

VILLAGE OF PEOTONE
VILLAGE BOARD
MINUTES OF SEPTEMBER 24, 2012

THE PLEDGE OF ALLEGIANCE WAS LED BY THE VILLAGE PRESIDENT, RICHARD DURAN.

PLEDGE OF ALLEGIANCE

THE REGULAR MEETING OF THE PEOTONE VILLAGE BOARD OF TRUSTEES WAS CALLED TO ORDER AT 7:00 P.M. AT THE MUNICIPAL COMPLEX HALL, 208 E. MAIN STREET, PEOTONE, ILLINOIS; THE VILLAGE PRESIDENT, RICHARD DURAN, PRESIDING. THE FOLLOWING BOARD MEMBERS ANSWERED ROLL CALL: MR. REICHERT, MR. WICKER, MR. CALLAHAN, AND MR. FORSYTHE. MR. HUPKE AND MR. LIBERATORE WERE ABSENT. ALSO PRESENT WERE THE ADMINISTRATOR, ENGINEER, ATTORNEY, POLICE CHIEF, AND MS. BROOKE.

ROLL CALL

MOTION BY REICHERT, SECONDED BY WICKER, TO APPROVE THE MINUTES OF THE SEPTEMBER 10, 2012, REGULAR VILLAGE BOARD MEETING AS WRITTEN. REICHERT, WICKER, CALLAHAN, AND PRESIDENT DURAN VOTING AYE; FORSYTHE VOTING PRESENT; MOTION CARRIED.

MINUTES

MOTION BY WICKER, SECONDED BY REICHERT, TO APPROVE THE PAYROLL AND TO APPROVE THE ACCOUNTS PAYABLE IN ALL CATEGORIZED FUNDS AS PRESENTED. WICKER, REICHERT, FORSYTHE, AND CALLAHAN VOTING AYE; MOTION CARRIED.

PAYROLL & ACCOUNTS PAYABLE

PUBLIC COMMENT - MARGE BROOKE INQUIRED ABOUT THE ELECTRIC AGGREGATION OPT-OUT LETTER THE RESIDENTS RECEIVED AND IF IT WERE TRUE THAT OUR BOARD WANTED THAT COMPANY IN TOWN. SHE STATED THAT THE LETTER DIDN'T EXPLAIN IT VERY WELL. SHE INQUIRED IF EVERYONE WOULD BE NOTIFIED AGAIN IN TWO YEARS WHEN THE CONTRACT IS UP FOR RENEWAL.

PUBLIC COMMENT

PRESIDENT DURAN EXPLAINED THAT WE ARE PART OF A GROUP AND WENT OUT TO BID FOR THE ELECTRIC SUPPLIER. FIRST ENERGY WON THE BID. WHEN THE CONTRACT EXPIRES AND WE BEGIN THE PROCESS AGAIN, EVERYONE WILL BE NOTIFIED. IF THE COMMONWEALTH EDISON RATE DROPS BELOW THE FIRST ENTERGY RATE, WE AUTOMATICALLY DEFAULT BACK TO COMMONWEALTH EDISON.

THE CLERK / COLLECTOR REPORT AND THE TREASURER REPORT WERE PRESENTED TO THE BOARD.

C/C & TREAS REPORTS

POLICE CHIEF REPORT - NONE

POLICE CHIEF REPORT

ENGINEER REPORT – THE ENGINEER REPORTED THAT THE 2012 SIDEWALK PROJECT AWARD WAS LATER ON THIS AGENDA. THE 2012 STREET RESURFACING PROJECT WILL BEGIN TOMORROW. THE PRE-CONSTRUCTION MEETING FOR THE CONRAD STREET GENERATOR PROJECT HAS BEEN SCHEDULED FOR TOMORROW. THERE IS GLITCH AT THE STATE REGARDING THE TRAFFIC SIGNAL AND REALLOCATION OF THE FUNDS. WE SHOULD HAVE A RESPONSE IN TWO TO THREE WEEKS.

ENGINEER REPORT

PRESIDENT DURAN ANNOUNCED HIS CHOICE OF RANDY O'CONNELL FOR THE APPOINTMENT TO THE TRI-TOWN GOVERNMENT ACCESS CHANNEL COMMISSION.

APPOINT ACCESS CHANNEL COMMISSIONERS

MOTION BY WICKER, SECONDED BY REICHERT, TO APPROVE THE APPOINTMENT OF RANDY O'CONNELL AS COMMISSIONER FOR THE TRI-TOWN GOVERNMENT ACCESS CHANNEL COMMISSION. WICKER, REICHERT, CALLAHAN, AND FORSYTHE VOTING AYE; MOTION

CARRIED.

