The regular meeting of the Gardner Village Board was called to order by Mayor Tom Wise at 7:00 p.m. Monday, July 13, 2009 in the Village Hall Council Chambers. Commissioners present: Gary Cox, Mike Serena, Dick Hileman, Bill Gerrish. (Also present: John Bates, Atty). All then stood for the Pledge of Allegiance.

Accepted were:

Minutes June 22, 2009	motion Serena/second Hileman roll vote: ayes 4, pass 1 (Gerrish), nays 0
Financial Report Month of June 2009	motion Hileman/second Serena roll vote: ayes 5, nays 0
Payment of bills Current	motion Serena/second Gerrish roll vote: ayes 5, nays 0
Payment of bill from Rub Ford	motion Hileman/second Gerrish roll vote: ayes 4, pass 1 (Wise), nays 0

Prior to acceptance of bill payment, Comm. Cox questioned costs for both the new computers and their installation; he was provided with the invoice for his inspection.

Agenda

Village auditor Tawnya Mack (Echols, Mack & Assoc.), supplied each council member with a copy of the Annual Audit Report exhibiting results of their June 2009 audit of Village records. She briefly summarized sections, explaining various Village funds and their status versus the previous year and budget. Other than one (1) invoice not located and possibly misfiled ($100.00 for dj Big Kahuna advertising), the findings are that the records maintained by the Village Clerk remain in good order and are consistent with reporting standards. The Fiscal Year 2009 Annual Audit Report will now be placed on permanent file with the Village.

Benny Conger, on behalf of the Church of Hope appeared before the Council to request permission for the Church to construct a parking lot on a portion of the vacant lot they wish to purchase across from the Church on S. Jefferson St. Mayor Wise explained that, because of the current zoning classification of that parcel, he would need first to meet with the Planning & Zoning Board. The Clerk will provide him with needed information.

Contractor registration: Comm. Serena began by pointing out this was discussed at last meeting and there is really no registration for contractors. He does not feel it is necessary they pay a fee as much as there needs to be accountability. It was told the ordinance sets an annual fee of $100 for general contractors, $50 for subcontractors with the need for proof of insurance; Comm. Gerrish added that he has found that most contractors who do need to register pay a fee. Comm. Hileman suggested this be tabled to the next meeting [motion Hileman/second Gerrish; roll vote: ayes 4, nays 1 (Cox)].

Garbage contract: Mayor Wise informed the current contract expires in October. Per Atty. Bates, it had previously been put out to bid but the Council rejected all bids and an extension was given to Heartland Disposal. According to him, Heartland can be contacted to see if they are interested in an extension and at what price. Comm. Gerrish's opinion was to bid so the Village would know all pricing. Council agreed this is to be placed for bid (motion Hileman/second Cox; roll vote: ayes 5, nays 0).

Resident Gerry VonQualen questioned the Mayor as to why a letter he had written was not read and placed in the minutes and what policy there was for this; Mayor Wise responded that this was placed on file. Upon Atty. Bates informing it is not required that letters be made part of minutes but it is necessary to make mention, Gerry withdrew his request to read this letter but provided a copy to each Council Member.

Unfinished Business

Comm. Cox asked status of the Planning & Zoning Board membership; Mayor Wise responded that he is working on this.

Comm. Cox updated Comm. Gerrish, not present at the last meeting, that, contrary to comments, he

had, in fact, referenced the June 13 Rt. 66 passport tour at the gazebo on two (2) different occasions and those were referenced in minutes.

Attorney Bates

Comm. Cox requested an update on codification; Comm. Hileman told a meeting with inspectors, Rich, Piccolo, Atty. Belt and the Clerk is set for July 21 for finalizing the various code information which will then be brought back to the Council. Atty. Bates added he understands this is taking a long time, however, the best the Village can do is make sure everyone is certain of codes prior to passing the codified code.

Comm. Hileman

Appropriation ordinance: all members were provided a copy of last year's ordinance and asked to contact him no later than July 23 as it must be accepted during the month of July.

