

Minutes of the Village Board of Waterman held Tuesday, September 12, 2017

The meeting was called to order at 7:30 p.m. at the Village Hall.

Roll call: Beach, Feitlich, Fenske, Johanningsmeier, Meier, and Mitchell.

Attorney Keith Foster was present as Village council.

Trustee Andrews arrived at 7:31 p.m.

Approve Agenda: Mayor Beach requested that two items be added to “Mayor’s Report” – “E. Discuss Letter to DCCF” and “F. Report from attending Shabbona Board Meeting.” Trustee Feitlich motioned to approve the Agenda as amended. Motion approved unanimously.

Approve Minutes: Mayor Beach pointed out that there were several misspellings of his name. Trustee Johanningsmeier motioned to approve the Minutes of 8/8/17 as corrected. Motion approved unanimously.

Accept Council Approval Report: Trustee Feitlich motioned to accept the Council Approval Report as presented. Roll call vote passed 6/0.

Accept Treasurer’s Fund Account Report: Trustee Feitlich motioned to accept the Treasurer’s Fund Account Report as presented. Roll call vote passed 6/0.

Mayor’s Report:

Well #5 status – there has been no communication from Joe Fareed. Attorney Foster reported that a disconnect of the Deerfield property requires action by the owner of the property, that the Village Board cannot just remove the property from the Village. Because there is a breach of the 2004 annexation agreement and there is no indication that current owner will comply with the terms of the agreement, which expires in 2024, gives the Village some rights. It is important to do something before 2024. A remedy for the breach would be to file suit; the Village will be suffering damages because of the lack of benefits the well would provide. A suit could be filed and the annexation agreement be rescinded and disconnect the property through this process. Almanar Trading needs to be notified that the Village will be taking action and see if they will voluntarily disconnect the property from the Village. Trustee Mitchell stated that at the meeting they had with Mr. Fareed stated the Village could turn the water off at any time, having no regard for the two homes that are there. The well was supposed to be constructed within the first 5 years of the annexation agreement. If a court granted damages, it could be recorded as a lien; the Village could foreclose on the property and then sell the property or disconnect the undeveloped property. Trustee Feitlich asked if a suit for damages is filed, will that dollar figure support the construction of a new well or modifying an existing well. The suit will risk loss of the property. The property would be a county issue at that point. Utilities would be capped off or an agreement could be made for continued service, such as FS did. The well would not be an encumbrance. A letter will be sent stating the clock is running including stopping all planting of crops in the areas with infrastructure in place. Trustee Feitlich stated that once this is started it must be followed through to the end. At the meeting with Mr. Fareed, he was not willing to spend more than then \$200k regardless of the project costs. A deadline of October 9 will be set and a report will be given at the October Board meeting.

Mayor Beach met with Enbridge – company who runs the Waterman pumping station. They have a new community relations person. They have a yearly grant of \$1,200 for public safety. They also do community service, park development, etc., grants.

Mayor Beach and Trustee Mitchell met with the owners of the Green Ridge lots and learned that they were contacted by Almanar Trading to purchase the lots they own. They also had another offer to purchase that was rejected. They want to plant crops on the vacant lots but it is not zoned for that use. They may sell the topsoil as long as hauling it out does not damage the Village streets.

There remains outstanding Trustee OMA training certificates and contact information.

Lions club wants to build a pavilion/band stand and are applying for a grant from the DCCF and a letter of support was provided by the Village. The Village will also provide some money, possibly up to \$10k, from the Olson memorial fund. It has not been determined where the structure will be located. Shawn Bloblum provided some drawings – it would be very similar to the structure in Malta but with a metal roof which is more expensive. The project could run \$48K with landscaping, tables, etc. The grant information will be the end of October.

