

## **VILLAGE BOARD MEETING**

**Bethalto, IL**

**July 3, 2017**

The Village Board of Trustees met on the above date in the Council Room at Village Hall in a regular meeting called to order by Mayor Winslow at 7:15 p.m. The meeting opened with the "Pledge of Allegiance". Roll call was taken by Village Clerk Sue Lowrance. Present: Trustees Mull, Bost, Dugger, McRae, Gibbons, Buhs, and Mayor Winslow. Also present: Police Chief Gregg Smock, Police Lt. Craig Welch, Public Works Director Rod Cheatham, Village Attorney Ken Balsters, Fire Chief Alex Campbell, Village Treasurer Joe Schoppet, and Zoning Administrator Tim Brown.

**Motion made by Mull, seconded by Bost, to approve village board minutes of June 5, 2017 as printed.** All members voted aye viva voce. Motion carried 6-0.

### **REPORTS FROM DEPARTMENTAL SUPERVISORS:**

Fire Chief Alex Campbell reviewed the statistical report for the month of June, noting 83 total calls for the month. The department is on pace for over 1000 calls this year. There was one structure fire which was a total loss at \$95,000, and one fatality. The structure fire was well-involved upon the department's arrival. It has been a number of years since there has been a fire fatality within the Village. There were two missed calls in June, and the roster currently stands at 23 members with no new applicants on file. Engine hoses have been replaced and are color-coded. There were no questions.

Police Chief Smock presented the June activity report with no questions. The department had 43 applicants, 19 of whom qualified through physical agility. Further testing will continue this month. There were no questions.

Public Works Director Cheatham presented his report: In Parks, mowing & weed eating continue but is slowing down as growing slows; crews have collected 60 bags of trash out of easements. Splash Pad footings have been poured and Cheatham expects plumbing to be

completed in seven working days. Cheatham is expecting the electrical plan for the Arboretum this week. Flower beds are being tended to by department crews. In the Street Department, 8 tons of cold patch have been used in fixing potholes, and hot mix will be ordered after the bid process. Five pads of concrete on Meadow Drive have been repaired. In the Sewer Department, Mr. Manhole continues to be utilized to fix manholes around town, with 70 already completed. There were 9 manhole linings completed this month, and the Fairway area will be completed by the end of August. There were no questions.

**GUESTS/PUBLIC COMMENT:**

Denise Farrell and Jack Heflin, residents of Michael Court, were in attendance to get further information on the status of the repair/refurbishment of the Kutter-Aljets Place detention pond and to express opposition to the proposed re-zoning of property up for consideration at tonight's meeting. Ms. Farrell inquired as to the status of the Kutter-Aljets Place pond, to which Mayor Winslow stated the pond is supposed to be refurbished to comply with original specifications, but that the priority for the Village is the creation of a pond on airport property, which the Village engineer states is key to helping alleviate some of the flooding problems in the creek. Winslow did state that the developer of Kutter-Aljets Place would be responsible for bringing their detention pond back into compliance, and that he is hoping that will occur this summer. Any work done on the pond will be inspected and approved by Village engineers. Discussion of the airport pond occurred, with it being noted that the airport received an estimate at a higher cost than anticipated, so they are still determining the best way to proceed. Public Works Director Cheatham noted that the purchase of the mini-excavator on tonight's agenda will help crews begin cleanup at the north end of the creek rather than waiting on activity at the south end. Zoning Administrator Brown announced that Kutter-Aljets Place, LLC had been issued a letter on June 12 stating that plans must be submitted within 30 days which show the plan for correcting their detention pond. These plans will be submitted to engineers for approval prior to work being completed. Mr. Heflin disagreed with Mr. Lowrance's previous statement that the detention pond at Kutter-Aljets is

“doing its job”. Further concern was expressed regarding the creek overflow in heavy rains; Cheatham stated that years of neglect have caused issues and that there is a lot of work to be done and that routine maintenance will be done after the initial cleanup process is completed.

## **RESOLUTIONS**

**Resolution 2017-10 A Resolution Approving An Agreement for Technical Services & Assistance with Moran Development** was presented. This agreement will allow for a study to be done regarding the creation of two business districts within the Village as discussed in committee meetings. The agreement was reviewed and costs of approximately \$27,000 were shown. Mayor Winslow stated that the business districts would go into effect January 1, with income from the districts still in this fiscal year. Trustee Gibbons inquired as to the tax rate, Mayor Winslow stated it is a 1% sales tax. **Motion made by Buhs, seconded by Mull, to approve Resolution 2017-10 A Resolution Approving An Agreement for Technical Services & Assistance with Moran Development.** Trustees Mull, Bost, Dugger, McRae, and Buhs voted aye, Trustee Gibbons voted nay. Motion carried 5-1.

