
 - a. Trustee Moyer explained that there was a water head issue that was installed in the driveway of a Parkview Condo that we had to repair and now the driveway needs to be repaired.
 - b. There is a verbal price of \$700 to fix the driveway.
 - c. A motion was made and seconded to authorize the repair not to exceed \$700: Moyer/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
8. Sjostrom's Pay Request #11: \$670,308.34
 - a. A motion was made and seconded to authorize payment of Sjostrom's Pay Request #11 for \$670,308.34, invoice #20706: Moyer/Doty. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
9. Change Order 22: Additional Site Fencing-\$23,082.19
 - a. Per Committee a motion was made and seconded to authorize Change Order #22: Moyer/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
10. Change Order 30: Plant Piping Revisions-\$2,053.53
 - a. The Committee recommends authorizing the Change Order.
 - b. **A motion was made and seconded to authorize Change Order #30: Eytalis/Doty.**
 - c. Barber explained the reason for the Change Order: the distributor did not follow the specs and therefore we need to make revisions to the piping.
 - d. Engineer Tim Bronn will be instructed to address this with the distributor to recoup the expenditure.
 - e. **A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.**
11. Change Order 31: Air Intake Silencer Connection-\$766.59
 - a. **Per Committee a motion was made and seconded to authorize Change Order #31: Moyer/Tarbert.**
 - b. Barber explained that this was something that was missed in the specifications of the plant and it has to be done.
 - c. **A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.**
12. Change Order 33: Wiring Air Compressor-\$580.14 (Scratched from the agenda)

Regular Meeting of the Village of Pecatonica
Board of Trustees
June 1, 2010 Village Hall

13. Change Order 34: Revise Welding Circuits-\$704.41 (Scratched from the agenda)

14. WWTP Update

- a. Barber gave the update report on the progress of the plant.
- b. Piping being installed from building to building, manholes have been installed, concrete was poured for dewatering building floor, construction of the dewatering building started, large equipment installation being done, etc.
- c. He reported that it may be the first week of August that we may be in operation.

H. Treasurer

1. Warrant Lists

Treasurer's General:	\$18,242.44
Treasurer's W/S/R:	\$167,356.61
Clerk's General:	\$0
Clerk's W/S/R:	\$12,105.20

- a. A motion was made and seconded to approve the Warrant Lists omnibus: Doty/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.

I. Clerk's Items: No Items

J. Executive Session

1. Review of Executive Minutes: 5 ILCS 120/2 (c)(21)

- a. A motion was made and seconded to enter into Executive Session at 8:49 p.m. with the Village President, Trustees, Village Clerk and Attorney Wilt being able to attend: Moyer/Tarbert. A roll call vote was taken. All Trustees voted yes. Motion carried: Yes 6, No 0.
- b. Entered back into Regular Session at 9:07 p.m. Roll call was taken with all Trustees present.

A motion was made and seconded to adjourn the meeting at 9:08 p.m.
Next Regular Village Board Meeting: July 6, 2010.

Respectfully Submitted,

Ginger Binger, Village Clerk
Approved: July 6, 2010