S. Jackson Street Improvement Project: Concerning funding of this estimated $350,000 project (with additional fees for engineering and moving of a fire hydrant), recommended that $200,000 be paid from the General Fund and $225,000 from the TIF Fund. Council agreed (motion Hileman/second Serena; roll vote: ayes 5, nays 0). Council also talked over sidewalk replacement with the road widening, with Comm. Hileman announcing that the Village will not pay for replacement of any mailboxes that are currently on Village right-of-way. Comm. Serena suggested the need to install speed tables to control speed; Comm. Hileman disagreed but stated this could be talked over at a later time and monies appropriated.

Reported a CD in the TIF Fund has matured; as the rate offered by Standard Bank is 1.6%, will look to other banks for better rates.

Comm. Gerrish

Wilmington Street Watermain Improvement Project: reported all tie-ins are done and the contractor will be doing more clean-up. Told of resident concerns with concrete pieces left in the area and has spoken with the contractor to have this removed. Explained the need to replace the storm sewer is delaying total restoration and a price is needed for this work.

Comm. Serena

Reminded he previously provided a cost of $4500 from Fatlan Trucking for the Jefferson Street sidewalk replacement. Reported he spoke with maintenance employees about doing this work and now feels this is a bigger project than they can take on; therefore, recommended acceptance of Fatlan's quote for this job (motion Serena/second Hileman; roll vote: ayes 5, nays 0).

Provided all with pictures and quote from TEK Supply for the salt storage building (hoop building) and reminded this is for the building only, not for sidewalls or the canvas top. He told another town with this building reported a cost of approx. $15,000 for the building and sides. Council agreed that Comm. Serena should look into the total cost for installation of this building (building, concrete/wood sidewalls, canvas top).

Comm. Cox

Brought to everyone's attention there were very large fireworks displays this year and the Village has an ordinance stating permit application is needed fifteen (15) days prior; informed there is a new State law requiring a license from the State Fire Marshall.

Also brought up again the need for someone to enforce the grass and vehicle codes. Following Comm. Hileman repeating that he agreed to assist, both commented on misunderstandings as to who was to provide the information and what was to next be done. Comm. Cox stressed that enforcement is needed, having work done and tracking the violation is very time consuming. Comm. Hileman then stated he felt others elected to that position did the job and that one of Comm. Cox's election platforms was that he felt the town needed to be cleaned up. He closed stating that he understands those who are employed cannot, but he is willing to represent the Village in court as needed. The first step is the letter giving notice and next is to have the Sheriff draft a complaint and have it served or issue a citation according to Atty. Bates. Comm. Cox relayed this was done, then employees mowed grass; his worry too is that based on our charges, some may find this less expensive than hiring out the job. More discussion continued on this and abandoned vehicle problems with comment made that

there are many small towns in this area and all do the best they can.

Summarized some of the ideas the Lions Club committee may be looking into on a brick sidewalk on Jefferson St. to tie into the gazebo area and concrete walk path through the parkway from Depot St. to the parking lot.

Mayor Wise

Informed he was approached by Barb Phillips of the Lions Club committee about removal of the railroad ties and bushes around the Depot St. parking lot. Comm. Hileman feels that prior to anything being agreed to or done, ownership of the property and these items should be looked into.

As properly noticed, at 8:10 p.m. Council Members entered into executive session to discuss employment, compensation and performance of specific employees, allowed pursuant to Section 2(c)(1) of The Open Meetings Act (motion Hileman/second Gerrish; roll vote: ayes 5, nays 0 with Comm. Cox qualifying that his affirmative vote is made under protect as the Clerk is not allowed to attend. At 9:00 p.m. regular session was reconvened (motion Hileman/second Serena; roll vote: ayes 5, nays 0).

Announcement was made that there will be a special meeting held at 6:00 p.m. prior to the regular board meeting on July 27 for the purpose of executive session [Section 2(c)(1) of The Open Meetings Act] to discuss employment, compensation and performance fo specific employees. The Clerk was directed to notify all employees to be in attendance at this special meeting.

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