



Village of Caseyville

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Caseyville, Illinois 62232

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REGULAR BOARD MEETING MINUTES May 20, 2015

Call to Order:

The regular meeting of the Village of Caseyville was called to order at 7:00 P.M. by Mayor Leonard Black. The meeting was held on Wednesday, May 20, 2015 in the Council Chambers at 909 South Main, Caseyville, IL 62232.

The meeting opened with the Pledge of Allegiance and silent prayer.

Roll Call:

Trustees present: G.W. Scott, Kerry Davis, Wally Abernathy; Ron Tamburello, Brenda Williams

Trustees absent: Rick Casey, Jr.

Others Present: Mayor Leonard Black, Superintendent of Public Works, Brian Rader, Police Chief Frank Moore, Village Attorney, Thomas Zirilleni and Clerk Rob Watt

Minutes:

A motion was made by Kerry Davis, seconded by G.W. Scott to approve the minutes of the Regular Board and Closed Session Meetings held on April 15, 2015 and May 6, 2015. No additions or corrections.

Voting on Motion: all yeas, no nays - **Motion Passed**

Old Business:

- Mayor Black presented plaques to Kerry Davis and Ron Tamburello for their service to the Village of Caseyville as Trustees. Rick Casey, Jr. was also awarded a plaque but he was not in attendance to receive it.

- Mayor Black swore in John Buckley, Matt Modrovsky and Jackie Mitchell as new Village Trustees.
- Mayor Black read a letter that he sent to the current and new Board Members asking they look over his recommendations for Committee assignments. He said he took a long time to make these assignments and tried to be fair as possible. He asks the Board if they are fine with his selections. Wally Abernathy says the Board has some changes on these assignments. Mayor Black states he never heard them. The Board is given a copy of the new assignments and Wally Abernathy reads off the changes the Board has for the Committees. Wally Abernathy makes a motion and it gets a second before it is interrupted by Mayor Black. A discussion ensues on who has the Authority to make the appointments of each Chairman and members of a Committee and Mayor Pro Tem. Mayor Black thinks it should be tabled but is told there are a motion and a second on the floor. He says that we need a legal opinion and the Attorney looks over the past and current Ordinance on the matter. Mayor Black asks Wally Abernathy if he didn't like what he did with the assignments. Wally Abernathy states that they were happy with the way it is. It is decided that a newly enacted Ordinance gives the Trustees the authority to make all appointments for committees.
- Motion was made by Wally Abernathy, seconded by G.W. Scott, to approve the Village Board Committee Chairman and Member Appointments.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

Roll Call:

Trustees present: G.W. Scott, Matt Modrovsky, Wally Abernathy; John Buckley, Brenda Williams, Jackie Mitchell

Trustees absent: None

Others Present: Mayor Leonard Black, Superintendent of Public Works, Brian Rader, Police Chief Frank Moore, Village Attorney, Thomas Zirilleni and Clerk Rob Watt

- Brenda Williams presented the Public Works and Caseyville Police Department with a Card from the 1st Graders at the Caseyville Grade School for helping them out when it rained during their End of Year Celebration while they were at the Caseyville Park.

Citizen's Input:

Brad Vanhooose spoke to the Board and was happy to see new faces on the Board but did not have a problem with the old faces. He presented the Board with a wish list that had the following:

