

## **MEETING OF JUNE 18, 2008**

The regular meeting of the Board of Trustees, Village of Elwood, was called to order at 7:00 PM, June 18, 2008. One board member Trustee LaPaglia absent.

Also present: Ed Graham, Scott Haywood, Dave Albert, Dave Laveck, Bob Bland, Floyd Garrett, Lenny Pulaski, Jim Bosonetta, Jerry Buchenau, Brian Offerman, Gerald Gruber, Wes Winkler, John Eskra, Kim Smith, Don Gould, Debbie Rozak, Terri Cooke, Vic Lopez, Art Krause, Bob Forsythe

Meeting opened with Pledge to the Flag.

A motion by Trustee Matichak to amend the Agenda to conduct the Public Hearing before Public Comment. Seconded by Trustee Jones. All voted in favor of motion. Motion carried.

### **PUBLIC HEARING**

An Ordinance Establishing Annual Appropriations for Fiscal Year 2008-09

Public hearing minutes were taken by LeAnn Hibler from LMH Certified Reporting.

### **PUBLIC COMMENTS**

George Passas of 827 Deer Path – just a follow up from the work shop on maintenance and dumping in areas of the Meadowbrook area. Was referred to Officer Dufkis, he was on vacation, was told the ordinances are locked. Went to Village Hall and filled out an FIOA request.

Ed Graham – law allows you to obtain the records as requested in the FOIA request, there is a time line for response to your request. Explained that the state statute governs all weed control, there is one local ordinance and the state law. I have talked to the Village President and Scott Haywood regarding weed control. Will be asking the homeowner to reimburse for cost of getting rid of the weeds. Soil erosion will have to be addressed to stop the soil run off. Captain Dufkis has been notifying homeowners since January. Most recent events have been handled differently. Bring into court

to take care of the property, will be some penalties out of this action. The Village to take care of some soil erosion and weeds.

George Passas – there is a 8” height limit on weeds, warning to homeowners, they should do what the ordinance says. Should only be one advance notice to property owners. Garbage is dumped in there. Want to see what is in the ordinance.

The Village to take steps to get taken care of.

Gerald Gruber, 826 Cobblestone – go to Arizona for the winter, police check the house while we are gone. Come home and there are newspapers and fliers. This is just a signal to anyone that no one is home. Would like the to have them stop delivering the papers.

Don Gould – representative of the 6<sup>th</sup> district. Thank you for allowing us to use the community room tonight. If there is anything we can do for you please call.

Debbie Rozak – thank you for letting us use the room this evening.

### **PRESENTATION OF MINUTES**

The following minutes were presented, Workshop of May 14, 2008 and Regular Meeting of May 21, 2008.

A motion by Trustee Strawn to approve minutes of Workshop of May 14, 2008 as presented. Seconded by Trustee Jones. All voted in favor of motion. Motion carried.

A motion by Trustee Strawn to approve minutes of Regular Meeting of May 21, 2008 as presented. Seconded by Trustee Jones. All voted in favor of motion. Motion carried.

### **PRESENTATION OF BILLS**

Bills for the previous month were presented. Questions were asked and explanation given.

A motion by Trustee Kucera to approve bills as presented. Seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

**MOTION TO APPROVE DISBURSEMENT OF FUNDS IN THE SUM OF \$412,650.00 REPRESENTING AUGUST 2007 INSTALLMENT PAYMENT ON \$4,500,000.00 TAXABLE REVENUE NOTE (DECO LOAN)**

Nick Narducci explained the outstanding loan with DECO for the water/sewer plant. We have tried to negotiate. They want the payment quicker and want it now. In order to continue to negotiate we need to make the payment.

A motion by Trustee Strawn to approve disbursement of funds in the sum of \$412,650.00 representing August 2007 installment payment on \$4,500,000.00 taxable revenue note (DECO Loan). Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

**APPOINTMENTS TO VARIOUS VILLAGE COMMITTEES AND COMMISSIONS**

Plan Commission, Park and Recreation Committee and Code Enforcement Appeal Committee

Village Clerk swore in the following members: Vic Lopez and Terri Cooke from Park and Recreation and Wes Winkler from Planning Board.

