

November 25, 2019

**MINUTES OF A
REGULAR MEETING
OF
THE DWIGHT VILLAGE BOARD OF TRUSTEES**

**Held in the Public Services Complex
209 South Prairie Avenue, Dwight Illinois
November 25, 2019 at 6:30PM**

President Anderson called the meeting to order at 6:30PM and led the Pledge of Allegiance.

PRESENT: Jared Anderson, Village President; Marla Kinkade, Trustee; Randy Irvin, Trustee; Jerry Curtis, Trustee; Jenny Johnson, Trustee; Justin Eggenberger, Trustee; Chuck Butterbrodt, Trustee

Other Village Officials in Attendance: Kevin McNamara, Village Administrator; Jill Haacke, Village Clerk; Irv Masching, Village Attorney; Tim Henson, Police Chief, Steve Kinkade, PW Director, Aaron Burke, EMS Coordinator

The Village Board Minutes of November 12, 2019 were presented for approval. Trustee Curtis made a motion with a second from Trustee Kinkade to approve the minutes as submitted. Roll call. All voted aye. Motion carries.

FINANCIAL REPORTS

Payment of the November 25, 2019 bills in the amount of \$90,590.73 were presented for payment from the various funds. Trustee Kinkade made a motion, with a second from Trustee Butterbrodt to pay the bills as submitted. Roll call. All voted aye. Motion carries.

President Anderson presented the Treasurer's Report as prepared by Diane Jensen for the month of October 2019. Trustee Kinkade made a motion with a second from Trustee Curtis to accept the Treasurer's Report as submitted. Roll call. All voted aye. Motion carries.

President Anderson presented the fund transfer of \$23,000.00 from the General Fund (01) to the T.I.F. Fund (19). Trustee Kinkade made a motion with a second from Trustee Butterbrodt to accept the fund transfer as presented. Roll call. All voted aye. Motion carries.

PUBLIC FORUM

Tom Tock inquired on the Revolving Loan with Bill Ohlendorf. He commented how disappointed he was that he has not paid back the loan to the people of Dwight.

VILLAGE REPORTS

President Anderson informed the board that Kenny Jensen passed away yesterday. The boards thoughts are with the family as they go through this difficult time. Kenny and his family have always supported the Village and was a great businessman for many years in the town.

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COMMITTEE MEETINGS

The Ordinance, Judicial and Licensing Committee met on November 12, 2019 at 5:30PM in the Public Services Complex. Those present were Trustees Johnson, Curtis, Irvin and President Anderson. Those also present were Administrator McNamara, Police Chief Henson, Madelyn Fogarty and Tom Tock.

Chairman Curtis called the meeting to order and began discussion on two of the Ordinances approved at the previous board meeting. He stated the approved ordinances did not refer to where they should be placed in the Village Code. The Wind Energy Ordinance will be placed in the Zoning Ordinance, Section 4.20. The Small Wireless Facilities Ordinance will be placed in Chapter 19, Miscellaneous Regulations of the Municipal Code.

Chairman Curtis began discussion on the proposed Intergovernmental Agreement between the Village and Grundy ETSB. The Agreement is for a five-year lease beginning December 1, 2019 with two automatically renewing five-year extensions to the term of the lease. The Agreement allows for the installation of an antenna and certain emergency 911 radio equipment to the north water tower. Changes to the Agreement previously requested by the Village were reviewed. The Committee recommends approval of the Intergovernmental Agreement.

Trustee Eggenberger made a motion with a second from Trustee Johnson to approve the Intergovernmental agreement with Grundy ETSB as presented by the Ordinance, Judicial and Licensing Committee. Roll call. All voted aye. Motion carries.

Recreational cannabis becomes legal in Illinois January 1, 2020. The Committee previously discussed recommending that recreational cannabis dispensaries be allowed in B-2, Service Business Districts as a Special Use. Upon further review and discussion with input from Chief Henson and Mayor Anderson the committee recommends that Cannabis business establishments be prohibited in the Village. McNamara was instructed to draw up the appropriate ordinance.

Trustee Irvin made a motion with a second from Trustee Curtis to accept the recommendation from the committee to create an ordinance not allowing cannabis dispensaries to be allowed in a B-2, Service Business Districts as a Special Use. Roll call. Kinkade, nay; Butterbordt, aye; Curtis, aye; Eggenberger, aye; Irvin, aye; Johnson, aye. Motion Carries.