## **ORDINANCES**

**Ordinance 2017-12 An Ordinance Amending Chapter 1 Article II** was presented. This will change the date of regular Village Board meetings from the first Monday of each month to the second Monday of each month in order to give department heads and the Village finance department more time to close out each month-end prior to issuing board reports for the meetings. This change in meeting date will begin with the August meeting. Press and interested parties will be notified of the change. **Motion made by Bost, seconded by Buhs, to approve Ordinance 2017-12 An Ordinance Amending Chapter 1 Article II.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

**Ordinance 2017-13 An Ordinance Amending Chapter 6 Buildings** was tabled until the August meeting due to some discrepancies in the fee structure shown in the attached Exhibit A. Fees will be finalized and the ordinance reconsidered at the August meeting.

**REPORTS FROM THE MAYOR:**

Village offices are closed on July 4 for Independence Day.

Mayor Winslow announced that the Zoning Board of Appeals had held a Public Hearing and meeting regarding the second request by Sage Creek Development, LLC for rezoning of property along Mill Street between Silver and Grant Streets from RT-Two-Family Residential to RM-Multiple Family Residential for the proposed construction of townhome condominiums as opposed to duplexes. All information regarding the request and the ZBA meeting was included in the board packets, along with a signed petition from neighboring residents, received after the ZBA meeting process, asking the board to disallow any form of development on the property due to water runoff and flooding concerns. Mayor Winslow reminded the board that the property is currently zoned to allow for the construction of duplexes, and that tonight's decision is not whether or not building can occur, but what type of building. Zoning Administrator Brown stated that the townhome setup would be better than duplexes due to the building footprint of townhomes being roughly half the size of that for duplexes (10,000 sq ft as opposed to 20,000 sq ft of impervious surface). Brown further stated that the Zoning Board of Appeals voted 3-1 (with 3 absent) to recommend the rezoning, but any change of zoning requires 4 yes votes so the motion did not pass. Brown said that any development will require site plans & engineering to be approved prior to any construction. Further concern of the flooding creek issues occurred, with Ms. Farrell & Mr. & Mrs. Heflin reiterating that the Kutter-Aljets detention pond should be fixed prior to ANY further development/building in town. Mr. Heflin stated that he had not had any water issues since he built his home in 1978 until Kutter-Aljets Place was developed. The board discussed the new development requirements and reminded everyone that water studies

would be required and preliminary engineering would be reviewed & approved prior to any development. Any area over 10,000 square feet requires a detention pond. Ms. Farrell stated that these water issues should have been fixed years ago; Mayor Winslow said it is in the process of being corrected now. Mr. Heflin inquired as to whether the detention pond or the building would occur first; Mr. Cheatham answered that there are several ways the project could be completed, but that engineers would determine the best course of action. Ms. Farrell asked about tree removal on the development, then stated that what scares her most is the builder, since Kutter-Aljets Place has had issues. Mayor Winslow said that engineers are more involved in the process now. Mr. Lowrance said that the detention area will be sized for whatever is built there, that he hires quality engineers and personnel for these things, and further stated that with the Kutter-Aljets Place development the Village had personnel on-site daily who approved the work as it was completed, and that every step of the way was approved by Village officials. He reiterated that everything was done by competent individuals with Village oversight, and nothing was done with any malicious intent or intentional wrongdoing. Discussion occurred regarding the proposed development being located in a FEMA flood plain; it was determined that nothing official has been determined; if there are flood plain issues it would be dealt with at the time of development. Cheatham stated that any pre-site inspections would be approved through Madison County Stormwater as well.

Mayor Winslow again reviewed the history of Lowrance's request, stating that the first application was recommended for approval by the Zoning Board of Appeals but then rejected by the Village Board due to lack of information. Lowrance re-filed the request this time to which the necessary 4 yes votes were not received so the ZBA could not recommend to approve. The property is already zoned for duplexes, so short of a determination that no building can occur, which is not foreseen, the developer could proceed with duplexes right now. Winslow reminded the board that tonight's decision is on the zoning change only. Attorney Balsters announced that tonight's action is to accept or reject the ZBA

recommendation; a separate ordinance would then be required to change the actual zoning classification. **Motion made by Bost, seconded by Mull, to reject the recommendation of the Zoning Board of Appeals and allow the rezoning of property located along the South Side of Mill Street between Grant Street and Silver Street from RT Two-Family Residential to RM-Multiple Family Residential as requested by Sage Creek Development, LLC.** Trustees Mull, Bost, Dugger, McRae, and Buhs voted aye, Trustee Gibbons abstained. Motion carried 5-1.