President Ruban read the following terms:

Planning Board - Doug Jenco, 5 years; Floyd Garrett and Leonard Pulaski, 4 years; Jim Bosonetta and Wes Winkler, 3 years; Greg Hickey and Stella Weisfus, 2 years.

Park Committee – Mike Walsh, 5 years; Greg Hickey, Terri Cooke and Vic Lopez, 4 years; and Brian Keith, 3 years.

**AN ORDINANCE ESTABLISHING ANNUAL APPROPRIATIONS FOR FISCAL YEAR 2008-2009 FOR THE VILLAGE OF ELWOOD**

Ed Graham – recommend to re-adopt previous ordinance from last month. Public Hearing requirement has been met.

A motion by Trustee Strawn to re-adopt An Ordinance Establishing Annual Appropriations for Fiscal Year 2008-2009 for the Village of Elwood. Seconded by Trustee Kucera. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried. Ordinance 915

**AN ORDINANCE ADOPTING AN OFFICIAL CONSTRUCTION CHANGE ORDER POLICY FOR THE VILLAGE OF ELWOOD**

Nick Narducci – this was done by the Finance Committee, explained the change order will be reviewed by finance to make sure the figures are correct and there is money to make payment.

A motion by Trustee Kucera to approve An Ordinance Adopting an Official Construction Change Order Policy for the Village of Elwood. Seconded by Trustee Jones. All voted in favor of motion. Motion carried. Ordinance 917.

**AN ORDINANCE DESIGNATING CERTAIN ROADWAY SEGMENTS AS INTERMODAL CONNECTORS WITHIN THE VILLAGE OF ELWOOD**

President Ruban explained this request is through CMAP designating roads as truck routes for the intermodal. Truck routes will be placed on a map.

A motion by Trustee Jones to approve An Ordinance Designating Certain Roadway Segments as Intermodal Connectors within the Village of Elwood. Seconded by Trustee Bernhard. All voted in favor of motion. Motion carried.

**AN ORDINANCE ACCEPTING A SPECIAL WARRANTY DEED FROM CENTERPOINT INTERMODAL, LLC CONVEYING CERTAIN PARCELS OF REAL ESTATE AND AUTHORIZING EXECUTION OF AN EASEMENT AGREEMENT FOR ACCESS THERETO FOR THE VILLAGE OF ELWOOD**

Ed Graham – this is for the parks at CenterPoint. A formal way of accepting property, two parcels, the south parcel is south of Mississippi and east of Parks, north parcel is north of Mississippi adjacent to the Fire Department. Center-Point may make revisions to documents for rights on drainage. You can approve subject to legal revision or you may defer until the next meeting. The change that CenterPoint is considering reserving rights for drainage on south parcel, will not affect the Village. CenterPoint wants to convey land to the Village.

President Ruban – would like to table until everything is worked out.

A motion by Trustee Strawn to table action until the July meeting. Seconded by Trustee Bernhard. All voted in favor of motion. Motion carried.

### **RECOMMENDATION FOR FINAL PAYMENT**

Matteson-Jackson Street Reconstruction – D Construction

A motion by Trustee Strawn to approve final payment for D Construction in the amount of \$39,697.83. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

### **RECOMMENDATION FOR FINAL PAYMENT**

Il 53 & Mississippi Avenue Widening – P. T. Ferro Construction

A motion by Trustee Kucera to approve final payment for P. T. Ferro Construction in the amount of \$5,473.20. Seconded by Trustee Matichak. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

### **LETTER OF CREDIT REDUCTION**

Reduction of Water and Sewer Letter of Credit (#583562-04)

Ed Graham explained the reduction from \$367,765.00 to \$100,000.00, the purpose of the letter of credit to insure that CenterPoint made payments for the base water/sewer that was not finished by DECO. The \$100,000.00 will be kept in place for another year.

President Ruban – most of the bills have been paid.

A motion by Trustee Strawn to approve the Letter of Credit Reduction. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

### **JOHN WHITEIDE MEMORIAL GOLF OUTING – June 18, 2008**

President Ruban – recommend to donate \$175.00, the outing is today. We donated last year.

