VILLAGE BOARD MEETING
March 9, 2009

The regular meeting of the Gardner Village Board was called to order by Mayor Tom Wise at 7:00 p.m. Monday, March 9, 2009 in the Village Hall Council Chambers. Commissioners present: Gary Cox, Mike Serena, Dick Hileman (Bill Gerrish was absent). (Also present: Scott Belt, Atty.). All then stood for the Pledge of Allegiance.

Accepted were:

Minutes

February 23, 2009	motion Cox/second Serena roll vote: ayes 4, nays 0, absent 1 (Gerrish)
February 26, 2009 (Special Mtg.)	motion Hileman/second Serena roll vote: ayes 4, nays 0, absent 1 (Gerrish)
March 3, 2009 (Special Mtg.)	motion Cox/second Serena roll vote: ayes 4, nays 0, absent 1 (Gerrish)
Financial Report Month of February 2009	motion Serena/second Hileman roll vote: ayes 4, nays 0, absent 1 (Gerrish)
Payment of bills (including bill from Chamlin held from previous meeting)	motion Cox/second Serena roll vote: ayes 4, nays 0, absent 1 (Gerrish)
Planning & Zoning Board Annual Meeting Schedule	motion Cox/second Hileman roll vote: ayes 4, nays 0, absent 1 (Gerrish)
Beautification Committee Annual Meeting Schedule	motion Serena/second Hileman roll vote: ayes 4, nays 0, absent 1 (Gerrish)
Ordinance No. VG09-003 Approving & Adopting an Extension to TIF District I	motion Cox/second Hileman roll vote: ayes 4, nays 0, absent 1 (Gerrish)

Prior to approval of Ordinance No. VG09-003, Comm. Cox questioned his ability to vote as he was not a member of the Council at the time this TIF extension took place. Atty. Belt assured him that he can vote and that the only modification made to this extension is a change in the boundary.

Agenda

BF Technical Code Service code update proposal: Information was given as to versions of the plumbing, electrical and building codes that the inspectors feel should be adopted, some with modifications. Comm. Cox read aloud other codes that need to be considered as listed in BF Technical's letter. After Comm. Hileman voiced that a clear understanding is needed, Comm. Cox told that Mr. Piccolo agrees to attend a Council meeting to present his suggestions. Atty. Belt inserted his feeling that the Council proceed to get this process done right. Council members agreed with Comm. Serena's suggestion for a meeting with Village inspectors also present and further that Mr. Piccolo need not be in attendance at this time. This special meeting was scheduled for Thursday, March 12, 2009 at 6:00 p.m. (motion Cox/second Hileman; roll vote: ayes 4, nays 0). Mayor Wise will contact the inspectors and Comm. Gerrish to confirm their attendance. Comm. Cox also asked that discussion/approval of BF Technical's proposal be included on this agenda.

Atty Belt

Concerning the maintenance agreement for Main Street, told he has been in contact with IDOT regarding road jurisdiction and maintenance and provided them with Village information; no update has been received as yet. Told information on Main Street in 1972 referred to an agreement to Gorman Road which, at that time, was not part of the Village boundary.

Continues research on zoning jurisdiction related to Gardner So Wilmington High School's recent property purchase. Feels thorough re-examination is needed and told he has spoken with other attorneys, who have all agreed that the Village has no jurisdiction over building but feel zoning is a

different matter. Atty. Belt believes this could favor the Village in that State Statute specifically refers to building but not zoning in this type case. Atty. Belt will continue and provide his findings in writing to the Council. Other remarks on this were that this area is zoned for commercial/industrial use and shown for this use on the Comprehensive Plan, the schools were actively involved in this plan, there were no objections by the schools to the TIF, the Comprehensive Plan displayed locations for potential school areas and there should have been communication from the high school on this purchase.

Atty Belt (continued)

Comm. Cox requested information on the Track Liquor Court appearance; was told they were fined $75.00 and are to complete the work and contact the Village in August. Talked further about the structural inspection by Chamlin and who authorized this work, violations with the pool hall in this building and the Mayor's ability to pull their liquor license based on these violations. Comm. Cox also brought up removal of brick pieces from behind this building that were then used in front of a residence on Jefferson St. and pointed to our code referencing dust free parking areas. During this conversation, inspector Dean Rankovich arrived and was asked why a stop order was not issued to Track Liquor for the structure work being done on the wall without a permit. Dean responded that this had been added to the original remodel permit and that he was unaware of the structural engineering inspection. After Comm. Cox asked for further Village action, Atty. Belt said that, as they are operating under a court order, the Village should proceed with caution. Comm. Hileman felt that Atty. Belt should look over the court order for discussion at the upcoming special meeting.

Also discussed at this time were problems with the 202 W. Wilmington St. (Shell) permit and that, according to Comm. Cox, should also have had a stop work order issued.

Comm. Hileman

Asked again that his agenda items (discussion on rebate of Village real estate taxes and on residential water/sewer/garbage bill relief) be tabled.

Comm Serena

Reported that he has talked with the maintenance employees about the salt storage at the sewer plant; the salt will be removed from inside this building when weather permits to prevent any damage to the building.

Comm. Cox

Told he spoke with Steve Baker concerning tetanus and hepatitis immunizations; Steve is to contact the Grundy County Health Dept. and have these brought up to date for both himself and Jim Paquette. Comm. Hileman added that he has looked over the information Comm. Cox has provided to everyone; told maintenance personnel have had some of the trainings listed. He also informed he is to receive a letter concerning NIMS, noting he understands no one needs to be qualified on NIMS but that this would be needed if the Village were to apply for a grant. He also said that if tools and training are needed for our personnel, the Village will supply and support.

Final conversations were on the elimination of the fire inspector position, who would perform this job if needed, adoption of the National Fire Code vs. NFPA101 and plan inspection. More discussion will be held at the special meeting.

As there was no further business brought before the Council, a motion to adjourn was made at 9:24 p.m. by Comm. Hileman, seconded by Comm. Serena, all present in agreement.

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Barbara S. Bexson, Clerk
Village of Gardner