

# MINUTES OF THE WARRENSBURG VILLAGE BOARD MEETING Monday, July 1, 2013

**CALL TO ORDER:** Mayor Maloney called the meeting to order at the Warrensburg Village Hall on Monday, July 1, 2013 at 7:00 p.m. reminding those in attendance the meeting was being audio taped.

**PLEDGE:** The Pledge of Allegiance to the Flag of the United States of America was then recited.

**ROLL CALL:** Present: Mayor Maloney, Trustee Ewing, Trustee Fisher, Trustee F. Musick, Trustee K. Musick, Trustee Werren, Danny Hadley, Chief Wheeler, Attorney Jankowicz, and Assistant Village Administrative Clerk Esther Rogers. Also present was Barclay Public Library representative, Lacy Wright, and Trustee of the Illini Park Board, Georgina Funk.

**MAYOR'S COMMENTS:** Mayor Maloney made the following comments:

*He spoke with Mike Landon, owner of Club Fitness in Decatur, (the Old Gold Gym...next to True Value) and he is willing to waive the \$99.00 initiation fee for the month of July for Warrensburg residents with proof of I.D. (driver's license, etc.); and, he also indicated he is willing to waive the fee for the month of August as well. Mayor Maloney continued by stating he had posted this information on Face Book and advised Trustee K. Musick she may want to post the waiver of fees on the Village's Website. Trustee K. Musick advised the Newsletter has already gone out for the month of July; however, that announcement can be included in the Village Newsletter for August.*

*Continuing, Mayor Maloney reminded all of those present that July 4<sup>th</sup> is this week and, by State law, it is illegal to light an aerial display without the proper permit and required insurance coverage. If a Village resident is interested in displaying fireworks, Fire Chief Keith Hackl has permits which require liability insurance coverage of one million dollars. Additionally, the Village of Warrensburg has an Ordinance in place whereby fireworks cannot be displayed within the city limits without a proper permit and the required insurance liability coverage.*

*The President advised that when he came into the office the other night, he found the back door unlocked and requested that everyone please make sure that door is locked when leaving the building.*

**PUBLIC COMMENTS:** A resident in the audience asked, "What is the Illini special drainage fee? Danny Hadley advised the Village gets a fee based on a resident's square footage. Unfortunately, the Village is charged a sewer fee for drainage; therefore, it is necessary for the Village to charge residents a sewer fee to help cover the fee imposed upon the Village. Separate billing and separate payment is required as the Illini Drainage bill is not included with a resident's water bill. The base rate for water is \$28.00 - which is the minimum rate for 2,000 gallons or less. This base rate is charged unless the resident has their water turned off. The sewer rate is based on the water used.

The Board was advised that a Village resident, Mr. Bublitz, (who was not present) apparently had to call Riley Sewer recently because his septic tank overflowed and had to be cleaned out. At that time, Riley Sewer Service advised Mr. Bublitz that he is not connected to the city sewer.

Subsequently, a lengthy discussion followed; and, according to the Village Ordinance, all septic tanks were to be filled in and all residents were required to hook on to the city sewer. Trustee Fisher stated separate tanks were not allowed; however, it's possible that whoever was responsible for checking just missed it. Mr. Danny Hadley stated that he was not here at that time; but, he definitely would look into it right away.

Mr. Steve Mills, a resident, stated Mr. Bublitz had advised him he was going to seek legal consultation because the realtor who sold him the house advised the house had sewer and water. Mr. Mills continued by stating Mr. Bublitz wished to explain all of the facts to the Board when he attends a meeting.

**NEW BUSINESS:** Trustee Frank Musick advised that the Barclay Public Library recently purchased an outdoor movie theatre set and will be showing summertime outdoor movies to Warrensburg residents. He was advised by Lacy Wright, who is with the Barclay Library Board, that whenever a public performance of a movie is shown, there is always a licensing

fee involved – for the title. Trustee F. Musick continued by stating he would like for the Village Board to consider a co-op with the Park Board and the Barclay Library Board. Mr. Musick continued by saying he thought the outdoor movies would be a great way to bring people out in the Village for the summer. Lacy Wright explained that the licensing fee for their first movie was \$300, the fee for the second movie in July will be \$175.00 – which has been paid by the Lions’ Club – and the licensing fee for August will be \$275.00. They still have a balance of \$200 for August and Mr. Musick stated he’d like for the Warrensburg Village Board to help pay that expense. Trustee Karen Musick stated she thought the Village Board could pay \$100 toward the August outdoor movie.