The Lions 5K run is Nov 18 and will need help with road closures and information in the newsletter. Chief Breese attended their last meeting and spoke about the auxiliary. Shawn presented the Chief with a check for \$200 for auxiliary fees and a check for \$1,000 for a vest. The pavilion will be used for bands for the tractor show and for general use. It will have power and possibly a way to put a tarp around for inclement weather.

Mayor Beach attended the Shabbona board meeting with former Trustee Browder. They are considering a 1% sales tax and wanted to know what the process is and the benefits.

Staff Reports:

Trustee Johanningsmeier stated that the new gravel shoulder was low on Garfield. Norm had called in and said not to pay Universal until all the IDOT requirements are met.

Correspondence: The recall parts are in for the Tahoe and needs to be taken in. A training seminar on the Friday 29th from 9-4 in McHenry on setting water prices if any trustee wishes to attend.

Request for Consideration: None.

Committee Reports:

Water & Sewer - Denny Mitchell – the algae treatment has been doubled and is not sure if it is working. Next year this needs to be started immediately to be ahead of the issue. Chris from Test is also checking regularly.

Streets & Alleys – Arnie Johanningsmeier – Met 8/17/17 and discussed the parking around the middle school. Signs have been ordered for no parking. Changing the ordinance will be changed once it is all determined what works and not. Trustee Feitlich stated that parking has already been an issue for a volleyball game. The former front door might need to be re-opened for better access.

Public Safety: Jed Fenske – the badges and patches for auxiliary have arrived. A tool box for the back of the Tahoe has been ordered. Chief Breese was sent a check for \$2,000 from Casey's from their lottery proceeds. The August is the business report that ever before, lots of overtime. Some budget modifications might be necessary. Things have now slowed down. There is no part-time academy. Training board stated not to hire any part-time officer that is not already certified. The radio situation – the county has authorized up to \$4M for both police and fire. Waterman will need new equipment to work with that system. Trustee Mitchell asked for the specifics for the new radios. The auxiliary candidates have been chosen. Three of the five candidates were in attendance.

Mayor Beach stated that Casey's will be making more donations to other groups in Waterman.

Buildings & Grounds: – Henry Meier, nothing to report. Trustee Mitchell stated that the two building roofs at the water tower need to be replaced. He had two proposals, and recommended the steel proposal. This repair is not budgeted and not on the agenda.

Finance & Personnel: - Tony Feitlich – A TIF grant request from Marilyn Ziegler was discussed at the committee meeting for the removal of a blighted building on S. Birch. Photos were provided. Removal of the failing structure improved the aesthetic of the area. A counter argument was that it was on personal property but within the TIF district. Mayor Beach stated that this situation would comply. Trustee Feitlich motioned to

approve the grant request in the amount of \$2,200. Roll call vote passed 5/1 with Trustee Andrews voting no. A discussion on what TIF funds are meant for was held. A smaller storage unit was put in its place.

Economic Development: – Tony Feitlich – meeting held and DCCF is offering an economic grant. What was decided to let Shabbona go with their project and see what happens. The grant window goes through 2019 and is quarterly. He will reach out to Shabbona's economic development person. He mentioned the possibility of a farmers' market to spur activity in the community. Other area communities have successful events. A decision will be made earlier than later for ample notice to the area farmers.

Zoning: Christy Andrews – nothing to report.

Planning Commission: Linda Swenson –nothing to report.

Regional Planning Commission: Linda Swenson –attend the last meeting and the new chairman is taking the commission in a new direction. County promotion and community image is a new main theme.

Mayor Beach stated that the member of the Waterman Planning Commission has struggled with attendance and he will work on this.

Old Business:

Clerk Bystry stated that Hicksgas will match figures with Conserv FS with a summer fill of \$1.19 and \$1.25 per gal for remainder of the year 9/1/17 through March 2018. The auto fill status has been removed. Trustee Feitlich motioned to accept the amended Hicksgas contract as long as the surcharge is removed. Roll call vote passed 6/0.

Muingan Park water source - parts have been ordered. Wal-Mart has provided grant funds.