The committee discussed downtown tear downs and how they affect the overall status of the downtown business district and reviewed Design Guidelines for buildings in the Downtown Business District. After much previous review and discussion, the Committee recommends that McNamara develop an Ordinance to add design guidelines to the Zoning Ordinance based on current Pontiac and Dwight Main Street guidelines. The guidelines would be added in the Business District section. The Ordinance Committee would be the jurisdictional body to review proposals. The meeting adjourned at 6:20 p.m. on a motion and second from Irvin and Johnson.

The Property Committee met on November 21, 2019 at 5:30PM in the Public Services Complex. Those present were Trustees Kinkade, Irvin and Butterbordt. Those also present were Administrator McNamara, Police Chief Henson, Public Works Director Steve Kinkade and Cory Scoles.

Chair Marla Kinkade called the meeting to order at 5:30 p.m. McNamara reported handicap striping on East Main would need to wait until there are two consecutive days of 45 degrees. There was discussion on signage, lighting and ponding.

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The committee reviewed the James Street bids which were opened Nov. 6, 2019. The bid results are as follows:

*Tobey's Construction & Cartage, Inc: \$417,245.00
D Construction: \$411,180.00
Opperman Construction Co.: \$484,940.00
Stott Contracting, LLC: \$334,815.45
Brandt Excavating, Inc.: \$415,175.00
Superior Excavating: \$274,205.00*

Chamlin recommends the project be awarded to the low, responsive bidder Superior Excavating, Minooka, IL. The project consists of replacement of the existing sanitary sewer along James from Old Rt. 66 to Lincoln Street and installation of storm sewer along James St. from Old Rt. 66 to Clinton Street and along Lincoln St. from James to William. Anticipated construction timeframe is 60 days. Work must be completed by June 1, 2020. Superior Excavating has indicated they may start in January, weather dependent. The Committee recommends awarding the contract to Superior Excavating, Minooka, IL. in the amount of \$274,205.00.

A motion was made by Trustee Irvin to accept the recommendation of the committee and approve the bid be awarded to Superior Excavating, Minooka, IL. in the amount of \$274,205.00. Roll call. All voted aye. Motion carries.

The committee reviewed the Stevenson Pool Manager's end of season report, including repair and maintenance requests for 2020. An estimate from Tucker Refrigeration, Dwight, for the trash pump ONLY is \$2,932.00 The Committee recommends purchase.

A motion was made by Trustee Kinkade with a second from Trustee Eggenberger to approve the replacement of the trash pump as recommended by the committee, Roll call. All voted aye. Motion carries.

An estimate from All Type Fence, Streator, IL., to repair and re-stretch areas around the pool with new fabric and the 8' double drive gate for \$1,975.00 was received. The committee recommends having All Type Fence repair the pool fence for \$1,975.00.

A motion was made by Trustee Kinkade with a second from Trustee Johnson to approve the repair of the Stevenson Pool fence by All Type Fencing as recommended by the committee for \$1,975.00. Roll call. All voted aye. Motion carries.

Steve Kinkade reported the high-dive board which needs to be replaced per the IDPH is in. Bids were received to replace the air conditioning unit on the museum side at the Historic Depot and reviewed. The Committee decided to delay replacement at this time.

Discussion took place on illegal sump pump hook-ups in the Village. After lengthy discussion the Committee asked Scoles, Kinkade and McNamara to provide additional information for future discussion. They would like to see in writing what the IEPA says about illegal hook-ups to the sanitary system, ask other communities and organizations what procedures they follow, and find out from Attorney Masching what recourse the Village has. The meeting adjourned at 6:35 p.m.

The Zoning Board of Appeals met on November 19, 2019 at 6:00PM in the Public Services Complex. Those present were Members Jerry Anderson, Steve Lovell, Steve Zabel, Andrew Pittenger, and Bernie Baldauf.

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A motion was made by Zabel and seconded by Baldauf to approve the minutes of the April 17, 2018 Zoning Board of Appeals meeting as submitted. Voice vote. All voted aye. Motion carries.

The Zoning Board is meeting to consider a Zoning variance being made by Paul and Jennifer Johnson for premises commonly known as 305 E. William Street, Dwight Illinois, which is more particularly described as follows: Lots 3 and 4 of Brown's resubdivision of Block 17 Rutzer's 2nd Addition to the Village of Dwight, Livingston County, Illinois. Permanent Real Estate Index No.: 05-05-09-283-012

The request is as follows: To construct a detached garage measuring 36 feet in width and 30 feet in depth to be constructed in the side yard of the above described premises. This would be a variance of Section 4.12(1) of the Comprehensive Amendment to the Dwight Zoning Ordinance which states that an accessory building or use shall not be located or permitted in any side or front yard. The side, rear and front yard setbacks as otherwise required in this R-1 Zoning will be maintained.

