The regular meeting of the Gardner Village Board was called to order at 7:00 p.m. Monday, January 28, 2008 in the Village Hall Council Chambers with all members present: Comms. Cox, Serena, Hileman, Gerrish and Mayor Wise. (*Also in attendance: Barb Bexson/Clerk, John Bates/Attorney, Guy Christensen/Engineer)* All then stood for reciting of The Pledge of Allegiance.

Minutes of the January 14, 2008 meeting were tabled.

Accepted/agreed to were:

Financial Report — motion Hileman/second Gerrish
Month of December 2007 — roll vote: ayes 5, nays 0

Listing(s) of bills — motion Hileman/second Serena
(Current) — roll vote: ayes 5, nays 0

Disposal of overstock sesquicentennial — motion Hileman/second Gerrish
t-shirts/golf shirts to veterans organizations — roll vote: ayes 5, nays 0
(Ida Schopp to handle)

Additional bill payments to:
Dave's Welding/Sewer Plant pts.($ 64.50) — motion Hileman/second Serena
'D' Construction/st. patching ($ 3,234.95) — roll vote: ayes 5, nays 0

Comm. Hileman noted that payment for two of the streets patched (Wilmington & Division Sts.) were the Village's responsibility; the third is to be paid by the builder of the home at 305 S. East St. The Clerk was directed to send a letter to Mr. Alan Faletti for reimbursement. He also suggested that prior to issuance of any occupancy permit for new construction, any monies due to the Village should be paid; he will speak with the building inspector concerning this.

Attorney Bates

From discussions at the previous meeting, Attorney Bates provided each Council Member with a copy of the Gardner Municipal Code relative to discharge to the sanitary sewer. He commented that the fees shown should be updated/increased. To Comm. Gerrish's question as to finding these violations, Attorney Bates recommended first sending letters to all residents informing of an infiltration problem, giving a time period for residents to make corrections and informing that the Village will then begin enforcing illegal connections. Certified letters would next be needed to request inspection dates. Short conversation followed on smoke testing done many years ago and the existing sanitary sewer televising done by Jomar in 1997. It was suggested that to start, ordinance information be put on the local access cable channel, however, as many do not have this, all residents would not be served. Comm. Serena stated that he is not so concerned about fines, just corrections. He added that the Village storm sewers are in need of repair and this should be looked into prior to any street work being done; it was agreed this could be done by prioritizing and doing in segments.

Comm. Hileman

Reported that interest received in 2007 amounted to approximately $61,000; indications are that CD rates are dropping so monies collected in 2008 may be much lower. Noted too that electrical rates are projected to increase approximately 10% in June.

Told that immediate action is needed relating to 134 Depot St. (Track Liquors), and explained that apartments are being constructed on the second floor and bricks are falling from the building's exterior. Building Inspector Dean Rankovich had visited this site and was to speak with the owner. Comm. Hileman suggested the attorney get property information from the Clerk and send a certified letter detailing violations, issuing a stop work order and requesting, within two (2) weeks a detailed plan on any work to be done as no building permit has been requested or issued. Attorney Bates

told a letter can be done from his office regarding the violations, however, if the structure is deemed unsafe, the building inspector is the one who does this. It was agreed that a letter be sent noting the violations and the need for a building permit and that Comm. Hileman would speak with the building inspector concerning the unsafe structure and stop work order (motion Hileman/second Cox; roll vote: ayes 5, nays 0).

Comm. Gerrish

Asked status of the new generator for So. Jackson Street. It was reported that our engineer has heard nothing back from NIGas. Comm. Gerrish feels this needs to be resolved as there are more new homes which can create an even bigger problem with increased volume. Guy told they are aware the work is scheduled to be done by May.

Comm. Cox

Motioned all proceeds from the upcoming festival be moved to the Operation Beautification revenue account under the Gardner Days Fund. Second by Comm. Hileman; roll vote: ayes 5, nays 0.

Questioned Comm. Hileman as to the disbursement of funds from TIF, specifically when does the Village receive monies from the County? Comm. Hileman told this year seven (7) payments were received vs. three (3) in previous years and that this year was unusual with these additional payments along with the cancellation of one December council meeting. He acknowledged that the agreement states payments are to be made in five (5) days but that a number of times checks have remained up to thirty (30) days at the Village awaiting pickup. He said it also needs to be understood that when these payments are received by the Village, no checks are cut until there is a review by Tom Jacob's office; there have been no prior problems with this during his years as Finance Commissioner. He briefly touched on his conversation with the grade school superintendent re. a letter mentioned to her and his conversation with the high school superintendent concerning interest due them because of the payment timing by the Village and the monies the schools have received over the past sixteen (16) years because of the first TIF vs. what would have been received had it not been created.

Pertaining to the new Industrial TIF, Comm. Hileman reported we are still awaiting letter from the Fire District (to include that if the Village did not spent the monies on roads, water, sewer, etc., the monies would have to be split, to which the Village agreed). He explained in December, action was to be taken by them. He reported he has also spoken with the grade and high schools. This week, he has received a letter from the Fire District's attorney taking a 180° turn on what was agreed to last July/August. They want to add more personnel which had not been previously discussed. At this time, we do not know where this stands. He again stated we do not have to negotiate with them but the Village is willing to do so. Last information from the schools was they want 18% – Fire District wants to be made whole. Stated if we have to pay each 18%, there is not much monies left for roads, sewer, water, etc. The Village has told these taxing bodies that once the bonds are paid off, the program would revert to the way it is with the initial TIF. There have been talks with individual school board members but nothing official as of yet. More conversation followed on possible understanding that developers of this area would incur the costs for extending water and sewer and the development of roads, (Comm. Hileman told that he did not understand it this way).

Eng. Guy Christensen

Told letter was received from InterTrade Svs.(Mug-A-Bug) for a 2-year contract for railroad ditch maintenance spraying at $2,700/yr.and requested this be placed on the next agenda for approval.

Will speak with IDOT to ask them to address the excessive vegetation growth in the ditch around the Village.

As properly noticed, at 8:00 p.m., Council Members entered into executive session for the purpose to discuss employment, compensation and performance of specific employees, allowed pursuant to Section 2(c)(a) of The Open Meetings Act (motion Hileman/second Serena; roll vote: ayes 5, nays 0). At 8:58 p.m., regular session was reconvened (motion Hileman/second Serena; roll vote: ayes 5, nays 0).

It was then agreed to provide part-time clerical employee Denice Muzzarelli with three (3) annual personal leave days (motion Hileman/second Gerrish; roll vote: ayes 4, nays 1 [Cox]).

As there was no further business brought before the Council, a motion to adjourn was made at 9:05 p.m. by Comm. Hileman, seconded by Comm. Cox, all in agreement.

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Barbara S. Bexson, Clerk
Village of Gardner