The regular meeting of the Gardner Village Board was called to order at 7:00 p.m. Monday, September 26, 2005 in the Village Hall Council Chambers with all members present: Comms. Hibler, Rankovich, Hileman, Marketti and Mayor Wise. (*Also attending: Barb Bexson, Clerk; John Bates, Attorney).* All then stood for reciting of The Pledge of Allegiance.

Minutes of the Regular Board Meeting of September 12 were read and accepted; motion by Comm. Hileman, second by Comm. Hibler; upon roll, Comm. Marketti passed, all others voted in favor.

With motion by Comm. Marketti, second by Comm. Hileman and unanimous roll vote, payment of all current bills, as listed, was accepted.

Attorney Bates first reported that executed copies of the intergovernmental agreement for the leasing of property by the Gardner Grade School have been received and an ordinance has been prepared to approve and authorize the execution of this contract by the Village. Comm. Hileman moved, Comm. Rankovich seconded and all agreed upon roll to pass and approve this ordinance (VG05-397). A fully-executed copy of this agreement will then be forwarded to Gardner Grade School.

He next responded to prior questions as to whether sidewalk installation can be required on new and old construction by informing that he has reviewed the Village Municipal Code which states that this requirement is only for new subdivision construction and that there are no stipulations for materials used, bonds, elevations, etc. Council members felt that an amendment to the Code needs to be made to include all new construction. A draft ordinance will be prepared for the next meeting.

Attorney Bates then re-opened discussion on the Bull Lane property and informed that the Village has no jurisdiction on this lane as it is not a designated roadway. The homeowners have a right to name their private lane whatever they wish; however, if an actual address change is needed, it would be designated by the Village and most probably would need to be a Pine Street address. Comm. Hileman will speak directly with the homeowners to explain.

Comm. Hileman brought up the new home construction at 209 S. East Street. A building permit was issued for a home with a partial basement and this parcel is located within the floodplain. When grade was recently shot, it was found the walls would be approximately 4 feet above ground level which could divert water to the north and south neighbors. Attorney Bates indicated that FEMA regulations do not allow for basements within a flood plain; also, an unnatural flow of water onto another property cannot be created. To resolve this problem, Attorney Bates will speak with Mike Perry of Chamlin, then get back in touch with George Churchill as to how to proceed.

ZBA Chairman Eric Fosnaugh told that a special ZBA meeting is set for Wednesday, October 19 at 6:30 p.m. for a presentation on residential development from New Lenox Mayor Mike Smith and their City Planner, Jeff Smith. Eric invited all Council Members to attend.

Engine Breaking by semi-truck drivers was brought up as a concern by Comm. Hibler. The Council agreed that an ordinance to prohibit this within the Village limits should be prepared by our attorney; signs may also need to be erected.

Mayor Wise proposed, and the Council agreed to Monday, October 31 from 4 to 6 p.m. for Halloween trick or treat in the Village.

As there was no further business brought before the Council, a motion to adjourn was made notify 7:45 p.m. by Comm. Hileman seconded by Comm. Rankovich; all in agreement.

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Barbara S. Bexson, Clerk
Village of Gardner