

The Dwight Village Board of Trustees met in regular session on Monday, December 10, 2012 at 6:30 p.m. with the meeting being called to order by President Bill Wilkey. Roll call was as follows:

Present:

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| Bill Wilkey | President |
| Nick Kester | Trustee |
| Tim Dougherty | " |
| Mike Woods | " |
| Justin Eggenberger | " |
| Marl Kinkade | " |

Absent:

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| Jared Anderson | Trustee |
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Other Village officials in attendance were Village Administrator Kevin McNamara, Police Chief Tim Henson, Public Works Director David Bozarth, Village Attorney Gary Neville, and Village Engineer Ryan Hansen.

President Wilkey led everyone in the Pledge of Allegiance.

A motion was made by Kinkade and seconded by Kester to approve the minutes of the November 26, 2012 regular Village Board meeting. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

The bills were presented for payment from the various funds in the amount of \$110,754.46. A motion was made by Kinkade and seconded by Dougherty to pay the bills as submitted. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

A request for the following fund transfers was made by Comptroller Drechsel:

\$8,859.00 from the Water Fund to the Water Capital Project Fund. This amount represents 5% of water sales receipts from October & November, 2012.

A motion was made by Eggenberger and seconded by Dougherty to approve the above stated fund transfer. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

\$7,563.00 from the Sewer Fund to the Sewer Replacement Reserve Fund. This amount represents 5% of sewer sales receipts from October & November, 2012.

A motion was made by Eggenberger and seconded by Dougherty to approve the above stated fund transfer. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

\$86,031.60 from the General Fund to the Reserve-Capital Expenditures Fund. This is to move insurance money that was deposited into the General Fund to the Reserve Fund since expenditures were made out of the Reserve Fund.

A motion was made by Kester and seconded by Kinkade to approve the above stated fund transfer. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

\$400,000.00 from the General Fund to the Reserve-Capital Expenditures Fund. The money being transferred covers the following: money expended in FY 2012 for computers, computer software, backhoe payments and a lawn mower; money to be expended in FY 2013 for equipment, backhoe payments, computers, and portable radio upgrades; the Village's 20% share of the engineering fee for the ITEP/Pinecone Path project; and money for the E. William St. roadway project.

A motion was made by Kester and seconded by Dougherty to approve the above stated transfer. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

In Public Forum, Tom Ivey 222 E. North Street, Dwight, complained about mattresses and junk still being in the alley down the way from him. He was reminded that all garbage goes curbside so that's why it's not being picked up.

No report from President Wilkey.

Clerk Drechsel reported that the Illinois Legislature had passed legislation extending the filing date for petitions in the April 9, 2013 Consolidated Election to Wednesday, December 26, 2012. Any Dwight Municipal candidates waiting until that last day can turn their petitions in to the Village Clerk's office here in Dwight.

Chief Henson reported that Pontiac has had several car burglaries and break-ins, and that Dwight also has had a few car burglaries. He encouraged citizens to take extra precautions.

McNamara presented the annual Tax Levy Ordinance. It shows a tax levy of \$625,000.00. McNamara explained this was the fourth consecutive year the Village had requested a levy of \$625,000.00 without a tax increase to the residents of the Village.

A motion was made by Dougherty and seconded by Kester to approve the Tax Levy Ordinance for tax year 2012 in the amount of \$625,000.00. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

ORDINANCE NO. 1325 IS ON FILE IN THE VILLAGE CLERK'S OFFICE

A motion was made by Kinkade and seconded by Woods to pass Ordinance No. 1322, "An Ordinance abating the tax heretofore levied for the Year 2012 to pay the principal of and interest on \$1,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2005, of the Village of Dwight, Livingston and Grundy Counties, Illinois". The amount of tax abated for the year 2012 is \$124,052.50. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

ORDINANCE NO. 1322 IS ON FILE IN THE VILLAGE CLERK'S OFFICE

A motion was made by Kinkade and seconded by Eggenberger to pass Ordinance No. 1323, "An Ordinance abating the tax heretofore levied for the Year 2012 to pay the principal of and interest on \$630,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2009, of the Village of Dwight, Livingston and Grundy Counties, Illinois". The amount of tax abated for the year 2012 is \$107,695.00. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

ORDINANCE NO. 1323 IS ON FILE IN THE VILLAGE CLERK'S OFFICE

A motion was made by Kinkade and seconded by Eggenberger to pass Ordinance No. 1324, "An Ordinance abating the tax heretofore levied for the Year 2012 to pay the principal of and interest on \$1,840,000 General Obligation Waterworks Refunding Bonds, Series 2010, of the Village of Dwight, Livingston and Grundy Counties, Illinois". The amount of tax abated for the year 2012 is \$343,528.00. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

ORDINANCE NO. 1324 IS ON FILE IN THE VILLAGE CLERK'S OFFICE

President Wilkey read the minutes of the December 5, 2012 Administration Committee meeting. The Committee discussed the Opperman Pay Request; the tax levy; insurance proposals; intergovernmental agreement with the State of Illinois regarding the Fox Center parking lot; and the personnel policy manual.

Pay request #1 from Opperman Construction Company, Pontiac, IL for \$34,260.20 for East William Street Roadway improvements was discussed. The consensus of the Village Trustees in attendance at tonight's meeting was that the Opperman request should be paid. Engineer Hansen said all the work had been done satisfactorily, and that \$3010.00 had been held back for parkway restoration that may need to be done in the spring. Since the pay request was not on tonight's Village Board agenda, it could not officially be acted upon. It will be placed on the agenda for January 14, 2013, the next scheduled Village Board meeting.