- Restoring Authority, through ordinance or resolution, to the Village Clerk so that he doesn't need to get permission from the Mayor to release public information.
 - Continued compliance of the Open Meetings Act and Freedom of Information Act.
 - Having one School district.
 - Making our I-64 Interchange area like Fairview Heights not Washington Park.
 - Bolster the Resolutions or Ordinances on releasing Closed Meetings.
 - Consider censoring Mayor Black from closed sessions.
 - Take the keys to the checkbook from Mayor Black.
- Mayor Black had rebuttals to the items he was mentioned in and provided examples of how well things are going. There was a significant back and forth over these topics, legal fees and lawsuits against the Village between Mr. Vanhooose and Mayor Black.
 - Ms. Grace Brooks comes before the Board and states that she doesn't know the procedures for nomination of Committees and said she read the letter the Mayor sent to the Board. She says the Mayor was blindsided by the Boards changes to the Committees, the honest thing that should have been done is that this should have been discussed before the Board convened this meeting and not what took place in front of those in attendance. She said that this embarrassed those in attendance and the Board itself. She states that the Mayor asked them kindly to respond to him if they had any changes. She said she was sorry but she was seriously disappointed.

- Candi Eaves says her concern is if this wasn't discussed in a Committee Meeting when did the Board get together to decide this and was this a violation of the Open Meetings Act? Attorney Zirilleni states that without all the details it would be hard to form a legal opinion. Candi Eaves states that there are 6 people up there who knew of these recommendations and who knew the changes. She states that there obviously was not a discussion with Mayor Black present so there had to be a meeting somewhere. She asks again if this was a violation of the Open Meetings Act and can you make something legal if it was obtained illegally. Mayor Black states that they will do some checking on that.

- John Wilson speaks to the Board and states that he doesn't know how it could have been an illegal meeting could have been conducted if the three new Trustees were sworn in tonight. Technically they did not attend a meeting as Village Officials. He states even if the other Trustees met they did not have a quorum so there couldn't have been an illegal meeting. Candi Eaves disagrees and they discuss who was in attendance and why it wasn't illegal. John Wilson reiterates his earlier point. Candi Eaves says the only person she sees shocked tonight is Mayor Black and that we should be doing this the right way. John Wilson states that the only decision tonight that have been made was by the old Board and that although the Mayor had his recommendations, the Attorney clarified that the Ordinance gave the Board the authority to make the changes. He believed that if the Ordinance stated this then that was where the mistake was made. John Wilson asks Mayor Black if he discussed this with the old Board and Mayor Black stated he wrote everyone a letter. John Wilson asks the Mayor if he asked everyone or just told him his recommendations. Mayor Black states that previously, the Mayor made all the appointments and that has changed due to the Ordinance. He says that he is not going to make a legal issue out of it but if this is what the people and the Board want then that is fine. John Wilson ends with that the people voted these new Board Members in and we should give them a couple of months to figure things out before we make judgments.

- Rick Pierce speaks for the Board and first congratulates the new Board members. He thanks Kerry Davis and Ron Tamburello for that they have done for the Village. Mr. Pierce is here tonight with a complaint about the high grass at 101 West Lincoln and

27 West Washington. He informs the Board that he even filed a complaint on May 11th, 2015 with the Caseyville Police Department and Mayor Black. He states that the grass at 101 West Lincoln is almost 4 feet tall. He states that he is on vacation next week and asks who wants to join him to cut grass. Mayor Black agrees with Mr. Pierce that it needs to be cut and has talked to Brian Rader. He then proceeds to inform everyone about the process. Questions are asked about why we can't just go on the property and cut the grass and that we should get with the bank to see who owns it to get it taken care of. Both Keri Cary and Ron Sanftleben state that it has been posted and that there are rules and regulations that prohibit the Village from cutting the grass right away. The Village has to give the owners time to rectify the situation and then they can take care of it. If they do not adhere to these rules then they become liable for any damage and can be taken to court. Ron told the Board that it would have been cut sooner but it rained and they could not cut it. The Board discusses the procedures on how the Village takes care of properties that have the issues like high grass and other ordinance violations, recouping of funds when the Village intervenes, and the unsightliness of these properties to Village residents. The conversation moves to Ordinance Officer Rachel Briley hours, the process for ordinance violations and needing more hours for her to work.

