

MEETING OF DECEMBER 19, 2007

The regular meeting of the Board of Trustees, Village of Elwood, was called to order at 7:00 PM, December 19, 2007 by Village President Ruban. One Trustee Matichak absent.

Also present: LeAnn Hibler (Court Reporter), Ed Graham, Rodney Tonelli, Nick Narduci, Dave Albert, David Laveck, Doug Blocker, Scott Hoster, David Weber, Dr. Kanzulak, Mr. Stark, Steve Larsen, Jennifer from Bank of Elwood, Frank Walsh, John Eskra, George Ruban, Jerry Buchenau, Brian Offerman, Leonard Pulaski, Floyd Garrett, Jim Bosonetta, Victor Andruskevitch.

Meeting opened with Pledge to the Flag.

PUBLIC COMMENTS

No public comments

PRESENTATION OF MINUTES

Minutes of Workshop – November 14, 2007 and Regular Meeting – November 21, 2007

Village Clerk reported on one correction for the minutes of November 21, 2007.

A motion by Trustee Strawn to approve minutes of Workshop – November 14, 2007 and Regular Meeting of November 21, 2007 with one correction. Seconded by Trustee LaPaglia. All voted in favor of motion. Motion carried.

PRESENTATION OF BILLS

The bills for the previous month were presented.

A motion by Trustee LaPaglia to approve bills as presented. Seconded by Trustee Jones. All voted in favor of motion. Motion carried.

PUBLIC HEARING – Proposed Property Tax Increase

A motion by Trustee Strawn to open Public Hearing. Seconded by Trustee Bernhard. All voted in favor of motion. Motion carried.

Minutes of the Public Hearing were taken by Court Reporter LeAnn Hibler. A motion by Trustee LaPaglia to close the Public Hearing. Seconded by Trustee Jones. All voted in favor of motion. Motion carried.

AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2007 AND ENDING APRIL 30, 2008 FOR THE VILLAGE OF ELWOOD

A motion by Trustee Kucera to approve Ordinance 885, An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008 for the Village of Elwood. Seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – no, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, Village President Ruban – yes. Motion carried.

AN ORDINANCE REGULATING THE LOCATION AND USE OF CARGO CONTAINER STORAGE FACILITIES WITHIN THE VILLAGE OF ELWOOD

Rodney Tonelli explained the ordinance.

A motion by Trustee Strawn to approve An Ordinance Regulating the Location and Use of Cargo Container Storage Facilities Within the Village of Elwood. Seconded by Trustee Bernhard. All voted in favor of motion. Motion carried. Ordinance #886.

AN ORDINANCE GRANTING A VARIANCE FROM CERTAIN RESTRICTIONS REGARDING THE ERECTION OF A SHED WITHIN THE BUILDING SETBACK FOR CERTAIN PROPERTY KNOWN AS 111 JACKSON STREET, WITHIN THE VILLAGE OF ELWOOD

You have the recommendation of the Planning Board.
Trustee Jones asked what is the variance?

Aimee Ingalls – 5' from the property line. They are requesting a variance of 2' from property line. Public Hearing was held and no comments from the neighbors.

A motion by Trustee LaPaglia to approve An Ordinance Granting a Variance from Certain Restrictions Regarding the Erection of a Shed Within the Building Setback for Certain Property Known as 111 Jackson Street, Within

the Village of Elwood. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – no, Trustee Kucera – yes, Trustee LaPaglia – no, Trustee Strawn – no, President Ruban – yes. Motion does not carry.

AN ORDINANCE APPROVING THE PRELIMINARY PLAT FOR THE ELM CROSSING SUBDIVISION LOCATED IN THE VILLAGE OF ELWOOD

Doug Blocker reviewed what was presented at the Workshop. Asked if anyone had questions.

President Ruban asked if road damage will it be a bond?

Doug Blocker – no bond, we will fix if damaged.

A motion by Trustee LaPaglia to approve An Ordinance Approving the Preliminary Plat for the Elm Crossing Subdivision Located in the Village of Elwood. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried. Ordinance #887

AN ORDINANCE GRANTING A VARIANCE FROM CERTAIN RESTRICTIONS REGARDING THE ERECTION OF A FENCE ALONG THE CHICAGO AND ALTON RAILROAD RIGHT-OF-WAY FOR THE PROPERTY COMMONLY KNOWN AS THE ELM CROSSING SUBDIVISION WITHIN THE VILLAGE OF ELWOOD

Doug Blocker – requesting a variance for a 12’ high fence we would like to put up or something else the board would like.

