

MEETING OF JANUARY 16, 2008

The regular meeting of the Board of Trustees, Village of Elwood, was called to order at 7:00 PM, January 16, 2008. One (1) Trustee Matichak absent.

Also present: Aimee Ingalls, Ed Graham, Scott Haywood, Dave Albert, Dave Laveck, Bob Bland, Robbie Day, Lenny Pulaski, Floyd Garrett, Jim Bosonetta, George Ruban, Jerry Buchenau, Brian Offerman, John Eskra, Scott Hoster, Doug Blocker, Joyce and Art Krause, Kim Smith, Mary Goines, Jerry Davern, Cass Wenland and other village residents.

Meeting opened with Pledge to the Flag.

PUBLIC COMMENTS

Chris Barren, 119 E. Mississippi – regarding parking problem for tenants on Mississippi Street to Matteson Street. There is no where for them to park when there is a snow fall. Can stay parked there with the risk of getting a ticket. The landlord does not provide them a place to park.

Aimee Ingalls – there is no designated parking on Mississippi Street. There is no dedicated area for parking by residents. The property is zoned commercial.

President Ruban – between the Chief of Police, Aimee and myself, will take a look at the problem and get back with you.

Mr. Barren – had an altercation with a person with parking there and the person became very abusive.

President Ruban – open old Village Hall parking lot when it snows. Will talk to the landlord.

Dean Lawrence of Arrowhead Drive – have a problem with area not being fully developed. No snow removal service. When it rains, we have a lot of mud from the undeveloped lots.

Aimee Ingalls – you are getting service, but not provided by the Village. The developer provides the service.

Scott Haywood – regarding the mud issue, Baxter and Woodman out there today, will be writing tickets. Will put some salt down for safety reason. We are addressing the problem.

Storm sewer may be plugged with mud. It is there from storm run off.

Scott Haywood – Baxter and Woodman will be here Friday to see what we can do out there.

Dean Lawrence – would like to have a solution.

President Ruban – when we had our dedication of the new building, the groups from the Abraham Cemetery was present to present the flags. They have given us a placque to the Village from the Cemetery, will be hung in the hallway for everyone to see.

President Ruban reported on the beautiful cabinet in the lobby for the Historical Association. The cabinet was donated by Ed Graham. Thanked Ed Graham to the beautiful cabinet.

PRESENTATION OF MINUTES

The minutes of Workshop dated December 12, 2007 and the regular meeting of December 19, 2007 were presented.

A motion by Trustee LaPaglia to approve the Workshop minutes of December 12, 2007 as presented. Seconded by Trustee Jones. All voted in favor of motion. Motion carried.

A motion by Trustee Strawn to approve minutes of December 19, 2007 as presented. 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 Strawn to approve bills as presented. Seconded by Trustee Kucera. All voted in favor of motion. Motion carried.

AN ORDINANCE ESTABLISHING WATER CONSERVATION REQUIREMENTS WITHIN THE VILLAGE OF ELWOOD

Aimee Ingalls explained that during the months from April to October there are no restrictions on watering. The hours of operation were changed after our Workshop meeting. No restrictions on hand held watering.

Trustee Strawn – need to provide more information in the water bills.

A motion by Trustee Kucera to approve Ordinance Establishing Water Conservation Requirements Within the Village of Elwood. Seconded by Trustee LaPaglia. All voted in favor of motion. Motion carried. Ordinance #891.

AN ORDINANCE REPEALING ORDINANCE 744 AND ESTABLISHING ANIMAL CONTROLS WITHIN THE VILLAGE OF ELWOOD

Aimee Ingalls – explained the ordinance, need to regulate the number of animals per household.

Ed Graham – explained that the ordinance we had in force before required two of each type of animal, with a limit of four. This ordinance is for the safety of residents. Police will help with compliance of ordinance and penalties.

President Ruban – must have tags from Will County.

Trustee Bernhard – change number from four to three, leave birds out.

Trustee Strawn – how are you going to police?

Aimee Ingalls – do you want to put number on types?

Three total.

Art Krase – questioned about new people moving in with more than the number required?

Ed Graham – discussion must precede any motion.

A motion by Trustee Bernhard to change the number of animals to three. Approve Ordinance Repealing Ordinance 744 and Establishing Animal

Controls Within the Village of Elwood. Seconded by Trustee Kucera. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – no, Trustee Strawn – no, President Ruban – yes. Motion carried. Ordinance #892.

AN ORDINANCE TO PROTECT THE PUBLIC WAYS WITHIN THE VILLAGE OF ELWOOD

President Ruban explained the ordinance.

