

The Dwight Village Board of Trustees met in regular session on Monday, June 9, 2014 at 6:30 p.m. with the meeting being called to order by President Jared Anderson. Roll call was as follows:

Present:

Jared Anderson	President
Nick Kester	Trustee
Tim Dougherty	"
Jerry Curtis	"
Randy Irvin	"
Justin Eggenberger	"
Marla Kinkade	"

Other Village officials in attendance were Administrator Kevin McNamara, Police Chief Tim Henson, Public Works Director David Bozarth, EMS Director Al Metzke, Village Attorney Gary Neville, and Village Engineer Ryan Hansen.

President Anderson led everyone in the Pledge of Allegiance.

A motion was made by Kinkade and seconded by Dougherty to approve the minutes of the May 12, 2014 regular Village Board meeting. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

Three (3) sets of bills were presented for payment from the various funds in the amount of \$72,276.78 from May 20, 2014, \$108,858.56 from May 31, 2014, and \$84,753.81 from June 9, 2014. A motion was made by Curtis and seconded by Irvin to pay the bills as submitted. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

A motion was made by Kester and seconded by Dougherty to approve the April 2014 Treasurer’s report as submitted by Village Treasurer Diane Jensen showing a balance in all funds of \$2,495,080.92. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

Village Comptroller Patricia Drechsel submitted a request for three (3) fund transfers.

A motion was made by Kester and seconded by Kinkade to transfer \$24,500.00 from the Water Fund (51) to the Water Capital Project Fund (32) for the purpose of covering invoices from FY 2014. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

A motion was made by Dougherty and seconded by Kinkade to transfer \$28,000.00 from the Sewer Fund (52) to the Sewer Replacement Reserve Fund (33) for the purpose of paying principal and interest on the 1998 IEPA wastewater treatment plant loan, L17-1046. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

A motion was made by Eggenberger and seconded by Kinkade to transfer \$3093.00 from the Water Fund (51) to the Water Capital Project Fund (32) for the purpose of transferring 2.5% of the Water Receipts from April and May 2014. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

In public forum, Royce McBeath, 603 S. Union St., Dwight, spoke in strong opposition of the proposed rezoning of 410 E. Philmar St., Dwight from residential to business. McBeath said the Plan Commission had reviewed and voted to recommend denial of the application and hoped that the Village Board would support that recommendation. He said changing the zoning could open up future problems in that area.

Tom Ivey, 222 E. North St., Dwight, asked when Larry Little would be supplying dog waste containers at Lions Lake as was discussed at an earlier meeting. Administrator McNamara said the container came in late last week, but hasn’t been installed.

Tom Tock, 410 W. Delaware St., Dwight, asked about the status of Pinecone Path and what has been spent. McNamara said Phase II engineering is continuing; the project is an 80/20 grant with the Village already receiving \$44,000 back from what has been spent.

President Anderson reported:

- A company called Altorfer has come to an agreement with Al Seniw of New Lenox Machine to open a business in one of his buildings on east Rt. 17. Altorfer sells parts to Caterpillar Company;
- He was approached by a company wanting information on possible sites for a medical marijuana cultivation plant. This would be located outside of town;
- Senator Jason Barickman will be in town on Wednesday, June 11th around 10:00 a.m. to tour the inside of the closed Dwight Correctional Center. Illinois Dept. of Corrections will be taking him through.

Administrator McNamara reported:

- Sgt. Glenn Peters was involved in an accident on May 16th when he was passing a vehicle to try and stop another speeding vehicle heading north on Rt. 47. The vehicle he passed turned into Sgt. Peters' squad car. The 2011 Ford Crown Victoria was deemed a total loss. Sgt. Peters was not seriously injured;
- Early on May 17th, a man hit the brick pillars at the southwest pedestrian entrance at Renfrew Park after having brake failure on his vehicle. The pillars were demolished except for the cement toppers. The appraiser is having a problem finding someone qualified to rebuild the historic structures;
- Consolidated Grain & Barge received a Special Use permit from the Livingston County Zoning Board of Appeals to construct two (2), two million gallon liquid fertilizer tanks and a four (4) bay truck loading and unloading facility at their Dwight location east of the Village;
- The Village's three (3) year contract with First Energy Solutions to purchase electricity expires at the end of July. First Energy once again was the most attractive bid for a three (3) year contract after NIMEC, the Village's wholesaler, put out for bids three (3) times. First Energy rate will be 7.77 cents/kwh as compared to ComEd's rate of 7.81 cents. The Village can opt out of First Energy at any time.

EMS Director Metzke reported:

- Camp 911 went very well;
- EMS personnel have been busy teaching CPR;
- Articles on EMS personnel will continue in The Paper in the coming weeks.

Police Chief Henson reported part-time patrol officers Haley and Brown are in training and doing well.

Two (2) ordinances were presented for passage.

A motion was made by Kinkade and seconded by Curtis to pass Ordinance No. 1347, "An Ordinance Ascertaining the Prevailing Wage". Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

ORDINANCE NO. 1347 IS ON FILE IN THE VILLAGE CLERK'S OFFICE

A motion was made by Kester and seconded by Dougherty to pass Ordinance No. 1348, "An Ordinance Authorizing Sale of Excess Municipal Personal Property". The following items are listed as excess property: 2002 Ford Crown Victoria car; 2008 Ford Crown Victoria 170,000 miles; 1997 Ford Ambulance/Panel truck; two (2) True View In-car Video Systems; two (2) Pro-Guard Plastic Seat inserts for Ford Crown Victoria Squads; two (2) Pro-Guard Prisoner Cages for Crown Victoria Squads. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

ORDINANCE NO. 1348 IS ON FILE IN THE VILLAGE CLERK'S OFFICE

In old business, three (3) bids were received for the 2014 MFT street repair project:

- 1) Gallagher Asphalt Co. \$196,445.00
- 2) T & T Cartage, Inc. \$224,062.00
- 3) H. J. Eppel & Company Inc \$241,870.00

The engineer's estimate for the project was \$178,378.38

It was the recommendation of Christopher B. Burke Engineering to award the 2014 MFT street project to Gallagher Asphalt Co. in the amount of \$196,445.00. CBBEL's recommendation stated "While the bids were above engineer's estimate, an analysis of the individual items showed the bid was in line with current construction pricing".