SCANLON EXCAVATING AND CONCRETE HAS COMPLETED THE 2011 SIDEWALK PROGRAM. THE ENGINEER RECOMMENDS THAT UPON RECEIPT OF THE FINAL WAIVER OF LIEN, THE \$1,000.00 RETAINAGE FOR THE PROJECT BE RELEASED.

**RELEASE RETAINAGE
2011 SIDEWALK PROJECT**

MOTION BY REICHERT, SECONDED BY FORSYTHE, TO RELEASE THE 2011 SIDEWALK RETAINAGE IN THE AMOUNT OF \$1000.00 TO SCANLON EXCAVATING AND CONCRETE UPON RECEIPT OF THE FINAL WAIVER OF LIEN. REICHERT, FORSYTHE, CALLAHAN, AND WICKER VOTING AYE; MOTION CARRIED.

THE PEOTONE PARK DISTRICT HAS REQUESTED AN AMPLIFIER PERMIT ON SEPTEMBER 29, 2012, FROM 9:00 A.M. TO 9:00 P.M. IN CONJUNCTION WITH THE KICKBALL TOURNAMENT.

**AMPLIFIER PERMIT
PARK DISTRICT**

MOTION BY WICKER, SECONDED BY FORSYTHE, TO APPROVE THE AMPLIFIER PERMIT FOR THE PEOTONE PARK DISTRICT ON SEPTEMBER 29, 2012, FROM 9:00 A.M. TO 9:00 P.M. WICKER, FORSYTHE, CALLAHAN, AND REICHERT VOTING AYE; MOTION CARRIED.

MOTION BY FORSYTHE, SECONDED BY WICKER, TO ESTABLISH TRICK OR TREAT HOURS IN THE VILLAGE ON OCTOBER 31, 2012, FROM 4:00 P.M. TO 7:00 P.M. FORSYTHE, WICKER, REICHERT, AND CALLAHAN VOTING AYE; MOTION CARRIED.

TRICK OR TREAT HOURS

ADOPTED ORDINANCES ARE SENT TO AMERICAN LEGAL PUBLISHING TO PREPARE THE SUPPLEMENT TO THE VILLAGE CODE OF ORDINANCES. AN ORDINANCE IS NECESSARY TO INCLUDE THE SUPPLEMENT INTO THE VILLAGE CODE OF ORDINANCES.

**ORD. 12-18
CODIFICATION**

MOTION BY WICKER, SECONDED BY REICHERT, TO ADOPT ORDINANCE 12-18 – AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCE FOR THE VILLAGE OF PEOTONE, ILLINOIS. WICKER, REICHERT, CALLAHAN, AND FORSYTHE VOTING AYE; MOTION CARRIED.

THE STATE LAW REGARDING VEHICLE IMPOUNDMENT PROCEDURES HAS CHANGED. THE NEW PROCEDURE REQUIRES THAT WE PROVIDE THE OPPORTUNITY FOR A HEARING BY SETTING ASIDE A SPECIFIC TIME FOR HEARINGS. THE VILLAGE ORDINANCE MUST BE AMENDED TO REFLECT THE CHANGE. THE AMENDMENT WOULD ALSO INCREASE THE FEE TO HELP DEFRAY THE ADDITIONAL VILLAGE COST.

AMEND IMPOUND FEES

THE BOARD DISCUSSED THE AMENDMENT TO THE VILLAGE ORDINANCE AT GREAT LENGTH. CONCERNS RAISED WERE ATTORNEY KNUTH SERVING BOTH AS A HEARING OFFICER AND THE VILLAGE PROSECUTING ATTORNEY, RETURNING THE IMPOUND FEE IF THE PERSON WERE FOUND NOT GUILTY IN COURT, THE INCREASED IMPOUND FEE, THE ADDITIONAL FEES INCURRED BY THE VILLAGE TO HOLD THE MONTHLY HEARINGS WHETHER OR NOT ANYONE ATTENDS. CHIEF MORT WILL SURVEY THE SURROUNDING COMMUNITIES FOR THE STRUCTURE AND PROCEDURE OF THEIR IMPOUND ORDINANCES AND A LIST OF COSTS THAT THE VILLAGE WILL INCUR. HE WILL REPORT BACK TO THE BOARD AT THE NEXT MEETING. TRUSTEE CALLAHAN BROUGHT UP THE SUBJECT OF POSSIBLE ADMINISTRATIVE HEARINGS HELD HERE RATHER THAN MANY CASES GOING TO COURT.