Aimee Ingalls – includes any debris in the public ways and not just snow.

Scott Haywood – we clean the street curb to curb, resident or contractors put the snow in the road. They need to put on the right side. Tree limbs being left on the park way is a problem also not just the snow.

Trustee Kucera – in the fall when they rake the leaves in the road, are we going to stop them?

Aimee Ingalls – in the roadway is in violation of our ordinance.

A motion by Trustee LaPaglia to approve Ordinance to Protect the Public Ways Within the Village of Elwood. Seconded by Trustee Bernhard. All voted in favor of motion. Motion carried. Ordinance #893.

APPROVAL OF HIRING POLICY

Aimee Ingalls – if the Board wishes to adopt a policy, will be done through an ordinance.

A motion by Trustee Strawn to adopt a hiring policy. Seconded by Trustee LaPaglia. All voted in favor of motion. Motion carried.

APPROVAL OF CODIFICATION AGREEMENT

Aimee Ingalls – explained the company will take our ordinances and categorize them by topic and in a numbering order. Will be electronic and paper form. Will be included in our website. Cost factor \$8,800 initial, will be an annual fee. Was a deposit paid a few years ago and they will honor that deposit. Will be done by American Legal Publishing.

A motion by Trustee Strawn to approve the codification agreement for codifying our ordinances. 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.

CLARIFICATION ON ELM CROSSING – PRELIMINARY PLAT

A lot of discussion at Workshop regarding motion with provisions.

Ed Graham – the ordinance was approved with no reference to the Baxter Woodman letter of November 2007 or conditions.

Explained the ordinance and changes. Asking for clarification. Aimee sent a memo on January 11th with recommendation from Staff. Preliminary plat be approved with these conditions. Mr. Hoster's letter to my office of January 16th discussed water looping in second phase of Elm Crossing. Recommend maker of the original motion make a new motion to adopt with our without conditions in Baxter Woodman letter. Will then have to modify the ordinance that was previously approved.

Trustee LaPaglia – question on info given before motion.

Ed Graham – explained. The ordinance contained reference to the Baxter Woodman letter, letter had been circulated to board, confusion that it should be referenced.

Trustee LaPaglia – should have had letter prior to motion.

Aimee Ingalls – was not given to you prior to motion, you can require condition if you wish, decision is yours.

Ed Graham – question is do you want the conditions or not? Does not address water main looping. Ask to consider the condition in the ordinance in the preliminary plat approval, other issues are the second access and gas pipe line issue.

A motion by Trustee LaPaglia to modify motion reference to letter, direct ordinance no reference to Baxter Woodman letter of November 2007. 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.

LINCOLN-WAY PARTNERS – ROAD WEIGHT LIMIT

Ed Graham – comment to eliminate road way limit on Mississippi and Heritage Drive, asking to modify recommendation by Staff.

Not prepared to give final decision as of right now. Will give formal opinion at the next meeting.

A motion by Trustee LaPaglia to table the Lincoln-Way Partners Road Weight Limit until the February meeting. Seconded by Trustee Bernhard. All voted in favor of motion. Motion carried.

FINAL CHANGE ORDER – S. A. INSERT CONSTRUCTION

Mississippi Avenue Section B

Aimee Ingalls – final change order in the amount of \$21,783.37. No payment at this time, just that we are agreeing on quantities. This is a step in the paper work that IDOT requires. Once IDOT approves, will come back to us for final payment.

A motion by Trustee Strawn to approve Final Change Order in the amount of \$21,783.37. 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.

PARTIAL PAYMENT – P. T. FERRO

Il 53 & Mississippi Avenue Widening

Partial payment for P. T. Ferro in the amount of \$155,108.55.

Aimee Ingalls – this is the turn lane which has been a success, was done in record time. Paying the entire bill less retainage which is being held for landscaping.

A motion by Trustee LaPaglia to approve the Payment for P. T. Ferro in the amount of \$155,108.55. 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.

BOARD REPORTS

Reports from EMC and Village Maintenance are in your book.

STAFF REPORTS

POLICE – CHIEF ALBERT

Reported that there will be a training session Thursday. Homeland security, will have FBI representatives. Will be for the intermodal. Thanked the board for allowing him to put this together. Also thanked Scott for all his help in putting this meeting together.

MAINTENANCE – SCOTT HAYWOOD

Equipment that was budgeted for has been received, and was used for the last snow fall.

EXECUTIVE SESSION

A motion by Trustee Bernhard to go into Executive Session for personnel, salaries and litigation. 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.

BACK IN OPEN SESSION

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

Pat Buchenau
Village Clerk