A discussion followed with Trustee Fisher voicing his concern, since the Village has several worthwhile organizations that also could use donations from the Village Board to help cover expenses. He stated we can’t donate to just one organization but to others as well. Trustee Fisher further explained that the Board has not donated too much of anything to other worthy Village organizations. He stated the Sportsman Club has donated \$105,000 toward fireworks at the Gun Club and the Village Board had not donated a dime to the Gun Club. He further stated that when it was his responsibility to request donations, the Village Board turned them down. Trustee K. Musick stated she does recall when that happened and it was because the Board could only donate from the water fund at that time.

Trustee Karen Musick made a motion for the Village Board to donate \$100 to the outdoor movie expense for the month of August. That motion was seconded by Trustee Fisher. Upon roll call vote, the Trustees voted as follows: Yes: D. Fisher, T. Werren, R. Ewing, K. Musick and F. Musick. The motion was carried unanimously.

Trustee F. Musick said the Board should keep donations for the summertime outdoor movies in mind so that we can help this organization next year. And, as Trustee Fisher stated earlier, we might want to consider helping the Gun Club too for the 4<sup>th</sup> of July event.

**COMMENT BOX:** The President asked if there were any “public comments” left in the comment box prior to today’s meeting. The Assistant Village Administrative Clerk responded there were no public comments at this time.

**REVIEW/APPROVAL OF MINUTES:** Minutes of the Open Session of Monday’s meeting on June 17, 2013 were presented for review. Trustee F. Musick made a motion to approve the Open Session minutes for Monday, June 17, 2013 and Trustee Ewing seconded the motion. Upon roll call vote, the Trustees voted as follows: Yes: F. Musick, D. Fisher, T. Werren, R. Ewing and K. Musick. The motion was approved unanimously.

**Closed Session Minutes were then presented as follows:**

*Minutes of the Closed Session meeting of Monday, April 15, 2013 were presented for review. Trustee F. Musick made a motion to approve the Closed Session minutes for Monday, April 15, 2013 and the motion was seconded by Trustee Werren. Upon roll call vote, the Trustees voted as follows: Yes: F. Musick, D. Fisher, K. Musick, R. Ewing and T. Werren. The motion was approved unanimously.*

*Minutes of the Closed Session meeting of 8:30 p.m. Monday, June 17, 2013 were presented for review. A motion was made by F. Musick to accept the 8:30 p.m. Closed Session minutes of Monday, June 17, 2013 and that motion was seconded by T. Werren. Upon roll call vote, the Trustees voted as follows: Yes: D. Fisher, T. Werren, R. Ewing, K. Musick and F. Musick. The motion was approved unanimously.*

*Minutes of the Closed Session meeting of 8:45 p.m. Monday, June 17, 2013 were presented for review. A motion was made by K. Musick to accept the 8:45 p.m. Closed Session minutes of Monday, June 17, 2013 and the motion was seconded by T. Werren. Upon roll call vote, the Trustees voted as follows: Yes: K. Musick, F. Musick, D. Fisher, T. Werren and R. Ewing. The motion was approved unanimously.*

**VILLAGE ADMINISTRATIVE CLERK:** Once again, Trustee K. Musick “bailed out” Esther – Assistant Administrative Village Clerk – by presenting the Balance sheet, bills and transfers for the July 1, 2013 Board meeting for review and, at that time, Karen asked if there were any questions about the bills, transfers or the balance sheet. Trustee F. Musick stated he *did* have one question - under the Police Protection Fund. He asked Police Chief Wheeler if the “Canine Training” expense for \$500 was for him or for Deno? Chief Wheeler responded that the training was for both of them. A motion was then made by Trustee F. Musick – and seconded by Trustee T. Werren – to pay the bills, accept the balance sheet, and make any required transfers. Upon roll call vote, the Trustees voted as follows: Yes: R. Ewing, K. Musick, F. Musick, T. Werren and D. Fisher. The motion was approved unanimously.

**ENGINEER:** Mayor Maloney then announced that neither Mr. Harp nor Mr. Cassidy were present at this meeting.

**WATER:** Trustee Frank Music advised that he is requesting a Closed Session at the end of this open meeting to discuss the Purchase for Lease of Real Property, 5 ILCS 120/2© (5) – which is concerning easement. A motion was made by Trustee F. Musick for the Closed Session and the motion was seconded by Trustee K. Musick. Upon roll call vote, the Trustees voted as follows: Yes: T. Werren, R. Ewing, D. Fisher, F. Musick, and K. Musick. The motion was approved unanimously.

**BUILDING/LAND:** Trustee Tom Werren presented an update on several buildings and properties: He advised that he had given Jamie Petri a list of three houses with brush in front of their property.....left there from the storm.

