

Village of Germantown Hills
Village Board Meeting Minutes

April 23, 2015 - 6:00 p.m.

1. Call to Order/Roll Call/Pledge of Allegiance

Village President Jeff DeGroot called the meeting to order at 6:00 p.m.

Village President/Trustees	Roll Call	1	2	3	4	5	6	7	8	9	10	11	12	13 - 14
Jeff DeGroot – President	Present													
John Ford	Present	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Brian Wysocki	Absent	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jim O’Laughlin	Present	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
Marty Clinch	Present	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Todd Rice	Present	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Julia Miller	Present	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Also Present:
 Rich Brecklin, Superintendent of Public Works
 Chuck Urban, Village Attorney
 Bill Streeter, Village Attorney
 Scott DeSplinter, Village Engineer

2. Minutes Approval

a. March 26, 2015, Village Board Meeting

A motion was made by John Ford to approve the March 26, 2015 village board meeting minutes. The motion was seconded by Julia Miller. **Motion passed #1.**

3. Public Comments on Any Action Item on the Agenda-None

4. Public Comments on Any Non-Action items-None

Brian Wysocki arrived at 6:02 p.m.

5. Current Agenda Items

a. Discussion on updates and enforcement of the Village code

Melanie Meismer, 412 Mackenzie Place was in attendance to discuss code enforcement. She thanked Ann Sasso and Marty Clinch for their work with the economic development and the library progress. She passed out pictures of properties she feels has code

violations that need attention and recommended there be a code log in order to do more follow up. Ann Sasso explained complaints are documented that come into the Village hall and we act on the complaints as they are received. The properties were discussed and the Village board agreed letters should be sent to property owners if there are code violations.

Melanie also asked about the dumpster enclosures at Germantown Crossing. This will be looked at and verified for compliance.

Michelle Frantik, Sullivan Circle was in attendance concerning an issue on her street. She asked what can be done about the drainage issue, trailer and vehicular parking on the street.

Rich Brecklin explained with the drainage issue there is no place for the water to go. One item that would help is to eliminate the sump pump that is draining into the ditch. The board agreed to send a letter to the property owner informing them that the Village will be cleaning out the ditch if it is needed.

John Ford noted concern about the trailer being parked in the driveway indefinitely. The Village is unable to check for valid plates without going onto the private property. The board agreed to see if Woodford County can verify the plates. The Clerk will check with other communities to see if they have language that would regulate trailer parking. The resident is also parking a truck on the street that is causing issues with mail delivery and safety issues with limited visibility. The clerk will check with Woodford County to see if they can do anything.

b. Discussion and possible action on the Fandel Farm Outlot B cleanup

The Village previously sent the owner of Fandel Farm Outlot B a letter stating they needed to restore the property to its original condition if he is not going to continue the construction. He has not responded to the request. The board agreed to send the owner a notice as a part of the nuisance ordinance.

c. Approval of the MFT 2015 Program

Rich Brecklin stated the bid opening was held for the 2015 MFT program. Steffens 3D was the low bidder and they have stated they meet the Village's responsible bidder ordinance.

A motion was made by Brian Wysocki to approve the MFT 2015 program and award the project to Steffens 3D in the amount of \$110,128.50 as long as they meet the Village's responsible bidder ordinance. The motion was seconded by John Ford. **Motion passed #2.**

d. Approval of the Village employee's annual pay increases

Jim O'Laughlin reported the personnel committee had made a recommendation at their meeting to increase all of the employee's hourly wages by 4% of the highest paid employee which is \$1.32 per hour.

A motion was made by Jim O'Laughlin to approve the hourly pay increase of 4% of the highest paid employee, which is \$1.32 per hour. The motion failed due to lack of second.

John Ford stated he doesn't agree with what was previously discussed and would make a different recommendation on the public works employees and negotiate Ann Sasso and Rich Brecklin's wages separately. John Ford had Ann Sasso look at other municipalities. He discussed the findings.

Julia Miller questioned why we don't look at performance of the employees, loyalty and years of experience.

Marty Clinch stated some municipalities are paying more but there is a need to get them certified and trained appropriately.

The board agreed to table this so that the personnel committee can have further discussion.

e. Approval of the FY 15-16 Budget

The finance committee had recommended approval of the budget for FY 15-16.

