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7:30 p.m. The regular meeting of the Village Board of Trustees was called to order by Mayor Kearns who led the Pledge of Allegiance. A roll call was answered aye by Hampton, Hall, Weber, Kearns and Kreher. Geppert was absent. Chief Hill, Ira Renshaw & Sandy Stoltwe were also present.

The audit committee questioned the KWD bill. Kearns noted we are still being charged the increased charge of $3.55 per thousand gallons on the KWD invoice and have not heard back from KWD regarding the letter the Village sent regarding the contract. The committee recommends paying at the old rate of $3.00 per thousand gallons. It was also noted on the All Day Excavating bill to keep track of the dollars spent at the marina.

Trustee Kearns made a motion; seconded by Trustee Hampton to pay the August KWD bill at the old rate of $3.00. A vote was answered aye by Kreher, Hall, Weber, Kearns and Hampton. Geppert was absent.

Trustee Kearns made a motion; seconded by Trustee Hampton to pay the audit with the correction to the KWD bill as presented. A vote was answered aye by Kreher, Hall, Weber, Kearns and Hampton. Geppert was absent.

Trustee Kreher made a motion; seconded by Trustee Hampton to approve the minutes as presented. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

VISITORS
Larry & Joan Duncan, Brian Karraker, Curt & Barbara Lindauer, Rhonda & Dennis Kaiser, Tim Pruett, Debby & Terry Politish, Helen Albert, Ann Haubrich, Thomas May, John Kennedy, Bob Junge, Doug Kinzinger, Naomi Rader, Cheryl Rainey and Oralee Rainey

Mayor Kearns stated there will be no discussion and no vote on the TIF tonight. It has been tabled to a future meeting. A meeting will be scheduled with Mark Noonan of DMI and Steve Giacoletto a TIF lawyer to review the TIF information with the board.

LOCAL IMPROVEMENTS
Ira Renshaw noted most of the items on the Hidden Lake Estates Annexation Extended agreement have been completed and it would be in the best interest of both parties to rewrite the agreement for phase 2. Trustee Kreher noted the new agreement to be emailed to the board prior to the next meeting for review.

Trustee Kreher made a motion; seconded by Trustee Hampton to have a new Hidden Lakes Estates Annexation agreement drawn up to vote on at next meeting. A vote was answered aye by Kreher, Hall, Weber and Hampton. Kearns recuse from voting. Geppert was absent.

A building permit was turned in for the Dollar General building. After initial review there are 3 items to address. Ira sent a letter regarding the items and is waiting on a response.

WATER & SEWER
Bob Junge stated the water way behind his house has silted in by rock and dirt off the streets. Bob has spoke with his neighbors that are affected by the water way and they want to grade out and clean the ditch, but wants the Village to maintain and pay for the pipe needed. Ira stated there is pipe in stock at the shed. Also the culvert under Reinhardt gets clogged up.

Trustee Kreher made a motion; seconded by Trustee Hampton to authorize Ira to provide the pipe needed for the waterway behind Bob Junge’s house. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Tim Pruett of Rhutasel was here to discuss the waste water treatment plant. We got approval from EPA and the next step is the engineering design for the facility and loan application. The estimate was updated to add grit removal. The updated estimated is $2,224,900. IEPA will loan money for all but the loan application which costs approximately $7000 to $10,000. Tim hoped the loan program would be the same rate as last year 1.25% interest and 25% loan forgiveness.

Trustee Kreher made a motion; seconded by Trustee Weber to approve the engineering agreement for the waste water treatment plant and letter agreement for professional engineering services with Rhutasel. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

The mayor signed the agreement with Korte-Luitjohan water line project for Johnson Street which was previously
Georgian Bochantin of 206 S East St had a major leak in her yard and crawl space increasing her water usage from one thousand gallons to seventy-eight thousand gallons. The water did not enter the sewer. She is requesting a credit on the sewer portion of her water bill in the amount of $384 and allow her to make payments on the balance.

Trustee Kearns made a motion; seconded by Trustee Hampton to approve a credit of $384 on the sewer portion of the water bill for Georgian Bochantin of 206 S East Street and allow payments to be made. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Diane and Brad Warnecke’s rental house on 501 S Jackson Street had a water leak on the outside of the foundation wall and did not go into the sewer. The leak happened at the end of a water cycle and was fixed at the beginning of the next cycle. They are requesting credit of the sewer portion of the bill from this month and next month’s bill. Trustee Kearns came up with a credit of $46 on this month’s bill, based on previous usage. The board will have to address the next bill once the October’s bills are calculated.

Trustee Kearns made a motion; seconded by Trustee Kreher to approve a credit of $46 on the sewer portion of the water bill for 501 S Jackson Street for September’s bill. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Lenzburg approached Ira about renting the sewer jet for 1 or 2 days and they operate. The board discussed charging $125 per hour which includes the sewer jet machine, truck and our operator to run the machine. A hold harmless agreement will also be needed.

Trustee Kreher made a motion; seconded by Trustee Kearns to allow Lenzburg to rent the sewer jet machine, operator and truck for $125 per hour. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

STREETS & ALLEYS
Nothing new to report

CEMETERY
Nothing new to report.