Trustee Werren requested that Attorney Jankowicz send letters regarding the following properties:

- on McIntyre – needs mowing and the fence is down
- the lawn needs to be mowed at a house on Roosevelt and Lincoln (the Jackson house) – Bar Real Estate has the listing for the property
- down on W. Warren street (Wilkerson property) - the grass is knee high

Mr. Werren stated there are a couple of other properties that he will handle himself.

Trustee Werren asked if there was a Village Ordinance to keep basketball courts out of the streets. There was a discussion regarding that situation and Trustee Fisher stated the basketball courts were not in the street but sitting where, normally, a car would be parked. Mr. Fisher continued by saying surely the Village can allow the kids to have some place to play. There were a number of opinions concerning this matter; however, Chief Wheeler advised that he could not recall ever receiving a call – or complaint – from residents in those areas about the kids playing basketball in the street. He also advised that the Board took no action - several years ago - when this same subject came up.

On another subject, Trustee Tom Werren stated the Zoning Board has had a vacancy for the past year, and he then presented a *Letter of Intent* to the Board, from Mr. James F. Sarver, regarding his request to become a member of the Village's Zoning Board. After a brief discussion, the President asked each Warrensburg Village Board member if he had their *advice and consent* to appoint Mr. James F. Sarver's to the open position on the Village's Zoning Board. Upon voice vote, the appointment was approved unanimously by all Village Board Trustees. Trustee Werren then advised that Mr. Sarver would be advised of his acceptance as a new member of the Zoning Board.

### **STREETS:**

Trustee T. Werren advised a bid opening for the 2013 Surface Maintenance Program was held on June 26<sup>th</sup> at the Village Hall. Dunn Company's bid was \$37,708.50 and Earl Walker Company's bid was \$35,822.80. The bid was awarded to Earl Walker Company. A motion was made by T. Werren to accept Earl Walker Company's bid of \$35,822.80 and the motion was seconded by K. Musick. Upon roll call vote, the Trustees voted as follows: Yes: D. Fisher, T. Werren, R. Ewing, K. Musick and F. Musick. The motion was approved unanimously.

At this time, Trustee F. Musick stated while we're still discussing streets, he felt the Village should send a thank you card/letter to the Warrensburg Tree Service for removing two broken limbs – free of charge – that were up too high for Danny and Jamie to reach.

Mayor Maloney stated he would like to change the subject for just a few minutes. He asked when the Warrensburg Tree Service picks up branches, bushes, tree limbs, etc., are they allowed to dump at the facility back here? Danny Hadley responded "yes" to the Mayor's question. Mayor Maloney then inquired as to what are the guidelines for a tree service company - outside our jurisdiction – to dump loads in the Village? He continued by stating he had been told that an "outside" tree service company was dumping loads in Warrensburg. Danny Hadley stated outside tree services have been allowed to dump here; however, they are charged a fee. Mayor Maloney asked how the Village knows what the tree service brings in and Danny replied that Brandon always calls.

**FINANCE:** Trustee K. Musick advised she put together a proposal for an advisory Personnel Committee which would be comprised of the Village President and three Village Board members – to be appointed by the President. All action would be taken by the Village President and advisory by the Village Board.

After some discussion, Mayor Maloney appointed Trustee Karen Musick, Trustee Ray Ewing and Trustee Tom Werren to the Personnel Committee.

Trustee K. Musick made a motion to create a Personnel Committee and the motion was seconded by Trustee T. Werren. Upon roll call vote, the Trustees voted as follows: Yes: F. Musick, D. Fisher, T. Werren, R. Ewing and K. Musick. The motion was approved unanimously.

Trustee Karen Musick then made a motion for the Board to go into a Closed Session - at the end of this meeting - to discuss the Closed Session minutes. The motion was seconded by T. Werren. Upon roll call vote, the Trustees voted as follows: Yes: F. Musick, D. Fisher, K. Musick, R. Ewing and T. Werren. The motion was approved unanimously.

**POLICE:** Trustee Fisher stated he has nothing to report at this time.

**Police Continued:** **Police Chief Greg Wheeler** provided everyone with a copy of June's Police Department Report and stated he would be glad to answer any questions. There were no questions at this time.

Chief Wheeler then advised the Board the repair work on the Tahoe has not been completed yet. We're still trying to schedule the repair as we've been quite busy the last week or so.

To update everyone on the Safety Event, at a Park Board Meeting we discussed some of the things that would be going on. For instance, we've got a parade, Boy Scouts, Cub Scouts, a band, a band to play sometime on Saturday, the car show, and a booth about rail safety. We are still working on a lot of events with the Park Board and the Library Board.