A notice of the meeting was published in the October 24, 2019 edition of The Paper, a secular newspaper of general circulation in Dwight in the county of Livingston and the State of Illinois. Letters of notification were mailed October 21, 2019 by Certified mail to surrounding property owners per an Affidavit of mailing by Village Attorney Irv Masching.

Acting Chairmen Lovell began the public Hearing at 6:03PM. Jenny Johnson showed the board members a map of her property and where the garage would be going. The new building would be a 2.5 car garage built on their side yard. When they originally purchased the house and lot the intention was to build a garage. They previously had the lots combined into one P.I.N.

Attorney Irv Masching did not receive any responses from the other neighbors. The board did not have any questions for the owners. There being no further questions or comments, Acting Chair Lovell closed the Public Hearing at 6:05PM. The board did not see any problems with the Johnson's building an accessory building, a garage in their side yard.

A motion was made by Baldauf with a second from Anderson to the approve the submitted yard variance to build a garage in their side yard as presented by Paul and Jenny Johnson. Roll call. All voted aye. Motion carries. This recommendation will be forwarded to the Dwight Village Board of Trustees for consideration at their regularly scheduled meeting on Monday, November 25, 2019 at 6:30PM.

Trustee Irvin made a motion with a second from Trustee Butterbrodt to approve the garage to be built in the side yard as recommended by Zoning Board of Appeals. Roll call. Irvin, aye; Johnson, abstain; Kinkade, aye; Butterbrodt, aye; Curtis, aye; Eggenberger, aye. Motion Carries. 5-0-1.

The Plan Commission met on November 19, 2019 at 6:30PM in the Public Services Complex. Those present were Members Gene Mortensen, Ryan Van Der Karr, Barb Christensen and Earl McCoy. Those also present were Administrator McNamara, Village Attorney Masching, Village Trustee Jerry Curtis and Clerk Jill Haacke.

A motion was made by Christensen and seconded by Van Der Karr to approve the minutes of the September 23, 2019 Plan Commission Meeting as submitted. Voice vote. All voted aye. Motion carries.

Chairman McCoy read the following Public Hearing Notice: The purpose of the Public Hearing is to review the Second Comprehensive Amendment to the Dwight Zoning Ordinance under Section 15.10- Amendments.

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A notice of the meeting was published in the October 23, 2019 edition of The Paper, a secular newspaper of general circulation in Dwight, Illinois. Chairman McCoy opened the hearing to the public at 6:31PM.

Trustee Curtis has been working with the Ordinance Committee for the last couple years to update the Dwight Zoning Ordinance. It took a while for numerous meetings to go point by point to fix issues and tackle upcoming issues. The commission members asked their questions to Trustee Curtis and Administrator McNamara about the changes being made. There being no further questions or comments, Chair McCoy closed the Public Hearing at 7:39PM. McCoy opened the floor to the Plan Commission members for comments.

A motion was made by Van Der Karr and seconded by Mortensen to recommend the Dwight Village Board of Trustees to approve the recommended changes made to the Dwight Zoning Ordinance under Section 15.10-Amendments. Voice vote. All voted aye. Motion carries. This recommendation will be forwarded to the Dwight Village Board of Trustees for consideration at the regularly scheduled meeting on Monday, November 25, 2019 at 6:30pm.

A motion was made by Trustee Kinkade with a second by Trustee Johnson to approve the recommendation from the Plan Commission to approve the changes made to the Second Comprehensive Amendment to the Dwight Ordinance under Section 15.10-Amendments. Roll call. All voted aye. Motion carries.

The Administrative Committee met on November 25, 2019 at 5:30PM in the Public Services Complex. Those present were Trustees Curtis, Johnson, Kinkade, Butterbordt, Irvin, Eggenberger and President Anderson. Those also present were Administrator McNamara, Clerk Haacke, Finance Director Haacke, Chief Henson, Public Works Director Kinkade, and EMS Director Burke.

President Anderson called the meeting to order at 5:30PM.