A motion was made by Todd Rice to approve the FY 15-16 budget. The motion was seconded by Marty Clinch. **Motion passed #3.**

f. Discussion of liquor licensee location restrictions in the Village Code

Bill Streeter noted a question has come up because there is interest from a church in buying the old Ace building. The Village Code prohibits the issuance of a liquor license for sale at retail within 100 feet of any: church, school, hospital, home for the aged or indigent persons, home for veterans, their spouses or children or any military or naval station, or adult use.

The church would back up to Germantown Grille and the Liquor Shoppe. Both the Village Code and the state statute have a 100 foot requirement, but neither defines exactly where the measurement should begin and end. Illinois courts have consistently, interpreted the state statute to measure the 100 feet from property line to property line but the statute provides that in the case of a church, the distance is measured to the nearest part of any building used for worship services or educational programs. The Village Code does not make that distinction for churches. Bill noted it would be helpful if the Board would clarify the distance issue and a solution would be to adopt the state statute's language regarding churches, and clarify that all others are from the property line.

Bill Streeter stated the state statute provides that the 100 foot prohibition does not apply to hotels offering restaurant service, clubs, or restaurants, food shops or other places where sale of alcoholic liquor is not the principal business carried on. The Village Code does not have this exception.

Bill explained the state statute carves out a further exception for the renewal of licenses where the original license was issued before the church or school was established within 100 feet. Therefore, a church or school that moves near a licensee does not prevent the licensee from renewing its license. The Village Code does not have this exception. The Board should consider whether or not it would like to insert a similar exception into the Village Code.

Bill Streeter noted the church will need to apply for a special use permit in order to utilize the building as a church. The board agreed to modify the Village code to match the state statute requirements as discussed.

g. Approval of contractor's pay application #12 for the WWTP No. 1 Improvements

A motion was made by Brian Wysocki to approve the contractors pay application #12 for the WWTP No. 1 Improvements in the amount of \$21,518.82. The motion was seconded by John Ford. **Motion passed #4.**

Scott DeSplinter reported they are finishing up on some items and the seeding still needs to be completed. They are working with the contractor on the blower enclosure issue and the manufacturer on the pump failure.

h. Approval of Loan disbursement Request #13 for the WWTP No. 1 Improvements

A motion was made by Brian Wysocki to approve the loan disbursement request #13 for the WWTP No. 1 improvements in the amount of \$57,704.19. **Motion passed #5.**

i. Approval of the engineering agreement on the Safe Routes to School Fandel Road sidewalk improvement

A motion was made by Julia Miller to approve the engineering agreement on the Safe Routes to School Fandel Road sidewalk improvement in the amount of \$40,000. The motion was seconded by John Ford. **Motion passed #6.**

j. Approval of engagement of the Honorable Scott Shore as mediator for the Foth litigation.

Defer

k. Approval of engagement of Crawford, Murphy & Tilly as expert witness for mediation of Foth litigation

Defer

l. Approval of the proposed amendments to the Village of Germantown Hills Code affecting Commercial Pads

The Planning Commission and Zoning Board of Appeals have recommended approval of the proposed amendments to the Village of Germantown Hills code affecting commercial pads.

A motion was made by Jim O'Laughlin to approve the proposed amendments to the Village of Germantown Hills code affecting commercial pads. The motion was seconded by Marty Clinch. **Motion passed #7.**

6. Ongoing Agenda Items-None.

7. Presentation of Bills

a. General

A motion was made by Jim O'Laughlin approve the general bills. The motion was seconded by Brian Wysocki. **Motion passed #8.**

b. Sewer

A motion was made by Jim O'Laughlin to approve the sewer bills. The motion was seconded by John Ford. **Motion passed #9.**

c. Audit-None

d. MFT-None

8. Reports of Standing Committees

a. Finance

John Ford stated the budget had been approved for FY 15-16. Jeff DeGroot thanked John Ford for his services. John noted this board has made it harder for him to leave and it has been a pleasure working with everyone.

b. Streets/Equipment

Todd Rice stated he had nothing new to report. Marty Clinch mentioned the need to look at extending the sidewalk at Arbor Vitae for all of the kids that walk and bike to school. Rich Brecklin will get a price on doing the work.

c. Personnel

Jim O'Laughlin stated he will be scheduling a personnel committee meeting and we will be advertising for a summer position.

d. Police

Marty Clinch had nothing new to report.

e. Parks

Julia Miller stated she will scheduling a meeting in May to discuss what will be placed in the middle of the roundabout, new welcome signs, and siding for the park pavilion.

f. Sewer

Brian Wysocki recommended the board try to tour the new plant with all of the work that has been done.

g. Storm Water

Jim O'Laughlin stated the board may need to look at putting some money aside with some of the storm water issues we are having. Jim will be having another meeting before June.

h. Economic Development Council

Marty Clinch reported he had attended the County board meeting and there are a couple of board members against economic development and are wanting to levy for economic development. The issue was tabled for now.