THE STATE HAS PASSED LEGISLATION REMOVING THE AUTHORITY OF LOCAL GOVERNMENTS TO REGULATE THE LENGTH OF TIME POLITICAL SIGNS ARE DISPLAYED. THE VILLAGE ORDINANCE MUST BE AMENDED TO REFLECT THE STATE LEGISLATION.

**ORD. 12-19
AMEND POLITICAL SIGN**

MOTION BY CALLAHAN, SECONDED BY FORSYTHE, TO ADOPT ORDINANCE 12-19 – AN ORDINANCE AMENDING CHAPTER 153 OF TITLE XV OF THE CODE OF PEOTONE REGARDING SIGNS, AWNINGS, AND BILLBOARDS. CALLAHAN, FORSYTHE, REICHERT, AND WICKER VOTING AYE; MOTION CARRIED.

MOTION BY FORSYTHE, SECONDED BY WICKER, TO PROCLAIM THE MONTH OF OCTOBER AS NATIONAL ARTS AND HUMANITIES MONTH. FORSYTHE, WICKER, REICHERT, AND CALLAHAN VOTING AYE; MOTION CARRIED.

**PROCLAMATION
HUMANITIES MONTH**

MR. AND MRS. SZEMAN HAVE REQUESTED A FENCE VARIANCE AT 205 S. RATHJE ROAD TO ALLOW THE PLACEMENT OF A FIVE FOOT FENCE TEN FEET INSIDE THEIR REAR PROPERTY LINE TO AVOID THE NEIGHBORS' LANDSCAPING.

**RES 12-R12
FENCE / 205 S. RATHJE**

MOTION BY CALLAHAN, SECONDED BY FORSYTHE, TO PASS RESOLUTION 12-R12 – A RESOLUTION GRANTING THE ALLOWABLE FENCING AT 205 S. RATHJE ROAD. CALLAHAN, FORSYTHE, REICHERT, WICKER, VOTING AYE; MOTION CARRIED.

THREE BIDS WERE RECEIVED FOR THE 2012 SIDEWALK PROJECT. J & J NEWELL CONCRETE CONTRACTORS, INC. WAS THE LOWEST BIDDER IN THE AMOUNT OF \$27,153.20 AND HOOK'S CONCRETE CONSTRUCTION WAS THE SECOND LOWEST BIDDER IN THE AMOUNT OF \$32,688.20. SINCE THE BID AMOUNT WAS LOWER THAN THE BUDGETED AMOUNT, STAFF REQUESTED THAT J & J NEWELL, IF AWARDED THE PROJECT, BE AUTHORIZED TO PERFORM ADDITIONAL WORK ON CRAWFORD AVENUE AT THE BID AMOUNT UNIT COSTS. THE TOTAL OF THE COMBINED PROJECTS ARE NOT TO EXCEED \$36,000.00.

**AWARD 2012
SIDEWALK PROJECT**

MOTION BY WICKER, SECONDED BY REICHERT, TO AWARD THE 2012 SIDEWALK PROJECT TO J & J NEWELL CONCRETE CONTRACTORS, INC., THE LOWEST BIDDER, IN THE AMOUNT OF \$27,153.20 AND TO AUTHORIZE THE ADDITIONAL WORK ON CRAWFORD AVENUE AT THE SAME BID AMOUNT UNIT COST WITH THE COMBINED TOTAL NOT TO EXCEED \$36,000.00. WICKER, REICHERT, FORSYTHE, AND CALLAHAN VOTING AYE; MOTION CARRIED.

PETITION PACKETS FOR THE APRIL 9, 2013, CONSOLIDATED ELECTION ARE AVAILABLE AT THE VILLAGE CLERK'S OFFICE BEGINNING SEPTEMBER 25, 2012.

ANNOUNCEMENTS

HOMECOMING PARADE – SEPTEMBER 28, 2012, AT 4:00 P.M.

SEPTEMBER 28, 2012, FROM 1-4 P.M. - THE FORD DEALERSHIP WILL DONATE \$20.00 TO THE SCHOOL FOR EACH CAR TEST DRIVE.

WATER/SEWER/GARBAGE BILLS WILL BE MAILED SEPTEMBER 28, 2012.

MOTION BY FORSYTHE, SECONDED BY REICHERT, TO ADJOURN THE REGULAR MEETING OF THE PEOTONE VILLAGE BOARD OF TRUSTEES AT 8:35 P.M. FORSYTHE, REICHERT, WICKER, AND CALLAHAN VOTING AYE; MOTION CARRIED.

ADJOURNMENT

Donna Werner
Village Clerk