A motion was made by Curtis and seconded by Kinkade to award the 2014 MFT street project to Gallagher Asphalt Co. in the amount of \$196,445.00. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

In new business, the Dwight Plan Commission recommendation for rezoning 410 E. Philmar was read by President Anderson: It is the recommendation of the Plan Commission to the Dwight Village Board of Trustees to deny the petition submitted by Greg Ferrari to rezone 410 E. Philmar from a Residential Zoning Classification to a Business Zoning Classification. Along with a copy of the recommendation, Trustees were given copies of several letters written by Dwight residents in opposition to the rezoning.

A motion was made by Kester and seconded by Irvin to accept the Plan Commission recommendation and deny the petition to rezone 410 E. Philmar from a Residential Zoning Classification to a Business Zoning Classification. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

A letter of request for soliciting funds at the intersection of Rt. 17 and Rt. 47 was presented from Laborers' Local 996. The solicitation would be June 21, 2014 from 8:00 a.m. to noon, with the proceeds benefiting the Diabetes Research Institute at the University of Miami School of Medicine in Florida.

A motion was made by Dougherty and seconded by Irvin to approve the solicitation request as presented by Laborers' Local 996. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

Next in new business, a variance request was submitted by Phillip and Deborah Becker, 7 Gooseberry Lane. The variance would be to allow a detached garage in the side yard of a property. The garage was once attached to a home at 5 Gooseberry Lane which has since been demolished. Mr. Becker now owns a portion of that property which is adjacent to his property at 7 Gooseberry Lane. President Anderson said this variance would go against everything in our zoning book and didn't think it should even be referred to the Zoning Board of Appeals. However, Attorney Neville said that, procedurally, it has to go to the ZBA for a public hearing before the Village Board can act on it.

A motion was made by Irvin and seconded by Dougherty to refer Phillip and Deborah Becker's variance request for a detached garage on property at 5 Gooseberry Lane on to the Zoning Board of Appeals. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

President Anderson reported that during budget preparation, the Village decided that painting the north water tower should be included in this year's budget.

A motion was made by Kester and seconded by Eggenberger to authorize advertising Request for Proposals for painting the north water tower. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

Anderson read a recommendation memo from Police Chief Henson in regards to replacing the wrecked 2011 squad car: *"On 05-16-2014 at approx: 8:00 P.M. Sergeant Peters was involved in an accident involving one of our squad cars. Sergeant Peters is fine, however the squad has been totaled out by the insurance company. This was one of our main patrol*

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vehicles and therefore needs to be replaced. The insurance company is giving us approx: \$11,000.00 for the old squad.

The Mayor, Village Administrator and I have had conversations regarding the fleet of vehicles needed for the Police Department. I have done some extensive research on the available patrol vehicles. I have talked with several Departments including Morris who are transitioning over to having 100% of their patrol vehicles be SUV'S.

There were several factors I carefully consider prior to making my recommendation. Some of the factors considered was the ability to get good quality service, room and comfort for the Officer's, price, fuel mileage, having vehicles in which the equipment can go from one vehicle to another without having to make major purchases, safety and the ability to provide our citizens the service in which they deserve no matter what kind of weather we have at the time.

It would be my recommendation to go with another Ford SUV Interceptor from Delong Ford Mercury. The SUV is a little more money upfront, but I feel you would recoup the difference in the end, while assuring the patrol fleet would be all the same, there would be plenty of room for the Officers, the Officers safety would be maximized and the citizens of Dwight would get the protection they deserve no matter what the weather conditions happen to be."

A motion was made by Irvin and seconded by Kinkade to approve the purchase of a sport utility vehicle to replace the 2011 squad car that was totaled. Roll call was as follows: Kester-no; Dougherty-no; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 4 – 2.

Trustee Kester commented that, as Services Chairperson, he would have appreciated being notified in advance about the discussion and recommendation on the squad car instead of finding out about it when he received his Board packet.

A motion to enter into Executive Session under 5 ILCS 120/2 (c)(1) "the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity" was made by Kester and seconded by Kinkade. Roll call was as follows: Kester-aye; Dougherty-aye; Curtis-aye; Irvin-aye; Eggenberger-aye; Kinkade-aye. Motion carried, 6 – 0.

The Village Board entered into Executive Session at 7:15 p.m.

The Village Board came back into open session at 8:00 p.m.

After some discussion, a motion was made by Kinkade and seconded by Eggenberger to retain Officer Watson McKee while he remains on unpaid administrative leave, with further determination of disciplinary actions. Roll call was as follows: Kester-no; Dougherty-no; Curtis-no; Irvin-aye; Eggenberger-aye; Kinkade-aye; Anderson-aye. Motion carried, 4 – 3.

There being no further business, a motion to adjourn was made by Kinkade and seconded by Eggenberger. All voted aye by voice vote. The meeting adjourned at 8:12 p.m.

APPROVED:

Jared Anderson, Village President

ATTEST:

Patricia E. Drechsel, Village Clerk