Finance Director, Austin Haacke, presented Tax Levy proposals. For the board to maintain their desired rate from the previous year, the Village will have to hold a public hearing because the total change will be over 5%. The Committee agreed to try to keep the tax rate the same as last year. Thus, a public hearing will be needed to increase the Tax Levy rate due to the quadrennial reassessment of residential property in Livingston County.

The renewal for the annual health insurance has not yet been received. Overall, for property and liability insurance it went up 10.6% for everyone in the pool and Dwight's Workmen's Comp went down 2.11% over last year. Both increases were the best options after they went out to market. A motion was made by Curtis and seconded by Kinkade to recommend the renewal of insurance as presented by A. Haacke. (Motion)

A motion was made by Trustee Kinkade and seconded by Trustee Eggenberger to accept the recommendation from the committee to accept the new rates of the Illinois Municipal Insurance Coop. Roll call. All voted aye. Motion carries.

Clerk Haacke presented the board with the following dates for the village board meetings in 2020. Meetings begin at 6:30 p.m.

*January 13th & 27th
February 10th & 24th
March 9th & 23rd
April 13th & 27th*

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*May 11th
June 8th & 22nd
July 13th & 27th
August 10th & 24th
September 14th & 28th
October 12th & 26th
November 9th & 23rd
December 14th*

Trustee Kinkade made a motion with a second by Trustee Irvin at approve the Village Board meeting dates as presented by Clerk Haacke and recommended by the committee. Roll call. All voted aye. Motion carries.

Clerk Haacke presented the dates for the Zoning Board of Appeals and Plan Commission Meetings for 2020 as follows. The Plan Commission meets at 6:00 p.m.; and the Zoning Board of Appeals at 6:30 p.m.

*January 21st
February 18th
March 17th
April 21st
May 19th
June 16th
July 21st
August 18th
September 15th
October 20th
November 17th
December 15th*

Trustee Irvin made a motion with a second by Trustee Eggenberger at approve the Zoning Board of Appeals and Plan Commission meeting dates as presented by Clerk Haacke and recommended by the committee. Roll call. All voted aye. Motion carries.

For the past number of years, the Village has given its employees and committee members a \$50 year-end gift certificate in lieu of the Christmas Party. The cost to these certificates is approximately \$2,200. A motion was made by Kinkade and seconded by Eggenberger to recommend the purchase of DEA \$50 gift certificates as Christmas gifts. (Motion)

A motion was made by Trustee Eggenberger with a second from Trustee Johnson to approve the gift certificate as gifts for the staff as recommended by the committee. Roll call. All voted aye. Motion carries.

Administrator McNamara presented the year-to date budget and how the Village was doing so far with expenses and revenues. So far everything has been going well with all the funds on track. President Anderson, Haacke and McNamara have been looking into fully taking on the EMS service with the Village in lieu of the Kurtz/AMR contract. There would be savings the first three years, but in year four the Village would begin to see some losses. There were mixed questions from the Trustees. Administrator McNamara and Finance Director Haacke will continue to look at options.

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Finding no further business, President Anderson asked for a motion to adjourn. A motion to adjourn was made by Trustee Kinkade seconded by Johnson. All voted aye by voice vote. The meeting adjourned at 6:25PM.

ORDINANCE/RESOLUTIONS

An ordinance was presented by President Anderson to amend the municipal code to amend Chapter 17 to Prohibit Cannabis Business Establishments in the Village. Trustee Irvin made a motion with a second from Trustee Eggenberger to approve Ordinance #1431. Roll call. Butterbrodt, aye; Curtis, aye; Eggenberger, aye; Irvin, aye; Johnson, aye; Kinkade, nay. Motion carries. 5-1.

ORDINANCE #1431 IS ON FILE IN THE OFFICE OF THE VILLAGE CLERK

Resolution 2019-06 was present to the Village Board regarding Executive Session minutes. The board reviewed the minutes at a previous meeting and this resolution is being passed in accordance with closed session law. Trustee Kinkade made a motion with a second by Trustee Eggenberger to approve the resolution as presented. Roll call. All voted aye. Motion carries.

RESOLUTION 2019-06 IS ON FILE WITH THE VILLAGE CLERK

Finding no further business, President Anderson asked for a motion to adjourn. A motion to adjourn was made by Trustee Kinkade with a second by Trustee Johnson. All voted aye by voice vote. The meeting adjourned at 6:58PM.

APPROVED:

Jared Anderson, Village President

ATTEST:

Jill V. Haacke, Village Clerk