- Pam McDaniel reminds those in attendance that the City-wide Yard sale is May 30th, 2015. She informs everyone that traffic will be heavy and that she has left a flyer at the Police Station letting them know. She informs everyone that the licenses for the yard sale can be purchased at the Library and if any has questions or needs information, please let her know. She informs everyone that the next Chamber of Commerce Meeting is 6pm on June 8th, 2015 at South Main Diner. The last thing she passes on is the Moose Club's Blood Drive which will be Tuesday, May 26th, 2015 from 3pm to 7pm.
- Bill Warhoover tells the Board that the house at 449 South 4th Street that has had a hole in the roof and no one has lived there in 6 years. He says that there are many faded signs in the yard for violations with the home and the yard. He cautions the Board that if we permit these violations to go on than we are promoting it. He asks the Board what are we to do if we have properties like this in the Village. Mayor Black states that is a problem the

Board needs to address and talks to Rachel Briley's hours, how she processes violations and work out a solution on getting her more hours if that is possible. The issue is not only her hours but what is the follow-up with the properties that have faded signs. That is what also needs to be addressed. Wally Abernathy explains the situation on the property with the garage door lying in the driveway that is across from his house. Matt Modrovsky asks what kind of funds she bring in with the number of tickets she writes. Chief Moore states that citations are not written to recoup revenue because that is not how it works. For the derelict cars and properties the money that is recouped is minimal but is a separate issue because those are based on fines that awarded by the Court. Chief Moore explains this in detail. Keri Cary is asked by the Mayor to explain the violation process in detail. Brad Vanhoose offers some insight on this issue and properties being bought for back taxes but not being filed.

New Business:

- Motion was made by Matt Modrovsky, seconded by John Buckley, to approve the appointment of Kent Luebbers to the Planning Commission.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- The Board discussed the issue of having two Board meetings a month and the reasoning for the way it is now. This was tabled to be addressed at a later date.

Administration/Clerk/Communications/Technology

- Motion was made by Brenda Williams, seconded by G.W. Scott, to approve the advertising of the Water Clerk position in order to hire a replacement for Linda Peters.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

Finance/TIF/Grants/Insurance

- Motion was made by Matt Modrovsky, seconded by Brenda Williams, to approve Resolution #1521 – A Resolution Approving the Appointment of LOCIS as Village Treasurer and Approving Compensation for Services.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

Police

- Motion was made by John Buckley, seconded by Brenda Williams, to table Resolution #1522 – Resolution Authorizing the Purchase of two (2) 2015 Ford Police Interceptor Sedans (AWD).

John Buckley tabled the Resolution because he is just coming in. He wants to talk to the Treasurer and have a Police Committee meeting to talk things out and figure out where we are financially.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by John Buckley, seconded by Wally Abernathy, to give the Police and Fire Board permission to hire of a new Police Officer to the Caseyville Police Department.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Chief Frank Moore gave the Police Statistics for the Month of April.
- Judge Stephen McGlynn swore in the new Trustees.

Public Works:

- Motion was made by G.W. Scott, seconded by Wally Abernathy, to approve East-West Gateway to host a Public Open House at

the Caseyville Community Center on June 18th, 2015 for no charge.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by G.W. Scott, seconded by Brenda Williams, to approve the St. Clair County Health Department to host a Metro East Air & Health Seminar at the Caseyville Community Center on October 23rd, 2015 for no charge.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by G.W. Scott, seconded by Brenda Williams, to approve moving Temporary Public Works Employee Randy Smith to full-time position to replace the Retiring Ron Sanftleben.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by G.W. Scott, seconded by Wally Abernathy, to approve the hiring of two temporary Summer Help employees for mowing from Local 100.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

Planning/Zoning:

- Motion was made by Wally Abernathy, seconded by G.W. Scott, to approve the hiring of 3 Part-time Inspectors (Bob Gaeschal, Randy McAllistar and Fred Rosen).