PARK
The final park permit and rules needs to be approved.

Trustee Hampton made a motion; seconded by Trustee Kreher to approve the park permit, rules and waiver. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

The electric is done in the new pavilion.

PUBLIC SAFETY
There were approximately 50 calls for the month of August with 3 missed calls.

POLICE
Chief Hill has a state bid for a police car for $23,619. The cage that was in the chief’s car can be put into the new car. Trustee Kreher asked if we received the money for the blazer from the insurance. Michelle noted the money for the blazer was received, but the insurance company is still waiting on the equipment list from Chief Hill before they can pay for the damaged equipment.

Trustee Kreher made a motion; seconded by Trustee Kearns to approve the purchase of a new police car from Dennis Auto Sales for $23,619 to replace the blazer that was totaled out. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Chief Hill noted the dog needs about another week of training. Trustee Kreher recommended when the dog is completely trained Chief Hill should work with the school to show the dog’s training to the kids.

Chief Hill noted they need 4 tazer cartridges at approximately $25 each and a lock out kit for $35.
Trustee Kreher made a motion; seconded by Trustee Weber to approve the purchase of 4 tazer cartridges and a lock out kit. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

PERSONNEL
Trustee Kreher noted there is one applicant for an EMT. Joshua Bird has been approved.

Trustee Kreher made a motion; seconded by Trustee Hampton to hire Joshua Bird as part-time EMT. A vote was answered aye by Kreher, Hall, Weber, Kearns and Hampton. Geppert was absent.

Mayor Kearns noted he and Ira met with Tyler Liefer to discuss the possibility of replacing Ira. Trustee Kreher suggested the personnel committee meets with him.

GRANTS
Nothing new to report

PUBLIC BUILDINGS
Nothing new to report

ORDINANCE REVIEW
Ordinance 2011-06 increasing the vehicle impound fees needs to be voted on.

Trustee Kreher made a motion; seconded by Trustee Kearns to approve Ordinance 2011-06 revising the vehicle impound fees. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Trustee Kearns noted several people have approached him about campers being used as a residence, in particular the camper Mayor Kearns has at his commercial lot. It is a violation of the zoning code. It is illegal to inhabit a camper as a residence in any zoning dist. Mayor Kearns stated to write it up.

TREASURERS TIME
Table the audit report to the next meeting.

CLERKS TIME
Nothing new to report

MAYOR’s TIME
Mayor Kearns received an email that the builder of the Dollar General is concerned about putting in a sidewalk, since they are landscaping and would not leave much room for parking. The sidewalk is drawn on the final subdivision plat when accepted. Mayor Kearns noted it is a budgetary concern of the builder and if we lose that type of building over a sidewalk that is a poor reason to lose a business. Trustee Hampton stated if we allow no sidewalks in the commercial for one we need to do it for all of them. Trustee Kearns stated it was designed with sidewalks, the plat was accepted with sidewalks and it is a safety issue. Tim Pruett of Rhutasel stated in the past there have been phases where the board required sidewalks and then other phases where they were not required. The Village would have to maintain the sidewalks once installed. Tim noted it would be best to look at it as a case by case to see if the sidewalks make sense to put it there. Ira stated the builder has not officially requested no sidewalks yet. Table to next meeting.

OTHER BUSINESS
Approval needed for the 2011-12 yearbook advertising for New Athens High School. It was recommended spending $50.

Trustee Hampton made a motion; seconded by Trustee Weber to approve the purchase of an ad in the New Athens High School yearbook for $50. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

The Knights of Columbus is asking for a Proclamation for their tootsie roll drive.

Trustee Kreher made a motion; seconded by Trustee Hampton to authorize the mayor to sign the Proclamation for the Knights of Columbus. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.
Ira received bids for a new mower. He test drove all the mowers. Ira recommends the Kubota ZD331LP72 from Sparta Equipment for $12,800.

Trustee Kreher made a motion; seconded by Trustee Weber to approve the purchase of a new Kubota lawnmower ZD331LP72 from Sparta Equipment for $12,800. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Two tires are needed for the public works truck. Weber was low bidder at $405.36 for two Hercules tires and an alignment.

Trustee Hampton made a motion; seconded by Trustee Kreher to approve the purchase of two tires and an alignment from Weber’s for $405.36. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Ira noted the boat ramp area was cleaned up. The Corp of Engineers offered a piece of equipment to help clean up under the boat docks. The boat docks were repaired and will be put back into the water tomorrow.

Terry Politsch asked about ordinances for vacant houses. Trustee Kearns noted the house has to be secure and grass kept cut.

Trustee Kreher made a motion; seconded by Trustee Weber to enter into executive session to discuss pending litigation with Sandy Stolte and Dallas Hill present at 9:23 p.m. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

Trustee Kreher made a motion; seconded by Trustee Weber to return to regular session at 9:32 p.m. A vote was answered aye by Kreher, Hall, Weber, Hampton and Kearns. Geppert was absent.

There being no further business the meeting adjourned at 9:32 p.m.

Gary Kearns
Village President

Michelle Neff
Village Clerk