Trustee Jones – would rather be a berm or trees.

A motion by Trustee LaPaglia to approve An Ordinance Granting a Variance From Certain Restrictions Regarding the Erection of a Fence Along the Chicago and Alton Railroad Right-of-Way for the Property Commonly Known as the Elm Crossing Subdivision Within the Village of Elwood. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – no, Trustee Jones – no, Trustee Kucera – no, Trustee LaPaglia – no, Trustee Strawn – no, President Ruban – no. Motion not carried.

AN ORDINANCE REPEALING ORDINANCE 851 IN ITS ENTIRETY AND ESTABLISHING NEW RULES, REGULATIONS AND PROCEDURES GOVERNING THE RECORDING OF OPEN MEETINGS BY INDIVIDUALS FOR THE VILLAGE OF ELWOOD

Ed Graham – has been revised based on previous ordinance, modifies to insure conflict with States Attorney request. Explained some of the requests of the States Attorney. Will allow the Village Clerk to record to preserve the record of meeting.

A motion by Trustee Kucera to approve An Ordinance Repealing Ordinance 851 in its Entirety and Establishing New Rules, Regulations and Procedures Governing the Recording of Open Meetings by Individuals for the Village of Elwood. Seconded by Trustee LaPaglia. All voted in favor of motion. Motion carried. Ordinance #888

AN ORDINANCE ADOPTING POLICIES FOR THE PUBLIC NON-COMMERCIAL USE OF THE COMMUNITY ROOM LOCATED WITHIN THE ELWOOD MUNICIPAL CENTER FOR THE VILLAGE OF ELWOOD

Aimee Ingalls explained the draft policy, read the purpose of the policy, use of facility, community room used as overflow for this room, hours of availability, limit of use by a group, renew annually, no alcohol, deposit required. Recommend approval.

A motion by Trustee Bernhard to approve An Ordinance Adopting Policies for the Public Non-Commercial Use of the Community Room Located Within the Elwood Municipal Center for the Village of Elwood. Seconded by Trustee LaPaglia. All voted in favor of motion. Motion carried. Ordinance #889

AN ORDINANCE APPROVING THE FINAL PLAT OF ELWOOD TOWN CENTER SUBDIVISION UNIT 1-A WITHIN THE VILLAGE OF ELWOOD

Parcel belongs to the Bank of Elwood.

David Webber of Jacob and Hefner explained, bought two acres needed only one acre for bank, would like to subdivide and sell the extra lot. Zoned C.

A motion by Trustee Strawn to approve An Ordinance Approving the Final Plat of Elwood Town Center Subdivision Unit 1-A Within the Village of

Elwood. Seconded by Trustee LaPaglia. All voted in favor of motion.
Motion carried. Ordinance #890

**RESOLUTION FOR THE ADOPTION OF AN OFFICIAL
CALENDAR FOR CALENDAR YEAR BEGINNING JANUARY 1,
2008 AND ENDING DECEMBER 31, 2008**

The official calendar needs to be posted yearly.

A motion by Trustee Kucera to approve Resolution for the Adoption of an Official Calendar for Calendar Year Beginning January 1, 2008 and Ending December 31, 2008. Seconded by Trustee Bernhard. All voted in favor of motion. Motion carried. Resolution 2007-08-17

**RESOLUTION AUTHORIZING EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT WITH THE ELWOOD
COMMUNITY CONSOLIDATED SCHOOL DISTRICT No. 203 FOR
TRAFFIC CONTROL AND ENFORCEMENT OF SCHOOL
PROPERTY**

Ed Graham – the resolution is for approval and authorization to sign with the school. Agreement for policing on school grounds.

Dr. Kanzulak – we feel this would be great for kids going across avoiding the stop signs. Will be a great assistance with your help and cooperation the police make an impression for safety of our kids.

Aimee Ingalls – will you give a warning period to the parents?

Dr. Kanzulak – yes, signs will be posted and will be put on our web site under police control.

Trustee Strawn – are you ever going to put a road behind the school?

Dr. Kanzulak – still looking at to change traffic control.

Mr. Stark – thanked Chief Albert and police, they are doing a great job.