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed.**

- Motion was made by Wally Abernathy, seconded by G.W. Scott, to approve Resolution #1523 – Resolution Authorizing the Issuance of a Solicitor’s Permit to Neel G. Patel, Financial Advisor for Edward Jones.

Brenda Williams states that she wanted the Board to know that she is voting no and the reason being that she doesn’t like solicitors at her door and doesn’t think anyone in town does either. Wally Abernathy informs the Board that he should have let the Board know that he was not going door to door.

No questions on the motion.

Voting on the motion: G.W. Scott – **Yea**, Wally Abernathy – **Yea**, Matt Modrovsky – **Nay**, Jackie Mitchell – **Nay**, Brenda Williams – **Nay**, John Buckley – **Nay**

4 Nay and 2 Yeas - Motion Failed

- Motion was made by Wally Abernathy, seconded by Brenda Williams, to approve Ordinance #1503 - An Ordinance of the Village of Caseyville, Illinois for the Approval of the Vacating of

- 1) Final Plat Forest Lakes - Phase 1 Eagle Peak Phase 1 Subdivision
- 2) Final Plat Forest Lakes - Phase 1 Eagle Peak Phase 2 Subdivision
- 3) Final Plat Forest Lakes - Phase 1 Fox Run Phase 1 Subdivision
- 4) Final Plat Forest Lakes - Phase 1 Fox Run Phase 2 Subdivision

Mayor Black asked where this was going to be and Wally Abernathy stated it was the old Forest Lakes Plats that were never platted and the new developers wanted to change the names. Wally Abernathy informs the Board that there is a meeting with the Developers next week.

No further questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Motion was made by Wally Abernathy, seconded by Matt Modrovsky, to approve the Lion's Veteran's Memorial Park sign for the donated Lion's Park.

No questions on the motion.

Voting on the motion: All yeas and no nays - **Motion passed**

- Brian Rader, Superintendent of Public Works, gave an update on the progress of the new gym equipment in the Caseyville Park.
- MK Dashke informed the Board of the Fishing Derby on June 13th, 2015 and if anyone could assist in hanging flyers in their business that would be helpful. She mentioned that they are still looking for volunteers. She also informed the Board on the latest items for the 3rd of July Fireworks and Family picnic. She went into detail on the inflatables that will be there.

Committee Reports:

Finance/TIF – Brenda Williams let the Board know that a Finance/TIF meeting was called for May 21st, 2015 at 4:30pm.

- MK Dashke informed those in attendance that the Caseyville Fishing Derby will be held on Saturday, June 13th, 2015. She is looking for Volunteers to assist. She also said when she gets the items finalized she will give an update on the July 4th Family and Fireworks.

Correspondence:

- Clerk Rob Watt did not have any correspondence for this meeting.

Approval of Bills:

A motion was made by Brenda Williams, seconded by Wally Abernathy, to authorize the expenditures of the bills and the money drawn from the proper accounts, as funds are available.

Voting on the motion: All yeas and no nays - **Motion passed.**

Miscellaneous: None

- A motion was made by Wally Abernathy, seconded by John Buckley, at 8:21pm to go into closed session to discuss litigation pursuant to 5 ILCS 120/2(c)(11) (Alvarez and TBHP, LLC).

Voting on Motion: all yeas, no nays—**Motion Passed.**

- A motion was made by Brenda Williams, seconded by G.W. Scott, to come out of closed session at 8:52pm.

Voting on Motion: all yeas, no nays—**Motion Passed.**

- A motion was made by Brenda Williams, seconded by Wally Abernathy, to reconvene the meeting at 8:54pm.

Voting on Motion: all yeas, no nays—**Motion Passed.**

Adjournment

There was no additional business to bring before the Board. A motion was made by Brenda Williams, seconded by John Buckley to adjourn the meeting.

Voting on the motion: All yeas and no nays - **Motion passed.**

Meeting adjourned at 8:55 p.m.

Respectfully Submitted by



Rob Watt
Village Clerk