**SEWER:** Nothing

**VILLAGE ATTORNEY:** Nothing

**DIR OF PUBLIC WORKS:** Danny Hadley stated Frontier has a Fiber-optic project that's going to start on Roosevelt, go down East Main, then down Washington...all the way out of town. That's going to be put in at 42 inches. They presented a permit to cover any damages - which needs to be signed and returned - if we agree to it. Danny advised he thought Frontier wanted to start work on the project on July 15<sup>th</sup>.

After a very lengthy discussion, a decision was made to have Attorney Jankowicz review the permit and report back to the Board because the project could be very disruptive to the Village. A thorough review is required before signing a permit. Attorney Jankowicz stated the permit is very vague and simplistic. Additionally, it was determined as the discussion continued; the Village will contact Frontier and request that their representative attend the Village Board's next meeting on July 15, 2013 so questions and concerns can be addressed concerning this project.

**On a new topic,** Danny Hadley stated he thought the Village was going to have a problem with the Railroad again. We had a problem before when it was so rough going over the tracks. They said they'd be back....and they have not been back. That guy who was here told us then that somebody should call the ICC and make a complaint if they do not come back to fix it. Danny stated he would suggest that someone on the Board make the call since they have more authority. Mr. Mills spoke from the audience to say the Railroad told us they were not going to replace that with asphalt because of the temperature...it was too cold and they weren't making asphalt. Now that they are making asphalt again, they should be back here to fix it.

**E.M.A.:** Keith Hackl and Mr. Buckley were not present

**OTHER AND/OR OLD BUSINESS:** **Mayor Maloney** stated he has three Letters of Intent and has asked each Board member to review and initial each letter. The President indicated he would like input - one at a time - from each Board member concerning this open position and stated it is not necessary to elaborate concerning their input or, if a Trustee doesn't feel comfortable, just advise him.

First, Mayor Maloney requested Trustee Tom Warren's input. Tom voted for Steve Mills.

Mayor Maloney requested Trustee Karen Musick's input. Karen advised that she concurs with Tom Warren.

Mayor Maloney asked Trust Frank Musick for his input. Frank voted for Steve Mills.

Mayor Maloney asked Trustee Ray Ewing for his input. Ray voted for John Oakley.

Mayor Maloney asked Trustee Doug Fisher for his input. Doug voted for Steve Mills.

The President continued by stating he respected the Board’s input, and when all is said and done, it’s not about the Board, it’s not about the employees, and it’s not about him; however, it IS about the Village of Warrensburg and its residents.

The President would like to appoint Steve Mills to fill the open Trustee position with the advice and the consent of the Board. As each Trustee’s name was called by the President for their advice and consent, their response was as follows: Yes: Tom Werren, Karen Musick, Frank Musick, Ray Ewing, and Doug Fisher. The appointment was approved unanimously.

Attorney Jankowicz advised the President that he could “free” Mr. Mills until the next meeting so he doesn’t have to attend the Closed Session and Mr. Mills stated he would wait until the next Board Meeting on July 15<sup>th</sup> to be sworn into office.

Very quickly, the President announced there was a change in the W-L School Track schedule as follows:

Monday thru Friday:	6:00 a.m. to 9:00 p.m.
Saturday:	9:00 a.m. to 9:00 p.m.
Sunday:	noon to 9:00 p.m.

It was suggested that the changed track schedule - for open hours - be posted in the August Newsletter and on the Village’s web site. Somehow Trustee Karen was unanimously voted to follow through on those postings. ;-)

At this time, the Board moved to a Closed Session at 8:43 p.m.

**Attorney Jankowicz kindly continued with the Board meeting minutes by documenting the Closed Session minutes as well as the remaining minutes for the Board’s return to the Open Session as follows:**

The Board returned to Open Session at 9:52 p.m. Frank Musick moved and Karen Musick seconded the motion to open the Closed Session Minutes from the following dates:

07/07/03	11/05/07 (8:22)	11/29/10
01/05/04	02/04/08	12/06/10
08/15/05	09/02/08 (7:53)	01/17/12
10/01/07	11/17/08	05/21/12
10/15/07	05/03/10	10/01/12
11/05/07 (7:55)	08/16/10	06/17/13 (8:45)

Upon roll call vote, the Trustees voted as follows: “Yes” – T. Werren, K. Musick, F. Musick, D. Fisher, and R. Ewing: “No” – None. Motion carried unanimously.

President Maloney indicated there was no further business to come before the Board. R. Ewing and F. Musick seconded the motion to adjourn. Motion carried unanimously by voice vote. The Board meeting adjourned at 9:54 p.m.

**NEXT BOARD MEETING:** The next Village Board Meeting will be held on Monday, August 5, 2013.

Respectfully submitted by,

Esther M. Rogers  
Assistant Village Administrative Clerk

