The regular meeting of the Gardner Village Board was called to order at 7:00 p.m. Monday, March 10, 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, Scott Belt/Attorney, Guy Christensen/Engineer)* All then stood for reciting of The Pledge of Allegiance.

Accepted were:

Minutes of February 25, 2008	motion Hileman/second Gerrish roll vote: ayes 5, nays 0
Financial Report Month of February, 2008	motion Gerrish/second Serena roll vote: ayes 5, nays 0
Current Listing of Bills	motion Hileman/second Serena roll vote: ayes 5, nays 0
Ordinance Regulating Development in FloodPlain Areas (VG08-002)	motion Hileman/second Gerrish roll vote: ayes 5, nays 0

Attorney Belt

Encouraged Council to read through the material just provided. Told he did research on the validity of the 1972 agreement between the Village of Gardner and Grundy County as to the maintenance agreement for Main Street between Rts.129 and 53. Reminded that two (2) jurisdictional transfer agreements were submitted by Grundy County:; the one for Gorman Road was approved, however, the one for Main Street was held for research.

Comm. Hileman

Questioned Atty. Belt as to response to his letter to the Track Liquor owners on Depot Street. Atty. Belt told no response has been received nor has there been follow-up. Conversation followed on the danger as more bricks appear to be falling from the rear of the building and on the Village barricading the area off the right-of-way. Photos will be taken and submitted to Atty. Belt who will follow-up on this problem.

Agreed to speak with the building inspector after Comm. Cox brought up the condition of walls at the buildings at Depot/Division Streets near the fire station (the old bank building owned by Dave Huston and that housing Gardner Chronicle Antiques).

Again addressed action needed to correct problems with abandoned buildings, swimming pools and vehicles. Told there are issues with some residences, pools and the grain elevator. He felt letters should be sent by Atty. Belt on the residences but that court action may be needed with the elevator, based on prior attempts by the Village to resolve. Responding to Comm. Cox, he told that although he has not been in the elevator, he understands it to be in poor condition, adding that if action were to be taken, the services of a structural engineer would be necessary. Concerning pools and vehicles, letters with copies of the ordinances should be sent by the Village; if corrections are not made, action should be immediately taken with issuance of citations. Directed Atty. Belt to send letters to those property owners as discussed (motion Hileman/second Serena; roll vote: ayes 5, nays 0).

Again discussed fines set by ordinance and given by the courts along with the Village's 'P' Ticket Ordinance. Comm. Cox mentioned our burning ordinance and State of Illinois regulations, along with suggestion for a part-time code enforcement officer to handle these issues. Atty. Belt pointed out that if the State regulation applies to municipalities, it would in fact apply to the Village but if it applies to State and counties, the Village would be unaffected. Comm. Gerrish felt we may want to utilize the 'P' Ticket system to track the type of response and success of this process.

Made the Council aware of an informational request by Vino's Bar & Grill for a beer garden; Atty. Belt related this can be done as long as they stay within the boundaries of their property. Brief discussions followed concerning outdoor music (which would fall under the noise ordinance), questions with homes and apartments nearby and earlier alcoholic

beverage sales on Sundays for special events, such as breakfast buffets. Atty. Belt suggested amending the ordinance or the creation of a new liquor license classification geared toward this purpose. Council agreed to a review of the current liquor license ordinances.

COMM. HILEMAN (continued)

Updated that he asked two grade school board members to meet for TIF discussion but was told the Superintendent felt this should be done with the entire board; he then spoke with the Supt. Dvorak for meeting date/ time and later received a letter from her with form to complete and note stating to return the form and she would review/approve at that time. Comm. Hileman then talked with a few board members about this, stating his understanding was that they wished to discuss TIF and was confused by this note.

Also as he was told that some school board members understood the school would lose monies over the areas moved from the original TIF to the Industrial TIF, he spoke with Dan at Tom Jacob's office who assured they would not lose monies on this as the EAV would be set at the current rate of 2007; the property that was taken out was set at an EAV from over 20 years ago. He felt that what monies they may be talking about is that which the State additionally pays because we have this TIF. Comm. Hileman will meet with them for further explanation and invited Comm. Cox to also attend.