A motion by Trustee LaPaglia to approve Resolution Authorizing Execution of an Intergovernmental Agreement with the Elwood Community Consolidated School District No. 203 for Traffic Control and Enforcement

of School Property. Seconded by Trustee Strawn. All voted in favor of motion. Motion carried. Resolution 2007-08-18

RESOLUTION AUTHORIZING THE EXECUTION OF A FIXED PRICE ELECTRICITY SALES AGREEMENT WITH EXELON ENERGY COMPANY AND REPEALING RESOLUTION 2007-08-16 IN ITS ENTIRETY

Nick Narduci – explained need to authorize to participate for buying power, This agreement will guarantee the rates and will come in periodically. This is the lowest bid.

A motion by Trustee Jones to approve Resolution Authorizing the Execution of a Fixed Price Electricity Sales Agreement With Exelon Energy Company and Repealing Resolution 2007-08-16 in its Entirety. Seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried. Resolution 2007-08-19

WELLS FARGO AGREEMENT

Nick Narduci explained we have used another company as bond council. We are not issuing bonds but we need some analysis. Wells Fargo does not get paid unless we issue bonds, what they will do for us. Bond advisor to do analysis, no cost. Just need to appoint them as bond advisor.

A motion by Trustee Strawn to appoint Wells Fargo as bond council. Seconded by Trustee Kucera. All voted in favor of motion. Motion carried.

PROFESSIONAL SERVICE AGREEMENTS

White Glove, Velocita and Ehlers & Associates

A motion by Trustee LaPaglia to approve Professional Service Agreement with White Glove through April 30, 2008. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban - yes. Motion carried.

A motion by Trustee Kucera to approve Professional Service Agreement with Velocita Technology through April 2008. Seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia, Trustee Strawn – yes, President Ruban – yes. Motion carried.

Nick Narduci explained that Ehlers & Associates will do a study for SSA, will be paid through SSA. There is a cap on SSA at one million dollars, we are getting very close. Need to find out what to expect in the future.

A motion by Trustee Strawn to approve Professional Service Agreement with Ehlers & Associates through April 2008. Seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia- yes, Trustee Strawn – yes, President Ruban – yes. Motion carried.

CHANGE ORDER VOE-6 – WIGHT CONSTRUCTION

Roadwork & Underground

Change Order #6 for roadwork and underground work. This is a credit of \$174,172.25.

A motion by Trustee LaPaglia to approve Change Order No. 6 for Wight Construction in the amount of \$174,172.25. Seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried.

PAYMENT NO. 16 – WIGHT CONSTRUCTION

Payment No. 16 to Wight Construction in the amount of \$545,402.84. We are near the final payment.

A motion by Trustee Strawn to approve Payment No. 16 to Wight Construction in the amount of \$545,402.84. Seconded by Trustee Kucera. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried.

OTHER BUSINESS

None

BOARD REPORTS

PARK – Trustee LaPaglia reported that the Park and Rec Committee are working on a comp plan, Nick Narducci working with us on the finance. We have been working on getting our priorities in line. Working on getting plans for programs.

STAFF REPORTS

POLICE – Chief Albert

Contacting Home Land Security and State Police for free training for police officers. Requests from different places that will be getting intermodals. We are sending out feelers and there is a great interest. Would like to host the meetings in Elwood with your permission. Will not cost us anything. These are just for law enforcement personnel.

EXECUTIVE SESSION

Closed Session Minutes of May 16, 2007 and September 19, 2007

A motion by Trustee LaPaglia to go into Executive Session to approve closed session minutes. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried.

A motion by Trustee LaPaglia to go back in Open Session. Seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried.

A motion by Trustee LaPaglia to approve Executive Session minutes of May 16, 2007. No release of Page 1 due to litigation with Allied. Also with correction of reconfiguration of St. Louis Street not coming from the General Fund, will be a 80/20 federal grant and CenterPoint. Seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried.

A motion by Trustee LaPaglia to approve Executive Session minutes of September 19, 2007. Not to release either page due to litigation that is still open. Seconded by Trustee Strawn. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee

LaPaglia – yes, Trustee Strawn – yes, President Ruban – yes. Motion carried.

A motion by Trustee Bernhard to adjourn meeting. Seconded by Trustee Kucera. All voted in favor of motion. Motion carried.

Pat Buchenau
Village Clerk

