Monday, June 25, 2012 at 7:00 p.m., Mayor Tom Wise called to order the regular meeting of the Gardner Village Board in the Village Hall Council Chambers. Roll call-Commissioners: Dick Hileman, Mike Serena, Jim Hibler, Gary Riley and Mayor Wise. Also in attendance were Attorney Scott Belt and Guy Christensen with Chamlin & Associates.

All stood for the Pledge of Allegiance.

The minutes of June 11, 2012 were presented. Serena moved to approve the minutes as written, second by Riley. Roll call-Ayes: Serena, Hibler, Riley and Wise. Pass: Hileman Nays: none. Motion carried.

The current bills for June 25, 2012 were presented. Hileman moved to approve the payment of the bills second by Hibler. Roll call-Ayes: Hibler, Serena, Hileman, Riley and Wise. Nays: none. Motion carried.

Public Comments – Mr. Dan Bell brought to the board's attention the difficulties with the stop sign at the corner of Odell and Center streets. He informed the board that people don't stop at that sign and then reminded the board of all the bushes along there and the trouble people have seeing which he feels makes it a bad situation. Mr. Bell then asked that the board get on homes in town to clean up their yards, stating that some are a real mess. The final item Mr. Bell brought to the board is the difficulties with the Fire Department; he stated that he has never seen anything like it and that the only ones being hurt are the taxpayers. Comm. Hileman commented that he has also received comments from people regarding the emergency ambulance personnel sleeping in the village hall, but he has reminded them that this is an emergency and the board will do what needs to be done to help out. Mrs. Ida Schopp then commented that she is sick over how things are going in town with the Fire Department, but she knows that the board will not stand for it.

Agenda – Tawnya Mack presented the Fiscal Year 2012 annual audit going over the expenditures and final balances of the different funds. Ms. Mack then made recommendations for next fiscal year which included transferring of funds from accounts to TIF for TIF expenditures, keeping a hard copy of pay raises in personnel files and accrual reporting of utility billing. Comm. Hileman made motion to accept the annual audit second by Serena. Roll call-Ayes: Hibler, Serena, Hileman, Riley and Wise. Nays: none. Motion carried.
Atty. Belt explained the Main Street agreement between the Village and Grundy County. Comm. Hileman made motion to approve the resolution authorizing the Mayor to execute the Main Street agreement with Grundy County when finalized second by Serena. Roll call-Ayes: Hibler, Serena, Hileman, Riley and Wise. Nays: none. Motion carried.
Atty. Belt then reported to the board on the complaint filed with the Attorney General by Gary Cox over the Villages response to his FOIA request of March 27, 2012. Atty. Belt explained that letters between Jacob & Klein, himself and the Village are Attorney/Client privileged, and that without approval from the board the Village Clerk, Village FOIA officer and himself are not able to release those documents. Atty. Belt then asked the board for their input regarding the release of those documents. Atty. Belt did advise that he was against releasing the documents due to the current litigation between the Village and the Gardner Fire Department. Comm. Hileman made motion to let Attorney/Client privilege stand and not release documents between Jacob & Klein and Village of Gardner second by Serena. Roll call-Ayes: Hibler, Serena, Hileman, Riley and Wise. Nays: none. Motion carried. Atty. Belt explained the court rulings from June 18, and June 20 in regards to the replevin order, stating that the judge has given possession of the equipment and all assets to the Fire District. He stressed that the District and the Judge wanted to make sure there was no interruption of service to Gardner residents. Comm. Hileman made motion to cancel executive session second by Hibler. Roll call-Ayes: Hibler, Serena, Hileman, Riley and Wise. Nays: none. Motion carried.

Unfinished Business – None

Atty. Belt – had no additional report.

Comm. Hileman reported that 3 fire trucks have been moved into the village garage, the ambulance and personnel to village hall, noting that ambulance service is temporarily being provided by Kurtz but Riverside was here today to refit the ambulance due to the removal of necessary items so it should be back up and running tomorrow. Terry Jensen and the fire district board were commended for making the emergency transfer of service quickly and seamlessly, especially with the district board members being out of town for a conference at the time the fire department informed 911 that they could not provide service. Comm. Hileman noted that the village has bent over backward to help out, which included village workers, Comm. Serena and himself helping to move things out of the building. He realizes that there will be flack over this due to using taxpayer dollars for village workers to help out as well as opening the building due to the emergency. He reported that he has received comments about using village hall as home base for fire and ambulance personnel but he reminds people that this is an emergency and the village will help out as needed, including help to move things back once the district obtains possession of the building. Comm. Hileman made motion to borrow $200,000 from general fund until fall when the motor fuel tax CD matures and he can transfer the monies from motor fuel back to the general fund second by Serena. Roll call-Ayes: Hibler, Serena, Hileman, Riley and Wise. Nays: none. Motion carried. Comm. Hileman made motion to transfer $4,000 from the general fund into the garbage fund second by Hibler. Roll call-Ayes: Hibler, Serena, Hileman, Riley and Wise. Nays: none. Motion carried. Comm. Hileman let the board know that as of now the pension money was fine but come January or February he would probably be asking to transfer money into the pension fund. He then explained the appropriation ordinance, how he will be faxing it to Mack & Assoc. to get her recommendations, he will then make his changes, so if any of the commissioners know of anything they will be needing to let him know before the next meeting. Comm. Hileman responded to Mr. Bell regarding grass and properties that need cleaning up, informing everyone that the village has been cutting foreclosed lawns, sending letters and he personally will be going to see someone with too many boats and campers in their yard to see if he can get them to do something.

Comm. Hibler had no report.

Comm. Serena reported that he has been in contact with Union Pacific Railroad, with 5 crossings in town they will need to close up to 4 crossings at a time starting July 1, 2012 due to the length of their equipment. Comm. Serena stated that the village will keep people posted once we get an actual start date.

Comm. Riley had no report.

Engineer Christensen reported that "D" Construction will be starting this week on the road repairs and should be completed by Friday and he will let them know about the railroad crossing closings.

Clerk Pasternak had no report.

Mayor Wise had no report.

As there was no further business brought before the council, a motion to adjourn was made by Comm. Serena seconded by Comm. Riley, all signified by saying aye. No one opposed. Motion carried. Meeting was adjourned at 7:50 pm.

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Becky L. Pasternak, Clerk
Village of Gardner