Comm. Cox asked if there are updates with the other two taxing bodies involved; Comm. Hileman responded that he will be meeting with the high school but has heard nothing further from the Fire District other than the letter received from their attorney. Comm. Cox suggested a workshop with both boards. Comm. Hileman disagreed and again stated if the Village were to give each of those bodies 18%, enough monies would not be retained by the Village for bonds, improvements, etc. and reminded that the Village does not have to give them anything

Comm. Gerrish

Asked that in the future an inspector, either from the Village or from Chamlin, be on site during watermain replacement projects. This was mentioned to help avoid problems such as the recent sewer line damage uncovered at 301 S. Jackson, created during the last project but not noticed or repaired. He was told that inspectors were present and pictures taken with some past projects. Guy Christensen told it could be coordinated on the specs. that the contractor must contact the Village or Chamlin every time they encounter something so that photos can be taken.

Comm. Serena

Told he is still working on the street repair project for this year. Guy has all dimensions needed, will prepare costs and provide a listing, prioritizing those in the poorest condition and highlighting those that are in the TIF District.

Spoke with a resident who is willing to do the work if the Village would provide the gravel for an alley. After checking into what has been done in the past, that is, some private individuals have done this at their own expense, he suggested that the Village will not pay for gravel at this time. This resident, Dave Zazworsky, was present and spoke about the concerns at this area on Pine Street. Conversation followed on alley maintenance and various improvements made in the past. Comm. Serena assured Dave that his name would be added to the list he is currently compiling.

Comm. Cox

Questioned Comm. Hileman about burning done at the sewer plant; Comm. Hileman responded that burning of leaves and branches has always been done there. Comm. Cox expressed concern with burning pressure-treated lumber. Comm. Hileman told that since cleanup at the plant was asked for, he directed the employees to remove the metal and

electrical pieces from the poles/panels, retain those for disposal and to burn the poles/panels; as he was not aware, he will speak with the employees so burning of this type material is not done in the future.

GUY CHRISTENSEN

Asked if the agreement with Nicor for the gas line extension on Ida Lane with the gas company was signed and returned; follow up will be made on this.

Reported he made calls to FEMA on their request for information on the home at 201 S. East St., has not heard back as yet but will continue follow up. Comm. Hileman asked if the Village should be involved with individual properties attempting to be removed from the floodplain. Guy replied that the Village is required to keep records on file of their elevation certificate and their compliance issues which should be given upon receipt of a building permit so that FEMA or DNR can check that everything was done correctly but is not responsible for petitions for removal. Conversation followed on the issuance of this building permit and that the house itself is above the floodplain but the crawl space is apparently not.

Short conversation on repairs to storm sewers when street maintenance is done and that ComEd should be contacted about possibly running overhead wires underground at that time. Comm. Serena told that storm sewer repairs are being looked at.

As properly noticed, at 8:04 p.m., Council Members entered into executive session to review closed session minutes and to discuss employment, compensation and performance of specific employees [Illinois Compiled Statutes 5 ILCS 120/2(c)(21) and (2)] (motion Hileman/second Gerrish; roll vote: ayes 5, nays 0). (Comm. Cox again qualified that his yes vote was made under protest due to the Clerk not being allowed to attend.)

At 9:10 p.m. regular session was reconvened (motion Hileman/second Cox; roll vote: ayes 5, nays 0).

It was reported that all executive session minutes were reviewed and that certain minutes (or portions thereof) no longer require confidential treatment and are available for public inspection as follows:

December 11, 2000
November 13, 2001
February 10, 2003
June 23, 2003
September 22, 2003
December 22, 2003
August 23, 2004 (portion thereof)
December 13, 2004 (portion thereof)
January 14, 2008
January 28, 2008

Council agreed to the release of the minutes as listed above (motion Hileman/second Serena; roll vote: ayes 5, nays 0).

It was also determined by the Council that the need for confidentiality continues to exist for the following minutes:

May 27, 2003
June 9, 2003
July 21, 2003
September 8, 2003
October 27, 2003
November 24, 2003
April 26, 2004
June 14, 2004
September 27, 2004
July 11, 2005
April 10, 2006
August 14, 2006
August 28, 2006
September 9, 2006
September 25, 2006
January 8, 2007

Full time Village employees (Steve Baker, Barb Bexson and Jim Paquette) will receive $1.00 per hour salary increases effective with the first payroll of the 2009 fiscal year (motion Hileman, second Serena; roll vote: ayes 5, nays 0).

Lastly, it was agreed that Jeff James will work with Steve Baker for training on the preparation of the IEPA sewer reports; the fee for this is $100.00 and estimated to be approximately five (5) hours (motion Hileman/second Gerrish; roll vote: ayes 5, nays 0).

As there was no further business brought before the Council, a motion to adjourn was made at 9:17 p.m. by Comm. Hileman, seconded by Comm. Gerrish, all in agreement.

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Barbara S. Bexson, Clerk
Village of Gardner