Mayor Winslow presented the request to purchase a mulcher head on state bid for the sewer department. Cheatham stated that this equipment will allow for ditch maintenance, brush removal, etc. in sewer easements and other property as needed. The cost is \$24,975. **Motion made by Gibbons, seconded by Dugger, to approve the purchase of a mulcher head for the sewer department.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

The request for purchase of a mini excavator on state bid for the water department was presented. This is a small track hoe with a smaller footprint for ditching in easements, etc. The bid price is just over \$61,700. Cheatham stated with the amount of cleanup work to be done, this equipment is imperative. Cash flow was discussed, with the determination that this invoice would not be due for approximately 60 days. **Motion made by Mull, seconded by Buhs, to approve the purchase of a mini excavator for the water department.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

There has been a request for use of the park and bandstand for a concert on October 1. This is the same organizer who requested use last year but was rained out. This will be a free concert with concessions being sold from the fish stand. Trustee Bost suggested the board come up with guidelines and rules for the use of the fish stand and everyone agreed. Cheatham stated that he plans to have the stand refurbished this summer. **Motion made by**

**Mull, seconded by Bost, to allow the use of Central Park, the Bandstand, and Fish Stand for a concert event on October 1, provided proof of insurance is submitted.**

Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

There will be a public hearing and special meeting on July 20 at 6:00pm for consideration of the Appropriations Ordinance.

### **ZONING ADMINISTRATOR'S REPORT**

Zoning Administrator Brown presented his monthly report, noting 21 permits issued with a year-to-date valuation of over \$12 million. 160 occupancy permits have been issued to date. GRP donated two laptop computers to Brown for the Village's Emergency Operations Center. There will be a Zoning Board of Appeals hearing and meeting on July 13 for a fence request and a garage request. There were no questions.

### **MONTHLY TREASURER'S REPORT**

Treasurer Joe Schoppet presented the May, 2017 Treasurer's Report, reviewing fund balances and outstanding loans. Schoppet noted that real estate tax revenue has started coming in. The water capital improvement fund is being utilized for radio read meters and other capital projects. The Appropriations Ordinance will be prepared and ready for review prior to the July 20 special meeting. There were no questions. **Motion made by Mull, seconded by McRae, to approve the May, 2017 Treasurer's Report.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

### **COMMITTEE MEETINGS**

The regular committee meeting will be held on Tuesday, July 18, 2017 at 6:00pm.

**WATER DEPARTMENT BILLS**

**Motion by Bost, seconded by McRae, authorizing payment of the Water Department bills in the amount of \$365,269.36.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

**GENERAL FUND**

**Motion by McRae, seconded by Gibbons, authorizing payment of bills in the amount of \$182,239.97.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0. Mayor Winslow noted that part of these bills were for Splash Pad expenses which will be reimbursed within 8 days from the Madison County grant funding.

**AUDIT FUND**

**Motion by Mull, seconded by Dugger, authorizing payment of bills in the amount of \$1,750.00.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

**MFT FUND**

**Motion by Bost, seconded by Mull, authorizing payment of bills in the amount of \$11,054.37.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

**GARBAGE FUND**

**Motion by Mull, seconded by Gibbons, authorizing payment of bills in the amount of \$48,729.66.** Trustees Mull, Bost, Dugger, McRae, Gibbons and Buhs voted aye, nays none. Motion carried 6-0.

The next regular board meeting will be on Monday, August 14, 2017 with the Water Board meeting at 7:00pm, followed by the Village Board at 7:15pm.

Mayor Winslow announced the need to enter executive session to discuss a personnel matter.

**Motion made by Mull, seconded by Bost, to enter executive session per ILCS Section 2 (c) (1) Personnel.** All members voted aye viva voce. Entered executive session at 8:28pm.

Re-entered regular session at 8:48pm with all trustees, Mayor Winslow, Clerk Lowrance, and Attorney Balsters in attendance.

Having no further business, a **motion to adjourn was made by Mull, seconded by Gibbons.** All voted aye viva voce. Meeting adjourned at 8:49 pm.

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Sue E. Lowrance, Village Clerk

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Alan Winslow, Mayor