Administrator McNamara then talked about the liability/workman's comp insurance renewal proposals. The Village's current insurance carrier, Illinois Municipal League Risk Management Association, sent a renewal proposal for \$127,594.00, which is the Min/Max rate that the Village had been using the last couple years. The proposal from Arthur J. Gallagher Risk Management Services is for \$94,250.00, which includes a Boiler and Machinery policy, currently purchased separately.

A motion was made by Dougherty and seconded by Kester to accept the proposal from Arthur J. Gallagher Risk Management Services in the amount of \$94,250.00 for the Village's liability/workman's comp insurance. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

McNamara presented an intergovernmental agreement between the Village of Dwight and the State of Illinois regarding the use of Village property used by employees of William W. Fox Developmental Center for parking. The term of the agreement is for sixty (60) months commencing April 1, 2013 and expiring March 31, 2018. The agreement states in part: "the State shall pay rent to the Village of Dwight in the amount of \$1.00 per year. Rent will be paid in arrears, by State warrant, subject to legislative appropriation."

A motion was made by Kester and seconded by Kinkade to approve the intergovernmental agreement between the Village of Dwight and State of Illinois regarding Village property on West Main Street used by William W. Fox Developmental Center employees for parking. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

Administrator McNamara then discussed the changes that were made to the Personnel Policy Manual at the Administration Committee meeting. Most of the changes were clarifications, but two (2) major changes were a stricter Social Media policy, and the three (3) allotted personal days being given to non-union employees on January 1st, May 1st, and September 1st instead of all three (3) being given on January 1st. Also, regarding personal days, a non-union employee will no longer be reimbursed for any unused hours at the end of the calendar year.

A motion was made by Dougherty and seconded by Kinkade to approve the changes made in the Personnel Policy manual. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

In new business, local restaurant and bar, Station 343, 140 E. Main St., Dwight, requested a Special Use Liquor License Permit to hold a wine tasting event off premises at Heritage Woods of Dwight Assisted Living facility, 701 E. Mazon Ave., Dwight, on Tuesday, December 18, 2012.

A motion was made by Kester and seconded by Dougherty to approve the Special Use Liquor License Permit to Station 343 as stated above. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

The Village Board regular meeting dates for 2013 were presented for approval. Village Clerk Drechsel directed the Board's attention to two (2) dates that fall on legal holidays, May 27th Memorial Day, and November 11th Veteran's Day. Traditionally, the Village Board has not met on those holidays. The second meeting in December has usually been canceled because of the Christmas holiday also. Trustee Eggenberger suggested the December meeting should be canceled at this time along with the other two (2) holidays.

A motion was made by Dougherty and seconded by Kester to approve the following Village Board meeting dates for 2013. All meetings fall on the 2nd and 4th Mondays of the month and begin at 6:30 p.m. at the Public Services Complex, 209 S. Prairie Ave., Dwight, IL:

- January 14th and 28th
- February 11th and 25th
- March 11th and 25th
- April 8th and 22nd
- May 13th
- June 10th and 24th
- July 8th and 22nd
- August 12th and 26th
- September 9th and 23rd
- October 14th and 28th
- November 25th
- December 9th

Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

Next in new business was the appointment of committee members by President Wilkey. Wilkey requested appointment of Marilyn Thorsen to the Historic Preservation Committee for a term of three (3) years. Wilkey also requested the appointment of Ken White and Rick Stirnaman to the Zoning

Board of Appeals for terms of five (5) years each.

A motion was made by Kester and seconded by Dougherty to approve the above stated Committee appointments. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

A motion was made by Eggenberger and seconded by Dougherty to enter into Executive Session at 7:00 p.m. under 5ILCS 120/2(c)(21) “Discussion of minutes of meetings lawfully closed under (the Open Meetings Act), whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.” Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

Upon coming back into open session at 7:10 p.m., a motion was made by Eggenberger and seconded by Kester to approve the May 14, 2012 closed session minutes. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

A motion was made by Eggenberger and seconded by Dougherty to approve a resolution regarding Executive Session minutes, which releases a portion of the February 27, 2012 minutes and all of the May 14, 2012 minutes. The remaining portion of February 27, 2012 is to remain closed. The resolution also grants permission to destroy executive session tapes from April 11, 2011, April 25, 2011, and May 2, 2011. Roll call was as follows: Kester-aye; Dougherty-aye; Woods-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 5 – 0.

RESOLUTION NO. 2012-10 IS ON FILE IN THE VILLAGE CLERK’S OFFICE

Trustee Eggenberger inquired about the status of economic development loan re-payments from Spuds and Dwight Restaurant Group. McNamara said Dwight Restaurant Group had paid some interest this fall. McNamara said ABC News had taped an interview with Spuds which is to be aired December 19th. Eggenberger asked Attorney Neville to send letters to both Spuds and Dwight Restaurant Group. Neville said he would remind each borrower as to how much they currently owe and ask for some kind of action in good faith. Trustee Kester said he would like for Spuds to give the Village an update.

There being no further business, a motion to adjourn was made by Kester and seconded by Dougherty. All voted aye by voice vote. The meeting adjourned at 7:24 p.m.

APPROVED:

Bill Wilkey, Village President

ATTEST:

Patricia E. Drechsel, Village Clerk