Glass in the street issue seems to have been resolved, and no more hydraulic oil seems to be leaking. New trucks are in the area.

No parking signs have been ordered.

Trees have been removed/trimmed.

No other information on the de-annexation. The water bill for flushing because of no well should bring a response.

New Business:

Appointment of auxiliary officers: Trustee Andrews stated that the public needs to know about the formation of a Waterman Auxiliary and what functions they will perform in the community. Also that they are volunteers. The information can be included on the website and in the newsletter. Chief Breese stated that they will work with certified officers at all times. Because part-time officers are not an option the auxiliary will be helpful. Trustee Fenske motioned that the five be appointed as group rather than individually Greg Gilbert, Kimberly Greco, Marcello Greco, Joshua Scott and Matthew Speierly to the Village of Waterman Police Auxiliary. Roll call vote passed 6/0. Three of the five officers were sworn in, Greco's were not in attendance. Trustee Fenske complimented the Waterman PD for putting together this volunteer group.

Trustee Johanningsmeier motioned to adopt Ordinance 2017-11 amending the no U turn areas in Waterman. Roll call vote passed 6/0.

Mayor Beach stated that the 580 backhoe is getting old and two different bids were presented. Bobcat had a bid of \$53,218. Trustee Fenske motioned to replace the old backhoe in two installment payments with Bobcat. This will do everything and more with the 7 attachments that come with including a blade, blower, grapple bucket, and regular bucket. There are many other attachments that can be rented. Trade in of \$19,500 for the old machine, which will represent the first year's payment with two yearly payments of \$18K to follow. Trustee

Feitlich asked if there was benefit to pay the balance early. He discussed where the money will come from for the next two years. Trustee Mitchell will check on this. Roll call passed 6/0.

The listing agreements for the two vacant lots have expired. Trustee Feitlich motioned to re-list with Linda Swenson/Elsner Realty. Trustee Johanningsmeier asked what the lot on Eisenhower sold. The commission is 4%. Trustee Feitlich amended this motion to reduce the listing prices up to \$10k each at the discretion of Mayor Beach. Roll call vote passed 6/0.

There is no park-specific code for enforcement in the Village. Mayor Beach provided sample language for rules and regulations for Village parks and common areas for the Board to review and have in ordinance form for the next meeting.

Public Comment:

Bob Bend, Trustee from the library asked about the electrical cord that is continuously across the alley access to the Clinton Township Public Library parking lot. A complaint form was completed some time ago with no known follow up. Patrons are uneasy about driving over the cord. Chief stated that he spoke to the owner once and the cord was removed for a short time. He cannot find anything that is a violation. There was discussion about this issue.

Linda Swenson mentioned several ways the Village could get more money – several instances of a lack of building permit and the penalties for no permit. There is a junk yard in town without a license. Trustee Andrews stated it is being watched by the PD and hopes that the Board will not allow a junk yard. Linda stated that it should be licensed if the practice continues. The berm on the property has become a weedy mess. It is the first thing that visitors see when entering the Village. There has been progress on the fence but there are still items outside the boundary of the fence. Trustee Andrews believes that the owner is taking advantage of the new board. Trustee Andrews stated that a written complaint must be made before zoning or PD can address a problem. Trustee Feitlich stated it helps with the paper trail. But when a complaint is made, the complainant's identity is often revealed, which is a deterrent for making complaints. Mayor Beach will sign complaints for those who are hesitant to sign a complaint. Linda stated that first impressions make a difference. Mayor Beach stated that a code enforcement officer may be necessary.

Norm Gaston asked about the small raffle the Lions Club has and if it is allowed within Village code.

Adjournment: Having no further business to conduct, the meeting was adjourned at 9:44 pm. The next regular meeting will be held at 7:30 on Tuesday, October 10, 2017.

Respectfully submitted,



Christina M. Bystry

October 10, 2017

Date