A motion by Trustee Strawn to donate \$175.00 to the John Whiteside Memorial Golf Outing. Seconded by Trustee Matichak. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

### **OTHER BUSINESS**

Trustee Matichak – asked if a sign could be put up at Gardner Street on Chicago Avenue for no truck traffic, a dead end street.

Scott Haywood – there was a sign for no outlet, will check out the status of the sign.

Trustee Matichak – no handicap parking on Mississippi Street, are we going to get one?

Scott Haywood – will answer in my report.

Trustee Matichak – on Mississippi parking on north side for residents, need to get rid of turning lane.

President Ruban – this was looked into, very costly to take curbs out.

Scott Haywood – was a state funded project and was a requirement, will check with Rick Fox.

Trustee Matichak – turning lane on Morris and Chicago, going to a dead end.

Ed Graham – question was asked about the maintenance of retention pond in Unit 5 of Meadowbrook (refer to letter given by Ed Graham's office), the retention pond is the responsibility of the property owners.

Ed Graham – regarding the snow fall restriction parking, need to know what you are going to require, gave you a breakdown of times from other communities, need your feedback. Hope to have ordinance for next month.

Scott Haywood – signs right now say 2 inches. No parking on all village streets.

Nick Narducci – reported on our estimate for health insurance was 12% increase, came in at 29% increase. We have a surplus, the increase will be paid for by the Village, will not change plans document. During the year will be looking at other insurance companies.

Trustee Jones – asked about the Hancock property, no cutting at all this year.

President Ruban – will be cutting this week or next week. The Village has a code enforcement officer, complaints must go to him first.

Trustee Jones – grass needs to be cut at the corner of St. Louis and Mississippi. Property owner should be notified.

### **BOARD REPORTS**

Park and Recreation Committee – Trustee LaPaglia – no report

Finance Committee – Trustee Kucera – no report

Public Works – Trustee Strawn – everyone keeping busy

Community Events – Trustee Bernhard – no report

### **STAFF REPORTS**

Police – Chief Albert

Reported on Dave Albert and Bill Offerman are going to form the Elwood Citizens Group to assist in case of an emergency. The group will be totally volunteer basis. Money will come from state agency. Village of Elwood and Jackson Township will be in the group. Will be taking applications, if interested, contact the police department. There is a lot of talent in our town.

Public Works – Scott Haywood

Mosquito spraying started in May.

A request from Watson's for handicap parking. Engineers recommendation not until complete restructure of Mississippi. Handrails will cost \$325.00 to install, and we can do that. Will be stripping Mississippi in order to install handrails.

Trustee Matichak – are we to provide.

Scott Haywood – handrails to be done as a courtesy, will have to make sure enough access for Fire Department. Two parking spaces will be lost when the handrails are installed.

Trustee Matichak – does summer help weed whip around poles and trees.

Scott Haywood – yes, we do not do private property, the owners of the property are responsible for their property. We do the inter-modal, that is part of the Village.

Scott Haywood – brick on gazebo, plaque will be installed and will start the landscaping. Next week will finish up the bathrooms. Planning the dedication ceremony for the gazebo, will be working with Mike Walsh.

Question was asked about benches in the gazebo. Scott – not aware of, that will be up to the park committee or the Tyler's. There are five benches in the park now.

Water fountain – got a cheaper one and a different color, will talk to the Park Committee.

Will go out for bid on electric and lighting for park, will have light in park at night.

EMC – Bob Bland  
Quite month

### **EXECUTIVE SESSION**

A motion by Trustee Matichak to go into Executive Session for the purpose of litigation and review of closed session minutes. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

A motion by Trustee Matichak to go back in open session. Seconded by Trustee Kucera. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

### **ACTION AUTHORIZED FROM EXECUTIVE SESSION**

Closed Session Minutes December 19, 2007, January 16, 2008, February 13, 2008, March 19, 2008 and April 16, 2008

A motion by Trustee Strawn to approve and release the Executive Session Minutes of December 19, 2007. Seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Matichak – yes, Trustee Strawn – yes. Motion carried.

The minutes of January 16, 2008, February 13, 2008, March 19, 2008 and April 16, 2008 being held due to litigation ongoing.

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

Pat Buchenau  
Village Clerk