The Woodford County Mayor's meeting is being rescheduled to a different location hoping to get a better turn out since there are communities that want help with their economic development. There are some county board members that don't want to have anything to do with it but Germantown Hills is going to keep working on it with or without them. Todd Rice stated we need to continue to step up to be the leader.

Ann Sasso reported the following:

IDNR Grant-There was a meeting with IDNR and Tri-County Planning Commission concerning the Recreational Trail Program grant the Village submitted for J.R. White Park. They felt everything looked really good so now we just have to wait until next year to see if it is approved.

CEDS Application Process-3 CEDS applications were submitted to the Greater Peoria EDC. The recreational Trail to Metamora, MTCO Park, and Pedestrian Overpass. This will get the Village in the CEDS application to help with grant and funding opportunities.

Library Update-The library discussed fundraising opportunities and the hiring of a construction manager. At their next meeting they are going to look at a proposed floor plan with the staff recommendations. In June they should have a final floor plan.

9. Reports of Special Committees-None

10. Reports of Officers

a. Zoning Officer Village Clerk

Landscape-The landscape pickup went well. We might want to get different signs for the fall to give better notice.

Germantown Crossing-I have talked to one of the other property owners about painting their portion of Germantown Crossing and he said he was planning on it. Once I receive the information on the paint colors I will pass it on to the other owner. The Germantown Crossing property owners are still talking about changing out the pylon sign.

Bags Tournament-The May 2nd is being coordinated. The porta potties have been ordered and they gave us a discount again. Rich is working with them on the fencing.

Chamber Event-May 9th is the chamber pork chop, garage and vendor sale.

The gitm Foundation is setting up a fresh food van and local fresh food stops at Great Oaks Church every week May to October.

b. Superintendent of Public Works-Rich Brecklin reported the following:

Rich, Scott and Ann met with IDNR at the park on the walkway grant. Rich noted we might want to put some information on the website about the proposed bike/walkway.

The Village will be installing the fencing for the bags tournament.

The roads have held up and have been swept once but we will be doing it again. The Village employees attended a flagger training in Woodford County.

Todd Rice had inquired about a gas tax since it may get difficult to maintain the roads with limited funds. Rich checked with Bill Streeter on the possibility but the Village would not be eligible to initiate an additional tax.

Rich talked with Gordon Fletcher about the parking lot being overlaid once all the work is completed at the sewer plant.

The Zook Court sewer lining went well. The stormwater map is being worked on.

c. **Village Attorney**-Nothing new to report.

d. **Village President**-Jeff DeGroot stated he had nothing new to report.

11. **Communications to the Board**-Ann Sasso read the thank you note from a resident on the snow plowing effort this season.

12. **Approval of closed session pursuant to Section 2(c) (11) of the Open Meetings Act, to discuss pending or probable or imminent litigation**

A motion was made by Brian Wysocki to go into executive session at 7:46 p.m. pursuant to Section 2(c) (11) of the Open Meetings Act, to discuss pending or probable or imminent litigation. The motion was seconded by John Ford. **Motion passed #10.**

A motion was made by John Ford to come out of executive session at 7:57 p.m. The motion was seconded by Brian Wysocki. **Motion passed #11.**

Approval of engagement of the Honorable Scott Shore as mediator for the Foth litigation.

A motion was made by Brian Wysocki to approve the engagement of the Honorable Scott Shore as mediator for the Foth litigation. The motion was seconded by Jim O'Laughlin. **Motion passed #12.**

Approval of engagement of Crawford, Murphy & Tilly as expert witness for mediation of Foth litigation

A motion was made by Brian Wysocki to approve the engagement of Crawford, Murphy & Tilly as expert witness for mediation of Foth litigation. The motion was seconded by John Ford. **Motion passed #13.**

13. **Adjournment**

A motion was made by John Ford to adjourn the meeting at 7:57 p.m. The motion was seconded by Marty Clinch. **Motion passed #14.**

Ann Sasso, Village Clerk