VILLAGE BOARD MEETING
August 27, 2018

Monday, August 27, 2018, at 7:00 p.m., Mayor Mike Serena called to order the regular meeting of the Gardner Village Board in the Village Hall Council Chambers. Roll call – Commissioners Dick Hileman, Rob Wolf, and Mayor Mike Serena were present. Comm. Terry Jensen and James Riley were absent. Village Engineer Casey McCollom and Village Attorney Chris Dearth were present. All stood for the Pledge of Allegiance.

The minutes of August 13, 2018 were presented. Comm. Hileman made motion to approve the minutes as printed, second by Serena. Roll call – Ayes: Comm. Hileman, Mayor Serena. Pass: Wolf. Nays: none. Motion carried.

A list of current bills was presented. Comm. Hileman moved to approve the payment of the bills as printed with the exception of payment to Turf Team which should be $1,219.90 and check was made for $609.90, second by Wolf. Roll call – Ayes: Comm. Hileman, Wolf, Mayor Serena. Nays: none. Motion carried.

Public Comments –

John Griffin operates a landscaping business and has purchased the building at 205 West Parker to store equipment and perform repairs on his vehicles. He has done some improvements on the property and may, in the future, move his business from Joliet to Gardner. Comm. Hileman pointed out that the property is zoned Residential and they must pay the garbage as part of the water bill. We will do some research and if that property is zoned Commercial, we will remove the refuse from the water billing. They snow plow for the Village of Essex and expect that there will be more activity in the winter

Resident Mike Pokornicki addressed the Board regarding TIF, claiming that the TIF money must be paid back by the homeowners. Comm. Hileman wished to set the record straight and stated that this Board has never borrowed any money from any part of the TIF fund. Also, we don't raise the taxes on the TIF district, it's the county and the township that sets the numbers.

Agenda –

Michael Pokornicki addressed the Board to protest the cutting of "his" trees and expressed concern that they were cut incorrectly. He stated the trees were cut on the east side which meant that the west side is full of limbs and if they fall on his house he would not be too happy. He further added that he filed a complaint with the U.S. Attorney and was told that they can't do anything until something happens. Mayor Serena pointed out that the trees are on the Village right-of-way and he had asked the maintenance workers to determine if there are limbs that might interfere with snow plowing, they should be cut. Some dangerous or problem trees might have to be removed entirely. If they are on Village property, we have the right to do that.

In the past, we had a contractor run a camera through the sewer lines where we had a problem to determine the cause and make sure that homeowners do not have their gutters and sump pumps going into the sewer system. Comm. Hileman indicated that this was the one down near the Grade School. Comm. Wolf made motion to have some sewer lines camera-ed, second by Hileman. Roll call – Ayes: Comm. Hileman, Wolf, Mayor Serena. Nays: none. Motion carried.

Unfinished Business: No unfinished business was presented.

Reports –

Atty. Dearth – Mayor Serena pointed out that he had asked Chris to attend the meeting to explain the legal issues that happened with Ohare. We had a lot of attorney's fees and expected to recoup a lot of those, and in the end we got very little and were very disappointed in the result. Dearth reported that there was a reasonable attorney fee hearing in late July and the sole issue before the court was the amount of attorney's fees to be provided to the Village pursuant to the amended petition to show cause. There were five allegations on that petition, the court found Ohare in

willful violation of one. Dearth's interpretation of how the court determined the award of $750 was based on Ohare's attorney McGinty's argument. He indicated that the reasonable attorney fee request which we provided of roughly $3,600, should be divided by five because his client was found in willful violation of one of the counts.

A discussion was held regarding cargo containers which are not allowed in the business district according to our ordinance. Also there are vehicles which have been there more than 30 days, but are just moved around from time to time.

Dearth mentioned that they wanted to resolve the attorney matter before the hearing for $1,500 which he thought was a fair offer. However, Hileman stated that at no time did he know that the judge ruled on only one allegation out of the five, and threw out the other four.

It was decided that we would continue with our documentation and after a month's time, we will contact Dearth and determine our next step. Mr. Griffin pointed out several state requirements regarding towed vehicles.

Comm. Hileman – Has requested Casey to come up with some figures regarding the bid for South Jackson Street. We are boring under Parker but he has asked Casey if we could tie up to East Street (loop Root to East). He will then talk to Jacobs to see what is left in TIF for water projects. Another IDOT permit will be required.

Comm. Jensen – Absent

Comm. Riley – Absent

Comm. Wolf – Nothing to report

Casey McCollom – Watermain project is proceeding. The next step is Jackson Street. Limbs to be trimmed in the easement in the alley between Pine and Center to Peck.

Clerk Malinowski – Nothing to report

Mayor Serena – There was a complaint from a resident regarding the watermain contractor digging up his property. The contractor took it upon himself to write a letter to all of the residents involved to notify them about possible digging on their property.

As there was no further business brought before the council, a motion to adjourn was made by Comm. Hileman, second by Wolf. Roll call – Ayes: Comm. Hileman, Wolf, Mayor Serena. Nays: none. Motion carried. Meeting was adjourned at 7:50 p.m.

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Pat Malinowski, Clerk